



PLANNING COMMISSION AGENDA REPORT

VII.3

MEETING DATE: SEPTEMBER 24, 2007

ITEM NUMBER:

SUBJECT: GENERAL PLAN AMENDMENT GP-07-04 FOR WEST SANTA ANA HEIGHTS

DATE: SEPTEMBER 12, 2007

**FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, ASSISTANT PLANNER
(714) 754-5609**

DESCRIPTION

The proposed project involves amending the City of Costa Mesa's General Plan Land Use Element and General Plan Land Use Map to remove West Santa Ana Heights from the City of Costa Mesa's Sphere of Influence.

APPLICANT

City of Costa Mesa

RECOMMENDATION

Recommend that City Council take the following action: Approve General Plan Amendment GP-07-04 by adopting the attached resolution:

REBECCA ROBBINS
Assistant Planner

KIMBERLY BRANDT, AICP
Principal Planner

BACKGROUND

On July 18, 2007, the Orange County Local Agency Formation Commission (LAFCO) approved an application to annex West Santa Ana Heights to the City of Newport Beach. The area approved for annexation to the City of Newport Beach totals approximately 60 acres and is generally bound by Santa Ana Avenue to the west, Mesa Drive and Irvine Avenue to the south, Newport Beach Golf Course to the east, and Santa Ana Delhi Channel to the north. (See "Exhibit B" of the attached resolution.)

To reflect LAFCO's approval, the City of Costa Mesa's General Plan Land Use Element and General Plan Land Use Map need to be amended to remove West Santa Ana Heights from the City's Sphere of Influence. The effective date for the annexation is set for January 1, 2008.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, this project required a Negative Declaration that had been previously prepared by the City of Newport Beach and was used for LAFCO's recent action on West Santa Ana Heights.

CONCLUSION

The removal of the West Santa Ana Heights from the City of Costa Mesa's 2000 General Plan is consistent with LAFCO's recent action. The effective date for the annexation is set for January 1, 2008; therefore, the attached resolution correspondingly sets the effective date of this General Plan amendment as January 1, 2008.

- Attachments:
1. Draft Planning Commission Resolution
 Exhibit "A" – General Plan Land Use text
 Exhibit "B" – General Plan Land Use Map
 2. Negative Declaration

cc: Deputy City Manager-Dev. Svs. Director
Sr. Deputy City Attorney
City Engineer
Staff (4)
File (2)

File: 092407GP0704	Date: 091307	Time: 10:00 a.m.
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ATTACHMENT 1

Draft Planning Commission Resolution

RESOLUTION NO. PC-07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT GP-07-04 TO REMOVE WEST SANTA ANA HEIGHTS FROM THE GENERAL PLAN LAND USE ELEMENT AND GENERAL PLAN LAND USE MAP.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002; and

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa; and

WHEREAS, by its very nature, the General Plan needs to be updated and refined to account for current and future community needs; and

WHEREAS, the Orange County Local Agency Formation Commission (LAFCO) approved the annexation of West Santa Ana Heights to the City of Newport Beach on July 18, 2007; and

WHEREAS, to reflect LAFCO's approval, the City initiated General Plan Amendment GP-07-04, to amend the City of Costa Mesa's General Plan Land Use Element and the General Plan Land Use Map to remove West Santa Ana Heights from the City's Sphere of Influence; and

WHEREAS, the effective date for the annexation is January 1, 2008; and

WHEREAS, the environmental review for the project was processed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and a Negative Declaration was previously prepared by the City of Newport Beach and was used for LAFCO's recent action; and

WHEREAS, this Commission deems it to be consistent with LAFCO's recent action that said Amendment to the City of Costa Mesa's General Plan Land Use Element and General Plan Land Use Map be adopted.

BE IT RESOLVED that the Costa Mesa Planning Commission does hereby recommend to the City Council adoption of General Plan Amendment GP-07-04, effective January 1, 2008, that amends text of the 2000 General Plan as set forth in Exhibit "A" and amends the map of the 2000 General Plan as set forth in Exhibit "B", which is attached to this resolution.

PASSED AND ADOPTED this 24th day of September, 2007.

Don Hall, Chairman
Costa Mesa Planning Commission

facilities. Standards for population density and building intensity in each planning district are also required.

2.2 RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS

The Land Use Element serves as the primary means of integrating the policies in other elements of the 2000 General Plan with the proposed pattern of land uses designated on the General Plan Land Use Map. The Housing Element contains policies for residential development, which also are considered in the Land Use Element. The Circulation Element provides for the maintenance of a transportation network that will support the ultimate land uses established on the Land Use Map. The Safety Element identifies hazards that need to be considered in land use planning for the City. The noise contours in the Noise Element are used as a guide to establish the land use patterns to ensure that future development minimizes exposure of residents to excessive noise. The Open Space and Recreation Element designates sites for community open space uses which are considered along with other provisions of the Land Use Element. The goals and policies of the Community Design Element establish criteria for quality development, which are also coordinated with development-oriented policies of the Land Use Element.

2.3 SUMMARY OF EXISTING CONDITIONS

This section provides an overview of existing land use patterns throughout the City. Statistical land use information is summarized in Table LU-1, *Land Use Designations (2001)*. Vacant parcels in the City as of September 2001 are shown in Exhibit LU-1, *Vacant Land*.

RESIDENTIAL AREAS

The Low-Density Residential land use designation covers ~~26.8~~ 27 percent of the net acreage of the City and its sphere of influence. This high percentage of low-density is not unique to Costa Mesa, but is found throughout several communities in Orange County. The accelerated demand for suburban homes experienced in the mid 1950s and 1960s resulted in the conversion of thousands of agricultural acres to large single-family housing tracts. Today this use remains predominant in Costa Mesa. New opportunities for large-scale, single-family development are limited with less than two acres of undeveloped Low-Density Residential land remaining. Recent single-family construction has taken the form of in-fill development, especially in the area east of Newport Boulevard but at a higher density than traditional single-family neighborhoods.

Medium and High-Density Residential Land Uses account for ~~20.9~~ 21 percent of the net acreage of the City. In many instances, existing residential development density exceeds the allowed number of dwelling units per acre

TABLE LU-1: LAND USE DESIGNATIONS (2005)

Land Use Designation	Residential Density DU/Acre*	Floor Area Ratio	Acres Developed	Acres Undeveloped (1999)	Total Acres	% of City
Low-Density Residential	≤8	Same as Neighborhood Commercial	<u>2,143.4</u> 2,168.3	1.8	<u>2,145.2</u> 2,170.4	<u>26.6%</u> 26.8%
Medium-Density Residential ^{1,6}	≤12	Same as Neighborhood Commercial	<u>776.5</u> 794.5	30.7	<u>807.2</u> 825.2	<u>10.0%</u> 10.2%
High-Density Residential ^{1,6}	≤20 ²	Same as Neighborhood Commercial	<u>824.1</u> 836.3	42.0	<u>866.1</u> 878.3	<u>10.7%</u> 10.8%
Commercial-Residential	≤17.4	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic	42.6	0.9	43.5	0.5%
Neighborhood Commercial ⁶	-	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	42.4	2.5	44.9	0.6%
General Commercial ⁶	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40 Low Traffic 0.75/Very Low Traffic	<u>605.9</u> 610.7	20.8	<u>626.7</u> 634.5	<u>7.7%</u> 7.8%
Commercial Center ⁶	<20 ≤40 site-specific density for 1901 Newport Blvd ³	0.25/High Traffic 0.35/Moderate Traffic 0.45 Low Traffic 0.75/Very Low Traffic 0.70 Site-Specific FAR for 1901 Newport Blvd ³	29.4	63.3	92.7	1.1%
Regional Commercial	≤20	0.652/0.89 ⁴	114.7	0.0	114.7	1.4%
Urban Center Commercial	≤20 ⁵ ≤100 Site-Specific Density for South Coast Metro Center ⁵	0.50 Retail 0.60 Office 0.79 Site-Specific FAR for South Coast Metro Center ⁵	134.2	26.2	160.4	2.0%
Cultural Arts Center	Varies ⁷	1.77 ⁷	49.0	5.0	54.0	0.7%
Industrial Park	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	696.5	17.7	714.2	8.8%
Light Industry ⁸	≤20	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	375.5	6.6	382.1	4.7%
Public/Institutional	-	0.25	1,281.3	0.5	1,281.8	<u>15.9%</u> 15.8%
Golf Course	-	<0.01	560.1	0.0	560.1	6.9%
Fairgrounds	-	<0.10	146.4	0.0	146.4	1.8%
Total			<u>7,822.0</u> 7,884.9	<u>218.0</u> 217.6	<u>8,040.0</u> 8,089.5	<u>100.0%</u>

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within Medium and High-Density Residential designations. This is primarily the result of changes in the 1990 General Plan that reduced residential densities. This change was primarily a reflection of the community's concerns for quality of life issues related to traffic and a more appropriate balance between the amount of land devoted to multi-family and single-family development. The density of these existing legal, non-conforming residential developments is accounted for in the growth and traffic projections of this 2000 General Plan.

COMMERCIAL AREAS

Commercial land use designations encompass ~~13.4~~ 13 percent of the City's land area. The 1,086 acres designated for commercial uses contain approximately 16.6 million square feet of commercial space. These uses are spread throughout the City, divided into seven commercial designations and one mixed-use designation (Commercial-Residential) (refer to Table LU-1). South Coast Plaza contains the largest single concentration of retail uses in the City. It accounts for 30 percent of the City's commercial square footage and 25 percent of the retail sales. Within this same area, the development in the Town Center area contains 20 percent of the City's office space.

The Harbor Boulevard commercial district encompasses almost one-third of Costa Mesa's commercial land. The district is responsible for 40 percent of the City's retail sales, indicating that Harbor Boulevard's trade area is of a regional scale. The major factor for this is the concentration of new car dealerships on Harbor Boulevard.

The 92-acre East 17th Street commercial district contains a variety of commercial uses, including retail, service, and office. The area generally serves local residences and businesses. One-tenth of the City's retail sales is attributable to East 17th Street businesses.

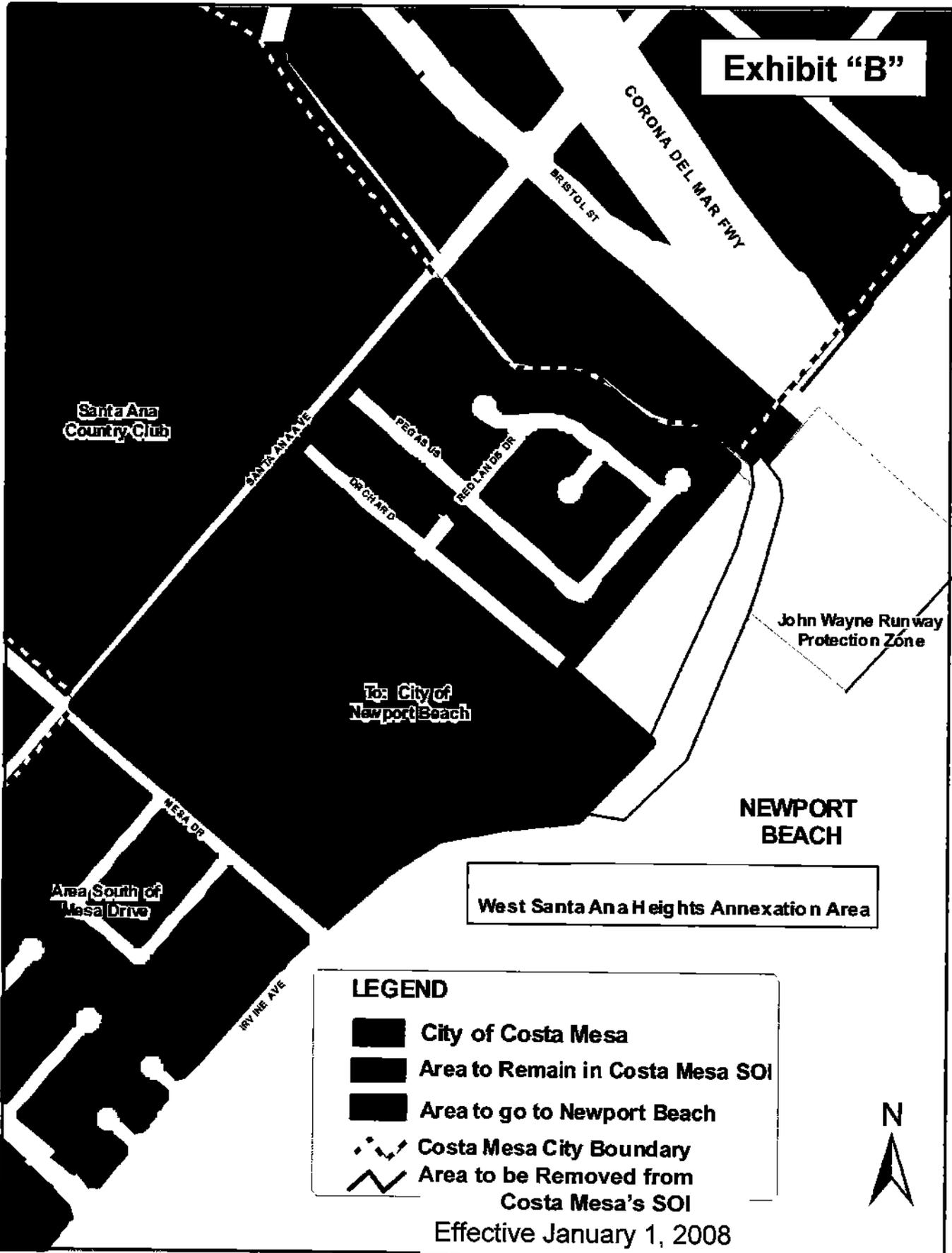
INDUSTRIAL AREAS

Industrial land use designations encompass 1,097 acres of land in Costa Mesa. These uses are primarily concentrated in three major districts: the Southwest District, the Airport Industrial District, and the North Costa Mesa Industrial District (refer to Table LU-2). The Southwest District is the City's oldest industrial area and the two other areas are more recently developed industrial parks located in the northwest and northeast sections of the City.

The Southwest District contains 312 acres and represents 88 percent of the City's land designated for Light Industry. This area contained a substantial amount of industrial development before the City was incorporated. The area contains several large manufacturing firms as well as a high percentage of smaller industrial operations, frequently in multi-tenant structures. The Southwest District is one of Costa Mesa's major employment centers employing approximately one-fourth of the City's employees engaged in manufacturing-related jobs. Forty-one (41) percent of the manufacturing employers are located in this district.

The 390-acre Airport Industrial Area is a portion of the much larger Irvine Industrial Complex, which extends into the cities of Irvine and Tustin. This area is characterized by large parcels and wide landscaped setbacks. Several firms have located their main or regional headquarters in the area and are often the single tenants in large structures.

Exhibit "B"



LEGEND

- City of Costa Mesa
- Area to Remain in Costa Mesa SOI
- Area to go to Newport Beach
- Costa Mesa City Boundary
- Area to be Removed from Costa Mesa's SOI



Effective January 1, 2008

ATTACHMENT 2

Negative Declaration

City of Newport Beach
3300 Newport Boulevard - P.O. Box 1768
Newport Beach, CA 92658-8915
(949) 644-3200

NEGATIVE DECLARATION

To: <input type="checkbox"/> Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814 <input type="checkbox"/> County Clerk, County of Orange Public Services Division P.O. Box 238 Santa Ana, CA 92702	From: City of Newport Beach Planning Department 3300 Newport Boulevard - P.O. Box 1768 Newport Beach, CA 92658-8915 (Orange County)
Date received for filing at OPR/County Clerk	

Public Review Period: July 12 to August 11, 2003

Name of Project:	Project PA 2003-149: General Plan Amendment GP 2003-005 and Code Amendment CA 2003-006 (Area 7 Annexation)
Project Location:	South of Bristol Street, west of Irvine Avenue and the Newport Beach Golf Course, north of the Costa Mesa city boundary, and east of the 55 freeway.
Project Description:	General plan amendment, rezoning, sphere of influence amendment, and annexation of West Santa Ana Heights, the Santa Ana Country Club and the area south of Mesa Drive to the City of Newport Beach
Finding:	Pursuant to the provisions of City Council Policy K-3 pertaining to procedures and guidelines to implement the California Environmental Quality Act, the City has evaluated the proposed project and determined that it would not have a significant effect on the environment.
<p>A copy of the Initial Study containing the analysis supporting this finding is attached and on file at the Planning Department. The Initial Study may include mitigation measures that would eliminate or reduce potential environmental impacts. This document will be considered by the decision-makers prior to final action on the proposed project.</p> <p>Additional plans, studies and/or exhibits relating to the proposed project may be available for public review. If you would like to examine these materials, you are invited to contact the undersigned. If you wish to appeal the appropriateness or adequacy of this document, your comments should be submitted in writing prior to the close of the public review period. Your comments should specifically identify what environmental impacts you believe would result from the project, why they are significant, and what changes or mitigation measures you believe should be adopted to eliminate or reduce these impacts. There is no fee for this appeal. If a public hearing will be held, you are also invited to attend and testify as to the appropriateness of this document. If you have any questions or would like further information, please contact Larry Lawrence, project manager for the City, at 949-661-8175.</p>	
Patricia L. Temple, Planning Director	Date: July 1, 2003

CITY OF NEWPORT BEACH
INITIAL STUDY AND ENVIRONMENTAL CHECKLIST

NOTE: Passages which are double-underlined have been added or amended in response to comments received on this Initial Study/Negative Declaration

1. **Project Title:** **Project PA 2003-149, including General Plan Amendment GP 2003-005 and Code Amendment CA 2003-006: General Plan Amendment, Rezoning, Sphere of Influence Amendment and Annexation of West Santa Ana Heights, the Santa Ana Country Club, and the area south of Mesa Drive (for reference purposes, the entire annexation area is referred to herein as "Area 7" (see map at end of document))**

2. **Lead Agency Name and Address:** **City of Newport Beach
Planning Department
3300 Newport Boulevard
Newport Beach, CA 92658-8915**

3. **Contact Person and Phone No.:** **Larry Lawrence, Project Manager for City,
Lawrence Associates
949-661-8175**

4. **Project Location:** **South of Bristol Street, west of Irvine Avenue and the Newport Beach Golf Course, north of the Costa Mesa city boundary, and east of the 55 freeway. (see map at end of document)**

5. **Project Sponsor's Name/Address:** **City of Newport Beach
3300 Newport Boulevard
Newport Beach, CA 92658-8915**

6. **General Plan Designations:** **Various residential, commercial, and open space designations under County of Orange General Plan.**

7. **Zoning:** **Santa Ana Heights Specific Plan, and various residential, commercial, and open space designations, under County of Orange**

8. **Description of Project:** **General plan amendment, rezoning, sphere of influence amendment, and annexation of approximately 277 acres, described as Area 7.**

Prior to review of the annexation by the Local Agency Formation Commission, the City of Newport Beach intends to process a general plan amendment and a zoning amendment.

9. Surrounding Land Uses And Setting (see map at end of document):

To the west:	The 55 Freeway and Residential in the City of Costa Mesa
To the north:	Bristol Street, John Wayne Airport, Corona del Mar Freeway, and business park uses in the City of Costa Mesa
To the east:	The Newport Beach Golf Course and office uses in the City of Newport Beach
To the south:	Residential uses in the City of Costa Mesa

10. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement):

Orange County Local Agency Formation Commission (LAFCO) and County of Orange.

11. Existing Conditions:

Land Use And Development

With the exception of a few vacant infill lots, the annexation area is built out. Current land uses in the area include single family and multiple family residential, professional office, horticultural nursery, the Santa Ana Country Club, and accessory equestrian and kennel uses.

The General Plan and Zoning Code for the City of Newport Beach do not cover the proposed annexation area. Therefore, land use and circulation designations and specific plan provisions must be adopted by the City in conjunction with annexation. Thus, general plan and rezoning amendments are part of the present annexation package.

The subject property is currently located within the Costa Mesa Sphere of Influence. A competing annexation application for the West Santa Ana Heights area to the City of Costa Mesa is currently on file with LAFCO.

Public Services

Public safety and other services for the annexation area are currently provided by the County of Orange, the Orange County Sheriff's Department, and the Orange County Fire Authority.

Utilities and Service Systems

Sewage collection is provided by the Costa Mesa Sanitary District while sewage treatment is provided by the Orange County Sanitation Districts. Water facilities and service are provided by the Irvine Ranch Water District (IRWD). Solid waste is collected by Waste Management Inc.

12. Environmental Factors Potentially Affected:

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

No potentially significant impacts were found in any of the above areas. "No Impact" and "No Significant Impact" responses were given in all categories because the change in jurisdiction from the County of Orange to the City of Newport Beach will not result in any significant environmental effect. Any impacts in the areas of public services and utilities, such as police, fire, water, and sewer, will be less than significant. Also, any impacts on air quality, biological resources, water quality, or other environmental categories are the result of existing development or of previously-approved development plans, which will not change as a result of the change in jurisdiction.

13. Determination. (To be completed by the Lead Agency.) On the basis of this initial evaluation:

I find that although the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

□

Signature

July 1, 2003

Date

LARRY LAWRENCE

Printed Name

SECTIONS: A. ENVIRONMENTAL CHECKLIST
 B. EXPLANATION OF CHECKLIST RESPONSES

A. ENVIRONMENTAL CHECKLIST

The Environmental Checklist provides a preliminary analysis of the proposed project's potential for significant environmental impacts. Sources of information for all responses are specified immediately following the checklist.

The Initial Study indicates that the project may result in significant environmental impacts but that those impacts will be reduced to a less-than-significant level through the implementation of mitigation measures identified in the Study.

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
I. AESTHETICS.					
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,5,6
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,5,6
II. AGRICULTURE RESOURCES.					
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,5,6

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,5,6
III. AIR QUALITY.					
Would the project					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,9,10,11
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,9,10,11
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,9,10,11
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,9,10,11
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,9,10,11
IV. BIOLOGICAL RESOURCES.					
Would the project					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Dept. of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
V. CULTURAL RESOURCES.					
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
VI. GEOLOGY AND SOILS.					
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Prilo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,7,11
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,7,11
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,7,11
d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a
VII. HAZARDS & HAZARDOUS MATERIALS.					
Would the project:					
a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,6,11

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist					
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,8,11
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,8,11
d) Be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 85982.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,8,11
e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,8,11,12,13
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,8,11
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,8,11
VIII. HYDROLOGY AND WATER QUALITY.					
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
b) Substantially depletes groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,11

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
IX. LAND USE AND PLANNING.					
Would the project					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,5,6,11
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3,4,5,6,11, <u>12,13</u>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,5,6,11
X. MINERAL RESOURCES.					
Would the project					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4,11
XI. NOISE.					
Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,8,11, <u>12,13</u>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,8,11
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,8,11, <u>12,13</u>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,8,11, <u>12,13</u>

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
e) For a project located within an airport land use land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,8,11, 12,13
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a
XII. POPULATION AND HOUSING. Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,11
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,11
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,11
XIII. PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3,4,11
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3,4,11
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,11

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,11
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3,4,11
XIV. RECREATION					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
b) Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,4,6
XV. TRANSPORTATION/TRAFFIC					
Would the project:					
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
b) Exceed either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8,11
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,6
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,5,8

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IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bike racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
XVI. UTILITIES AND SERVICE SYSTEMS					
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8
g) Comply with federal, state, and local statutes and regulation related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8

IMPACT CATEGORY	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact	SOURCES*
* See Source References at the end of this Checklist.					
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of a major period of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1-13
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1-13
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1-13

XVIII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration (CEQA Guidelines Section 15063). For the present annexation project, no significant impacts have been identified. All earlier analyses are listed under *Source References*, below.

XIX. SOURCE REFERENCES.

Documents listed below are available at the offices of the City of Newport Beach, Planning Department, 3300 Newport Boulevard, Newport Beach, California 92660 (Note: Reference No. 1 denotes a physical inspection and therefore is not in the form of a written document).

1. Site visits to annexation area by Larry Lawrence, project manager for City of Newport.

2. **Report to Newport Beach City Council re Annexation of Area 7, by Dave Kiff, Assistant City Manager, March 11, 2003.**
3. **Final Program EIR – City of Newport Beach General Plan.**
4. **General Plan, including all Elements, City of Newport Beach.**
5. **Zoning Code, Title 20 of the Newport Beach Municipal Code.**
6. **Santa Ana Heights Specific Plan, County of Orange.**
7. **City Excavation and Grading Code, Newport Beach Municipal Code.**
8. **Community Noise Ordinance, Chapter 10.28 of the Newport Beach Municipal Code.**
9. **Air Quality Management Plan, South Coast Air Quality Management District, 1997.**
10. **Air Quality Management Plan EIR, South Coast Air Quality Management District, 1997.**
11. **FEIR No. 508, John Wayne Airport Master Plan and Santa Ana Heights Land Use Compatibility Program, County of Orange, February 1985.**
12. **Almport Environs Land Use Plan (AELUP), Airport Land Use Commission, December 19, 2002.**
13. **California Almport Land Use Planning Handbook, Caltrans Division of Aeronautics, January 2002.**

B. EXPLANATION OF CHECKLIST RESPONSES:

In all cases, the selection of the Checklist response was the product of the data sources listed above, followed by careful consideration of potential impacts from the project under the definitions and procedures of the California Environmental Quality Act (CEQA) Statute and Guidelines.

No potentially significant impacts were found. "No Impact" and "No Significant Impact" responses were given in all categories because the change in jurisdiction from the County of Orange to the City of Newport Beach will not result in any environmental effect. Any impacts on air quality, biological resources, water quality, or other categories are the result of existing development or of previously-approved development plans, which will not change as a result of the change in jurisdiction. (Such impacts have been analyzed in previous environmental impact reports available for inspection at the City of Newport Beach and the County of Orange.)

Notwithstanding the lack of significant impact found, the following sections contain further explanations of responses in the salient areas of Land Use and Planning, Public Services, and Utilities and Service Systems.

• **HAZARDS AND HAZARDOUS MATERIALS:**

Safety on the Ground:

The Airport Environs Land Use Plan (AELUP) states that "The Commission has not adopted Accident Potential Zones for this airport (JWA) because none could be justified with the available data." However, it should be noted that the a Runway Protection Zone has been established for the takeoff pattern beyond the end of the JWA runway. This area is occupied by the Newport Beach Golf Course. Aside from this open space use, no building development intrudes into the RPZ.

Safety Aloft:

This consideration refers primarily to building height in the present context. The affected portion of the annexation area was built out under the County's Santa Ana Heights Specific Plan, which recognized the AELUP and FAA height restrictions. The tallest maximum height in the affected area is 42 feet, allowed for the existing Newport Trade Center on Irvine Avenue.

• **LAND USE AND PLANNING:**

General Plan and Prezoning:

The County's Santa Ana Heights Specific Plan originally covers both east and west Santa Ana Heights. The City of Newport Beach's Santa Ana Heights Specific Plan (Chapter 20.44 of the Zoning Code) presently covers only east Santa Ana Heights, the area recently annexed to the City. Other differences between the two jurisdiction's Santa Ana Heights specific plans include the following:

1. The County plan format has four chapters: "Introduction", "The Plan", "Community Design Program", and "Land Use District Regulations", while the City version uses the Zoning Code's "Specific Plan District" format, inserting similar provisions into one chapter of the Zoning Code, with exhibits at the end of the chapter.
2. The County plan includes the West Santa Ana Heights portion of the annexation area, i.e. the area between the Newport Beach Golf Course and the Santa Ana Country Club, while the City plan does not.

To correct inconsistencies such as those listed above, general plan and prezoning actions by the City of Newport Beach have been made part of the present annexation project (see page 1 of this Initial Study). The intent of these applications is to retain the current land use and zoning regulations presently in effect under the County. Thus, in terms of land use and planning, the net result of the annexation will be a less-than-significant environmental impact.

Redevelopment Areas:

Area 7 is in two County redevelopment areas. The West SAH region is part of the Santa Ana Heights "Redevelopment Project Area" (RDA). The Santa Ana Country Club and South of Mesa Drive areas are within the Back Bay RDA. Thus, a portion of the areas' property taxes (called the "tax increment") are presently diverted to the Orange County Development Agency for infrastructure projects that address "blight" in the area. By State law, 20% of the tax increment must be used to increase the area's supply of low- and moderate-income housing. Upon annexation, it is likely that administration of these redevelopment areas will pass to the City. The City would then begin the necessary steps to

utilize the redevelopment tax increment to improve infrastructure (e.g. street, sidewalks, utilities) in the area.

- **NOISE:**

Over half of the west Santa Ana Heights portion of the annexation area lies within the 65 CNEI contour established by County EIR 508, which was the environmental impact report prepared jointly for the John Wayne Airport Master Plan (AMP) and the Santa Ana Heights Land Use Compatibility Program (LUCP) and recognized in the AELUP. The impacted area is virtually built out and consists of single family and multifamily residential development and a business park (the Newport Trade Centre on Irvine Avenue). The 65 CNEI contour was approved by the Board of Supervisors as the implementation line for two noise compatibility programs: "Purchase Assurance" and "Acoustical Insulation". These programs, aimed at mitigating noise impacts, have been implemented for the affected properties.

- **PUBLIC SERVICES:**

1. **Fire and Police** - Fire protection services will transfer from the Orange County Fire Authority to the Newport Beach Fire and Marine Department and police services will transfer from the Orange County Sheriff to the Newport Beach Police Department. The City's Plans of Service for the annexation area provides for the maintenance or improvement of existing levels of service for both fire and police protection.
2. **Other Services** - Other public services and facilities, such as administrative, recreation, code enforcement, planning, public works and others will remain unchanged or possibly improve because of the closer proximity of City offices and facilities than is now the case under County jurisdiction.

From the above information, the net effect on public services from the annexation will be a less-than-significant impact.

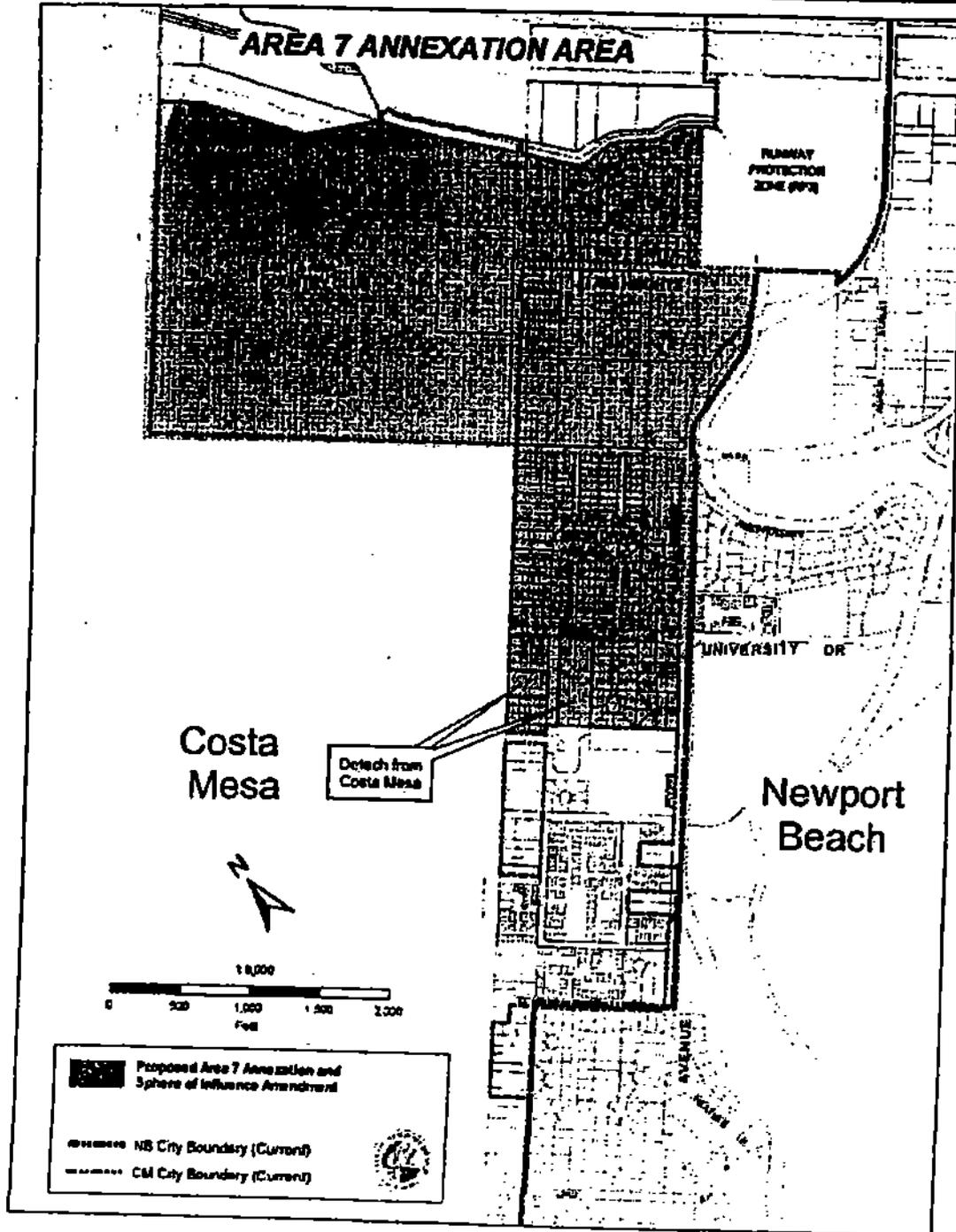
- **UTILITIES AND SERVICE SYSTEMS:**

Utility systems are already in place for this built-out area. Water facilities and service are provided by the Irvine Ranch Water District (IRWD). Sewage collection is provided by the Costa Mesa Sanitary District. Sewage treatment is provided by the Orange County Sanitation Districts. Solid waste is collected by a private firm, Waste Management Inc.

It is intended that these facilities and services remain with the current providers after annexation. Thus, there will be no impact on water, sewer, wastewater treatment, solid waste disposal, or other utility systems as a result of the annexation, and service will continue uninterrupted. The net effect on utilities and service systems from the annexation will be a less-than-significant impact.

MAP OF ANNEXATION AREA

NOTE: The original map incorrectly showed inclusion of the Airport Runway Protection Zone in the annexation/overlay area. This replacement map corrects that original map and excludes the RPZ.



**ATTACHMENTS TO ND-1:
COMMENTS FROM OTHER AGENCIES**

LAFCO

Orange County

Local Agency Formation Commission

August 8, 2003

RECEIVED BY
PLANNING DEPARTMENT
CITY OF NEWPORT BEACH

AUG 12 2003

AM 7, 8, 9, 10, 11, 12, 1, 2, 3, 4, 5, 6 PM

CELENE
ARLENE SCHAFFER
DIRECTOR
COSTA MESA
SANITARY DISTRICT

Patricia L. Temple, Planning Director
City of Newport Beach
3300 Newport Boulevard - P.O. Box 1768
Newport Beach, CA 92658-8915

VICE CHAIR
CHARLES A. SMITH
SUPERVISOR
FIRST DISTRICT

RE: Comments on Initial Study/Negative Declaration - General Plan
Amendment, Pre-zoning, Sphere of Influence Amendment and Annexation
of West Santa Ana Heights, Santa Ana Country Club, and the area south of
Mesa Drive to the City of Newport Beach

RANDALL BRESSETT
COUNCILMAN
CITY OF LAGUNA HILLS

Dear Ms. Temple,

PETER HERZIG
COUNCILMAN
CITY OF LAKE FOREST

Thank you for the opportunity to comment on the above-referenced
environmental document. As a responsible agency for the future annexation of
this area, LAFCO has reviewed the Initial Study/Negative Declaration and has the
following comments.

M. SAN WILSON
REPRESENTATIVE OF
GENERAL PUBLIC

THOMAS W. WILSON
SUPERVISOR
FIFTH DISTRICT

1. For clarification and background for the reader, the "Existing Conditions - Land Use and Development" section on Page 2 of the Initial Study should reference that the subject property is currently located within the Costa Mesa Sphere of Influence, and that a competing annexation application for the West Santa Ana Heights area to the City of Costa Mesa is currently on file with LAFCO.
2. Portions of the subject territory are located within the Santa Ana Heights Redevelopment Project Area. The Negative Declaration should reference this and discuss how potential annexation would impact administration of the redevelopment project area.
3. The proposed annexation and sphere of influence boundary included within the Negative Declaration appears to include property located within the northern portion of the Newport Beach Golf Course. This territory is owned by the County of Orange/John Wayne Airport and is overlain by the airport's Runway Protection Zone (RPZ). According to the Federal Aviation Administration, an RPZ is territory located beyond the end of an airport runway that is designed to protect people and property on the ground in the event of aircraft crashes.

JOHN B. WITHERS
DIRECTOR
RYDE LAKE WATER
DISTRICT

ALTERNATE
ROBERT MILLER
MAYOR
CITY OF LAGUNA HILLS

ALTERNATE
RHONDA MCCLINE
REPRESENTATIVE OF
GENERAL PUBLIC

ALTERNATE
JAMES W. SELVA
SUPERVISOR
SECOND DISTRICT

ALTERNATE
CHARLEY WILSON
DIRECTOR
SANTA MARGARITA
WATER DISTRICT

DANA M. SMITH
EXECUTIVE OFFICER

This area is currently located within the Costa Mesa Sphere of Influence.

12 Civic Center Plaza, Room 235, Santa Ana, CA 92701
(714) 834-2556 FAX (714) 834-2643
<http://www.orange.lafco.ca.gov>

August 8, 2003
RE: Comments - Negative Declaration
Page 2

When evaluating amendments to Spheres of Influence, there are four factors that LAFCO is statutorily required to consider (Government Code Section 56426.5):

- > Present and planned land uses in the area, including agricultural and open space lands.
- > Present and probable need for public facilities and services in the area.
- > Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- > Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

Including this area within the City's proposed annexation appears to conflict with the County's Guidelines for Annexations and Incorporations, adopted by the Board of Supervisors on October 7, 1997, which outlines the County's intention to oppose annexation requests which impact regional facilities necessary for core business functions.

If you have any questions or concerns, please contact me either by email at baldrich@orange.lafco.ca.gov or by phone at (714) 834-2556.

Sincerely,



Bob Aldrich
Assistant Executive Officer