

**Status of City Land for the Southern California Veterans Cemetery  
Senate Veterans Affairs Committee Hearing  
April 10, 2018**

**SUMMARY STATUS OF CITY LAND FOR A STATE VETERANS CEMETERY**

The Irvine City Council has been committed to providing land for a State Veterans Cemetery since 2014. The Irvine City Council signed a Veterans Cemetery Land Swap Agreement (Agreement) in October 2017 for the City's acquisition of the approximately 125-acre Bake Parkway/Strawberry Field site in exchange for its conveyance of the ARDA Transfer site to the private property owner. Agreement implementation is pending a referendum vote on the June 5, 2018 Irvine special election and adjudication of a lawsuit.

**IRVINE CITY COUNCIL ACTIONS TO PROVIDE LAND TO STATE (Jun-Oct 2017)**

The Irvine City Council took the following actions from June-October 2017:

1. Designated the Strawberry Fields/Bake Parkway site for a State Veterans Cemetery. (Resolution 17-39 – Attachment 1)
2. Entered into a Land Exchange Agreement to receive private property (Strawberry Fields/Bake Parkway site) in exchange for public property (ARDA Site). (Map – Attachment 2)
3. Adopted Ordinance 17-08, a zone change required as part of the Land Exchange Agreement. (Ordinance 17-08 – Attachment 3)
4. Directed the entire 125-acre Strawberry Fields/Bake Parkway Site be dedicated to the State immediately upon City ownership, after the land exchange. (Minutes – Attachment 4)

**JUNE 5, 2018 SPECIAL ELECTION**

After the City Council's adoption of Ordinance 17-08, referendum petitions were successfully filed and a June 5, 2018 special election was called to submit the referendum to the qualified voters of the City.

In response to a writ of mandate, the court approved the following ballot label:

Shall Ordinance No. 17-08, approving zone text amendments to allow for a land exchange agreement that facilitates (a) the allocation of development previously planned for the Bake Parkway Site to property near the intersection of Pusan and Irvine Blvd, and (b) the development of State-approved site for the Southern California Veterans Cemetery on strawberry fields located near the intersection of I-5 and Bake Parkway, be adopted?"

According to the Impartial Analysis:

- A "yes" vote would approve the Ordinance adopted by the City Council, in which case it would go into effect, and would be binding on the private property owner when the Veterans Cemetery Land Swap Agreement is final.
- A "no" vote would reject the Ordinance adopted by the City Council, in which case the pre-existing zoning designations would remain in place.

## **LAWSUIT**

- Claims lack of appropriate environmental review for the zone text amendment (Ordinance 17-08)
- Claims the City did not comply with the Development Agreement statute, claiming that the Land Swap Agreement amended the Amended and Restated Development Agreement with Heritage Fields.
- It is difficult to provide timing information for a court case.

CITY COUNCIL RESOLUTION NO. 17-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, RE-DESIGNATING ITS PREFERRED SITE FOR THE CREATION OF THE SOUTHERN CALIFORNIA VETERANS CEMETERY, EXPRESSING ITS INTENT TO PURSUE A LAND EXCHANGE WITH HERITAGE FIELDS EL TORO LLC THROUGH WHICH THE CITY WILL ACQUIRE THE PREFERRED SITE FOR THE SOUTHERN CALIFORNIA VETERANS CEMETERY, AND EXPRESSING THE INTENT TO CONVEY THE PREFERRED SITE TO THE STATE FOR PURPOSES OF CREATING THE SOUTHERN CALIFORNIA VETERANS CEMETERY

WHEREAS, on March 11, 2014, the Irvine City Council adopted Resolution No.14-27, which (1) expressed the Council's support for Assembly Bill 1453 (AB 1453), State Assembly Member Sharon Quirk-Silva's bill establishing a Southern California Veterans Cemetery in Orange County, and (2) expressed the City Council's strong interest in identifying and designating a site at the Orange County Great Park for conveyance to the State for purposes of creating and operating a Southern California Veterans Cemetery; and

WHEREAS, on July 22, 2014, the Irvine City Council adopted Resolution 14-92, expressing its intent to make available up to 125 acres of city-owned property referred to as the "ARDA Transfer Site" for a Southern California Veterans Cemetery; the designated property was labeled the "ARDA Transfer Site" because it was transferred to the City pursuant to an Amended and Restated Development Agreement (ARDA) between the City of Irvine and Heritage Fields El Toro, LLC (Heritage Fields); and

WHEREAS, under the ARDA (1) the ARDA Transfer Site is described as a portion of the "Great Park Property" (ARDA Recital G), and (2) Heritage Fields and the City may mutually agree in writing to modify or adjust the precise location and/or area or the land that comprises the ARDA Transfer Site so long as the replacement land is approximately the same acreage as the original ARDA Transfer Site (ARDA Section 9.2.1.2); and

WHEREAS, on September 27, 2014, Governor Jerry Brown signed AB 1453, with the legislation taking effect on January 1, 2015; and

WHEREAS, among other things, AB 1453 (1) directed that the State Department of Veterans Affairs (CalVet), in voluntary cooperation with local government entities in Orange County, design, develop, construct, and equip a state-owned and state-operated Southern California Veterans Cemetery, at the site of the former Marine Corps Air Station El Toro, on 125 acres known as the Amended and Restated Development Agreement Site in the Great Park in the City of Irvine, and (2) appropriated five hundred thousand dollars (\$500,000) from the State's General Fund to CalVet for completion of the preliminary or conceptual design work; and

WHEREAS, CalVet, together with the Department of General Services (DGS), hired design and environmental consultants to evaluate the ARDA Transfer Site for a pre-application requesting Federal cemetery grant funds from the United States Department of Veterans Affairs (USDVA) to develop a state owned and operated Southern California Veterans Cemetery; and

WHEREAS, in June 2016, CalVet submitted its pre-application to the USDVA including a report detailing an estimated \$77.4 million total cost to construct Phase I of the Southern California Veterans Cemetery including, but not limited to, demolition of the entire 125-acre ARDA site, burial sites; landscaping, administration and maintenance buildings; and

WHEREAS, CalVet's June 2016 submittal noted that (1) the ARDA Transfer Site contains more than 70 structures, a former MCAS El Toro control tower and offices, concrete runways, and asphalt roadways, and (2) the estimated costs for the demolition and site preparation segments of Phase I for the entire 125-acre ARDA Transfer Site would be approximately thirty million dollars (\$30,000,000); and

WHEREAS, in April of 2016, and in April of 2017, Heritage Fields expressed its willingness to enter into a land exchange with the City, pending agreed upon terms, whereby the City would take ownership of a site owned by Heritage Fields in Development District 2 of Planning Area 51, adjacent to Interstate 5 between Bake Parkway and Alton Parkway (the "District 2 Site"), and Heritage Fields would take ownership of the ARDA Transfer Site; and

WHEREAS, the District 2 Site is used for agriculture, and it is anticipated it will be less costly to develop for State Veterans Cemetery purposes than the ARDA Transfer Site; and

NOW, THEREFORE, the City Council of the City of Irvine does hereby resolve as follows:


SECTION 1. That the City Council of the City of Irvine hereby rescinds its July 22, 2014 designation of the ARDA Transfer Site as the best possible site for a State Veterans Cemetery, and re-designates the District 2 Site as the best possible site for a State Veterans Cemetery.

SECTION 2. That the City of Irvine expresses its intent to pursue a mutually satisfactory land exchange with Heritage Fields of the ARDA Transfer Site for the District 2 Site.

SECTION 3. That the City of Irvine expresses its intent to, upon completion of a land exchange with Heritage Fields, convey up to 125 acres of the District 2 Site to the State for purposes of creating the Southern California Veterans Cemetery — subject to all necessary and appropriate studies, procedures, and agreements with the State and Federal governments.



PASSED AND ADOPTED by the City Council of the City of Irvine at a special meeting held on the 6<sup>th</sup> day of June 2017.



MAYOR OF THE CITY OF IRVINE

ATTEST:



CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF IRVINE )

I, MOLLY MCLAUGHLIN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing resolution was duly adopted at a special meeting of the City Council of the City of Irvine held on the 6<sup>th</sup> day of June 2017.

AYES:	3	COUNCILMEMBERS:	Fox, Shea and Wagner
NOES:	2	COUNCILMEMBERS:	Lalloway and Schott
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None



CITY CLERK OF THE CITY OF IRVINE

CITY COUNCIL ORDINANCE NO. 17-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING A CITY-INITIATED ZONE CHANGE (00719550-PZC) TO COMPREHENSIVELY AMEND APPLICABLE SECTIONS OF THE ZONING ORDINANCE (SECTIONS 3-3-1 AND 3-37-39 RELATING TO THE TRAILS AND TRANSIT ORIENTED DEVELOPMENT ZONING DISTRICT, AND PARTS OF CHAPTER 9-51 RELATING TO THE ORANGE COUNTY GREAT PARK) TO REFLECT A LAND EXCHANGE OF THE EXISTING AMENDED AND RESTATED DEVELOPMENT AGREEMENT TRANSFER SITE (TO BE RENAMED AS DEVELOPMENT DISTRICT 9) WITH A PORTION OF DEVELOPMENT DISTRICT 2 WITHIN PLANNING AREA 51 (ORANGE COUNTY GREAT PARK)

WHEREAS, the City of Irvine has an adopted Zoning Ordinance; and

WHEREAS, the City of Irvine has initiated an application for Zone Change 00719550-PZC (Zone Change) requesting the amendments set forth in Exhibit "A," attached hereto and incorporated herein, and summarized in Section 7 of this Ordinance; and

WHEREAS, the Project has a General Plan land use designation of Orange County Great Park and a Zoning Ordinance designation of 8.1 Trails and Transit Oriented Development; and

WHEREAS, this Zone Change will comprehensively amend applicable sections of the Zoning Ordinance {[Sections 3-3-1 and 3-37-39 [relating to the 8.1 Trails and Transit Oriented Development zoning district] and parts of Chapter 9-51 [relating to Planning Area 51, Orange County Great Park (OCGP)]} to reflect a land exchange of the existing Amended and Restated Development Agreement Transfer Site (to be renamed as Development District 9) with the Alternate Site within Planning Area 51; and

WHEREAS, the Zone Change conforms with the City of Irvine General Plan and Zoning Ordinance; and

WHEREAS, the City-initiated Zone Change application is considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, pursuant to Section 15168 of the State CEQA Guidelines, this project is within the scope of the project covered by the Heritage Fields Project 2012

GPA/ZC Second Supplemental Program Environmental Impact Report (State Clearinghouse Number 2002101020) (SSEIR) for the Planning Area 51 General Plan Amendment, Zone Change and other associated entitlements for an approximately 4,704 gross-acre project site that includes both of the areas subject to the proposed Zone Change, which was certified by the City Council in November 2013 and incorporated all previous environmental documents concerning the subject property; and

WHEREAS, on September 5, 2017, the Transportation Commission of the City of Irvine held a duly noticed public meeting on the traffic analysis for the corresponding Zone Change, at which time oral and documentary evidence was introduced along with the written recommendations of the Transportation Commission, and the Transportation Commission received public testimony; and

WHEREAS, the Transportation Commission considered information presented by the applicant, the Community Development Department, and other interested parties at that public meeting on September 5, 2017; and

WHEREAS, on September 5, 2017, the Transportation Commission by a 3-2 vote (Commissioners O'Malley, Greenberg and Montgomery voting in favor; Commissioners Moody and Casey voting against) to approve the traffic analysis for the proposed Zone Change; and

WHEREAS, on September 7, 2017, the Planning Commission of the City of Irvine held a duly noticed public hearing on the proposed Zone Change, at which time oral and documentary evidence was introduced along with the written recommendations of the Planning Commission, and the Planning Commission received public testimony; and

WHEREAS, the Planning Commission considered information presented by the applicant, the Community Development Department, and other interested parties at that public hearing on September 7, 2017; and

WHEREAS, on September 7, 2017, the Planning Commission voted 3-1-1 (Commissioners Kuo, Nirschl and Smith voting in favor; Commissioner Bartlett voting against; and, Vice Chair Duong absent) to recommend the City Council approve the City-initiated Zone Change in Planning Area 51; and

WHEREAS, on September 26, 2017 the City Council of the City of Irvine held a duly noticed public hearing on the proposed Zone Change, at which time oral and documentary evidence was introduced along with the written recommendations of the Planning Commission and Community Development Department of the City of Irvine, and the City Council received public testimony; and

WHEREAS, the City Council considered the Planning Commission's recommendations, and information presented by the applicant, the Community

Development Department, and other interested parties at a public hearing held on September 26, 2017.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY ORDAIN as follows:

SECTION 1. The above recitals are true and correct and incorporated herein.

SECTION 2. Pursuant to Section 15168 of the State CEQA Guidelines, this project is within the scope of the project covered by the SSEIR. The proposed Zone Change transfers (or “swaps”) intensity from one part of Planning Area 51 (i.e., a portion of the existing Development District 2) to another part of the same Planning Area (i.e., the existing ARDA Transfer Site). The overall intensity would remain unchanged within Planning Area 51. The potential environmental impacts of the proposed Zone Change are covered under the scope of the SSEIR and all feasible mitigation measures and alternatives developed and identified in the SSEIR will be incorporated into Planning Area 51, as appropriate. In accordance with CEQA, no additional public review is required.

SECTION 3. Pursuant to Section 15162 of the CEQA Guidelines, the following has been determined:

1. There are no substantial changes to the project that will require major revisions to the SSEIR due to new, significant environmental effects or a substantial increase in the severity of impacts identified in the previous SSEIR.
2. Substantial changes have not occurred in the circumstances under which the project is being undertaken that will require major revisions of the SSEIR to disclose new, significant environmental effects or a substantial increase in the severity of the impacts identified in the SSEIR.
3. There is no new information of substantial importance not known at the time the SSEIR was certified that shows any of the following:
  1. The project will have any new significant effects not discussed in the SSEIR.
  2. There are impacts that were determined to be significant in the SSEIR that will be substantially increased.
  3. There are additional mitigation measures or alternatives to the project that would substantially reduce one or more of the significant effects identified in the SSEIR.

4. There are additional mitigation measures or alternatives that were rejected by the project proponent that are considerably different from those analyzed in the SSEIR that would substantially reduce any significant impact identified in the SSEIR.

SECTION 4. All feasible mitigation measures and alternatives developed and identified in the SSEIR will be incorporated into Planning Area 51, as appropriate. These measures propose to mitigate any potential significant environmental effects thereof, when feasible.

SECTION 5. Pursuant to Fish and Game Code Section 7.11.4(c)(2)(A) and the conclusions of the certified SSEIR, the City previously made a finding that the project involves no potential adverse effects, either individually or cumulatively, on wildlife resources.

SECTION 6. The findings required for approval of a Zone Change as set forth in Section 2-38-7 of the City of Irvine Zoning Ordinance have been made as follows:

1. The proposed Zone Change is consistent with the City of Irvine General Plan.

The proposed City-initiated Zone Change is intended to ensure conformity with the General Plan. These changes include, but are not limited to: updating existing development district characteristics and creating new development district characteristics; updating permitted and conditionally permitted uses; and the redistribution of non-residential intensity within the project site. The Zone Change will allow for a total of 812,000 square feet of Research & Development square footage to be shifted from existing Development District 2 to the new Development District 9 (i.e., the existing ARDA Transfer Site) in Planning Area 51. The proposed changes to the development districts and assignment of development intensity are consistent with the General Plan land use designation of Orange County Great Park. Additional modifications to the Special Development Requirements in Chapter 9-51 of the Zoning Ordinance will clarify the tracking and monitoring of non-residential intensity within Planning Area 51, and implement the desired characteristics for each Development District, subject to subsequent Planning Commission consideration. All changes are consistent with the current General Plan of the City of Irvine.

2. The proposed Zone Change is consistent with any applicable concept plan.

There is no applicable concept plan for Planning Areas 51.

3. The proposed Zone Change meets all the requirements set forth within Division 8 for the dedication of permanent open space through a specified phased implementation program for affected planning areas and zoning districts.



Planning Area 51 is not subject to the phased permanent open space dedication implementation program set forth in Division 8-1; however, the Great Park Development Agreement (recorded on July 12, 2005) required Heritage Fields to dedicate substantial portions of Planning Area 51 for parks and open space uses. Specifically, 179 acres have been dedicated for the wildlife corridor that traverses through Planning Area 51. The City-initiated Zone Change does not affect the established open space areas within the Orange County Great Park in Planning Area 51. Therefore, the project area is in compliance with the open space dedication requirements.

4. The proposed Zone Change is in the best interest of the public health, safety and welfare of the community.

The City-initiated Zone Change is consistent with all applicable provisions of the Zoning Ordinance and is determined to be in the best interests of the health, safety and welfare of the community. The environmental impacts of the proposed Zone Change application are covered under the scope of the SSEIR, which concluded that the proposed project is not anticipated to have any significant effect on the environment beyond those already identified in the SSEIR, including any potential impacts to public health, safety and welfare. As a part of the proposed Zone Change, a traffic evaluation was prepared to analyze any new potential impacts related to the Zone Change. The report concludes that the proposed Zone Change will not cause any significant traffic impacts on intersections, arterial roadway segments, freeway mainline segments and/or freeway interchange ramps. Therefore, staff anticipates there will be no new negative impacts to the circulation system and surrounding community. Therefore, the proposed Zone Change is consistent with and in the best interest of the public health, safety and welfare of the community.

5. Based upon information available at the time of approval, adequate sewer and water lines, utilities, sewage treatment capacity, drainage facilities, police protection, fire protection/emergency medical care, vehicular circulation and school facilities will be available to serve the area affected by the proposed City-initiated Zone Change when development occurs.

The mitigation measures in the SSEIR and the requirements of subsequent discretionary approvals (such as Tentative Parcel Map, Master Plans and Conditional Use Permits, as appropriate) will ensure that adequate utilities, services, and facilities are provided in conjunction with the development of the project. Where adequate improvements do not exist, the developer will be required to provide such improvements when development occurs.

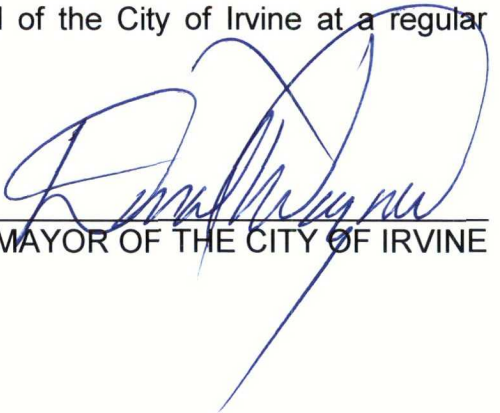
6. If the proposed Zone Change affects land located within the coastal zone, the proposed Zone Change will comply with the provisions of the land use plan of the certified local coastal program.

The City-initiated Zone Change is not within, nor does it affect, land located within the coastal zone; therefore, this finding is not applicable.

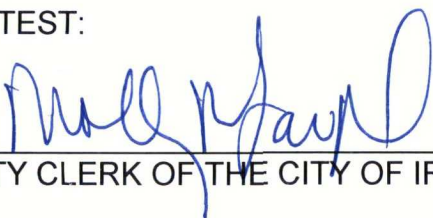
SECTION 7. The City Clerk shall certify to the passage of this Ordinance and shall enter the Ordinance into the book of original Ordinances.

NOW, THEREFORE, based on the above findings, the City Council of the City of Irvine DOES HEREBY APPROVE Zone Change 00629029-PZC, amending the Zoning Ordinance's applicable text consistent with Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular meeting held on the 10<sup>th</sup> day of October, 2017.

  
MAYOR OF THE CITY OF IRVINE

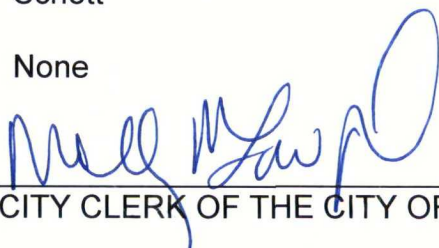
ATTEST:

  
CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF IRVINE )

I, MOLLY MCLAUGHLIN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing ordinance was introduced for first reading on the 26<sup>th</sup> day of September 26, 2017, and duly adopted at a regular meeting of the City Council of the City of Irvine, held on the 10<sup>th</sup> day of October, 2017.

AYES: 3 COUNCILMEMBERS: Fox, Shea and Wagner  
NOES: 1 COUNCILMEMBERS: Lalloway  
ABSENT: 1 COUNCILMEMBERS: Schott  
ABSTAIN: 0 COUNCILMEMBERS: None

  
CITY CLERK OF THE CITY OF IRVINE

Sec. 3-3-1. - Land use matrix.

The following land use matrix shows the uses which are permitted, conditionally permitted, and prohibited in specific zoning districts in the City of Irvine. The land use matrix is intended to serve as a mere guide for the convenience of the user of this zoning ordinance. Where the text of this zoning ordinance differs from the land use matrix, the text shall prevail. This section 3-3-1 does not cover Planning Areas 4, 5, 33, 34, and 38. Readers should refer to chapters 9-4, 9-5, 9-33, 9-34 and 9-38 for land use matrixes specific to each of these planning areas.



- <sup>68</sup> Permitted only in 5.5B Jamboree Business Center, East; 5.5C Planning Area 17; and 5.5D Irvine Spectrum 8, if located 225 feet or more from the Jeffrey Open Space Spine.
- <sup>69</sup> Prohibited in 5.5E and 5.5F.
- <sup>70</sup> Prohibited in 5.5B Jamboree Business Center, East.
- <sup>71</sup> Prohibited in 5.5B Jamboree Business Center, East; 5.5E and 5.5F.
- <sup>72</sup> Prohibited in 5.5B Jamboree Business Center, East; conditionally permitted in 5.5D Irvine Spectrum 8, if located 225 feet or more from the Jeffrey Open Space Spine.
- <sup>73</sup> Any "Bar, Tavern Cocktail Lounge" proposing to locate within the same building as a residential use shall be subject to the conditional use permit procedures contained in Zoning Code Chapter 2-9.
- <sup>74</sup> A wireless communication facility, depending on the proposed type of antenna, may be permitted in any zoning district through wireless communication facility permit, a minor conditional use permit or a major conditional use permit as indicated in the table provided in Section 2-37.5-3.
- <sup>75</sup> Only in 4.2C: Planning Area 13; 4.2E: Planning Area 34; 4.2E: Planning Area 35; and 4.2E: Planning Area 10, otherwise, prohibited.
- <sup>76</sup> 4.2N: Drive-thru permitted subject to Master Plan.
- <sup>77</sup> 4.2N: Permitted subject to Master Plan.
- <sup>78</sup> 4.2L: Drive-thru permitted; 4.2N and 4.2O: permitted subject to Master Plan.
- <sup>79</sup> Permitted in 4.2L, 4.2M, 4.2N and 4.2O only.
- <sup>80</sup> Miniwarehouse trip generation rates apply to this use. Consult Section 9-36-8.B.3 (IBC General Land Uses) for more information.
- <sup>81</sup> A financial institution located in an existing building which meets all the general development standards, including parking, will not require a conditional use permit and no traffic study will be required.
- <sup>82</sup> Not applicable; deleted per Zone Change 00719550-PZC.
- <sup>83</sup> In conjunction with demolition, removal and recovery of existing buildings, structures and landscaping associated with the former military use of the property.
- <sup>84</sup> Only within agriculture area.
- <sup>85</sup> 3.1E only.
- <sup>86</sup> Prohibited in 3.1F.
- <sup>87</sup> 3.1H only.
- <sup>88</sup> Permitted in 3.1H.
- <sup>89</sup> Prohibited in 3.1H.
- <sup>90</sup> Conditionally permitted in 3.1H.
- <sup>91</sup> 4.2O: subject to Master Plan.
- <sup>92</sup> 4.2O: prohibited use.

NOTE: Some permitted and conditionally permitted uses may require a master plan application; see chapter 2-17.  
P = Permitted C = Conditionally Permitted . = Prohibited

Land Use	1.1 Exclusive Agriculture	1.2 Development Reserve	1.3 Conservation/Open Space Reserve	1.4 Preservation	1.5 Recreation	1.6 Water Bodies	1.7 Landfill Overlay	1.8 Golf Course Overlay	1.9 Orange County Great Park	2.1 Estate Density Residential (0 — 1)	2.2 Low-Density Residential (0 — 6.5)	2.3 Medium-Density Residential (0 — 12.5)	2.4 Medium-High-Density Residential (0 — 31)	2.5 High-Density Residential (0 — 50)	3.1 Multi-Use	3.2 Transit Oriented Development	4.1 Neighborhood Commercial	4.2 Community Commercial	4.3 Vehicle Related Commercial	4.4 Commercial Recreation	4.5 Regional Commercial	4.6 Retail Office	4.7 Urban Commercial	4.8 In-line Center Garden Commercial	4.9 Lower Peters Cyn. Regional Commercial	5.0 IBC Mixed Use	5.1 IBC Multi-Use	5.2 IBC Industrial	5.3 IBC Residential	5.4 General Industrial	5.5 Medical and Science	5.6 Business Park	6.1 Institutional	7.1 Military	8.1 Trails and Transit Oriented Development																		
Cemetery/mausoleum/crematory	*	C	*	*	C <sup>47</sup>	*	*	*	C	*	*	C	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C																		
Child care center	*		*	*	*	*	*	*	C	C	C	C	C	C	C	C	C	C <sup>5</sup>	C	C					C	C <sup>33</sup>	C <sup>34</sup>	C <sup>35</sup>	C <sup>36</sup>	C <sup>37</sup>	C <sup>38</sup>	C <sup>39</sup>	C <sup>40</sup>	C <sup>41</sup>	C	C	C																
Churches (and other places of religious worship)	*	C	*	*	*	*	*	*	*	C	C	C																																									
Civic, governmental and cultural	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	*	*	*	*																	
Clinics	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*																
Coastal zone development	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*																
Commercial recreation, nonresidential districts	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	*	*	*	P	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*	*	*	*																
Commercial recreation, residential districts	*	*	*	*	*	*	*	*	*	*	*	C	C	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*																
Communication transmitting, reception or relay facilities	*	*	*	*	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*																
Community facility	*	*	*	*	C	C	*	*	C	C	C	C	C	C	C	C	C	C <sup>5</sup>	C	C					C	C <sup>35</sup>	C <sup>36</sup>	C <sup>37</sup>	C	C <sup>21</sup>	P	C					C																
Community information centers	*	*	*	*	*	*	*	*	*	*	*	C	C	C	P	*	*	P	*	*	*	*	*	*	P	*	*	*	*	*	P	*	*	*	*	*	*																
Community recreation					P <sup>1</sup>	C									C		C								*	C <sup>36/2</sup>	*	*	*	*	*	*	*	*	*	*	*	*	*														
Composting facility	*	*	*	*	C <sup>43</sup>	*	*	*	C	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C <sup>81</sup>															
Concrete recycling facilities	*	*	*	*	C <sup>47</sup>	*	*	*	C	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C <sup>81</sup>															
Conference/convention facility	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C <sup>60</sup>	*	C <sup>58/6</sup>	*	*	*	*	*	*	*	C	C <sup>24/1</sup>	*	*	*	*	P	P	C				C																
Congregate care facility	*	*	*	*	*	*	*	*	*	*	C	C	C	C	C	*	*	*	*	*	*	*	*	*	C	C <sup>30</sup>	*	C <sup>16</sup>		C	C	C	C				C																
Convalescent home	*	*	*	*	*	*	*	*	*	*	C	C	C	C	C	*	C <sup>12</sup>	C <sup>5</sup>	*	*	*	*	*	*	C	C <sup>30</sup>	C	C <sup>10</sup>	C	C	C				C	C																	
Convenience or liquor store	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C <sup>60</sup>	P	C <sup>12</sup>	C <sup>5/60</sup>	*	*	*	*	*	*	P	C	C <sup>31/1</sup>	C <sup>31/1</sup>			C <sup>10</sup>	C					C																
	Section 3.37-23																					Section 3.37-25		Section 3.37-26		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P		Section 3.37-27 P	

NOTE: Some permitted and conditionally permitted uses may require a master plan application; see chapter 2-17.  
 P = Permitted C = Conditionally Permitted - = Prohibited

Land Use	1.1 Exclusive Agriculture	1.2 Development Reserve	1.3 Conservation/Open Space Reserve	1.4 Preservation	1.5 Recreation	1.6 Water Bodies	1.7 Landfill Overlay	1.8 Golf Course Overlay	1.9 Orange County Great Park	2.1 Estate Density Residential (0 — 1)	2.2 Low Density Residential (0 — 6.5)	2.3 Medium-Density Residential (0 — 12.5)	2.4 Medium-High-Density Residential (0 — 31)	2.5 High-Density Residential (0 — 50)	3.1 Multi-Use	3.2 Transit Oriented Development	4.1 Neighborhood Commercial	4.2 Community Commercial	4.3 Vehicle Related Commercial	4.4 Commercial Recreation	4.5 Regional Commercial	4.6 Retail Office	4.7 Urban Commercial	4.8 Irvine Center Garden Commercial	4.9 Lower Peters Cyn. Regional Commercial	5.0 BC Mixed Use	5.1 IBC Multi-Use	5.2 IBC Industrial	5.3 IBC Residential	5.4 General Industrial	5.5 Medical and Science	5.6 Business Park	6.1 Institutional	7.1 Military	8.1 Trails and Transit Oriented Development
Senior housing	*		*	*	*	*	*	*	*	*	C	C	C	C	C <sup>8</sup>	C	*	*	*	*	*			*	P	*	*	C <sup>31</sup>	*	*	*	C <sup>36</sup>	C		
Sexually-oriented business	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*			*	*	C <sup>40A</sup>	*	C <sup>40YA</sup>	*	*	*	*	*	
Small collection facility	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C <sup>6</sup>	*	C	C <sup>5</sup>	C	*	*					C <sup>9</sup>	C <sup>9</sup>	C <sup>12</sup>	*	*	*	*	*		
Sober living facilities	*	*	*	*	*	*	*	*	*	*	P <sup>5A</sup>	P <sup>5A</sup>	P <sup>5A</sup>	P <sup>5A</sup>	*	*	*	*	*	*	*								*	*	*	P <sup>5A</sup>	C		
Solid waste transfer station	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*					*	C <sup>10T</sup>	*	C <sup>12</sup>	*	*	*	*	*	
Stable, private	P	P	*	*	P <sup>4A</sup>	*	*	*	C	P	*	*	*	*	*	*	*	*	C <sup>9</sup>	*	*					*	*	*	*	*	*	*	*	P	
Stable, public	C <sup>4A</sup>	C	*	*	C <sup>4A</sup>	*	*	*	C	*	*	*	*	*	*	*	*	*	*	*	*					*	*	*	*	*	*	*	*	C <sup>4A</sup>	
State veterans cemetery	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*					*	*	*	*	*	*	*	*	P	
Supermarket	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P <sup>6</sup>	P	P <sup>1222</sup>	P <sup>5</sup>	*	*	*				P	P	P <sup>11</sup>	*	*	*	*	*	*	*	P
Temporary uses <sup>(B)</sup>	*	*	*	*	*	*	*	*	*	*	P	P	*	*	P	*	*	P	*	*	*				P	*	*	*	*	*	*	*	*	*	
Transportation support facilities, including park-and-ride and other uses intended to promote	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*				*	*	*	*	*	*	*	*	*	*	
Travel agencies	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	*	*	P	*	*	*				*	*	*	*	*	*	*	P	*	*	
Truck terminal	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*	*	C <sup>10T</sup>	C <sup>12</sup>	*	*	*	*	*	*	
Utility building and facility		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C <sup>5</sup>	C	C				P	C	C <sup>9</sup>	C <sup>15</sup>	C <sup>15</sup>	C	C	C	C	C		
Vehicle assembly	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*				P	*		P <sup>10</sup>	*	C	C	C	*	*	
Vehicle body repair, paint or restoration	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C	*				P	*	P <sup>10</sup>	C <sup>9</sup>	*	C	*	*	*	*	
Vehicle impound yard	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*	*	C <sup>9</sup>	*	C	*	*	*	*	*	
Vehicle leasing and rental	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	C <sup>5</sup>	P	*	*			*	P	C	C <sup>11</sup>	*	C	C	C	*	*	C	

14. Model home sales complex.
15. Office, administrative, business professional.
16. Office, design professional.
17. Office, headquarters.
18. Office, medical.
19. Outdoor vendor.
20. Park.
21. Public park facility (only in public parks).
22. Pushcart.
23. Residential, second unit.
24. Residential, attached.
25. Residential, single-family detached.
26. Research and development.
27. Restaurant.
28. Restaurant, fast food (except drive-thru).
29. Retail and/or service business, general (except drive-thru).
30. Reverse vending machine.
31. School, public.
32. Supportive housing — Small.
33. Stable, private (only within agriculture area).
34. State veterans cemetery.
35. Supermarket.
36. Transitional housing — Small.
37. Wireless communication facility (may require a wireless communication facility permit, a minor conditional use, a major conditional use, or may be prohibited, depending on the type of installation and the location of the installation site, pursuant to the review procedures matrix in Section 2-37.5-3).

D. *Conditional uses.*

1. Ambulance service.
2. Arcade, game.
3. Bar, tavern, cocktail lounge.
4. Boarding house.
5. Car wash.
6. Cemetery/mausoleum/crematory.
7. Child care center.
8. Church.
9. Commercial recreation (over 1,500 square feet).
10. Community facility.

Sec. 9-51-3. - Statistical analysis.

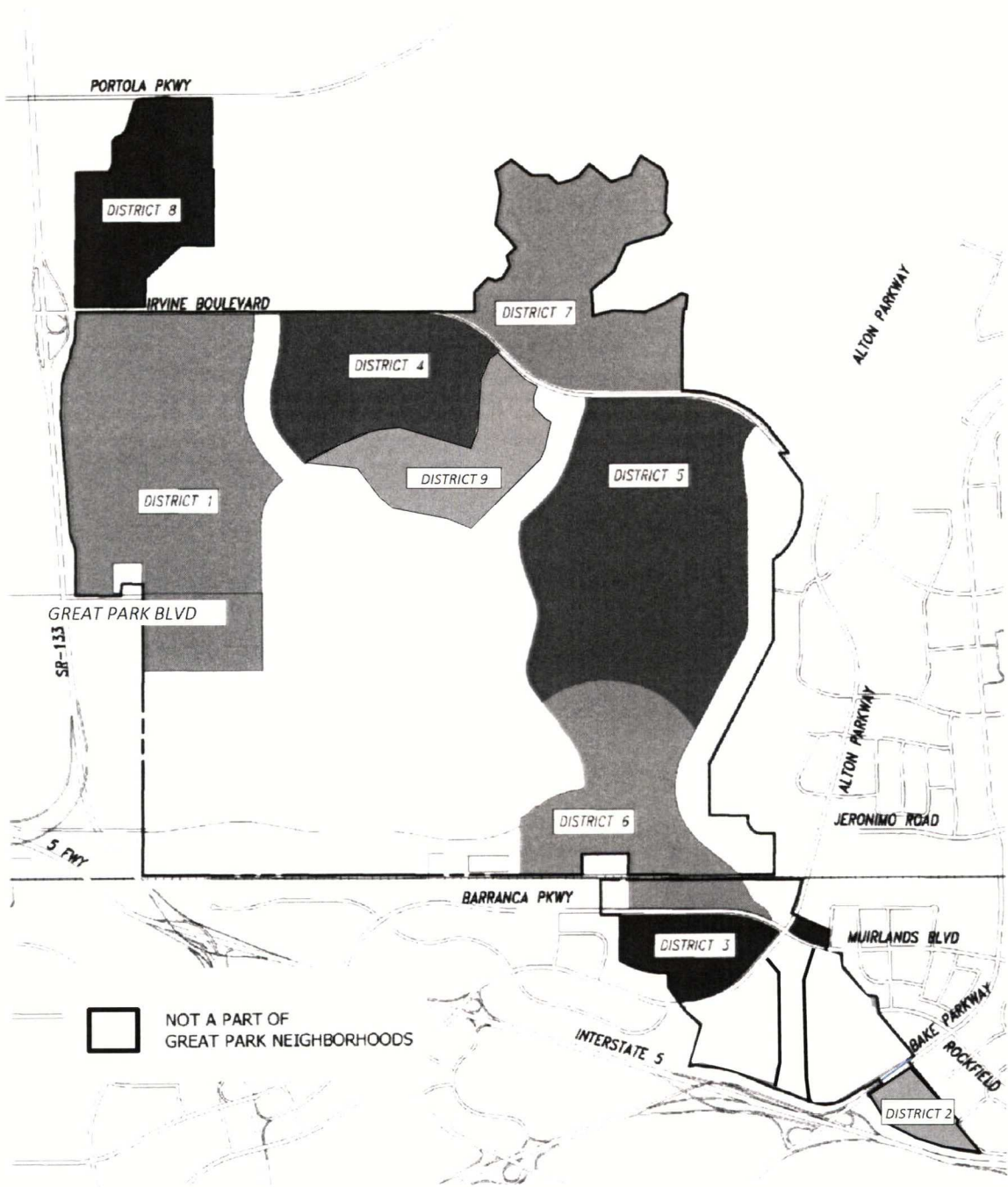
Planning Area 51:

Zoning Number	Zoning	OCGP Sub Land-Use Categories	Acres in category	Maximum Square feet	Maximum dwelling units
<b>Orange County Great Park</b>					
1.4	Preservation	Wildlife Corridor	179		
1.9OC Great Park	Open Space/Park	367			
Sports Park	170	26,000			
Drainage Corridor	229				
Exposition Center	156	468,000			
<b>Great Park Neighborhoods</b>					
8.1/8.1B Trails and Transit Oriented Development	Community Commercial	(1)	220,000	0	
Residential	(1)		9,500 <sup>(2)</sup>		
Medical and Science	(1)	3,364,000	0		
Multi-Use	(1)	1,318,200 <sup>(5)</sup>	0		
<b>Miscellaneous</b>					
1.1	Exclusive Agriculture	Agriculture	117 <sup>(3)</sup>		
1.4	Preservation	Habitat Preservation	974		
6.1	Institutional	Institutional	135	685,500 <sup>(4)</sup>	

8.1	Trails and Transit Oriented Development	Transit Oriented Development	35	53,500	0
8.1	Trails and Transit Oriented Development	ARDA Transfer	130.4 <sup>(6)</sup>		
-	-	Major Roadways	185		
TOTALS			4,704	6,135,200 <sup>(5)</sup>	9,500 <sup>(2)</sup>

- (1) 2,026 acres of property in PA 51 is zoned 8.1 TTOD.
- (2) This number includes the 1,269 density bonus units granted pursuant to State law, Section 2-3, and Planning Commission Resolution No. 08-2926 and a further 1,194 density bonus units granted pursuant to State law and Section 2-3.
- (3) This acreage includes 27 acres of the Marshburn Basin which shall remain in its current location.
- (4) Includes 122,500 square feet for institutional facilities, 300,000 square feet for County facilities, and 263,000 square feet of "McKinney Act" warehousing.
- (5) See Section 9-51-6.S (Land Use Conversions). Adjustments to the Statistical Table in accordance with Section 9-51-6.S (Land Use Conversions) do not require a zone change.
- (6) 124.9-acre ARDA Transfer Site and 5.5 acres Police Site per Amended and Restated Development Agreement pursuant to City Council Ordinance No. XX-XX.

*Notes on maximum intensities:* In order to develop the permitted uses and intensities for Planning Area 51, the master developer has entered into the Amended and Restated Development Agreement pursuant to City Council Ordinance No. 09-09, which requires the dedication of land and the development of infrastructure improvements in excess of the City's standard requirements, and the commitment to long-term maintenance of public facilities (Section 9-51-2).



Sec. 9-51-6. - Special development requirements.

- A. *Affordable housing.* See Chapter 2-3 Affordable Housing Implementation Procedures.
- B. *Trails and Transit Oriented Development.* The Trails and Transit Oriented Development Zoning District allows a variety of uses on the same site consistent with the Orange County Great Park land use category as defined in the General Plan. The Trails and Transit Oriented Development Zoning District land use designation allows for a mix of residential, commercial, recreational, and educational uses that support a multi-use environment and which are complementary to the Irvine Station and to the Orange County Great Park. Pedestrian paths and trails, including, but not limited to, bike paths, sidewalks, and recreational trails, shall be encouraged in the Trails and Transit Oriented Development Zoning District. The variety of trail types and transit choices are intended to provide connectivity to the Orange County Great Park, to the Irvine Station, to public open space outside the Orange County Great Park, and to other nearby areas.

#### 8.1 Trails and Transit Oriented Development Zoning District intensity.

The maximum residential intensity shall not exceed 9,500 dwelling units. The maximum nonresidential intensity in the Great Park Neighborhoods OCGP sub land use category of the Trails and Transit Oriented Development Zoning District shall not exceed: 220,000 square feet of Community Commercial, 3,364,000 square feet of Research and Development/Medical and Science, and 1,318,200 square feet of Multi-Use.

Development intensity shall be recorded in a Trails and Transit Oriented Development District Development Intensity Database and monitored administratively by the Director of Community Development following the Master Plan approval by the Planning Commission (E below). The following planning standards shall apply throughout the 8.1 Trails and Transit Oriented Development Zoning District:

1. Promote residential communities that are physically connected to each other. Foster community and connectedness between adjacent land uses.
2. Promote livability, transportation efficiency, and walkability.
3. Promote diversity of land uses. Allow residential dwelling units to be mixed with other uses providing choice in location, type and size based on compatibility with the surrounding uses.
4. Promote the development of trails that serve as recreational opportunities and as transportation connections between residential uses, commercial, and industrial uses, the Orange County Great Park and transportation hubs.
5. Encourage clustering of residential units, where feasible, to provide for opportunities to develop public and private open spaces within the development.
6. Promote a diversity of housing types to accommodate a range of economic levels and age groups to live within a community.
7. Provide appealing and functional pedestrian street environments to promote pedestrian activity.
8. Vertical and horizontal integration of commercial office and retail land uses into the residential development should be encouraged, where feasible.
9. Total average daily trips (ADT) shall not exceed the trip budget established for the development within the Orange County Great Park (C below). The developer shall provide additional traffic analysis for the review and approval of the Director of Community Development to support the consideration of trip reduction design standards and integration with transit systems.



10. Neighborhood parks shall be provided in accordance with City of Irvine Park Code. Community park requirements shall be met through participation in the original dedication in the Development Agreement adopted by the City in July 2005, as amended by the Amended and Restated Development Agreement adopted pursuant to City Council Ordinance 09-09.
  11. The introduction of land uses that are not specified in the permitted and conditionally permitted uses but fit within the intent of the Trails and Transit Oriented Development Zoning District (Section 3-37-39) shall be encouraged subject to an initial determination by the Director of Community Development and subsequently, subject to a conditional use permit approved by the Planning Commission.
  12. Prior to approval of a Master Plan for development of areas within the Trails and Transit Oriented Development Zoning District site (E below), the Planning Commission shall make a specific finding that the Master Plan meets the intent of the Trails and Transit Oriented Development Zoning District planning standards.
  13. Pedestrian connections within and between the Irvine Station, the public areas of the Orange County Great Park and the adjacent development shall be provided. An emphasis on pedestrian, way-finding signage and graphics, and the integration of nonresidential uses shall facilitate pedestrian access in lieu of automobile access to the site amenities.
- C. *Trip budget.* Based on the socioeconomic-based trip generation average daily trip (ADT) rates used to analyze the Orange County Great Park traffic impacts, the total trips for the entire Orange County Great Park project area are not to exceed 148,910 ADT, not including the ADT associated with the 1,269 density bonus units granted pursuant to State law, Section 2-3, and Planning Commission Resolution No. 08-2926, and 1,194 density bonus units subsequently granted pursuant to State law.
- D. *Great Park Development Monitoring Database.* The purpose of the Database is to monitor the development intensity and trips in Planning Area 51 and update the allocated intensity for all parcels as they develop.
- a. The development in Planning Area 51 is subject to specific limits as follows:
    1. Maximum square footage - see Section 9-51-3, Statistical Analysis.
    2. Maximum residential units - see Section 9-51-3, Statistical Analysis.
    3. Maximum daily vehicle trips - 148,910 ADT, not including the ADT associated with any density bonus units granted from time to time pursuant to State law and Section 2-3 of the Zoning Ordinance (Affordable Housing Implementation Procedure), including Planning Commission Resolution No. 08-2926 (Density Bonus Agreement).
  - b. In conjunction with the submittal of any of the following development applications that allocates (or reallocates) development intensity: 1) subdivision map, 2) lot merger, or 3) lot line adjustment or in conjunction with the submittal of a building permit for properties located in Planning Area 51, the master developer shall submit documentation to the Director of Community Development identifying the following:
    - i. A unique reference number that identifies the data record;
    - ii. Project name;
    - iii. Legal description for each parcel;
    - iv. Addresses affiliated with each building, if applicable;
    - v. Land use designation, by square footage, for each building or lot;
    - vi. Number of residential units;
    - vii. The cumulative and remaining square footage and residential units of remaining development (including ADT); and

- vii. A comprehensive summary describing the square footage of nonresidential development and the total number of residential units of all Development Districts in Planning Area 51 (including ADT).
- E. *Review process.* Prior to the commencement of any private development in the 1.9 Orange County Great Park, 8.1 Trails and Transit Oriented Development or 6.1 Institutional Zoning Districts within Planning Area 51, the City shall review and approve a Master Plan for the specific project, containing the following information for the specific development proposed:
- 1. Location, acreage, types of land use and estimated square footages or number of dwelling units for each area.
  - 2. A community design program, which characterizes the design features of the development, including signage design, fencing design, landscape themes, architectural theme, and other community design features.
  - 3. Landscape treatments including:
    - a. Planning area edge and entry widths and general character.
    - b. Special landscaping themes, if any.
    - c. Palette of plant materials, walls, and hardscape for areas in and adjacent to the public rights-of-way.
    - d. Ownership of landscape areas.
  - 4. Wildlife corridor edge condition treatments, consistent with the Irvine Wildlife Corridor Plan, including:
    - a. Light and noise mitigation programs and techniques.
    - b. Palette of compatible plant materials.
    - c. Walls, fences, and/or barrier mechanisms to protect the wildlife corridor from unwanted intrusions.
  - 5. Other information as required by the Director of Community Development. The application for said Master Plan shall be accompanied by maps, text, or other documentation to satisfy the above requirements. The form and content of such submittals shall be made to the satisfaction of the Director of Community Development.
- F. *Changes in boundaries and/or intensities.* Boundaries and acreages in the Orange County Great Park plan are approximate and shall be established by Master Plan approval (E above).
- G. *Reuse of existing facilities.* The former MCAS El Toro site has a number of facilities suitable for civilian reuse, including warehouses, hangars, and other buildings. The zoning accommodates a number of these existing facilities, encouraging adaptive reuse wherever possible. Some existing facilities can possibly be adapted for civilian use on a long-term, permanent basis; others can serve interim uses during development of the site. For example, aviation hangars located in the southern portion of Planning Area 51 could be appropriate for reuse as warehousing, manufacturing, or motion picture production studios. Close proximity to the permanent open space areas may also facilitate reuse of the hangars as museum, sports, cultural facilities, or other uses consistent with the zoning of the site.

Prior to the issuance of occupancy permits for any existing structure, a fire life-safety evaluation of the structure, including recommendations for improvements required for compliance with current Building Codes adopted by the City for the use of existing structures, and plans for any required improvements shall be submitted to the Chief Building Official for review and approval.

- H. *Recycling operations.* Existing runways are located on a substantial portion of the site planned for open space and related uses. Runways, aprons, and associated taxiways exist on the site reflecting its prior usage as a Marine Corps air station. In order to use the site for urban purposes, the runways

will be removed. Concrete and asphalt from the runways intended to be removed will be crushed and, where feasible, used as aggregate base or recycled for other roadway or development uses.

The runways will be removed in a sequential manner. The removal of most of the runway paving is anticipated. Some portion of runway may be preserved for use as playing surfaces and parking areas or for historic purposes. Demolition of the runways is to occur in accordance conjunction with the phasing program adopted by the City and Master Developer pursuant to the Amended and Restated Master Implementation Agreement. Stockpiled material will be placed in designated areas and distributed as required to provide aggregate for development projects. Once the material has been used, the land will become available for development. Concrete recycling facilities and stockpiling of demolished or recycled material are considered an appropriate interim land use, subject to the approval of a minor conditional use permit.

- I. *Trails plan.* In conjunction with the submittal of the master tract map the applicant shall submit a conceptual Master Landscape and Trails Plan or a detailed exhibit depicting potential trail connections on site to the City's existing or planned regional trail network.

In addition, in conjunction with subsequent tract maps, Master Plans or building permit submittals, whichever comes first, the applicant shall provide a specific and detailed trails plan depicting the exact location, alignment and connectivity of on-site trails to the City's existing or planned regional trail network.

- J. *Child care.* The need for child care facilities shall be recognized in the development of Planning Area 51. In 2011, the City approved a Child Care Need Analysis for the first 4,894 residential units in Planning Area 51. That study indicated that the child care needs generated by those residential units will be satisfied within Planning Area 51. Prior to the approval of the first residential tentative tract map that causes the total combined approved residential dwelling units, excluding senior housing units, to reach 6,300 in Planning Area 51, the Master Developer of Great Park Neighborhoods shall submit another child care needs study to the Director of Community Services for review and approval. Upon approval of the Study by the Director of Community Services, the Master Developer of Great Park Neighborhoods shall identify ways to provide any unmet private child care needs created by their residential development in Planning Area 51. Any private sector child care center(s) shall:

1. Accommodate the determined number of slots, which shall be based on the actual number of residential units to be built and on a determination of child care need within the project.
2. Be located at a site that is compatible with adjacent uses. Development of a child care center in conjunction with proposed elementary schools and public neighborhood parks, religious institutions, affordable housing developments, residential development and/or neighborhood commercial center shall be encouraged.
3. Be located at a site that has been evaluated with regard to factors that might be detrimental to public health, safety, or welfare, including, but not limited to, proximity to high-traffic volume roadways, hazardous material, and major generators of traffic.

- K. *Edge conditions.* Prior to the grading of development pads within those portions of Development Districts adjacent to the Great Park, the applicant shall submit a pre-application, for the review and approval by the Director of Community Development that provides a detailed design for the edge conditions where the development abuts the Great Park. The design detail should demonstrate an attractive edge between the private development and the public park. Private residential development is encouraged and preferred to face outward toward the park and provide for architectural cohesion between the two land uses.

- L. *Transit.* Prior to the recordation of the first residential tract map in any Development District (except Development District 8) in the Great Park Neighborhoods development, the applicant shall prepare, fund, and work in cooperation with the City to develop a transit study, consistent with the City's 30-year Transit Vision Plan approved by the City Council in April 2009, ensuring that a route for the iShuttle is identified. At a minimum, the route should circulate along "O" Street, Irvine Boulevard, and Marine Way (or similar) and the study should contemplate a route circulating along "LQ" Street and

"B" Street as well. The master developer shall identify strategic shuttle stop locations based upon developer's approved Master Plans. The master developer will continue to work cooperatively with the City, the Irvine Company, and other agencies to help identify and secure funding for the new iShuttle route identified in the transit study.

- M. *Charging stations for electric vehicles.* To the extent feasible, the applicant shall install electric vehicle charging stations at the commercial retail components of the project in District 1 North and District 4. The parking spaces in these centers will include electric vehicle charging devices.
- N. Reserved.
- O. *Reciprocal Use of Recreational Amenities.* Prior to the issuance of the first building permit for any dwelling unit other than model homes, in a particular Development District (i.e., District 1 North, 1 South, 4, 7, or 8), the applicant shall provide evidence to the Director of Community Development of a framework for a reciprocal use agreement or CC&Rs for private recreational amenities to be available for use by homeowners within the applicable Development Districts. If the master developer elects to allow reciprocal use among homeowners in other Development Districts of certain amenities, the use agreement or CC&Rs shall be finalized and executed to incorporate each subsequent district prior to the issuance of the first building permit for any dwelling unit other than model homes in that subsequent district.
- P. *Orange Bike Program.* The developer shall incorporate a bike share program into their development program that takes advantage of, and expands upon, the "Orange Bike Program" being implemented by the Great Park Corporation with an emphasis on connecting the Great Park Neighborhoods to the Great Park. The bike share program shall tap into marketing opportunities for other existing programs that exist regionally, such as the one that currently exist at the University of California, Irvine. In addition, the program shall be promoted through the developer's home sales program.
- Q. *District character.* Each neighborhood within Planning Area 51 has a distinct character:
- i. *Development District 1:* A horizontally mixed-use community featuring a significant main-street style town center and employment area. With up to approximately 1.5 million square feet of nonresidential uses, this district may contain a variety of land uses and businesses including, among other uses, commercial services, entertainment, hotel, accessory retail and restaurants; office, medical and research facilities; amenities such as a civic facility, schools, religious institutions, child care, and neighborhood parks. A FAR range from 0.25—1.5 allows for both a low-level campus-like setting as well as higher-density, multi-story buildings.  
  
The circulation within the residential uses consists of a modified grid network, creating multiple vehicular, bicycle, and pedestrian routes. Tree-lined streets with wide landscaped parkways are located throughout the residential neighborhoods and emphasize a small-scale community atmosphere.  
  
The nonresidential uses are generally west of "O" Street and along Trabuco, the main western gateway to the OCGP. Allowing up to 2,226 dwelling units, this district offers a highly diverse residential market: multifamily attached, single-family attached, single-family detached, and may include affordable units.
  - ii. *Development District 2:* Employment center dedicated to low- to mid-rise buildings housing a variety of uses including, among other uses, high-tech, manufacturing, research and development, and office-style businesses. A FAR range from 0.25—1.5 allows for both a low-level campus-like setting as well as higher-density, multi-story buildings. The land uses will be similar in nature to the nearby Spectrum Planning Areas. District-serving accessory retail is encouraged to serve employees. Nearby arterial Backbone streets with a complete pedestrian sidewalk network are expected in this area to accommodate traffic and pedestrians.
  - iii. *Development District 3:* Area-wide employment center with a majority of the area dedicated to low- to mid-rise buildings housing a variety of uses including, among other uses, high-tech, manufacturing, research and development, and office-style businesses. A FAR range from 0.25—1.5 allows for both a low-level campus-like setting as well as higher-density, multi-story

- buildings. Residential uses are limited to a maximum of 400 dwelling units on 20 percent or less of the district's land area and are intended to allow for the possibility for high density (average densities of 20 du/ac or greater) and/or affordable dwelling units located in conjunction with the Master Affordable Housing Plan. District-serving accessory retail is encouraged to serve employees. Arterial Backbone streets with a complete pedestrian sidewalk network are expected in this district to accommodate traffic and pedestrians.
- iv. *Development District 4:* Primarily a residential suburban neighborhood providing area-wide services and retail. This community includes a small main-street or town center style commercial district. This neighborhood's circulation consists of a modified grid network, creating multiple vehicular, bicycle, and pedestrian routes throughout the neighborhood. Tree-lined streets with wide landscaped parkways are located throughout, emphasizing a small-scale neighborhood atmosphere. In addition to bordering the OCGP, neighborhood parks are strategically located to put all residents within easy walking distance. A maximum of 1,102 dwelling units will be located in this district, offering a highly diverse residential market: multifamily attached, single-family attached, single-family detached units, and may include affordable housing. Up to 70,000 square feet of neighborhood and OCGP serving commercial land uses are allowed. Other land uses may include, among other uses, schools, religious institutions, and child care facilities.
  - v. *Development District 5:* Primarily a residential suburban neighborhood with an average density of 5—12.5 du/ac, characterized by a majority single-family detached, single-family attached product types and may include affordable housing. Nonresidential land uses are limited to 10-percent or less of the district's land area and are intended to provide neighborhood services and/or conveniences. The district is characterized by narrow, slow-speed streets, and pedestrian trails. Other land uses may include, among other uses, schools, religious institutions, and child care facilities. Residential neighborhoods within this district are unique due to the adjacency of the Wildlife Corridor, Agua Chinon Open Space Corridor and the Orange County Great Park. Therefore, open space linkages are abundant for this district encouraging alternative means of transportation, such as walking and bicycling. To accomplish the desired vision, a maximum of 3,700 residential units are allowed along with a maximum of 100,000 square feet of neighborhood serving commercial development.
  - vi. *Development District 6:* Mixed-use urban core serving as a regional destination, with nonresidential uses such as, without limitation, mid- to high-rise office, corporate headquarters, research and development, medical, and cultural/institutional/entertainment facilities of regional interest. This district is characterized by a high floor area ratio and a walkable character. Residential neighborhoods will feature high-density, multi-story residential units (average densities of 20 du/ac or greater within the area south of future Marine Way), which may include affordable housing units. Vertical mixed uses within buildings are allowed (i.e., ground floor office or retail with residential above). The development pattern is focused on increasing density with approaching proximity to the Irvine Station. The focus is to create a thriving, walkable, mixed-use community with a diverse mix of land uses, architecture, landmarks and outdoor gathering places to create a walkable urban environment that encourages on-street pedestrian activity and reduces dependence on the automobile for everyday needs. To accomplish the desired vision, this district will contain a minimum of 1,200 dwelling units and a minimum of 150,000 square feet of nonresidential development with a goal of a minimum jobs to housing ratio of 2:1 within one-half mile of the Irvine Station.
  - vii. *Development District 7:* This district is a primarily residential suburban neighborhood with a lower average density of 5—10 du/ac for a maximum of 840 dwelling units, characterized by single-family detached, single-family attached products types, and may include affordable housing. Access to regional trails and open space is maximized through the Agua Chinon riding and hiking trail, which bisects the district, and the existing open space to the east (El Toro Wildlife Preserve). Compatible edge conditions and interface is required between the residential uses and these features. Roundabouts, traffic calming devices, narrowed street widths, and



pedestrian trails are characteristic of this district. Other land uses may include, among other uses, schools, religious institutions, and child care facilities.

- viii. *Development District 8*: This district is primarily a residential suburban neighborhood with a lower average density of 5—10 du/ac for a maximum of 892 dwelling units, characterized by single-family detached, single-family attached product types, and may include affordable housing. Less than 10 percent of the district may be designated for neighborhood serving uses including, but not limited to, religious institutions and child care for a maximum of 21,000 square feet. Roundabouts, traffic calming devices, narrowed street widths, park space, and pedestrian trails are characteristic of this district.

*Notes:*

1. The maximum number of residential dwelling units per Development District can be increased by up to 10% of the total allowable dwelling units in Planning Area 51 as long as the total number of units within Planning Area 51 does not exceed the total established in Section 9-51-3 (Statistical Analysis). Any increase to the number of residential units designated in an approved Master Plan will require a modification to said Master Plan in accordance with Chapter 2-19.
  2. The maximum amount of nonresidential square footage mentioned above can be increased by up to 10% in District 1, 5% in District 4, and 1% in Districts 5 and 8, based on the total allowable nonresidential square footage in Planning Area 51 as long as the total square footage within Planning Area 51 does not exceed total established in Section 9-51-3 (Statistical Analysis).
- ix. *Development District 9*: in Zoning Ordinance Section: Employment center with a majority of the area dedicated to low- to mid-rise buildings housing a variety of uses including, among other uses, high-tech, manufacturing, research and development, and office-style businesses. A FAR range from 0.25-1.5 allows for both a low-level campus-like setting as well as higher-density, multi-story buildings. District-serving accessory retail is encouraged to serve employees. Nearby arterial Backbone streets with a complete pedestrian and bicycle sidewalk network are expected in this area to reduce traffic and accommodate pedestrians.
- R. *Alternative setback standards*. Alternative setback standards for setbacks internal to the planning area may be approved in conjunction with any subsequent Planning Commission approval. A description of the proposed setbacks and how they differ shall be submitted. The Planning Commission will consider the following criteria and make appropriate findings, if necessary:
1. *General character*. Relationship in scale, bulk, coverage, and density with surrounding land uses.
  2. *Quality of Life*. Whether the proposed alternative standard will result in an adverse impact on existing neighborhoods.
  3. *Suitability*. The physical suitability of the site for the proposed project.
  4. *Limitations*. Such setbacks shall not be used to deviate from setbacks established for village edges.
- S. *Nonresidential land use conversions*. The "Heritage Fields Project 2012 General Plan Amendment and Zone Change Traffic Impact Analysis, approved (insert approval date) 2013" or subsequent traffic analysis approvals amending these assumptions analyzed 1,318,200 square feet of Multi-Use (Office) in Planning Area 51. If any other nonresidential land uses within the 8.1 TTOD Zoning District are proposed in lieu of Multi-Use (Office), the square footage may be adjusted accordingly within the Zoning Statistical Table without the need for a zone change.
- T. *Future traffic analysis*. Subsequent discretionary applications shall require further traffic analysis, if revisions occur that are different (i.e., creates materially different trip generation resulting in new or altered traffic impacts) than the assumptions in the "Heritage Fields Project 2012 General Plan Amendment and Zone Change Traffic Impact Analysis, approved (insert approval date) 2013" or

subsequent traffic analysis approvals amending these assumptions. The traffic analysis for the conversion, depending on the proposed use, may include a long-term/General Plan build-out analysis. This requirement will address any land use conversions between Multi-Use (Office) and other nonresidential land uses as provided in Section 9-51-6.S (Land Use Conversions) that differ from those assumed in the 2012 traffic analysis and approval or subsequent approvals and that may result in new or altered traffic impacts. Any future traffic analysis shall be used to update the Great Park Development Monitoring Database. Notwithstanding the requirements of City Council Ordinance 03-20 (The NITM program), The Director of Community Development may waive this requirement if the applicant can demonstrate that these revisions do not result in significant differences compared to the underlying traffic analysis.

- i. Conversion to other nonresidential uses within the Multi-Use category is subject to a traffic analysis to assess traffic impacts due to the change in land use. To the degree other uses are proposed above their maximum limits, a corresponding adjustment in allowable Multi-Use (Office) intensity shall occur in terms of equivalent traffic generation based on a.m. peak, p.m. peak, and average daily trips (ADT). The adjustment will be based on Socioeconomic (SED) trip rates derived from ITAM 8.4-10, and using an average trip generation rate (12.55 ADT, 1.13 a.m. peak hour trips, 1.21 p.m. peak hour trips per 1,000 square feet of office use) and applicable rates for any proposed non-office use based on trip generation rates in table 3-1 of the approved "Heritage Fields Project 2012 General Plan Amendment and Zone Change Traffic Impact Analysis, approved (insert approval date) 2013." If the proposed non-office use and associated trip generation rate is not included in table 3-1, the Director of Community Development shall approve the application of an appropriate rate.
- U. *Land sales - special development requirements.* Any purchase agreement for the sale of land for initial development (excluding sales once the initial development has occurred and excluding sales for public uses) in PA 51 shall include a recorded deed or special land use restriction (SLUR) or covenants, conditions and restrictions (CC&Rs) document with the following:
  - i. The legal tract and lot number(s);
  - ii. County Recorder's recordation number which will be reflected on the recorded grant deed;
  - iii. The maximum number of residential units (by type - single-family or multifamily); and
  - iv. The maximum nonresidential square footage by land use with maximum ADT.

The SLUR, and any subsequent modification to the SLUR, shall be recorded by the County of Orange Recorder's Office. Within 30 days of recordation (or any amendments thereafter), the developer shall provide documentation of the information identified in Section 9-51-6.D.d.i—iv above to the Director of Community Development.

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA)  
COUNTY OF ORANGE ) ss  
CITY OF IRVINE )

I, MOLLY MCLAUGHLIN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that on the 5<sup>th</sup> day of October, 2017, I caused to have published and posted a foregoing true and correct copy of Summary of Ordinance No.17-08 of the City of Irvine in the following public places in the City:

- 1) Bulletin Board in Walnut Village Shopping Center, Culver and Walnut, Irvine.
- 2) Bulletin Board in University Park Shopping Center, Culver at Michelson, Irvine.
- 3) Bulletin Board in Northwood Shopping Center, Irvine Boulevard at Yale, Irvine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City Council of the City of Irvine, California, the 5<sup>th</sup> day of October, 2017.

  
CITY CLERK OF THE CITY OF IRVINE



# Land Exchange / Summary Location Map State Veterans Cemetery





# Future State Veterans Cemetery Strawberry Fields/Bake Parkway Site



MINUTES (EXCERPT)  
IRVINE CITY COUNCIL SPECIAL MEETING

**September 26, 2017**  
**City Council Chamber**  
One Civic Center Plaza  
Irvine, CA 92606

**1.1 VETERANS CEMETERY IMPLEMENTATION AGREEMENT**

**ACTION:** Moved by Mayor Wagner, seconded by Councilmember Shea, to:

- 1) Dedicate the entire 125-acre Alternative Site/Strawberry Fields Site to CalVet immediately upon its transfer to the City for use only as a Veterans' Cemetery and interim agriculture uses, and further that the proposed land swap with Heritage Fields be completed without additional conditions.
- 2) Grant authority to staff to finalize the document consistent with the direction provided tonight and authorize execution of the agreement by the Mayor upon completion. **(Contract No. 9951)**

**The motion carried as follows:**

AYES: 3 COUNCILMEMBERS: Fox, Shea and Wagner

NOES: 2 COUNCILMEMBERS: Lalloway and Schott

ABSENT: 0 COUNCILMEMBERS: None