



AGENDA REPORT

Reviewed:

City Manager

Finance Director


N/A

MEETING DATE: NOVEMBER 20, 2012

TO: JEFFREY C. PARKER, CITY MANAGER

FROM: ELIZABETH A. BINSACK, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: SPECIFIC PLAN AMENDMENT 2012-001 (ORDINANCE NO. 1414) INCLUDING AMENDMENT OF THE CITY OF TUSTIN ZONING MAP, GENERAL PLAN AMENDMENT 2012-001 TO PROVIDE A GENERAL UPDATE TO THE FIRST STREET SPECIFIC PLAN.

SUMMARY:

Following significant public outreach, discussion of issues and opportunities, and exploration of potential improvements, on October 23, 2012, the Tustin Planning Commission adopted Resolution No. 4209 recommending that the Tustin City Council adopt Ordinance No. 1414, approving Specific Plan Amendment 2012-001 to provide a general update of the First Street Specific Plan. Council consideration of Specific Plan Amendment 2012-001 requires consideration of associated amendments to the Tustin General Plan (General Plan Amendment 2012-001) and supporting environmental documents.

RECOMMENDATION:

That the City Council:

1. Adopt Resolution No. 12-104, finding that the Negative Declaration prepared for Specific Plan Amendment 2012-001 (Ordinance No. 1414), and associated General Plan Amendment 2012-001 is adequate; and,
2. Adopt Resolution No. 12-103, approving General Plan Amendment (GPA) 2012-001, incorporating changes to the General Plan associated with Specific Plan Amendment 2012-001 (First Street Specific Plan) and other minor updates; and,
3. Introduce and have first reading of Ordinance No. 1414, approving Specific Plan Amendment (SPA) 2012-001 (First Street), including amendment of the Tustin Zoning Map.

FISCAL IMPACT:

Amendment of the First Street Specific Plan (Ordinance No. 1414) is a City-initiated project. There are no direct fiscal impacts anticipated as a result of adopting this ordinance.

ENVIRONMENTAL ANALYSIS - DRAFT NEGATIVE DECLARATION

The California Environmental Quality Act requires an analysis of a project's potential impacts prior to formal consideration by the appointed decision maker. Consistent with CEQA, a

Negative Declaration has been prepared in support of the proposed amendment of the First Street Specific Plan and associated amendment of the General Plan. The proposed GPA 2012-001 and SPA 2012-001 are considered a "project" subject to the terms of the California Environmental Quality Act ("CEQA"). An Initial Study and findings for a proposed Negative Declaration have been prepared regarding this project for consideration by the Tustin City Council (Resolution No. 12-104, attached). In compliance with the State CEQA Guidelines, A Notice of Intent to Adopt a Negative Declaration was published and the draft Negative Declaration and Initial Study were made available for a 20-day public review and comment period from September 27, 2012, through October 23, 2012. No comments were received during this time. Resolution No. 12-104 has been prepared for City Council consideration (Attachment 1)

BACKGROUND AND DISCUSSION:

The First Street Specific Plan (Specific Plan 10) was completed in less than four months and adopted by the Tustin City Council on December 2, 1985. The Specific Plan affects properties on both sides of First Street from Newport Avenue to State Route 55 (Costa Mesa) Freeway. The current First Street Specific Plan may be viewed at:

<http://www.tustinca.org/departments/commdev/index.html#planningZoning>

The First Street Specific Plan was envisioned to be a 15-year document, and was intended to address City Council concerns at that time regarding an intrusion of residential and office uses causing an "erosion of commercial potential" for what was then considered one of the most important commercial corridors in the City. The Specific Plan also ensured that future commercial development was sensitive to adjacent residential neighborhoods, established consistent quality of development design standards but without a uniform architectural theme or style, and provided for development of office and retail uses but in site-specific locations intended to support balanced development of both uses along the corridor.

Tustin has continued to expand and develop and several new commercial centers and corridors have gained prominence since 1985, including the Tustin Market Place in East Tustin and The District at Tustin Legacy. Property owners, real estate professionals, members of the Planning Commission and staff have expressed a concern that the First Street Specific Plan is outdated, but a comprehensive update was not pursued due to budget constraints. However, the Planning Commission and staff determined that there are measures and updates that should be pursued using in-house resources. Consequently, staff has prepared the subject amendment to the First Street Specific Plan, including associated Tustin Zoning Map changes and General Plan Amendment.

Planning Commission and Public Workshop Input

The Planning Commission held public workshops on the First Street Specific Plan on January 25 and March 22, 2011. On September 15, 2011, Community Development Department staff held a Community Workshop with affected property owners and other interested parties. The purpose of all three workshops was to identify and discuss First Street Specific Plan document strengths and weaknesses with the intent of identifying necessary revisions that might be needed. A significant amount of background information was provided to the Planning Commission and the public at these workshops.

In the months following these workshops, staff concentrated significant effort toward making the necessary Specific Plan text and zoning boundary modifications needed to update the document and address the weaknesses that were known to staff and also identified by the Commission and public during the workshops.

On July 24, 2012, the draft Specific Plan Amendment was transmitted to the Tustin Planning Commission. On September 25, 2012, the Planning Commission held an additional public workshop where staff presented the proposed amendment of the First Street Specific Plan. On October 23, 2012, the Tustin Planning Commission adopted Resolution No. 4209 recommending that the Tustin City Council adopt Ordinance No. 1414 to approve Specific Plan Amendment 2012-001; and, approve General Plan Amendment 2012-001 (Attachment 4).

PROPOSED SPECIFIC PLAN AMENDMENT (SPA) 2012-001

Specific Plan Amendment (SPA) 2012-001 is proposed as a general update of the First Street Specific Plan. This section outlines the proposed revisions that are included in SPA 2012-001.

1. ***Allow expansion of nonconforming single family residences until adaptive reuse/conversion to commercial use; and, remove large residential developments from the First Street Specific Plan, restoring them to their original residential zoning designation*** - Several historic single family structures exist within the westerly portion of First Street. In addition, several large apartment and condominium projects exist within the Specific Plan area. The First Street Specific Plan currently allows commercial uses only and does not permit residential uses, nor does it provide development regulations (setbacks, parking standards, etc.) for existing residential uses. As a result, all legally constructed residential uses within the First Street Specific Plan are considered nonconforming. It is the intent of the City's zoning regulations that legal nonconforming residential uses will be eventually replaced with conforming commercial uses sometime in the future.



Reason/Findings:

- ***Single Family Structures:*** Thirteen single family residential structures are located within the westerly end of the First Street Specific Plan (five of which have been converted to commercial use). Twelve of these structures are listed as historic resources within the City's Cultural Resources Survey (2003). One additional residence (320 W. First Street), constructed in 1938, may be eligible for listing as historically significant but is not currently listed in the Cultural Resources Survey. The quality and condition of these structures varies from maintained to substandard. Some are visibly deteriorating. *Specific Plan Amendment 2012-001 would permit existing nonconforming single family residential uses to be expanded using the same allowances provided for historic homes located within the Cultural Resources District.*
 - Historic residences contribute to the existing small town, residential architectural built environment that currently exists along the westerly end of First Street, linking First Street to the immediately adjacent Old Town Tustin.

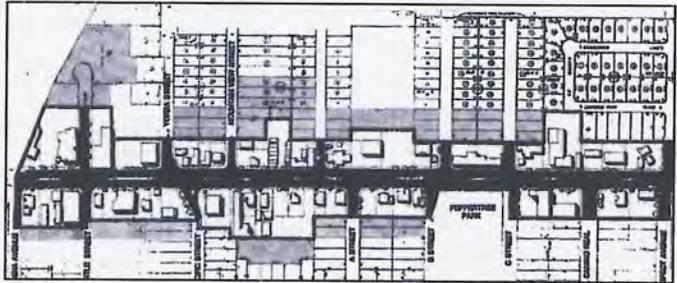
- Owners of a historic nonconforming residence are currently prohibited from adding an additional bedroom or bathroom which encourages adaptive commercial reuse but discourages residential pride of ownership, reinvestment, upkeep and improvement of these structures, possibly to the detriment of the First Street streetscape and the community as a whole.
- Historic homes on small lots with little space for on-site parking makes them economically unattractive for conversion to commercial use without lot consolidation with neighboring properties. In the past, market forces have not pursued lot consolidation along First Street.
- Reinvestment into historic homes supports the City's interest in historic preservation. Reinvestment into First Street supports the community's interest in making First Street an attractive place to live, shop and work.
- *Multi-family residential structures:* Large apartment and condominium residential development along First Street in the 1970s and 1980s may have contributed to the City Council's 1985 adoption of the First Street Specific Plan to prevent further "erosion of the commercial potential." The adoption of the Specific Plan earmarked large residential uses for eventual replacement with commercial uses. There are no residential development regulations for residential uses in the Specific Plan area that would allow minor building improvements to these units. *Specific Plan Amendment 2012-001 removes large apartment and condominium complexes from the First Street Specific Plan and restores their original residential zoning and conforming status.*



Reason/Findings:

- Since 1985, the City has developed and greatly expanded its capacity for commercial development. There is no immediate commercial market impetus to eliminate large residential complexes located along First Street.
- Given the economic lifespan of a large apartment or condominium complex, it would appear unlikely that conversion of these properties to commercial use would occur in a reasonable timeframe.
- Large residential uses predate many commercial uses along First Street. Instead of complaints and conflict, staff has witnessed a positive, symbiotic synergy that appears to exist between First Street residents and First Street businesses.
- The current nonconforming status diminishes residential property values, and complicates resale, refinancing, and reconstruction (following a disaster such as a fire, etc.).

2. **Eliminate the First Street Expansion Areas** - The First Street Specific Plan encouraged the expansion of the City's primary commercial corridors into the surrounding neighborhoods. The First Street Specific Plan's Expansion Areas identified commercial and residential



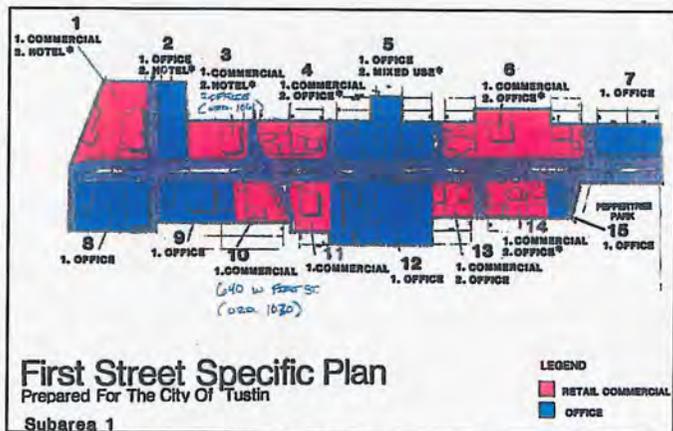
properties (some in Old Town Tustin) where the boundaries of the First Street Specific Plan might someday expand (see gray-shaded properties in figure above). The Expansion Area has no zoning authority or regulate the properties in any manner, but predetermined their eventual absorption into the commercial district. SPA 2012-001 proposes to eliminate the First Street Specific Plan "expansion areas"

Reason/Findings:

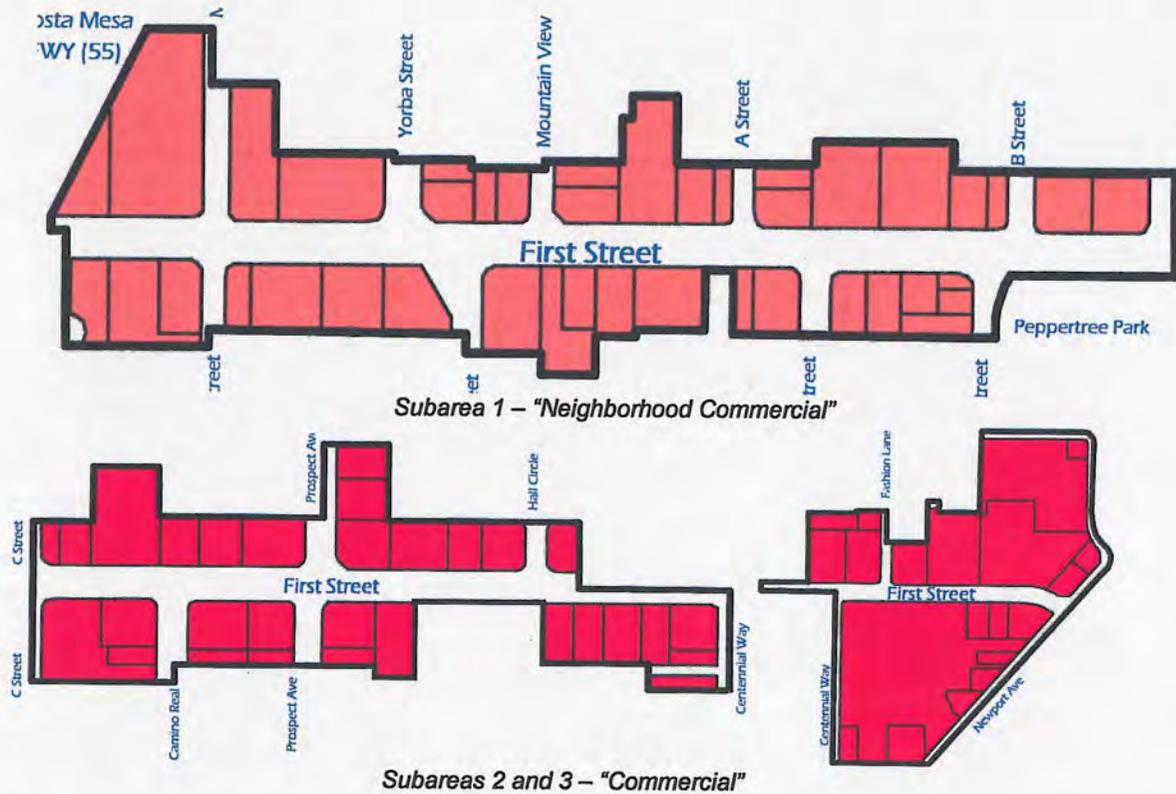
- Many Expansion Area properties contain historic residences that contribute to the existing small town, built environment that currently exists along the westerly end of First Street, linking First Street to the immediately adjacent Old Town Tustin.
- The existence of an Expansion Area incorrectly presumes that the Planning Commission and City Council would support expansion of the First Street Specific Plan into adjoining neighborhoods. Any developer initiated proposal to rezone an Expansion Area property to First Street Specific Plan would be subject to a public hearing, with objective consideration of facts and environmental analysis, before a decision on the application's merits would be reached by the Planning Commission and City Council.
- Due to changes in the market, the availability of alternative Tustin retail centers, and the lack of freeway access to First Street, there is no need to encourage expansion of the First Street Specific Plan area to support large, urban commercial development.

3. **Eliminate the hopscotch zoning pattern of primary uses so that retail and office uses can occur anywhere in the District** -

Development of retail and office "primary" were respectively zoned to ensure that an adequate supply of locations would be ensured for each respective use. The approach resulted in a hop-scotch pattern of parcels (at right), where office uses were almost exclusively encouraged while adjoining lots encouraged mostly retail uses. In addition, as previously noted, the built environment and intensity of use existing along the entire length of First Street is not homogenous.



The westerly end of First Street has a residential built environment with a low-intensity neighborhood commercial flavor, while the easterly end of First Street is developed with much more urban commercial retail and office centers. SPA 2012-001 proposes to standardize zoning boundaries, enabling listed retail, service and/or office uses to be located anywhere within the commercial district, as the market dictates. However, to protect and preserve the less intensively developed westerly end of First Street (discussed above), SPA 2012-001 would establish a Neighborhood Commercial sub-district, and a more intensive Commercial sub-district that will apply to the much more urban commercial uses and intensity of use along the easterly portion of First Street (shown below).



Reason/Findings:

- First Street property owners and prospective businesses have been discouraged by the current restrictions preventing a use (i.e. a book store) from locating to one property but encouraged on a neighboring property.
- Due to changes in the market, the availability of alternative Tustin retail and office centers, and the lack of freeway access to First Street, the First Street Specific Plan should be made flexible, to support a variety of retail, service or office market demands.
- Large, urban commercial uses (Kohls, Vons, etc.) would appear to be compatible with the easterly end of First Street but could be disruptive to the less intense built environment existing along the westerly end of First Street.

- A mix of retail, service and office uses is the method of land use regulation utilized in every other commercial zoning district in the City, and would be preferred to restricting such uses to only specific lots along First Street.
4. **List auto repair as a conditionally permitted use** - There are a number of auto-oriented businesses currently located along First Street. Tire stores, fast food, service stations, motels, a post office, and auto repair mechanics have operated on First Street without significant incident since before the 1985 adoption of the First Street Specific Plan. However, adoption of the First Street Specific Plan prohibited auto repair, marking them as nonconforming uses ever since. SPA 2012-001 would allow auto repair to be re-listed as a conditionally permitted use within the more intensive, easterly "Commercial" area of First Street.

Reason/Findings:

- Automotive repair is a conditionally permitted use in the City's C2 Zoning District, which is a zoning district similar in intensity to the proposed "Commercial" sub-district planned for the easterly portion of the First Street Specific Plan.
 - In spite of the Specific Plan prohibition of auto repair, auto repair uses have been resilient and appear to fill a market niche in Tustin for neighborhood auto services.
 - The quality of property improvements appears to be a problem. However, reinvestment into an existing auto repair use is likely discouraged by its nonconforming status, which complicates purchase loans or refinancing given the possibility that the investment could be lost since a nonconforming property damaged over 50 percent may not be rebuilt. Reinvestment into First Street supports the community's interest in making First Street an attractive place to live, shop and work.
 - Proposals for new auto repair businesses would be considered at a noticed public hearing where citizens could express support or opposition. When approved, auto repair uses could be conditioned to ensure compatibility with the surrounding neighborhood and to require site improvements such as landscaping.
5. **Update Parking, Development and Use Regulations** – As noted previously, the First Street Specific Plan was intended as a 15 year document that is nearly 27 years old and in need of updating. *SPA 2012-001 proposes a comprehensive update of the Plan's outdated parking regulations and graphics.*

Reasons/Findings:

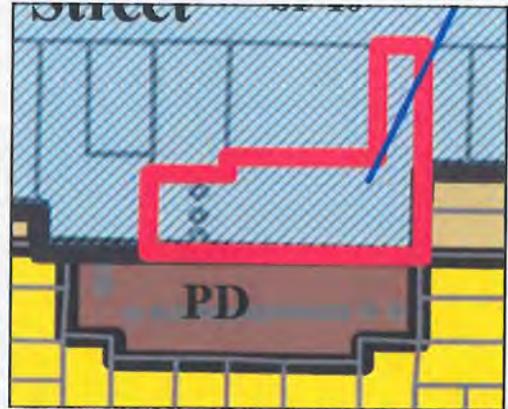
- The current First Street Specific Plan parking, development and land use regulations may act as a disincentive to locating a new business or retaining an existing business within the First Street Specific Plan and should be updated. For example, the First Street Specific Plan currently requires a restaurant (serving no alcohol) to obtain a Conditional Use Permit before locating on First

Street. No other Commercial District in the City has such a stringent requirement.

- Since 1985, the City has adopted numerous updates to its zoning regulations, parking requirements and other standards that either do not apply to or are not currently reflected in the First Street Specific Plan. As such, the First Street Specific Plan is significantly out of date and should be updated.

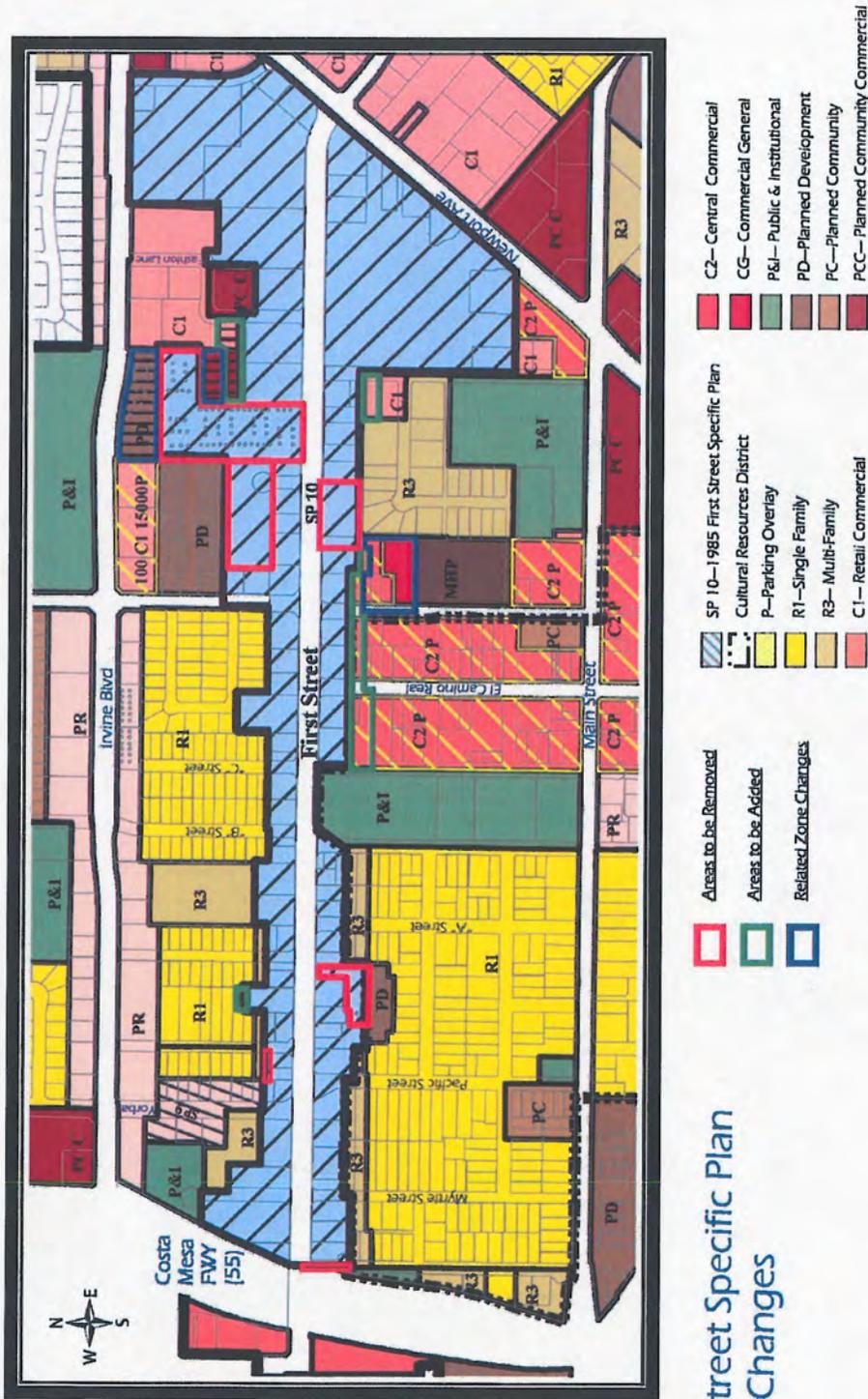
6. **Revise First Street Specific Plan boundaries to include or exclude entire properties** – when the First Street Specific Plan district boundaries were established in 1985, they did not always follow existing property lines but in some cases divided existing properties and structures into two different zoning districts.

Before the adoption of the First Street Specific Plan, the Planned Development residential use depicted at right extended all the way to First Street (the area depicted with a red border). The residential condominiums located within the northerly portion of the development were rezoned First Street Specific Plan (commercial) while the southerly portion remained residentially zoned. In addition, the Tustin Post Office (currently within three different zoning districts) is proposed to be zoned Public and Institutional (P&I), in a manner consistent with the current land use and zoning of several nearby public uses such as the Tustin Unified School District administrative offices, City Hall, etc. SPA 2012-001 revises First Street Specific Plan Planning Area and Zoning Map boundaries to eliminate the division of properties between two zoning districts. Specific Plan goals and vision statements have also been revised to reflect the proposed changes. Also, proposed Tustin Zoning Map changes are proposed as depicted on the preceding pages.



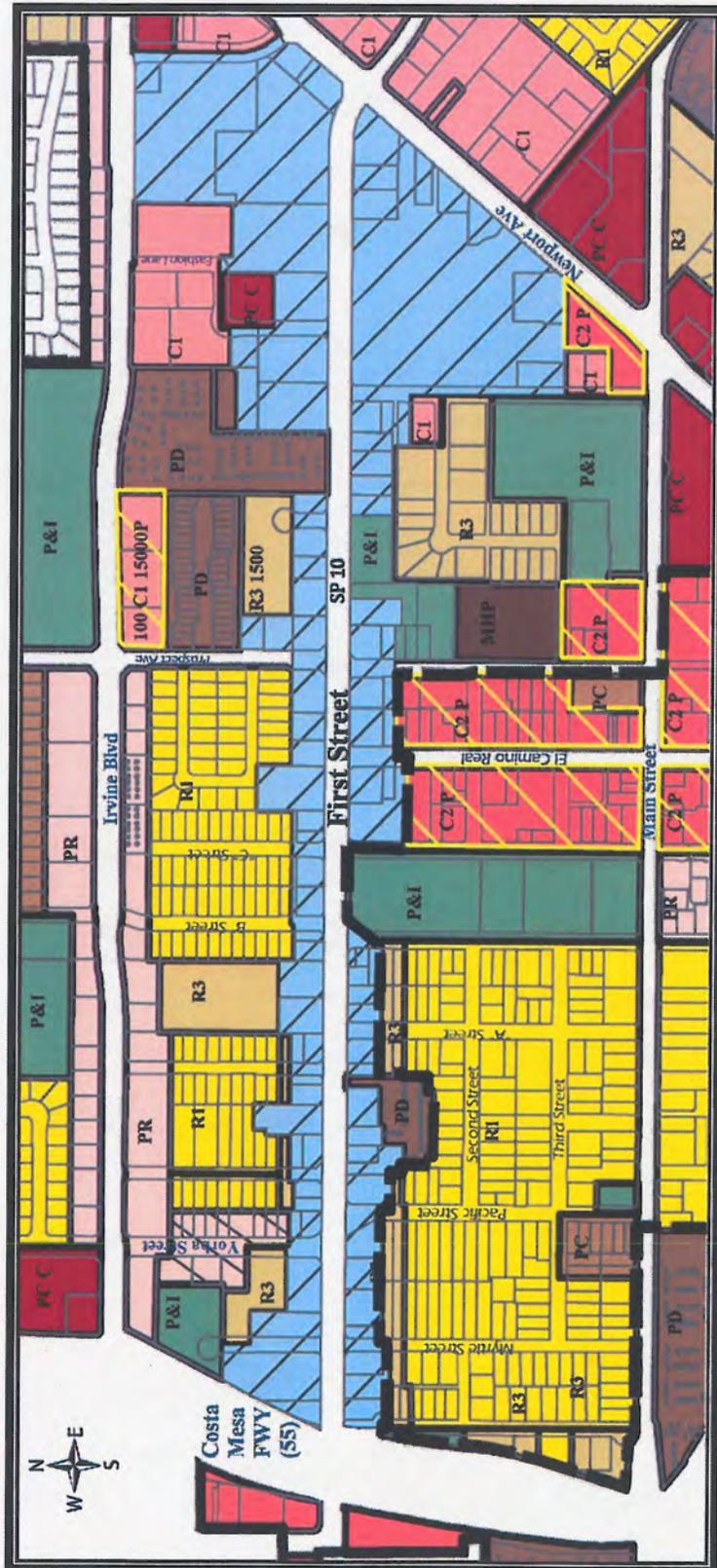
Reason/Findings

- Division of any property between two zoning districts causes significant and unnecessary confusion to owners, real estate professionals, lenders, and others.
- The current nonconforming status of these properties diminishes property values, and complicates resale, refinancing, and reconstruction (following a disaster such as a fire, etc.).
- It is good public policy for zoning districts to be discernable, transparent, and requiring no interpretation or discretion by any official or body.



First Street Specific Plan Zone Changes

- Areas to be Removed
- Areas to be Added
- Related Zone Changes
- SP 10—1985 First Street Specific Plan Cultural Resources District
- P—Parking Overlay
- R1—Single Family
- R3—Multi-Family
- C1—Retail Commercial
- C2—Central Commercial
- CG—Commercial General
- P&I—Public & Institutional
- PD—Planned Development
- PC—Planned Community
- PCC—Planned Community Commercial

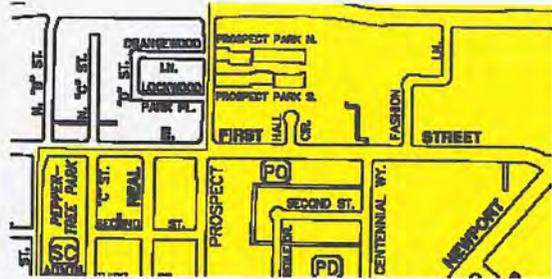


- SP 10-2012 First Street Specific Plan
- Cultural Resources District
- P-Parking Overlay
- R1-Single Family
- R3-Multi-Family
- C1-Retail Commercial
- C2-Central Commercial
- CG-Commercial General
- P&I-Public & Institutional
- PD-Planned Development
- PC-Planned Community
- PCC-Planned Community Commercial
- SP 9-Yorba Street Specific Plan

2012 First Street Specific Plan
 Proposed Zoning Map



7. **Eliminate references to the Community Redevelopment Agency** - The eastern portion of the area from "B" Street and Prospect Avenue to Newport Avenue was located in the Town Center Redevelopment Project Area (see yellow area within map at right). Through the Legislature's adoption of Assembly Bill No. 26 (AB X1 26), all California redevelopment agencies have been dissolved. SPA 2012-001 includes revisions to formally eliminate or revise all references within the First Street Specific Plan to the Tustin Community Redevelopment Agency and Redevelopment Project Area.



8. **Eliminate the First Street Specific Plan's two-tier system of supporting primary uses and discouraging secondary uses** - The First Street Specific Plan regulates land use using a two-tiered system intended to encourage either retail or office uses. The preferred land use is prioritized as the "Primary" use. The First Street Specific Plan incentivizes Primary uses by making them the easiest to get approved by the City (i.e. expedited plan processing, relaxation of certain zoning regulations to encourage mixed commercial use development, etc.). "Secondary" uses are acceptable, but the property owner must proceed through a more difficult, slower project review process (i.e., the Specific Plan requires the referral of all design approvals for Secondary uses to the Planning Commission). Specific Plan Table 1 (at right) identifies the specific types of uses that at the time of original adoption (1985) the City believed was desirable within each block's "Planning Unit" designation. Specific Plan Amendment 2012-001 eliminates the current two-tier system and would establish a single list of permitted and conditionally permitted uses that is identical to the system currently utilized for other commercial districts in the Tustin Zoning Code.

TABLE 1

Subarea 1	Primary	Secondary
Planning Unit 1	Commercial	Hotel*
Planning Unit 2	Office	Hotel*
Planning Unit 3	Commercial	Hotel*
Planning Unit 4	Retail Comm'l	Office*
Planning Unit 5	Office	Mixed Use**
Planning Unit 6	Commercial	Office*
Planning Unit 7	Office	
Planning Unit 8	Office	
Planning Unit 9	Office	
Planning Unit 10	Commercial	
Planning Unit 11	Commercial	Office
Planning Unit 12	Office	
Planning Unit 13	Commercial	Office
Planning Unit 14	Commercial	Office*
Planning Unit 15	Office	
Subarea 2	Primary	Secondary
Planning Unit 1	Commercial	***
Planning Unit 2	Commercial	
Planning Unit 3	Restaurant	Commercial
Planning Unit 4	Hotel	Office
Planning Unit 5	Commercial	Restaurant***
Planning Unit 6	Commercial	Restaurant***
Planning Unit 7	Commercial	Restaurant
Planning Unit 8	Commercial	
Planning Unit 9	Commercial	
Planning Unit 10	Commercial	
Planning Unit 11	Commercial	
Subarea 3	Primary	Secondary
Planning Unit 1	Residential	Office
Planning Unit 2	Office	
Planning Unit 3	Commercial	
Planning Unit 4	Commercial	

* Implies lot size expansion beyond specific plan limits and a related specific plan amendment. Such expansion may impact the priority of uses (e.g., in Planning Unit 11 an expanded area may make a Hotel or Office the primary use for the site (s)).

** See mixed use incentive, page III-20.

***These properties shall receive design review by Planning Commission regardless of Primary Use or Secondary Use. The area shall exhibit a strong pedestrian emphasis.

12-2-85 III-3

Reasons/Findings:

- First Street property owners and prospective businesses have historically been discouraged by the current restrictions from locating within the First Street Specific Plan. New businesses to First Street should not be penalized by being required to go through a longer administrative City process. For example, the First Street Specific Plan currently requires a proposed florist or bookstore (listed as secondary retail uses) to go through a longer process to locate along First Street.

- The First Street Specific Plan should be made flexible, to attract and support a variety of retail, service or office market interest.
 - No other commercial district in the City utilizes this kind of two-tier system. It is good public policy for the permitted and conditionally permitted uses listed within the Specific Plan to be understandable to all.
 - The current two-tier system confuses and discourages economic investment and development within First Street, reflects negatively upon the City, and creates confusion between property owners and tenants.
9. ***Update First Street Specific Plan Design Guidelines*** – The 1985 First Street Specific Plan included Design Guidelines which are significantly outdated. *Specific Plan Amendment 2012-001 includes an updated Design Guidelines document that recommends the introduction of public art, use of water conservation, etc.*

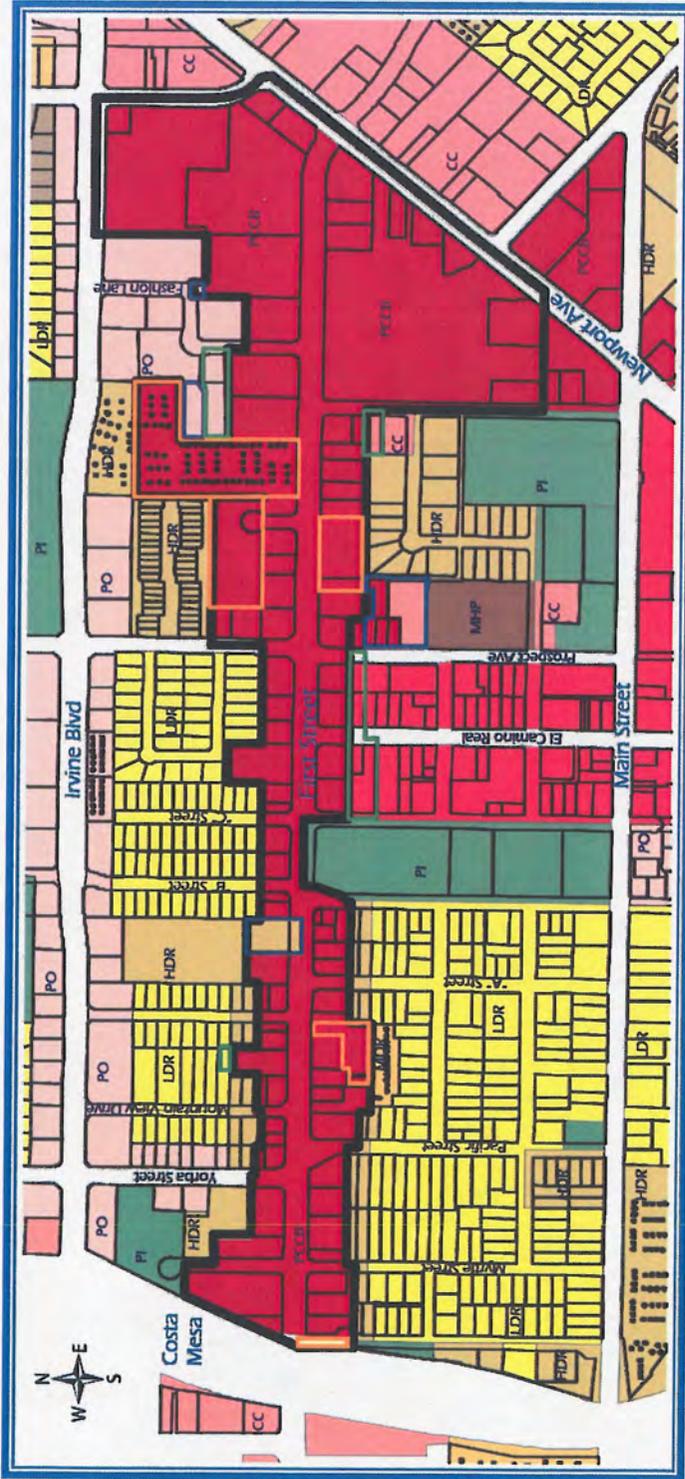
Note: A red-lined version of Specific Plan Amendment is provided as Attachment 3. The “clean” (with all corrections accepted) Specific Plan Amendment and revised Design Guidelines document are attached to Ordinance No. 1414 (Attachment 5).

PROPOSED GENERAL PLAN AMENDMENT (GPA) 2012-001

General Plan Amendment 2012-001 was prepared in support of the proposed amendment of the First Street Specific Plan (proposed changes and a proposed final General Plan Map are provided on the following pages). It involves minor amendments to the text and map updates to the Tustin General Plan that are consistent with amendments to the First Street Specific Plan (Specific Plan Amendment (SPA) 2012-001). For example, the General Plan must be consistent with any proposed amendment of a property’s zoning designation (e.g. from commercial to residential). Proposed General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City’s current sphere of influence as approved by the Orange County Local Agency Formation Commission and introduce a digital General Plan Land Use Map which presents existing general plan designations in an updated format. The City may amend the General Plan up to four (4) times a calendar year. To date, the City has amended the General Plan one previous time. Resolution No. 12-103 has been prepared for City Council’s consideration of this matter (Attachment 2).

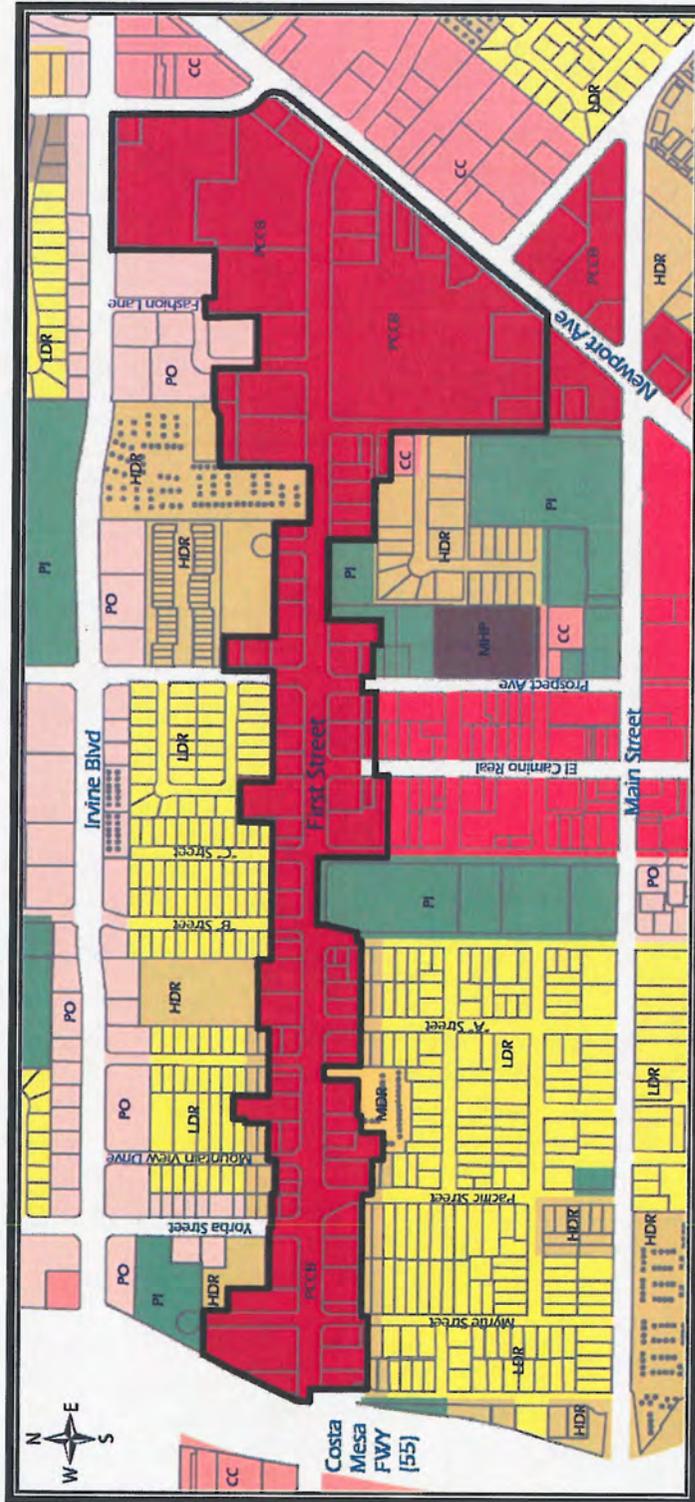
CONCLUSION

Following completion of the proposed amendment of the First Street Specific Plan, staff anticipates moving forward with addressing longer term needs associated with the First Street Specific Plan, including but not limited to: 1) revising the streetscape design (including traffic, landscape, hardscape (street furniture, wishing wells, etc.); 2) revising the permitted/conditionally permitted list of uses to include mixed-use (residential/commercial); 3) enhancing the Old Town Commercial District where it intersects with First Street; 4) enhancing the list of potential incentives that might encourage development in Old Town; 5) exploring street parking options that may be available to First Street ranging from restriping/reconfiguring the right-of-way to add more street parking or possibly eliminating street parking in certain locations.



- Areas to be Removed
- Areas to be Added
- Related General Plan Changes
- LDR-Low Density Residential
- MDR-Medium Density Residential
- HDR-High Density Residential
- MHP-Mobile Home Park
- PO-Professional Office
- CC-Community Commercial
- OTC-Old Town Commercial
- PCCB-Planned Community Commercial/Business
- PI-Public/Institutional

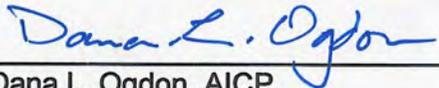
2012 First Street Specific Plan Proposed General Plan Changes



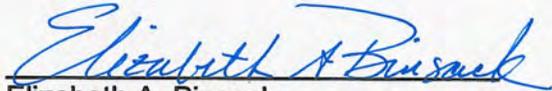
**2012 First Street Specific Plan
 Proposed General Plan
 Designations**

	LDR-Low Density Residential		OTC-Old Town Commercial
	MDR-Medium Density Residential		PCCB-Planned Community Commercial/Business
	HDR-High Density Residential		PI-Public/Institutional
	MHP-Mobile Home Park		
	PO-Professional Office		
	CC-Community Commercial		

Staff believes that the longer term work effort will involve extensive public outreach and workshops that could consider streetscape and place-making enhancements to the original governing policies that would update, enhance and strengthen the uniqueness of First Street's sense of place. Staff will be continuing this effort for future consideration by the Planning Commission and City Council.



Dana L. Ogdon, AICP
Assistant Director



Elizabeth A. Binsack
Director of Community Development



Scott Reekstin,
Senior Planner



Amy Stonich, AICP
Senior Planner



Joe Pearson II,
Planning Intern

- Attachment 1: Resolution No. 12-104
Exhibit 1: Negative Declaration
Exhibit 2: Initial Study and findings for a proposed Negative Declaration
- Attachment 2: Resolution No. 12-103 approving General Plan Amendment 2012-001, incorporating General Plan changes associated with SPA 2012-001 with other minor updates.
- Attachment 3: Red-lined version of proposed Specific Plan Amendments.
- Attachment 4: Planning Commission Resolution No. 4209 and Minutes of October 23, 2012.
- Attachment 5: Ordinance No. 1414, approving Specific Plan Amendment (SPA) 2012-001, including amendment of the Tustin Zoning Map.

Attachment 1

Resolution No. 12-104
Adopting a Negative Declaration for SPA 2012-001 and
GPA 2012-01

RESOLUTION NO. 12-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUSTIN ADOPTING THE NEGATIVE DECLARATION FOR SPECIFIC PLAN AMENDMENT 2012-001 (ORDINANCE NO. 1414), AND GENERAL PLAN AMENDMENT 2012-01 PROVIDING A GENERAL UPDATE OF THE FIRST STREET SPECIFIC PLAN.

- I. The City Council of the City of Tustin does hereby resolve as follows:
 - A. That Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01 is a City-initiated project intended to provide a general update of the First Street Specific Plan;
 - B. That Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01 collectively are considered to be a "project" by the California Environmental Quality Act ("CEQA") (Pub. Resources Code §21000 et seq.);
 - C. That an Initial Study has been prepared to evaluate the potential environmental impacts associated with the project that concluded that the project could not have a significant effect on the environment, and a Negative Declaration (ND) was prepared;
 - D. That a Notice of Intent to Adopt a Negative Declaration was published and the Negative Declaration and Initial Study were made available for a 20-day public review and comment period from September 27, 2012, through October 23, 2012, in compliance with Sections 15072 and 15105 of the State CEQA Guidelines;
 - E. That a public hearing was duly called, noticed, and held for Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 on October 23, 2012, by the Tustin Planning Commission. At said meeting the Planning Commission adopted Resolution No. 4209, recommending that the City Council consider and adopt the Negative Declaration for Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01;
 - F. That a public hearing was duly called, noticed, and held for Specific Plan Amendment 2012-001 (Ordinance no. 1414) and General Plan Amendment 2012-01 on November 20, 2012 by the Tustin City Council. Prior to consideration of Specific Plan Amendment 2012-001 and General Plan Amendment 2012-01, the Tustin City Council considered the proposed Negative Declaration, Initial Study and comments received. Based upon the whole record, there is no substantial evidence that the project will have a significant effect on the environment.

- II. The Tustin City Council hereby adopts the Negative Declaration and Initial Study attached hereto as Exhibit A for Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01, providing a general update of the First Street Specific Plan.

PASSED AND ADOPTED by the City Council of the City of Tustin, at a regular meeting on the 20th day of November, 2012.

JOHN NIELSEN
MAYOR

ATTEST:

PAMELA STOKER
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF TUSTIN)

I, Pamela Stoker, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, do hereby certify that the whole number of the members of the City Council of the City of Tustin is five; that the above and foregoing Resolution No. 12-104 was duly passed and adopted at an adjourned regular meeting of the Tustin City Council, held on the 20th day of November, 2012, by the following vote:

COUNCILMEMBER AYES:
COUNCILMEMBER NOES:
COUNCILMEMBER ABSTAINED:
COUNCILMEMBER ABSENT:

PAMELA STOKER
CITY CLERK

Exhibit A



COMMUNITY DEVELOPMENT DEPARTMENT

300 Centennial Way, Tustin, CA 92780
(714) 573-3100

NEGATIVE DECLARATION

Project Title: Specific Plan Amendment 2012-001, including amendment of the City of Tustin Zoning Map, and General Plan Amendment 2012-001

Project Location: First Street, Tustin California

Project Description: General update of the First Street Specific Plan adopted in 1985

Project Proponent: City of Tustin

Lead Agency Contact Person: Dana Ogdon, AICP

Telephone: 714/573-3109

The Community Development Department has conducted an Initial Study for the above project in accordance with the City of Tustin's procedures regarding implementation of the California Environmental Quality Act, and on the basis of that study hereby finds:

- That there is no substantial evidence that the project may have a significant effect on the environment.
- That potential significant effects were identified, but revisions have been included in the project plans and agreed to by the applicant that would avoid or mitigate the effects to a point where clearly no significant effects would occur. Said Mitigation Measures are included in Attachment A of the Initial Study which is attached hereto and incorporated herein.

Therefore, the preparation of an Environmental Impact Report is not required.

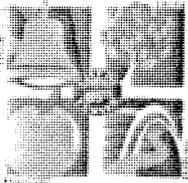
The Initial Study which provides the basis for this determination is attached and is on file at the Community Development Department, City of Tustin. The public is invited to comment on the appropriateness of this Negative Declaration during the review period, which begins with the public notice of Negative Declaration and extends for twenty (20) calendar days. Upon review by the Community Development Director, this review period may be extended if deemed necessary.

REVIEW PERIOD ENDS 4:00 P.M. ON October 23, 2012

Date _____

Elizabeth A. Binsack
Community Development Director

TUSTIN



BUILDING OUR FUTURE
HONORING OUR PAST

CITY OF TUSTIN
COMMUNITY DEVELOPMENT DEPARTMENT
300 Centennial Way, Tustin, CA 92780
(714) 573-3100

A. BACKGROUND

Project Title: Specific Plan Amendment 2012-001 (Draft Ordinance No. 1414), And General Plan Amendment 2012-001

Lead Agency: City of Tustin
300 Centennial Way
Tustin, California 92780

Lead Agency Contact Person: Dana L. Ogdon, AICP, Assistant Director

Phone: (714) 573-3109

Project Location: Generally in proximity to First Street, from the easterly edge of the 55 Newport/Costa Mesa Freeway to the westerly edge of Newport Avenue. See attached location map (Attachment A).

Project Sponsor's Name and Address: City of Tustin
300 Centennial Way, Tustin, CA 92780

General Plan Land Use Designation: Primarily - Planned Community Commercial Business (PCCB).

Zoning Designation: Primarily – First Street Specific Plan (SP 10)

Surrounding Land Uses and Setting: A variety of urban commercial and residential uses.

Project Description:

The First Street Specific Plan was completed in less than four months and adopted by the Tustin City Council on December 2, 1985. The proposed update is needed to clarify and modernize the document's zoning regulations applicable to existing uses (Exhibits 2 and 3). No ground disturbance work is proposed, nor will such occur as a direct result of the City's planned approval of this project. The current First Street Specific Plan may be viewed at: <http://www.tustinca.org/departments/commdev/index.html#planningZoning>.

Proposed General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

Other public agencies whose approval is required:

- | | |
|---|--|
| <input type="checkbox"/> Orange County Fire Authority | <input type="checkbox"/> City of Santa Ana |
| <input type="checkbox"/> Orange County EMA District | <input type="checkbox"/> City of Irvine |
| <input type="checkbox"/> South Coast Air Quality Management | <input type="checkbox"/> Other |
| <input type="checkbox"/> Orange County Health Care Agency | |

Attachments: EXHIBIT 1: First Street Specific Plan Location Map;
 EXHIBIT 2: SPA 2012-001
 EXHIBIT 3: GPA 2012-001

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION:

On the basis of this initial evaluation:

- I find that 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact 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. 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, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to

that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Elizabeth A Binsack Date: 10/2/12

Printed Name: Elizabeth A. Binsack Title: Community Development Director

Signature: Dana L. Ogdon Date: 10/2/12

Preparer: Dana L. Ogdon, AICP Title: Assistant Director

C. EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance

D. INITIAL STUDY

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rocks outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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"/>
II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy				

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), 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"/>
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"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</p> <p>Would the project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Create objectionable odors affecting a substantial number of people?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 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"/>
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"/>
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"/>
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 impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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"/>

Issues:

Potentially Significant Impact

Less Than Significant With Mitigation Incorporated

Less Than Significant Impact

No Impact

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"/> |
| 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"/> |
| 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"/> |
| 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"/> |

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-Priolo 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"/> |

INITIAL STUDY

City of Tustin

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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"/>
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"/>

VII GREENHOUSE GAS EMISSIONS

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII	HAZARDS AND HAZARDOUS MATERIALS.				
	Would the project:				
	a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	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"/>
	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"/>
	d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 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"/>
	e) For a project located 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"/>
	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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX 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"/>
b) Substantially deplete 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 (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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the 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"/>
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"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

XI 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"/>
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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII 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"/>
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"/>
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"/>
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"/>
e) For a project located 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 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"/>
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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII 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 road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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"/>
XIV PUBLIC SERVICES.				
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental 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 public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV RECREATION.

Would the project:

a) 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"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI TRANSPORTATION / TRAFFIC.

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards 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"/>

	Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
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"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI I 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"/>
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"/>
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"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
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"/>
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"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII 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 the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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INITIAL STUDY

City of Tustin

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

See Attachment B for narrative support for the conclusions identified in this checklist.

**ATTACHMENT B
INITIAL STUDY
SPA 2012-001, GPA 2012-001
FIRST STREET SPECIFIC PLAN**

PROJECT DESCRIPTION

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. The proposed amendments would update and modernize the First Street Specific Plan (originally adopted in 1985) to create regulations that reinforce the community's desires as expressed when the Specific Plan was originally adopted to promote economic development along First Street in a manner compatible with surrounding land uses. In addition, the document has been modernized to correct errors and inconsistencies that have occurred over the years since its adoption including: an update that eases the identification of land use designations; modernizing terms used in the Specific Plan's zoning regulations pertaining to the types of permitted and conditionally permitted commercial uses that may operate in the area; clarifying where such uses may or may not occur, providing modern parking regulations consistent with those used throughout the rest of the City; and updating and clarifying the document's maps and graphics. General Plan Amendment 2012-001 also corrects General Plan Figure depictions of the City's jurisdictional boundaries to reflect areas incorporated into the City in the past and also a previously approved Sphere of Influence modification approved by the Local Area Formation Commission (LAFCO) involving an unincorporated area in the County of Orange. Proposed General Plan Amendment 2012-001 also incorporates minor text amendments requested by the Orange County Airport Land Use Commission and includes a new General Plan Land Use Map which presents existing general plan designations in an updated format. The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

This Initial Study is prepared to evaluate the environmental impacts of the proposed project with respect to the following categories:

I. AESTHETICS

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) No Impact. The City of Tustin General Plan encourages protection of scenic views and resources (including vistas) through site planning and architectural design; and through implementation of the Grading Manual. The proposed project is intended to update and modernize the General Plan

and First Street Specific Plan to promote economic development along First Street in a manner that is compatible with surrounding uses. The proposed project is administrative in nature and would not directly affect any scenic vistas in that there are no physical changes proposed. As with the current Specific Plan, the proposed update would continue to require future development projects to be reviewed through an established Design Review process, and either modified or conditioned to address specific impacts to scenic vistas (if any). Therefore, this project will not have a substantial adverse effect on a scenic vista.

- b) No Impact. The General Plan Circulation Element does not identify any scenic resources, including, but not limited to, trees, rocks outcroppings, and historic buildings within a state scenic highway within the City. Therefore, there are no direct impacts related to the proposed Specific Plan and General Plan amendment intended to update and modernize the General Plan and First Street Specific Plan to promote economic development along First Street in a manner that is compatible with surrounding uses. The proposed project is administrative in nature and would not directly affect any scenic resources in that there are no physical changes proposed. As with the current Specific Plan, the proposed update would continue to require future development projects to be reviewed through existing regulations, and modified or conditioned to address specific impacts to scenic resources (if any). Impacts related to any future project may be identified and evaluated in conjunction with the applicable discretionary process and may be subject to separate CEQA review. Therefore, this project will not have a substantial adverse effect on a will not detrimentally alter, destroy or adversely affect any scenic resource.
- c) No Impact. As proposed, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 will continue to encourage that future development be compatible with the existing visual character or quality of the site and its surroundings. In addition, the Specific Plan Amendment supports ongoing preservation of certain historic residences existing along First Street by recognizing these structures as conforming and allowing expansion/alteration of an identified historic structure in addition to continuing to support adaptive reuse of historic structures. Adaptive reuse preserves the important physical attributes of the historic resource for future generations to appreciate by adapting old structures for purposes other than what the building was originally designed. As with the current Specific Plan, the proposed project would continue to require future development projects to be reviewed through an established Design Review process, and either modified or conditioned to address specific impacts to the visual character or quality of the area (if any). Impacts related to any future project may be identified and evaluated in conjunction with the applicable discretionary process and may be subject to separate CEQA review.

In addition, the City of Tustin has been recognized by the State of California as a Certified Local Government (CLG). The Certified Local Government Program is a preservation partnership between local, state and national governments focused on promoting historic preservation at the grass roots level. Certification acknowledges that the City has adopted ordinances that protect important historic resources; that the City has appointed a qualified board (Planning Commission) to oversee and decide discretionary matters involving proposed changes to historic resources; and, that the City has employed staff members with significant experience or training in historic preservation matters. CLG designation also provides the City access to the expert technical advice of the State Office of Historic Preservation as well as the National Park Service's Advisory Council on Historic Preservation. Partnerships with the National Alliance of Preservation Commissions, Preserve America, the National Trust for Historic Preservation, and the National Main Street Center are also networks that CLGs have an opportunity to tap into. When needed, staff has also employed the expertise of 30th Street Architects, an historic

preservation architecture and planning firm recognized statewide as experts in documenting, preserving and restoring historic resources. Therefore, this project will not have a substantial adverse effect upon the existing visual character or quality of the site and its surroundings.

- d) No Impact. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area any direct manner nor cause environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts. Future development projects may be subject to providing a photometric plan and additional review may be required on a case-by-case basis for lighting of parking lots and loading areas. Impacts related to any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. Therefore, this project will not have a substantial adverse effect upon the existing visual character or quality of the site and its surroundings.

Mitigation/Monitoring Required: The City's Design Review process and conditions of approval for the project will ensure that the structures do not pose an impact to aesthetics of the surrounding community.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan
City of Tustin Historical Resources Survey (1990)
Update to Tustin Historical Resources Survey (2003)
City of Tustin Residential Design Guidelines – Cultural Resource District

II. AGRICULTURE AND FOREST RESOURCES

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) No Impact. No farmland currently exists within the area affected by the proposed project. Therefore, the proposed project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

- b) No Impact. No farmland currently exists within the area affected by the proposed project. Therefore, the proposed project will not conflict with existing zoning for agricultural use, or a Williamson Act contract.
- c) No Impact. No forest land or timber land currently exists within the area affected by the proposed project. Therefore, the proposed project will not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).
- d) No Impact. No forest land or timber land currently exists within the area affected by the proposed project. Therefore, the proposed project will not result in the loss of forest land or conversion of forest land to non-forest use.
- e) No Impact. No farmland, forest land or timber land currently exists within the area affected by the proposed project. Therefore, the proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan
Orange County Important Farmland Map 2006
A Guide to The Farmland Mapping and Monitoring Program, 2004 Edition
http://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp_guide_2004.pdf

III. AIR QUALITY

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) No Impact. The proposed project would not conflict with or obstruct implementation of the applicable air quality plan, as prepared by the South Coast Air Quality Management District (SCAQMD) in the Air Quality Management Plan (AQMP) for the South Coast Air Basin. No physical improvements are proposed in conjunction with either Specific Plan Amendment 2012-001 or General Plan Amendment 2012-001. Impacts related to any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be

subject to separate CEQA review. Therefore, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

- b) No Impact. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Future projects would be required to comply with air pollution requirements that would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. The proposed project would not result in a violation of any air quality standard.
- c) No Impact. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not 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). Impacts related to any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. Therefore, the proposed project would not result in any criteria pollutant that would negatively influence the region's non-attainment of air quality standards.
- d) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not expose sensitive receptors to substantial pollutant concentrations. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. Therefore, the proposed project would not expose sensitive receptors to pollutant concentrations.
- e) As note previously, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative and would not create objectionable odors affecting a substantial number of people. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. Therefore, the proposed project would not create objectionable odors affecting a substantial number of people.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan
Tustin Grading Manual
CEQA Air Quality Handbook

IV. BIOLOGICAL RESOURCES

No biological resources, riparian habitats, etc. exist within the First Street Specific Plan project area. Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange

County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review.

- a) The California Fish and Game Code was adopted by the State legislature to protect the fish and wildlife resources of the State. Special permits are required for any lake or stream alterations, dredging or other activities that may affect fish and game habitat. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not 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 Department of Fish and Game or U.S. Fish and Wildlife Service. No physical improvements are currently proposed in conjunction with the proposed project. Impacts related to any future project would be identified and evaluated in conjunction with the California Fish and Game Code and may be subject to separate CEQA review. Therefore, no impacts will result with implementation of the proposed project.
- b) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not 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. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. Therefore, the proposed project will have no substantial adverse effect on any riparian habitat or other sensitive natural community.
- c) The proposed project is intended to update and modernize the General Plan and First Street Specific Plan to promote economic development along First Street in a manner that is compatible with surrounding uses. As such, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not 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. In accordance with the City's existing permit (Order No. R8-2009-0030 NPDES No. CAS618030) with the Santa Ana Regional Quality Control Board, any future applicant may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) to ensure grading and reclamation activities do not allow runoff from the site to carry sediment during a storm event to impair the water quality. The proposed project will clarify, provide consistency with prior practice, and reduce ambiguity of the term "nonconforming" in the TCC. Any future project that is considered a priority project will be required to prepare a Water Quality Management Plan (WQMP) as part of the discretionary review process to ensure runoff from the site, due to ongoing operations, does not impair water quality downstream. Therefore, no impact is anticipated as part of the proposed project that could cause a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

- d) The proposed project is intended to update and modernize the General Plan and First Street Specific Plan to promote economic development along First Street in a manner that is compatible with surrounding uses. As such, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not 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 impede the use of native wildlife nursery sites. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review.
- e) The proposed project is intended to update and modernize the General Plan and First Street Specific Plan to promote economic development along First Street in a manner that is compatible with surrounding uses. As such, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The City's General Plan Conservation/Open Space/Recreation Element mandates continued maintenance of significant tree stands. New developments may require a biological assessment as required in the review process. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review.
- f) The City of Tustin is a participating member of the Natural Community Conservation Plan (NCCP) and is within the Coastal Sub/Central Orange County NCCP region. However, the proposed project is intended to update and modernize the General Plan and First Street Specific Plan to promote economic development along First Street in a manner that is compatible with surrounding uses. As such, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan
Department of Fish and Game, NCCP
<http://www.dfg.ca.gov/habcon/nccp/index.html>

V. CULTURAL RESOURCES

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

Regulations and the appropriate procedures include a requirement that a Certificate of Appropriateness be obtained. Said Certificate of Appropriateness must include specific findings for construction or alteration to ensure that alterations will not detrimentally alter, destroy or adversely affect the resource and, in the case of a structure is compatible with the architectural style of the existing historic structure. Ultimately, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 will provide consistency with the City's goals for historic preservation to ensure that historic structures are preserved and maintained.

- a) The City of Tustin General Plan sets out conservation goals to maintain and enhance the City's unique culturally and historically significant building sites or features. Specifically:

Land Use Policy 5.5: Encourage the restoration and rehabilitation of properties in Tustin eligible for inclusion on the National Register of Historic Places according to the rehabilitation guidelines and tax incentives of the National Trust for Historic Preservation.

Land Use Policy 6.2: Encourage and promote high quality design and physical appearance in all development projects.

Land Use Policy 6.5: Preserve historically significant structures and sites, and encourage the conservation and rehabilitation of older buildings, sites, and neighborhoods that contribute to the City's historic character.

Conservation Policy 12.1: Identify, designate, and protect facilities of historical significance, where feasible.

Conservation Policy 12.3: Development adjacent to a place, structure or object found to be of historic significance should be designed so that the uses permitted and the architectural design will protect the visual setting of the historical site.

In addition to allowing expansion or alteration of a designated historic structure, the City also supports adaptive reuse of historic structures. Adaptive reuse preserves the important physical attributes of the historic resource for future generations to appreciate by adapting old structures for purposes other than what the building was originally designed.

In addition, the City of Tustin has been recognized by the State of California as a Certified Local Government (CLG). The Certified Local Government Program is a preservation partnership between local, state and national governments focused on promoting historic preservation at the grass roots level. Certification acknowledges that the City has adopted ordinances that protect important historic resources; that the City has appointed a qualified board (Planning Commission) to oversee and decide discretionary matters involving proposed changes to historic resources; and, that the City has employed staff members with significant experience or training in historic preservation matters. CLG designation also provides the City access to the expert technical advice of the State Office of Historic Preservation as well as the National Park Service's Advisory Council on Historic Preservation. Partnerships with the National Alliance of

Preservation Commissions, Preserve America, the National Trust for Historic Preservation, and the National Main Street Center are also networks that CLGs have an opportunity to tap into. When needed, staff has also employed the expertise of 30th Street Architects, an historic preservation architecture and planning firm recognized statewide as experts in documenting, preserving and restoring historic resources. Therefore, this project will not have a substantial adverse effect upon the existing visual character or quality of the site and its surroundings.

Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not cause a substantial adverse change in the significance of a historical resource as defined in California Government Code § 15064.5. No physical improvements are currently proposed in conjunction with the proposed project. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review.

- b) The proposed project is intended to update and modernize the General Plan and First Street Specific Plan to promote economic development along First Street in a manner that is compatible with surrounding uses. As such, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.

Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. According to the City of Tustin General Plan Conservation/Open Space/Recreation Element (Goal 13), and the Standard Conditions of Approval, individual projects will be subject to site inspection by certified archaeologists or paleontologists for new development in designated sensitive areas. These conditions will be required on a case-by-case basis for individual projects subject to discretionary review; however the proposed project proposes no physical changes.

- c) Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts. As such, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review.
- d) For the reasons discussed previously, the proposed project will not disturb any human remains, including those interred outside of formal cemeteries. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan

Tustin City Code
Tustin General Plan
City of Tustin Historical Resources Survey (1990)
Update to Tustin Historical Resources Survey (2003)
City of Tustin Residential Design Guidelines – Cultural Resource District
Secretary of the Interior’s Standards for Historic Rehabilitation
http://www.nps.gov/history/hps/tps/standards_guidelines.htm

VI. GEOLOGY AND SOILS

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City’s current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. Therefore, the proposed project would not 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-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.* According to the City of Tustin General Plan, Public Safety Element (January 2001), the Tustin Planning Area (Planning Area) lies within a seismically active region. However, there are no known active or suspected potentially active faults identified within the Planning Area. The El Modena fault passes through the Planning Area’s northern section; however, studies have not been conclusive about the active/inactive status of this fault. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 propose no physical changes and future proposals would be subject to individual review. Therefore, no impacts associated with rupture of a known earthquake fault are anticipated with the implementation of this update project.
 - ii. *Strong seismic ground shaking.* See previous discussion. There is no evidence of any active or potentially active faults within the Tustin Planning Area (Planning Area) and it is not located within an Alquist-Priolo Earthquake Fault Zone. However, the Planning Area is located in the seismically active region of southern California. Slight to intense ground shaking is possible within the Planning Area if an earthquake occurs on a segment of the active faults in the region. Under current seismic design standards and California Building Code (CBC) provisions, new buildings would incur only minor damage in small to moderate earthquakes, and potential structural damage during a large earthquake, although new buildings are expected to remain standing during such events (City of Tustin General Plan,

Safety Element). With application of the provisions of Chapter 16A Division IV of the 1998 California Building Code and the Structural Engineers Association of California, (SEAOC) guidelines, adequate structural protection in the event of an earthquake would be provided, thus reducing impacts from strong seismic ground shaking to a less than significant level. Since there is no development associated with the proposed project and future development projects would be subject to the California Building Code and the SEAOC guidelines, no impacts will occur as part of this project.

- iii. *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.* There is no development associated with the proposed project and future projects would be subject to the California Building Code and the SEAOC guidelines. Furthermore, a standard condition of approval requiring a soils report will be required prior to issuance of a grading permit for any future project. Therefore, no impacts will occur as part of the proposed project.
 - iv. *Landslides.* The First Street Specific Plan area is a level, flat site. There is no possibility that landslides could occur within the site.
- b) The City of Tustin is a co-permittee with Orange County in the NPDES program, which is designed to reduce pollutants in storm water runoff. Accordingly, during construction of any future project, the applicant will be required to develop and submit a SWPPP to the Santa Ana RWQMP for compliance with the Statewide NPDES for construction activity. The SWPPP would contain BMPs as identified in the Orange County Drainage Area Master Plan (DAMP) to eliminate or reduce erosion and polluted runoff. General BMPs applicable to construction include erosion controls, sediment controls, tracking controls, wind erosion control, non-storm water management, and materials and water management. Future development projects would be subject to a standard condition of approval requiring BMPs as part of individual development plans may be required as part of the discretionary review process prior to issuance of a grading permit for any future project. Therefore, this project will not result in substantial soil erosion or the loss of topsoil.
 - c) Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. The proposed project is administrative in nature and would not affect or be subject to 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. There are no hazardous materials proposed as part of this project. Each individual development project will be subject to review on a case-by-case basis for hazardous materials. Therefore, no impacts related to this issue will result from the proposed project, and no mitigation measures are required and the SEAOC guidelines. A soils report prepared by a certified soils engineer may be required as part of any project on a case-by-case basis. Since there is no development associated with the proposed project, no impacts will occur as part of this project.
 - d) For the reasons discussed above, the proposed project would not affect or be subject to expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property. Future development projects would be subject to the California Building Code and the SEAOC guidelines. A soils report prepared by a certified soils engineer may be required as part of any project on a case-by-case basis. Since there is no development associated with the proposed project, no impacts will occur as part of this project.

- e) The proposed project is administrative in nature and would not affect or be subject to 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. Future development projects may be required to submit a site-specific geotechnical investigation for the site and preparation of a geologic and soils report prepared by a certified soils engineer. Since there is no development associated with the proposed project, no impacts will occur as part of this project.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code, Grading Manual
Seismic Hazard Zone Map February 27, 2008
Alquist-Priolo Earthquake Fault Zoning Map

VII. GREENHOUSE GAS EMISSIONS

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) Because the proposed project is administrative in nature, no actual development is currently proposed. Future development projects may involve temporary increases in greenhouse gas emissions are likely to occur during construction which would be greater than those typically experienced in the existing neighborhood. New construction will be required to comply with the latest edition of applicable codes which include energy codes related to efficiency. However, impacts associated with any future project would be identified during the project review process and evaluated in conjunction with the applicable discretionary or building permit process that may be subject to separate CEQA review. Consequently, the proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- b) Through the proposed amendment process, if approved, the project would be in compliance with the Tustin City Code and General Plan. There is no development associated with the Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001, and the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan
Tustin Grading Manual
CEQA Air Quality Handbook

VIII. HAZARDS AND HAZARDOUS MATERIALS

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) The project site is located within an urbanized area characterized by commercial and residential development. However, because the project is administrative in nature, no actual construction is proposed. Consequently, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Future development projects would be subject to State and local code requirements, including the Building Code, and reviewed on a case-by-case basis for hazardous materials issues to be resolved.
- b) For the reasons described above, the proposed project will not 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. Future development projects would be subject to State and local code requirements, including the Building Code, and reviewed on a case-by-case basis for hazardous materials issues to be resolved.
- c) The proposed project is administrative in nature; no actual development is proposed. Impacts associated with any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to State and local code requirements, including the Building Code, and reviewed on a case-by-case basis for hazardous materials issues to be resolved. It is possible that future projects would also be subject to separate CEQA review. Consequently, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 will not cause hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- d) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed. Future development projects would be subject to State and local code requirements, including the Building Code, and reviewed on a case-by-case basis for resolution of hazardous materials conditions. It is possible that future projects would

also be subject to separate CEQA review. Consequently, the proposed project would not cause any development to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 nor would it create a significant hazard to the public or the environment.

- e) According to the City's General Plan Circulation Element, John Wayne Airport is approximately five miles to the south by surface roadway. However, the First Street Specific Plan project area does not lie within any of John Wayne's safety zones or building height restriction areas. Therefore, new development will not be subject to review with the Airport Land Use Commission and no safety hazards are anticipated related to this issue. The proposed project area is not located nor is it within two miles of a public airport or public use airport. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area.
- f) The First Street Specific Plan area is not in the vicinity of a private airstrip, although the Los Angeles Basin and Orange County in particular are subject to flyover by private planes. However, since the project area is not within the vicinity of a private airstrip, the project would not result in a safety hazard for people residing or working in the project area.
- g) For the reasons stated previously, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- h) The First Street Specific Plan area is not within a wildland area. For this and the reasons stated previously, the proposed project would not 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. Therefore, there are no impacts associated with this issue.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin General Plan
John Wayne Airport Environs Land Use Plan
Department of Toxic Substances Control – Hazardous Materials Sites
<http://www.envirostor.dtsc.ca.gov/public/>

IX. HYDROLOGY AND WATER QUALITY

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) The City of Tustin is a co-permittee with Orange County in the NPDES program, which is designed to reduce pollutants in storm water runoff. The proposed project does not include construction of new facilities. Future development projects would be required to develop and submit a SWPPP to the Santa Ana RWQMP for compliance with the Statewide NPDES for construction activity. The SWPPP would contain BMPs as identified in the Orange County Drainage Area Master Plan (DAMP) to eliminate or reduce erosion and polluted runoff. General BMPs applicable to construction include erosion controls, sediment controls, tracking controls, wind erosion control, non-storm water management, and materials and water management. By preparing a SWPPP for NPDES compliance in addition to the standard conditions of approval for water quality, any future project could potentially meet all applicable regulations to manage runoff from the project site. Pollutants in storm water would be substantially reduced by source control and treatment BMPs. In addition, the City of Tustin would review and approve a Water Quality Management Plan for any specific future project. Since there is no development proposed as part of this project, it would not violate any water quality standards or waste discharge requirements.
- b) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed with this update. Impacts related to any future project would be identified and evaluated in conjunction with the applicable discretionary process that may be subject to separate CEQA review. Discretionary review of future projects would avoid any project related impacts that would otherwise substantially deplete 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 (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). Since no development is proposed as part of this project, no impact is anticipated at this time.
- c) No actual development is proposed. Impacts related to any future project would be identified and evaluated in conjunction with the applicable Building Codes or discretionary approval process that may be subject to separate CEQA review. Therefore, the project would not 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.
- d) No stream or river is in close proximity to the First Street Specific Plan area. No actual development is proposed. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. Impacts related to any future project would be identified and evaluated in conjunction with the applicable Building Codes or discretionary approval process that may be subject to separate CEQA review. In addition, any future applicant may be required, as part of the standard conditions of approval, to provide on-site hydrology and hydraulic calculations for the proposed development and hydraulic calculations for proposed connections to the existing storm drain system. However, this proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration

of the 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.

- e) No actual development is proposed. Impacts related to any future project would be identified and evaluated in conjunction with the applicable Building Codes or discretionary approval process that may be subject to separate CEQA review. Future project compliance with the City's Grading Ordinance and the California Building Code would ensure that those projects are designed with adequate drainage improvements, erosion control measures, and pollution control plans. However, the proposed project is administrative in nature and would not 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.
- f) For the reasons stated previously, the proposed project is administrative in nature and would not otherwise substantially degrade water quality.
- g) For the reasons stated previously, the proposed project is administrative in nature and would not 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. Future development would be subject to construction restrictions related to the FEMA flood map adopted for the area at that time.
- h) For the reasons stated previously, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not place within a 100-year flood hazard area structures that would impede or redirect flows. Future development would be subject to construction restrictions related to the FEMA flood map adopted for the area at that time.
- i) For the reasons stated previously, Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and would not 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. Future development would be subject to construction restrictions related to the FEMA flood map adopted for the area at that time.
- j) The project area is not within proximity to any significant body of water and would not be expected to be subject to seiche, tsunami, or mudflow.

Mitigation/Monitoring Required: No mitigation is required.

Sources:

- Field Verification
- First Street Specific Plan
- Tustin City Code
- Tustin General Plan
- Tustin Grading Manual
- Flood Insurance Rate Map dated December 3, 2009
- Tustin Guidelines for Preliminary WQMPs
- TCC Section 4900 et al. – Water Quality Control

X. LAND USE & PLANNING

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) The current First Street Specific Plan boundaries divide an established community. District boundaries currently do not follow property lines, but cut through existing properties, sometimes through existing structures built lawfully on the property. Proposed Specific Plan 2012-001 and General Plan 2012-001 would correct this problem and proposes to reestablish the First Street Specific Plan boundary so that it no longer physically divides the established community in the area.
- b) The City's General Plan indicates the following: Goal 2: *Ensure that future land use decisions are the result of sound and comprehensive planning.* Specifically, Policy 2.1: *Consider all General Plan goals and policies, including those in the other General Plan elements, in evaluating proposed development projects for General Plan consistency.* Policy 2.2: *Maintain consistency between the Land Use Element, Zoning Ordinances, and other City ordinances, regulations and standards.* Proposed Specific Plan Amendment 2012-011 and General Plan Amendment 2012-001 are consistent with these goals and would not 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.
- c) The First Street Specific Plan area is an urban environment that is fully or nearly fully built out. There is no established habitat conservation plan or natural community conservation plan within the First Street Specific Plan area of the project site. Consequently, the proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

Mitigation/Monitoring Required: No mitigation is required.

Sources:
Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan
Tustin Zoning Map

XI. MINERAL RESOURCES

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) According to the City of Tustin General Plan Conservation/Open Space/Recreations Element (Figure COSR-2) there are no known mineral resources within the City that would be of value to the region and the residents of the state. Although Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature and no actual construction is proposed, it can be seen with certainty that the proposed project and future development would not 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.
- b) No mining activities exist within the vicinity of the First Street Specific Plan area. For this reason and the reasons discussed previously, the proposed project is administrative in nature and would not 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.

Mitigation/Monitoring Required: No mitigation is required.

Sources: First Street Specific Plan
Tustin General Plan

XII. NOISE

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed. Future development projects would be subject to

State and local code requirements, including the Building Code that would prevent or eliminate 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.

- b) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed. Future development projects would be subject to State and local code requirements, including the Building Code that would prevent or eliminate exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels.
- c) As stated previously, the proposed project is administrative in nature; no actual construction is proposed. Future development projects would be subject to State and local code requirements, including the Building Code or a discretionary approval process that may be subject to separate CEQA review that would prevent a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) As stated previously, the proposed project is administrative in nature; no actual construction is proposed. Future development projects would be subject to State and local code requirements, including the Building Code or a discretionary approval process that may be subject to separate CEQA review that would prevent or mitigate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- e) The First Street Specific Plan project area is not located within two miles of an airport or a private airstrip. No impact.
- f) The First Street Specific Plan project area is not located within the vicinity of a private airstrip. No impact.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Tustin City Code
First Street Specific Plan
Tustin General Plan
John Wayne Airport Environs Land Use Plan

XIII. POPULATION & HOUSING

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed. The proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure).
- b) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed. The existing First Street Specific Plan identifies large residential neighborhoods as nonconforming, and plans for their eventual replacement with commercial uses. The proposed project eliminates this nonconformity for most of the existing large residential projects, ensuring that the proposed project would not increase the overall displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- c) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin General Plan
Tustin City Code

XIV. PUBLIC SERVICES

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed. The proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental 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 public services, including fire protection, police protection, schools, parks, other

public facilities. Future development in the area is required to pay School Impact fees as adopted by the Tustin Unified School District, and discretionary projects in the area would be noticed pursuant to state law. All other new development fees applicable to the project will also be required to be paid. The Orange County Fire Authority and Tustin Police Department provides fire and police protection services (respectively) to the City of Tustin and the First Street Specific Plan area and no change in this service is proposed or would occur through implementation of the proposed project. No impact.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan

XV. RECREATION

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) As stated previously, the proposed project is administrative in nature; no actual construction is proposed. Future development projects would be subject to State and local code requirements, including the Building Code or a discretionary approval process that may be subject to separate CEQA review. Therefore, the proposed project would not 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.
- b) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan

XVI. TRANSPORTATION & CIRCULATION

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) As stated previously, the proposed project is administrative in nature; no actual construction is proposed. Future development projects would be subject to State and local code requirements, or a discretionary approval process that may be subject to separate CEQA review. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 will not conflict with adopted plan, ordinance or policy programs supporting alternative transportation in that the new ordinance will provide clarity and better organization, supplements the Tustin Zoning Code and provides a list of updated uses that have previously been determined to be similar to previously permitted and conditionally permitted uses in the area. The proposed project is consistent with the City's Circulation Element which addresses the circulation improvements needed to provide adequate capacity for future land uses. The Element establishes a hierarchy of transportation routes with specific development standards. Future projects will be required to conform to the City's Circulation Element based on individual review and will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- b) As stated previously, the proposed project is administrative in nature; no actual construction is proposed. Future development projects would be subject to State and local code requirements, or a discretionary approval process that may be subject to separate CEQA review. The City has adopted a Congestion Management Program (CMP) to reduce traffic congestion and to provide a mechanism for coordinating land use development and transportation improvement decisions. Any future project will require review and conformance with the requirements of the Tustin General Plan and the CMP. Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
- c) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would not 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. No impact.

- d) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- e) The First Street Specific Plan area is a fully urbanized commercial corridor that includes existing higher density residential developments. First Street is an arterial with two lanes in each direction. First Street is not proposed to be altered by the proposed project, so the project would not result in inadequate emergency access.
- f) Specific Plan Amendment 2012-001 and General Plan Amendment 2012-001 are administrative in nature. No actual construction is proposed. Future development projects would be subject to State and local code requirements, including the Building Code, and reviewed on a case-by-case basis for resolution of hazardous materials conditions. It is possible that future projects would also be subject to separate CEQA review. Consequently, the proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan

XVII. UTILITIES & SERVICE SYSTEMS

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. The proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area. Consequently, the proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- b) Water and sewer services and other utilities are available to the site since the First Street Specific Plan project area is within an urbanized area and has been previously developed. For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is

proposed. The proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area. Consequently, the proposed project would not 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.

- c) Storm water and other utilities are available to the site since the First Street Specific Plan project area is within an urbanized area and has been previously developed. For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. The proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area. Consequently, the proposed project would not 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.
- d) Water and other utilities are available to the site since the First Street Specific Plan project area is within an urbanized area and has been previously developed. For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. In addition, the proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area. The proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area. Consequently, the proposed project would have sufficient water supplies available to serve the project from existing entitlements and resources, and no new or expanded entitlements are needed.
- e) Wastewater and other utilities are available to the site since the First Street Specific Plan project area is within an urbanized area and has been previously developed. For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. In addition, the proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area. Future development projects that would be required to comply with utility or service provider and City requirements identified through the applicable entitlement or permit process. The proposed project would not 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.
- f) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. In addition, the proposed project would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area. CR&R Waste Services provides solid waste collection and disposal services to the City of Tustin. Any solid waste generated by a future project would be diverted to a transfer station and then to the Bee Canyon/Bowerman Landfill located at 11002 Bee Canyon Access Road in Irvine. The project would be required to comply with local, state, and federal requirements for integrated waste management (i.e. recycling) and solid waste disposal. The project is anticipated to have no impact on landfill capacity. Future development within the First Street Specific Plan project area would continue to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

- g) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would comply with federal, state, and local statutes and regulations related to solid waste.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code
Tustin General Plan
Tustin Guidelines for Preliminary WQMPs

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-001 are intended to implement a general update to the First Street Specific Plan. General Plan Amendment 2012-001 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission, and include a new General Plan Land Use Map which presents existing general plan designations in an updated format.

The proposed project is administrative in nature and would not increase the overall development potential currently allowed by the First Street Specific Plan or previously allowed in the area, nor cause or create any direct environmental consequences that will not be addressed through compliance with state and local regulations and standards that would avoid the creation of significant land use and planning impacts.

- a) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would not 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 the major periods of California history or prehistory.
- b) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would not 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 project, and the effects of probable future projects).
- c) For the reasons discussed previously, the proposed project is administrative in nature; no actual construction is proposed. Consequently, the proposed project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation/Monitoring Required: No mitigation is required.

Sources: Field Verification
First Street Specific Plan
Tustin City Code

Tustin General Plan
City of Tustin Historical Resources Survey (1990)
Update to Tustin Historical Resources Survey (2003)
City of Tustin Residential Design Guidelines – Cultural Resource District
Secretary of the Interior’s Standards for Historic Rehabilitation
http://www.nps.gov/history/hps/tps/standards_guidelines.htm

Attachment 2

**Resolution No. 12-103
General Plan Amendment 2012-001 (Update of First
Street Specific Plan and Other Minor Updates)**

RESOLUTION NO. 12-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUSTIN ADOPTING GENERAL PLAN AMENDMENT 2012-01 INCORPORATING CHANGES TO THE GENERAL PLAN ASSOCIATED WITH SPECIFIC PLAN AMENDMENT 2012-001 (FIRST STREET SPECIFIC PLAN) AND OTHER MINOR UPDATES.

- I. The City Council of the City of Tustin does hereby resolve as follows:
 - A. That Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01 is a City-initiated project intended to provide a general update of the First Street Specific Plan;
 - B. That the First Street Specific Plan was adopted on December 2, 1985. At that time, the First Street Specific Plan was envisioned as a 15-year document.
 - C. That property owners, real estate professionals, members of the Tustin Planning Commission, and staff have identified that the First Street Specific Plan is outdated and in need of amendment.
 - D. That on January 25, 2011 and March 22, 2011, the Tustin Planning Commission held public workshops to identify and discuss the strengths and weaknesses of the First Street Specific Plan, and to identify necessary revisions that should be considered. On September 15, 2011, Community Development Department staff held a Community Workshop with affected property owners and other interested parties. On July 24, 2012, the draft Specific Plan Amendment was transmitted to the Tustin Planning Commission. On September 25, 2012, the Planning Commission held an additional public workshop where staff presented the proposed amendment of the First Street Specific Plan.
 - E. That General Plan Amendment 2012-01 was prepared in support of the proposed amendment of the First Street Specific Plan. Proposed General Plan Amendment 2012-01 would also incorporate minor text amendments requested by the Orange County Airport Land Use Commission, reflect the City's current sphere of influence as approved by the Orange County Local Agency Formation Commission and introduce a digital General Plan Land Use Map which presents existing general plan designations in an updated format.
 - F. That a public hearing was duly called, noticed, and held for Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01 on October 23, 2012, by the Tustin Planning Commission. At said meeting the Planning Commission adopted Resolution No. 4209, recommending that the City Council adopt Ordinance No. 1414 to approve Specific Plan Amendment 2012-001; and, approve General Plan Amendment 2012-01.
 - G. That a public hearing was duly called, noticed, and held for Specific Plan Amendment 2012-001 (Ordinance no. 1414) and General Plan Amendment 2012-01 on November 20, 2012 by the Tustin City Council.

- H. That on November 20, 2012, the Tustin City Council adopted Resolution No. 12-104 approving the Negative Declaration and Initial Study prepared for Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01, to provide a general update of the First Street Specific Plan.
- II. The City Council hereby approves General Plan Amendment 2012-01 attached hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Tustin, at a regular meeting on the 20th day of November, 2012.

JOHN NIELSEN
MAYOR

ATTEST:

PAMELA STOKER
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF TUSTIN)

I, Pamela Stoker, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, do hereby certify that the whole number of the members of the City Council of the City of Tustin is five; that the above and foregoing Resolution No. 12-103 was duly passed and adopted at an adjourned regular meeting of the Tustin City Council, held on the 20th day of November, 2012, by the following vote:

COUNCILMEMBER AYES:
COUNCILMEMBER NOES:
COUNCILMEMBER ABSTAINED:
COUNCILMEMBER ABSENT:

PAMELA STOKER
CITY CLERK

Exhibit A

General Plan Amendment 2012-001

- Attachment 1: First Street Specific Plan Related General Plan Text Amendments.
- Attachment 2: Airport Land Use Related General Plan Text Amendments.
- Attachment 3: General Plan Amendments Related to the Elimination of the Redevelopment Agency.
- Attachment 4: Sphere of Influence and First Street Specific Plan Related Map/Boundary Amendments.

ATTACHMENT 1

First Street Specific Plan Related General Plan Text Amendments

Policy 9.8: Encourage clustering of residential uses to minimize impacts from noise, flooding, slope instability and other environmental hazards.

Policy 9.9: Site buildings and align roadways to maximize public visual exposure to the north-south Peters Canyon ridgeline, the redwood/cedar grove, the knoll and major tree stands.

DEVELOPMENT CHARACTER IN OLD TOWN/FIRST STREET AREA

The development character of Old Town and the First Street area can be significantly enhanced by greater integration of residential uses and thriving commercial uses and physical renovations to existing buildings and street frontages which promote a pedestrian orientation.

GOAL 10: Improve and strengthen the Tustin Old Town/First Street area with a unique pedestrian environment and diverse mix of goods, services, and uses.

Policy 10.1: Improve the Old Town District's identity as the City's historical and architectural focus and its contribution to the City's economic base.

Policy 10.2: Review and consider the possible development of residential uses in the Old Town area both as individual residential projects, and integrated above ground floor retail and office uses.

Policy 10.3: Encourage outdoor pedestrian spaces, such as courtyards, arcades and open landscaped passages, to be integrated into new development. Encourage high-quality pedestrian-oriented building frontages which open onto these pedestrian spaces and public sidewalks.

Policy 10.4: Develop and use signage to promote a district parking concept that emphasizes shared parking facilities. Promote improvements which will upgrade circulation and access in the Old Town District.

Policy 10.5: Study the potential expansion of the Cultural Resources Overlay District north of First Street to Irvine Boulevard.

Policy 10.6: Encourage the integration of retail or service commercial uses on the street level of office projects through flexibility in site development standards.

Policy 10.7: Encourage the consolidation of individual parcels/consolidated site planning and parking and access along First Street and in Old Town through utilization of development incentives such as reduced parking, height bonus, lot coverage relaxation, allowance for secondary uses, fee waivers, and/or financial assistance in land acquisition and/or infrastructure improvements.

Policy 10.8: Encourage rehabilitation of existing facades and signage to comply with First Street Specific Plan guidelines and any future design guidelines for Old Town.

~~**Policy 10.9:** Review the First Street Specific Plan including modifications to Plan which would consider issues associated with eliminating and prohibiting future automobile service-related uses and restrictions on the expansion of existing automobile service-related uses. Allow existing single family residential uses/structures listed within the City's official historic survey to be preserved and used as a residence, or preserved and used as a commercial use consistent with the City's Cultural District Residential Design Guidelines and the Secretary of Interiors Standards for Rehabilitation.~~

DEVELOPMENT CHARACTER IN THE PACIFIC CENTER EAST AREA

The future image of the Pacific Center East area will consist of a more intensive and integrated business park environment. The area's distinct location adjacent to SR 55 creates a significant opportunity to capitalize on its freeway orientation to achieve regional recognition.

GOAL 11: Provide for an integrated business park environment in the Pacific Center East Area which both capitalizes on market opportunities and is compatible with adjacent developed land uses.

and now forms a portion of the City's eastern boundary. The Plan encompasses 1,746 acres. The entire Specific Plan area has been subdivided, with most of the total acreage currently developed.

The overall land use concept of the Specific Plan provides for a planned community which is compatible with and complementary to the land use characteristics of the local area, and is also sensitive to environmental resources. A variety of uses are permitted in the Specific Plan including residential uses, commercial uses, and public uses. All development activities within this area of the City are subject to provisions of the East Tustin Specific Plan. A more lengthy discussion of the plan can be found in the Land Use Technical Memorandum.

Pacific Center East Specific Plan: The Pacific Center East Specific Plan covers a 126 acre currently underutilized commercial/light industrial area located in the southern portion of the City immediately adjacent the SR-55 freeway corridor. The overall concept for the Pacific Center East Plan is intended to provide for a planned business park which encourages a variety of office, commercial, light industrial and research and development uses. More intensive land uses of up to twelve stories in height are to be concentrated at the southwesterly portion of the Plan area, with potential development intensity decreasing to one and two stories in height towards the north and northwesterly portion of the edges of the Plan area in proximity to existing residential land uses. All development activities within this area of the City are subject to provisions of the Pacific Center East Specific Plan. A more lengthy discussion of the plan can be found in the Land Use Technical Memorandum.

First Street Specific Plan: The First Street Specific Plan ~~encompasses~~ regulates a commercial corridor that extends approximately one mile along the First Street commercial corridor from central Tustin at Newport Avenue to the SR-55 (Costa Mesa) Freeway. This corridor varies in depth on either side of the street from as little as zero feet where it abuts the First Street right-of-way ~~80 feet in what remains of some old single-family residential lots,~~ to almost a quarter mile along Newport Avenue where commercial centers are located on sites ~~of have accumulated sites of~~ several acres. ~~While-Although~~ the First Street Planning Area is relatively small (approximately ~~8465~~ acres), it is significant in that it continues to serve as ~~constitutes~~ a major entry into Tustin from the west and provides access to the Old Town Tustin historic district and the Civic Center (via Centennial Way). All

ATTACHMENT 2

Airport Land Use Related General Plan Text Amendments

CRIME/LAW ENFORCEMENT

- Efforts have been focused on keeping crime activity to a minimum.

AIRCRAFT OVERFLIGHTS

- The City lies under the Instrument Landing System Corridor of John Wayne ~~International~~ Airport
- The Planning Area does not lie within any of John Wayne Airport's safety zones.

EMERGENCY PREPAREDNESS PLANNING/DISASTER RESPONSE

The City's Emergency Operations Plan is a multihazard planning document which is in compliance with State and Federal Emergency Planning Requirements. Training and exercises are periodically conducted to educate staff on their emergency responsibilities and to assist in identifying procedures and functions which require further preparedness and training activities.

CRIME/LAW ENFORCEMENT

Stabilizing the level of criminal activity in the community as growth occurs is very important in maintaining the overall quality of life in Tustin. This effort involves both law enforcement and citizen involvement to address crime problems.

GOAL 6: Stabilize demand for law enforcement services.

Policy 6.1: Provide appropriate levels of police protection within the community.

Policy 6.2: Periodically evaluate service levels and service criteria.

Policy 6.3: Pursue State and Federal monies to offset the cost of providing police protection.

Policy 6.4: Cooperate with the Orange County Sheriff's Department and surrounding police departments to provide back-up police assistance in emergency situations.

Policy 6.5: Promote the use of defensible space concepts (site and building lighting, visual observation of open spaces, secured areas, etc.) in project design to enhance public safety.

Policy 6.6: Enhance public awareness and participation in crime prevention by developing new, and expanding existing, educational programs dealing with personal safety awareness, such as neighborhood watch, commercial association programs, and community oriented policing.

AIRCRAFT OVERFLIGHTS

Air operations associated with John Wayne ~~International~~ Airport represent a potential hazard for the community. The risk from this hazard can be minimized through proper planning of land use.

**TABLE PS-3
EMERGENCY SERVICES STANDARDS**

FIRE RESPONSE	First Engine Company:	5 minutes to 90% of incidents
EMERGENCY MEDICAL	Basic Life Support Unit:	5 minutes to 90% of incidents
	Advance Life Support Unit:	10 minutes to 90% of incidents
POLICE RESPONSE	Emergency calls:	3.5 minutes
	Non-emergency calls:	13 minutes

Another method that the City can use in the fight against crime is to ensure that new construction is designed in a way that discourages gang activity and other aggressive lawless behavior. Some examples of "protective architecture" or defensible space are well lit entryways, lack of convenient hiding places, entryways which are easily seen from the street, and other similar concepts.

AIRCRAFT OVERFLIGHT HAZARDS

Large parts of Tustin's residential areas lie underneath the flightpath of John Wayne Airport. While the City's power to limit the operational activities of these facilities is extremely limited, the City can participate in land use control within the flight paths and the legislative process which regulates civilian and military air operations. This includes coordinating land use planning and emergency preparedness planning with the ~~County's~~ for Orange County Airport Land Use Commission and John Wayne Airport.

Flight operations involving blimps may occur as an interim use at former MCAS Tustin. The MCAS Tustin Specific Plan also allows heliports as a conditional use. ~~These operations may require amendment of the~~ The Airport Environs Land Use Plan (AELUP) for Heliports and the AELUP for John Wayne Airport should be consulted to address specific noise and safety factors associated with blimp and helicopter flights.

The City should ensure that each applicant seeking a Conditional Use Permit or similar approval for the construction or operation of a heliport or helistop complies fully with the State permit procedure provided by law and with all conditions of approval imposed by the Federal Aviation Administration (FAA), by the Airport Land Use Commission for Orange County (ALUC), and by Caltrans/Division of Aeronautics. The City will comply with the AELUP for Heliports in the development and permitting of new heliports.

All development proposals affected by the airport land use commission consistency criteria are referred to the Airport Land Use Commission (ALUC). The ALUC reviews areas within the 60 dB CNEL contour, areas within the Safety Compatibility Zones, areas with Building Height restrictions, or within specified distances from runway surfaces. As with most controversial safety related topics, the involvement of citizens is of great importance. The City will encourage and notify residents of opportunities to become involved in airport related issues.

AGENCY RESPONSIBILITIES AND COORDINATION

The City contracts with the Orange County Fire Authority for Fire and Paramedic Services. Other agencies which have jurisdiction or which provide public safety services within Tustin include the California Highway Patrol, and the Orange County Health Department. The City coordinates with these agencies to provide the highest level of public safety services.

The City will continue to work with these agencies to ensure adequate service. Plans for proposed developments, including City projects, will be sent to appropriate agencies for their review and comment. This will occur whether or not an environmental impact report is prepared. An integral part of the updated Emergency Operations Plan will be the explanation of the appropriate responses and responsibilities of individual agencies and the interagency coordination required to implement emergency procedures.

The Southern California Earthquake Preparedness Project (SCEPP) is a State and federally-funded effort to encourage local jurisdictions to

provide public information identifying potential fire hazards in Tustin and preventative measures the public can take to minimize risks.

Responsible Agency: Community Development/Public Works/Private development

Funding Source: City General Fund/Private development/Orange County Fire Authority

Time Frame: Ongoing

Related Public Safety Element Policies: 5.2, 5.4, 5.5

CRIME/LAW ENFORCEMENT

8. Law Enforcement: The City will increase crime fighting efforts, encourage increased citizen involvement in crime control, and require building design which discourages criminal behavior. The City's Security Ordinance will be periodically updated.

Responsible Agency: Police Department/Community Development

Funding Source: City General Fund/State and Federal Funding

Time Frame: Ongoing

Related Public Safety Element Policies: 6.1-6.3, 6.5

AIRCRAFT OVERFLIGHT HAZARDS

9. Airport Land Use Commission (ALUC) Review: The City will refer all proposed General Plan, Specific Plans, Zoning Ordinance, and Building Code amendments, ~~Specific Plans~~, and proposed structures which would penetrate the imaginary surface established by the ALUC Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 to the ALUC for review. Also, the City will provide notice to the ALUC and, per FAR Part 77, Section 7713(a), to

the Federal Aviation Administration for any proposed structure more than 200 feet Above Ground Level of its site.

Responsible Agency: Community Development

Funding Source: City General Fund

Time Frame: Ongoing

Related Public Safety Element Policies: 7.1, 7.2

AGENCY RESPONSIBLE AND COORDINATION

10. Emergency Plan and Interagency Coordination: Promote public agency responsiveness to emergency situations through: (a) periodic review and update of emergency plans and coordination with other jurisdictions in implementing those plans; (b) coordination with other jurisdictions in the collection, processing, and dissemination of technical information; (c) regular practice of the City's Emergency Operations Plan by city personnel in a simulated setting; (d) City employee training sessions in emergency response and management skills; (e) preparation of a recovery plan for reconstruction of essential services and facilities in the event of an emergency; (f) development of needed resources and identification of available sources of funding for emergency response; (g) maintenance of an emergency operation center in the Civic Center; and (h) establishment and implementation of procedures for prioritizing services and assistance provided and requested by mutual aid organizations.

Responsible Agency: All City Departments, Orange County Fire Authority

Funding Source: City General Fund, State Funding, Federal Funding, Orange County Funding

Time Frame: Ongoing

Related Public Safety Element Policies: 3.2, 3.7, 3.8, 4.1, 4.2, 4.4, 4.9, 4.15, 5.1, 5.3, 5.6, 6.4, 7.2, 7.3, 8.1, 8.2, 8.4

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Land Use Element policy calls for development and public facilities provision to be managed and balanced, so that the City receives the benefits of growth without experiencing unnecessary negative impacts.

~~Orange County~~ Airport Environs Land Use Plan for Orange County

The Airport Land Use Commission (ALUC) for Orange County has responsibility under state law for formulating a comprehensive airport land use plan (ALUP) for the anticipated growth of each public use airport and its surrounding vicinity. General Plans for cities affected by an ALUP must be consistent with that plan. The purpose of the ALUP is to safeguard the general welfare of the inhabitants within the vicinity of airports and to ensure the continued operation of the airports. The ~~Orange County~~ ALUC for Orange County has adopted the Airport Environs Land Use Plan (AELUP) governing John Wayne Airport, AFRC Los Alamitos, ~~and Fullerton Airport, and Heliports~~. Three issues areas in the AELUP are addressed in the City's General Plan: noise, safety, and building height. The Noise and Safety Elements of the General Plan address noise and safety, while the Land Use Element addresses building height.

RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS

The Land Use Element is the key element of any General Plan because it has the broadest scope of the mandated elements required in a General Plan. The Element must be prepared with the full knowledge and consideration of the information/ policies contained in other General Plan Elements. Specifically, the Land Use Element relates to the Housing Element by defining the extent and density of future residential development in the City. The Land Use Element is also coordinated with the Open Space/Conservation/ Recreation Element, in that open space resources are designated on the Land Use Plan Policy Map, and environmental factors are considered in the location of land use types. The Land Use Element relates to the Safety and Noise Elements by integrating their land use recommendations pertaining to public safety and noise constraints into detailed policies which apply to specific geographic locations. The Circulation and Land Use Elements are interrelated in that specific land use decisions depend upon traffic routes and circulation patterns. Finally, the Land

Policy 2.4: Encourage citizen participation in planning and development of land use programs.

Policy 2.5: Foster inter-governmental cooperation and coordination in order to maximize the effectiveness of land use policies.

Policy 2.6: Maintain consistency with the ~~County of Orange~~ Airport Environs Land Use Plan (AELUP) for John Wayne Airport in terms of maximum allowable building height, noise levels, safety areas, and other applicable standards.

COMPATIBLE AND COMPLEMENTARY DEVELOPMENT

Intermixing of different land uses can result in incompatibilities attributable to differences in traffic levels, noise levels, physical scale, and hours of operation. Incompatibility can also occur when the characteristics of a specific land use do not match the physical characteristics of available land (such as intensive development in hillside areas).

GOAL 3: Ensure that new development is compatible with surrounding land uses in the community, the City's circulation network, availability of public facilities, existing development constraints and the City's unique characteristics and resources.

Policy 3.1: Coordinate and monitor the impact and intensity of land uses in adjacent jurisdictions on Tustin's transportation and circulation systems to provide for the efficient movement of people and goods with the least interference.

Policy 3.2: Locate major commercial uses in areas that are easily accessible to major transportation facilities.

Policy 3.3: Allow development clustering in hillside areas when this method will better preserve the natural terrain and open character of the City.

Policy 3.4: In designing hillside development, give particular attention to maximizing view opportunities, minimizing dangers of geologic and soil hazards, minimizing adverse visual impact on

ATTACHMENT 3

General Plan Text Amendments Related to the Elimination of the Redevelopment Agency

Policy 4.6: Maintain and enhance the quality of healthy residential neighborhoods, and safeguard neighborhoods from intrusion by non-conforming and disruptive uses.

REVITALIZATION OF OLDER COMMERCIAL, INDUSTRIAL AND RESIDENTIAL USES AND PROPERTIES

Revitalization of older residential and non-residential development through rehabilitation, preservation, and redevelopment of the existing stock of land, landscaping, buildings and public infrastructure is necessary to maintain the quality of an urban environment.

GOAL 5: Revitalize older commercial, industrial and residential uses and properties.

Policy 5.1: Encourage and continue the use of redevelopment activities, including the provision of incentives for private development, joint public-private partnerships, and public improvements, in the ~~Town Center, South/Central, and MCAS Tustin redevelopment project~~ areas.

Policy 5.2: Provide development incentives to facilitate the consolidation of individual parcels along the City's commercial corridors.

Policy 5.3: Encourage the rehabilitation of existing commercial facades and signage.

Policy 5.4: Continue to provide rehabilitation assistance in targeted residential neighborhoods to eliminate code violations and enable the upgrading of residential properties.

Policy 5.5: Encourage the restoration and rehabilitation of properties in Tustin eligible for inclusion on the National Register of Historic Places according to the rehabilitation guidelines and tax incentives of the National Trust for Historic Preservation.

Policy 5.6: Promote vigorous enforcement of City codes, including building, zoning, and health and safety, to promote building and

Policy 7.1: Broaden the City's tax base by attracting businesses which will contribute to the City's economic growth and employment opportunities while ensuring compatibility with other General Plan goals and policies.

Policy 7.2: Capitalize on office and hotel markets through encouraging the development of these uses.

Policy 7.3: Coordinate efforts between the City's ~~Redevelopment Agency~~ and Chamber of Commerce to actively market Tustin to prospective industries.

Policy 7.4: Promote the maintenance, marketing and further development of the Tustin Market Place and Tustin Auto Center as regional retail destinations.

Policy 7.5: (a) Focus retail development into consolidated, economically viable and attractive centers of adequate size and scale which offer a variety of retail goods and amenities; (b) reinforce quality highway and scenic development adjacent to the City's major transportation corridors; and (c) discourage typical strip commercial development.

Policy 7.6: Promote marketing techniques for the continued development of Tustin Legacy (MCAS Tustin) to civilian uses which will focus on the goals of the Specific Plan/Reuse Plan for the site, creating jobs and attracting viable businesses.

DEVELOPMENT COORDINATED WITH PUBLIC FACILITIES AND SERVICES

Adequate public facilities and services are essential components of urban development. The City must be able to expand its facilities and services to accommodate new development, as well as maintaining or improving facility and service levels for existing development. Providers of services not controlled by City should be encouraged to plan to accommodate new development.

Future Specific Plan Study Areas

To achieve General Plan goals and objectives, other portions of the planning area may be identified as Specific Plan study areas for specific plans.

If specific plans are adopted in these areas, amendment to the Special Management Areas Policy Maps is not necessary.

Redevelopment Project Areas

~~State Redevelopment Law provides the mechanism whereby cities and counties, through the adoption of an ordinance, can establish a redevelopment agency. The Tustin Community Redevelopment Agency was created in 1976 and is made up of the City Council who are elected at large by popular vote. Redevelopment law enables the Agency to undertake community projects designed to improve certain areas within the City which have suffered economic decline, deterioration of improvements, or which have been unable to attract and promote new private investments to enhance the quality of life in the area. State law provides the Agency with broad governmental functions and authority to facilitate revitalization including but not limited to: issuance of bonds; the right to acquire, sell, rehabilitate, develop, administer or lease property; and the right to demolish buildings, clear land, and construct public improvements and infrastructure. State Law also provides various means of financing redevelopment implementation, the most useful of which is tax increment financing. Tustin has three redevelopment project areas: Town Center, South/Central, and MCAS Tustin, which are shown on Figure LU-5. All development within Redevelopment Project areas are subject to review of design and analysis of conformity with each redevelopment plan by the Redevelopment Agency prior to issuance of building permits.~~

North Tustin Area (outside of North Tustin Specific Plan)

The unincorporated portion of the planning area is comprised of the North Tustin area. These areas are included in the City's planning area because they relate to the long range planning efforts undertaken by the City. The North Tustin area lies within the City's Sphere of

SUBDIVISION AND GRADING REGULATIONS

2. Subdivision, Grading and Public Improvement: Subdivision regulation is an exercise of the police power of a local jurisdiction to control the manner in which land is divided, while grading regulation controls the safety and aesthetic components of preparing and modifying landform to accommodate development. Like the Zoning Ordinance, these regulations must be consistent with the General Plan. The City's Subdivision, Grading and Public Improvement ordinances will be reviewed and where necessary amendments recommended to determine if it reflects policy expressed in the Land Use Element.

Responsible Agency/Department: Community Development, Public Works/Engineering

Funding Source: City General Fund

Time Frame: 1993

Related Land Use Element Policies: 3.3-3.6, 8.3-8.8, 9.3-9.9

CODE ENFORCEMENT

3. Enforcement Program: Regulations within the City's Zoning Ordinance and other City ordinances must be enforced to be effective. The City has an active code enforcement program designed to achieve the desired level of regulation and expects to continue that program.

Responsible Agency/Department: Community Development

Funding Source: City General Fund, ~~Redevelopment Agency~~, Federal and State Grants and Other Sources

Time Frame: Ongoing

Related Land Use Element Policies: 2.3, 4.4-4.6, 5.4, 5.6-5.8

SPECIFIC PLANS

4. Specific Plans: State law authorizes local jurisdictions to adopt specific plans for implementing their general plans in designated areas. The specific plan is intended to provide more precise descriptions of the types of uses permitted, development standards, and public infrastructure improvements for an area. They provide a mechanism for development of a unified design plan for public and/or private property within the plan area.

Responsible Agency/Department: Community Development

Funding: City/Property Owners/Federal and State Grants

Time Frame: Ongoing

Related Land Use Element Policies: 1.4, 9.1-9.9, 10.1-10.9, 11.1-1.5

5. Special Study Areas: Study and prepare plans and General Plan Amendments which will indicate desirable circulation and infrastructure systems and specific land uses desired within Special Study areas identified on the Land Use Plan.

Responsible Agency/Department: Community Development

Funding Source: City General Fund/Property Owners

Time Frame: Ongoing

Related Land Use Element Policies: 9.1-9.9, 10.1-10.9, 11.1-11.5

REDEVELOPMENT

6. Deleted Redevelopment Project Areas: The Tustin Redevelopment Agency, shall continue to implement redevelopment actions within the Town Center, South Central, and MCAS Tustin Redevelopment Project Areas to promote revitalization of these areas. The feasibility of creating additional project areas shall also be evaluated as needed to implement General Plan goals and policies.

~~Responsible Agency/Department: City Manager, Community Development~~

~~Funding: Redevelopment Agency tax increment~~

~~Time Frame: Ongoing~~

~~Related Land Use Element Policies: 5.1-5.5, 7.1, 7.3, 10.1-10.4, 10.8~~

CAPITAL IMPROVEMENT PROGRAM

7. Overall Capital Improvement Program: The City's Capital Improvement Program (CIP) should be reviewed in relation to the General Plan to ensure that plans for major expenditures are consistent with goals, policies and recommended programs, and the improvements identified in the General Plan are included in the CIP. A finding of consistency with the General Plan must be made for each capital project or expenditure approved. This finding should be included in any actions to approve a budget for a specific improvement, as well as approval of the CIP.

Responsible Agency/Department: Community Development, Public Works/Engineering

Funding: City Capital Improvements, City General Fund, Water Fund, ~~Redevelopment Agency~~, State and Federal grants, and outside funding sources

Time Frame: Annually

Related Land Use Element Policies: 4.1, 6.1, 6.7, 8.1-8.8

8. Parkland and School Site Dedication: The City will continue to require dedication and/or reservation of parkland and other public facilities (such as school sites), or a fee in lieu of, or a combination of both, as a condition of new residential development consistent with the Subdivision Map Act and the Quimby Act.

community facilities; 2) use of City identity graphics, street furniture, lighting and other improvements to enhance the walking and biking network; and 3) strengthening existing public places and creating new public places connected by the linkage network.

- c. Preservation and enhancement of historic resources including: 1) use of historic light standards where feasible in Old Town area; and 2) application of the Cultural Resources Overlay District to promote preservation and compatible development and use within the Old Town area.
- d. Establishment of common design features for commercial areas including: 1) consolidation of properties and activities; 2) widening of sidewalks and consistent street plantings; 3) using site planning to minimize driveway openings on major streets, and encourage shared access and circulation between adjacent developments; 4) locating buildings near the public sidewalk with parking to the side or rear of the building; 5) parking areas setback from public sidewalk with buildings or landscaped buffers in between; 6) integrating buildings and outdoor spaces to encourage pedestrian activity; 7) providing architecture, landscaping, and site planning that is complementary to surrounding development; 8) designing larger buildings in a manner that reduces their perceived height and bulk; 9) designing building forms and elevations that create interesting silhouettes, strong shade and shadow patterns and architectural detail; and 10) integrating signage with site design, buildings, and landscaping.

Responsible Agency/Department: Community Development

Funding: City General Fund/Development Exactions/
~~Redevelopment Agency~~/Water Fund/State and Federal Funds

Time Frame: Ongoing

Related Land Use Element Policies: 1.12, 3.8, 4.2-4.3, 5.3, 5.5, 5.8, 6.1-6.12

11. Beautification Program: Encourage organization and implementation of a city beautification program to assist residents

and businesses to improve the physical appearance of their property and build greater pride in the community.

Responsible Agency/Department: Administration, Community Development Department

Funding Source: General Fund, State and Federal funding sources

Time Frame: On-going

Related Land Use Element Policies: 5.3, 5.4, 5.5, 6.2, 6.5, 6.10, 10.8, 11.2

FISCAL STABILITY

12. Economic Development: Land use activities and development proposals generating long-term fiscal benefits to serve local and visitor needs will be targeted as desirable land uses to attract to the City.

Responsible Agency/Department: City Manager/Community Development

Funding: City General Fund/Business Community—and ~~Redevelopment Agency~~

Time Frame: Ongoing

Related Land Use Element Policies: 1.2-1.3, 1.6-1.8, 3.2, 7.2, 7.4

13. Business Attraction and Retention: Develop and undertake an aggressive marketing effort to attract and retain business in Tustin.

Responsible Agency/Department: Community Development, City Council, Administration, Finance Department

Funding Source: City General Fund, State and Federal funding sources

Time Frame: 1993

Related Policies: 8.1, 8.3

MUNICIPAL SERVICES

19. Level of Service: Establish standards for provisions of municipal services and attempt to maintain such level and/or quality of service throughout the City.

Responsible Agency/Department: All City Departments

Funding Source: City General Fund

Time Frame: Ongoing

Related Land Use Element Policies: 8.1, 8.2, 8.4, 8.5, 8.6

ENVIRONMENTAL COMPATIBILITY

20. Environmental Review: Utilize the site plan and design review process and the California Environmental Quality Act, as applicable, in review of development projects to minimize environmental impacts and promote high quality design and physical appearance, compatible and sensitive to the City's natural resources and availability of municipal services and facilities.

Responsible Agency/Department: Community Development Department

Funding Source: City General Fund/~~Redevelopment Agency/~~Developers

Time Frame: Ongoing

Related Land Use Element Policies: 1.1, 3.4, 3.6, 3.7, 4.1, 4.5, 8.1, 8.5, 8.6, 9.5, 9.6, 9.7, 9.8

unemployment, limited skills, and a breakdown in the family as a social and economic unit. Additionally, cutbacks in social service programs and the de-institutionalization of the mentally ill during the 1980s have contributed to the homeless population. A new trend, however, is emerging as a significant contributing element to homelessness: a fast-growing lack of affordable housing, which could exacerbate any of the above conditions, but may increasingly become a standalone cause of homelessness.

Although there are no established areas where homeless persons congregate in the City, there are several homeless services facilities in the City. Of the shelters in Tustin, the 45-bed Sheepfold shelter provides shelter, food, clothing, job training, and job-referral services primarily to battered women and children. Guests are admitted on a first-come, first-served basis. Usually all beds are fully occupied. The shelter services a large area including many portions of Orange and San Bernardino Counties.

Within the City of Tustin, there are a variety of Non-Profit Organizations (NPOs) that provide direct housing and related services to homeless persons. These include Village of Hope, an emergency/transitional home; Sheepfold, a feeding program affiliated with the United Way; Families Forward, a homeless provider; Olive Crest, transitional homes and services for abused and neglected children, and Laurel House, an emergency shelter and transitional housing provider for homeless youth in the City.

Additional programs will also be provided at the Tustin Legacy site. A Homeless Assistance Plan has been established for MCAS, Tustin that is consistent with the continuum of care model embodied in the Consolidated Plans for the Cities of Tustin and neighboring Irvine. The fundamental components of the continuum of care system to be implemented with the MCAS Tustin Specific Plan would:

- Provide emergency shelter beds and intake assessment
- Offer transitional housing and services
- Provide opportunities for permanent affordable housing by the private sector.

In the Tustin Legacy, the ~~Local Redevelopment Agency~~ City of Tustin owns sites and four homeless service providers including the Salvation Army, Orange Coast Interfaith Shelter, Families Forward,

Families Forward¹	Fourteen (14) new transitional units at Columbus Grove to be operated by Families Forward, formerly Irvine Temporary Housing in Irvine.
Human Options	Six (6) new transitional units at Columbus Grove to be operated by Human Options
Orange Coast Interfaith Shelter	Six (6) new transitional units at Columbus Grove to be operated by Orange Coast Interfaith Shelter.

¹ Although these units are located in the City of Irvine, these units were negotiated as part of the base realignment/conveyance process which Tustin is the Local Redevelopment Authority designated by the Department of Navy Agency.

Source: City of Tustin, 2008

Additional discussion regarding land use regulations that apply to facilities serving the homeless is found in the Housing Constraints section of this document and in the Technical Memorandum.

PRESERVATION OF UNITS AT RISK OF CONVERSION

According to 2007 RHNA, Tustin has one project that contains units at risk of converting to unrestricted market rate during the 2006-2014 planning period. Tustin Gardens is a 101-unit Section 221(D)(4) project with a Section 8 contract for 100 units that is due to expire on July 13, 2009. Projects financed under the Section 221(D)(4) market rate program alone have no binding income use restrictions. Current provisions under the law allow for the existing project to opt out of contracts or for HUD to terminate such contracts. The project owners of Tustin Gardens have indicated that they intend to continue or to accept the conversion of the project to individual Section 8 certificates (household by household income qualifying criteria).

In addition to Tustin Gardens, there are at total of 177 units in three other bond financed projects (Rancho Alisal, Rancho Maderas, and Rancho Tierra) located in Tustin Ranch that are at risk of converting to market rate by 2012 .

Table H-9 is an inventory of all multi-family rental units assisted under federal, state, and/or local programs, including HUD programs, state and local bond programs, ~~City-redevelopment~~ programs, and local in-lieu fee, inclusionary, density bonus, or direct assistance programs. The inventory includes all units that are eligible to convert to non-lower income housing uses due to termination of subsidy contract, mortgage prepayment, or expiring use restrictions.

The anticipated timing of residential development of the MCAS-Tustin Specific Plan is as follows:

**TABLE H- 11
Anticipated Development at MCAS-Tustin**

Land Uses	Acreage (gross)	Through 2010	2011-2015
Low Density (1-7 DU/acre) Planning Area 4 and 21	182.2	1,630	
Medium Density (8-15 DU/acre) Planning Area 5	51.7	1,396	116
Medium to High Density (16-25 DU/acre) Planning Area 20	29.4	568	
Community Core (16-25 DU/acre) Planing Area 8, 13, and 14	111.7	891	
Transitional/Emergency/Social Services ¹	9.1	332	
Total	384.1	4,817	116

¹ Rescue Mission 192 unit project, 50 unit transitional housing to be operated by various non-profits and 90 beds transitional housing to be operated by the County of Orange Social Services Agency.

Notes: All figures are estimates as schedule will be impacted by market conditions. Figures in text are rounded for discussion purposes. Figures are based on estimated anticipated development indicated in the environmental document for MCAS Tustin Specific Plan. Actual construction figures may be different.

Source: Final Joint EIS/EIR for the Disposal and Reuse of MCAS-Tustin, MCAS Tustin Specific Plan/Reuse Plan and its Addendum (City of Tustin June 2007).

Future market demand and the complexity and timing of environmental cleanup efforts are additional factors influencing the schedule of development.

Other than the MCAS Tustin area, the Pacific Center East Specific Plan also provides another opportunity for residential development. Approximately 27 acres in size, the potential project site provides for the development of mixed uses including residential developments. The specific density for this project site has not been determined; however, approximately 300 units could be accommodated within this project site.

The remaining opportunity sites consist of a large proportion of small vacant and underutilized land that is located within ~~Redevelopment Project areas within~~ the City or Old Town residential

detailed analysis of emergency shelters, transitional, and supportive housing (See Technical Memorandum for further details) by identifying the needs for homeless shelters in its Housing Element and designating adequate zoning districts to accommodate the needs. In those districts, emergency shelters must be allowed without a conditional use permit or other discretionary permit.

With the closure of the Marine Corps Air Station (MCAS) Tustin, the City was provided with opportunity to address homeless accommodation. As part of the conveyance process and under the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (The "Redevelopment Act"), the City of Tustin as the Local Redevelopment Authority (LRA) was required to consider the interest of the homeless in buildings and property on the base in preparing the Reuse Plan (MCAS Tustin Specific Plan/Reuse Plan). In developing the Reuse Plan, one criteria the Secretary of Housing and Urban Development (HUD) utilized to determine the adequacy of the Reuse Plan was whether the Plan considered the size and nature of the homeless population in the communities, in the vicinity of the installation, and availability of existing services in such communities to meet the needs of the homeless in such communities.

At the time of the preparation of the Reuse Plan, it was estimated that there was a total net homeless need of 411 persons in the City of Tustin and City of Irvine (A portion of the MCAS Tustin is located within the City of Irvine jurisdiction). A large portion of this homeless need was identified as necessary to support emergency transitional housing for youth and individuals. The local homeless need as described in both Tustin and Irvine's Consolidated Plans also indicated a gap in the continuum of care in the areas of vocational and job training/educational opportunities, some emergency and transitional housing units for individuals and families, support services, and affordable ownership units. Accordingly, the Homeless Assistance Plan for MCAS Tustin was adopted to address the problem of homelessness by utilizing the continuum of care model promulgated by HUD for accommodating the needs of the homeless in a manner which is consistent with the Consolidated Plans approved for the cities of Tustin and Irvine.

The fundamental components of the continuum of care system implemented with the MCAS Tustin Reuse Plan:

- Provides emergency shelter beds;

residential units at Tustin Legacy. In addition to the homeless accommodation on-site at Tustin Legacy, the City also facilitated the purchase of a 16 unit transitional housing facility off-site for one of the homeless providers. The City subsidized the creation of these units through the use of housing set aside funds and Federal HUD Homeless Assistance funds.

In addition to the homeless accommodation, the City also encourages support services to support the community of continuum of care model to end the cycle of homelessness and to provide participants with tools to once again become contributing members of the community as follows:

- Private sector opportunities are provided to create a balanced mix of housing types on the base. Through inclusionary Zoning standards in the MCAS Tustin Specific Plan, a total of 879⁷ affordable units or 20.8 percent of total authorized units at Tustin Legacy are required to allow participants with opportunity to achieve self-sufficiency. Specific affordable housing requirements would be established at the time of development project approval to ensure conformity with the Housing Element of the City's General Plan ~~and any provisions of California Community Redevelopment Law.~~
- The Navy will be transferring child care facility at the former MCAS Tustin to the City of Tustin, which will provide opportunities for access for all to mainstream child care facilities, including early child care and education programs, Head Start, etc.
- Adult education and training opportunities will be provided at the new site within the educational village proposed for conveyance to the South Orange County Community College District.

⁷ Includes 32 transitional housing units set aside for non-profit homeless providers.

**TABLE H-11A
SUMMARY OF HOMELESS ACCOMMODATION
ZONING REGULATIONS**

Housing Type	Permitted/ Conditionally Permitted	Zoning
Emergency Shelters	Permitted	Planning Area 3 of MCAS Tustin Specific Plan
Transitional Home	Permitted	Planning Area 3 of MCAS Tustin Specific Plan
Supportive housing	Permitted	Planning Areas 1 and 3 of MCAS Tustin Specific Plan
Community Care Facility for six (6) or fewer	Permitted	All residentially zoned properties
Family care home, foster home, or group home for six (6) or fewer ¹	Permitted	All residentially zoned properties

¹ Includes congregate care facility, single room occupancy hotel, and children's intermediate care shelter

Source: City of Tustin

The following are transitional homes that have been provided at Tustin Legacy.

- A 192-unit⁸ emergency/transitional home at the Village of Hope to be operated by the Orange County Rescue Mission.
- A 90-bed intermediate care shelter for abused children and their parents to be operated by the Orange County Social Services Agency.
- Six (6) new units at Tustin Field I operated by Salvation Army.
- Acquisition of 16 units in Buena Park operated by the Salvation Army. The City assisted in acquisition and contributed grant funds to acquire the units.
- Fourteen (14) new units at Columbus Grove operated by Families Forward, formerly Irvine Temporary Housing.⁹
- Six (6) new units at Columbus Grove operated by Human Options.

⁸ As defined pursuant to the U.S. Census Bureau definition.

⁹ Although these units are located in the City of Irvine, these units were negotiated as part of the base realignment/conveyance process with Tustin as the Local Redevelopment Authority agency

- Six (6) new units at Columbus Grove operated by Orange Coast Interfaith Shelter.

With the exception of the emergency shelter, these units are transparent and dispersed throughout the community consistent with the City's goals and policies to provide adequate supply of housing to meet the need for a variety of housing types and the diverse socio-economic and to promote the dispersion and integration of housing for all socio-economic throughout the community.

The City's policies for homeless accommodation do not create constraints in the location of adequate emergency shelters, transitional homes, shelters, and supportive housing. In addition, current provision of homeless accommodation supports not only the need of the city but the county as well.

Fees and Improvements: Various fees and assessments are charged by the City and other outside agencies (e.g., school districts) to cover costs of processing permits and providing services and facilities, such as utilities, schools and infrastructure. These fees are assessed based on the concept of cost recovery for services provided.

Tustin is urbanized with most of the necessary infrastructure, such as streets, sewer and water facilities in place. Nonetheless, site improvements can significantly add to the cost of producing housing. Cost-effective site planning or use of housing set-aside funds ~~for those projects within redevelopment project areas~~ can minimize site improvement costs. The Housing Element Technical Memorandum describes in detail required site improvements and provides a list of fees associated with development (Table HTM-34)

Development fees are not considered a constraint to housing. However, fees do contribute to the total cost of development and impact the final purchase or rental price. The City, in conjunction with the preparation of the Housing Element also prepared the Affordable Gap and Leveraged Financing Analysis (Appendix A of the Housing Element Technical Memorandum). The analysis evaluated development costs to arrive to per unit affordability gap in producing affordable units. Table 12 and Table 13 of the analysis summarize average per unit development processing and impact fee of \$29,277 to \$37,530 per unit for owner housing prototype and

\$25,586 per unit for rental housing prototype (See Appendix A for specific development processing fees and analysis).

In response to recent economic downturn, the City Council also adopted an economic stimulus program which allows the payment of specific development fees for construction of new residential units be deferred until either prior to final inspection or issuance of certificate of occupancy. This program would provide direct and indirect assistance to developer of residential units in that reduced on-hand cash flow were required at time of permit issuance.

Building Codes and Enforcement: The City of Tustin adopts the Uniform Construction Codes, as required by State law, which establish minimum construction standards as applied to residential buildings. The City's building codes are the minimum standards necessary to protect the public health, safety and welfare and ensure safe housing. Only local modifications to the codes are made which respond to local climatic or geographic conditions and clarify administrative procedures.

Although not mandated to do so, the City has adopted the State Historical Code that relaxes building code requirements citywide for historic structures/buildings. Adoption of codes reduces rehabilitation costs.

Local Processing and Permit Procedures: The evaluation and review process required by City procedures contributes to the cost of housing. State law establishes maximum time limits for project approvals and City policies provide for the minimum processing time necessary to comply with legal requirements and review procedures.

The Community Development Department serves as the coordinating agency to process development applications for the approval of other in-house departments such as ~~Redevelopment Agency~~, Police, Public Works/Engineering, and Parks and Recreation. All projects are processed through plan review in the order of submission. The City has eliminated the potential increase in financing costs caused by a delay in permit processing by assigning priority to the plan review and permit issuance for low-income housing projects. If a complete application is submitted, all Design Review Committee members and plan checking departments simultaneously review the plans. The Design Review application

does not require a public hearing or Planning Commission approval. The Tustin City Code authorizes the Community Development Director to approve development plans when findings can be made that the location, size, architectural features and general appearance of the proposed development will not impair the orderly and harmonious development of the area. In making such findings, the Zoning Code provides items to be considered such as height, bulk, setbacks, site planning, exterior materials and colors, relationship of the proposed structures with existing structures in the neighborhood, etc. This code provision affords the developers with tools to design their projects and thus increase certainty of project's design review and approval. Project application which complies with all the development standards prescribed by the district in which the project is located would not be required to go through any other discretionary approval.

For Tustin Legacy, developments under the Master Developer footprint (approximately 800 acres) would be subject to the Legacy Park Design Guidelines to ensure compatibility of products proposed by vertical builders. The design guidelines present minimum design criteria for the achievement of functional, quality, and attractive development expected at the Tustin Legacy. The guidelines are intended to complement the MCAS Tustin Specific Plan district regulations and to provide staff, builders, design professionals, and other users with a concise document when dealing with Design Review process to avoid ambiguity.

Together the zoning code, Design Review provision, the Legacy Park Design Guidelines, and the "one-stop" processing system provide certainty to developer seeking approval for the development of residential project.

For projects of significant benefit to the low-income community, costs can be waived by the City Council or the use of ~~redevelopment~~ set-aside funds can reduce or eliminate these costs to the developer.

Workload: Another governmental constraint is the number of staff and amount of staff time available for processing development projects. Since the workload is determined by outside and uncontrolled forces (economy and market for housing and availability of general fund revenue), a shortage of staff time may occur which could lead to increased processing time for development projects.

Table H-13 illustrates Tustin's progress in achieving RHNA construction needs since January 1, 2006 that can be credited toward the 2006-2014 planning period. As of 2008, the City has satisfied approximately 71 percent of its Very Low-income, 32 percent of Low-income, 47 percent of Moderate-income and 147 percent of Above Moderate-income RHNA Construction Needs.

TABLE H- 13
PROGRESS TOWARD RHNA CONSTRUCTION NEEDS
2006-2014
CITY OF TUSTIN

Income Category	RHNA Construction Need 2006-2014	Units Constructed 2006-2008	Units Approved/ Entitled/Under Construction	Net RHNA Construction Need 2008-2014
Very-Low	287	43 (71%)	37	150
Extremely Low	225	192 ¹	90 ²	
Low	410	57 (32%)	74	279
Moderate	468	60 (70%)	161	247
Above Moderate	991	824 (136%)	628	-461
Total	2,381	1,176 (91%)	990	215

¹ Village of Hope

² Orange County Social Services Agency - Tustin Family Campus

Source: 2007 RHNA; City of Tustin, Redevelopment Agency (eliminated 2011) and Community Development Department.

Housing Units Constructed

Since January 1, 2006, a total of 1,176 units have been constructed. Among the units constructed, 235 units were for Very-low income, 57 units were for Low-income and 60 units were for Moderate-income households. Almost all units except Arbor Walk development were constructed at the Tustin Legacy as follows:

Arbor Walk (14552 Newport Avenue)

Arbor Walk project is a 63 unit attached townhome project of which ten (10) units were set aside as affordable units (4 unit for Very Low-income households and 6 units for Moderate-income households). The Tustin Community Redevelopment Agency (eliminated 2011) issued loans totaling \$2,119,960 to assist in creation of these affordable units. The majority of the units were completed in 2005; however, three (3) of the affordable units were completed in early 2006 and is included as part of the current RHNA planning period.

Insured loan that covers housing for the frail elderly – those in need of supportive services. Nursing homes, assisted living facilities, and board and care are all examples of this type of housing (a project may include more than one type). Although no restricted units were required, based upon the discussion with the developer, the units are designed and will be marketed competitively to allow for moderate income households to be able to rent the units. However, for RHNA purposes, only 4 of the 201 units are included as Moderate Income units.

Table H-14 illustrates the residential development potential of the vacant and underutilized land inventory in the City of Tustin. The Tustin Legacy site (formerly MCAS Tustin) presents the City with 389.2 acres suited for residential development that could accommodate an additional 4,049 units. During the planning period, the majority of the anticipated units will be accommodated at Tustin Legacy and is being implemented through both the adoption of a Specific Plan by the City and the adoption of a Redevelopment Project Area. Based on State Redevelopment Law at that time, and ~~the proposed~~ Specific Plan requirements, at least 15 percent of the units (607 units) constructed at the MCAS Tustin site will be affordable to Very-Low, Low, and Moderate-income households, of which at least 6 percent or 243 units must be affordable to Very Low-income households. The remaining 364 units would be distributed among the Low and Moderate income households by utilizing RHNA Low and Moderate income percentages. In addition to these inclusionary obligations, the acreage and densities permitted by the MCAS-Tustin Reuse Plan would create 282 additional for Very Low-income households (192 transitional housing units and 90 social services housing units).

Aside from MCAS Tustin, additional sites are located either within ~~the City existing Redevelopment project areas or in Old Town Tustin area. Sites that are located within the Redevelopment Project area subject to Redevelopment Law as well.~~ As a means to ensure affordability and the use of housing set-aside funds, the City ~~and its Redevelopment Agency will~~ may require developers to provide at least 15 percent of all units constructed or rehabilitated at prices affordable to Very Low, Low, and Moderate Income households ~~consistent with State Redevelopment Law affordable housing requirements.~~

The City's Redevelopment Agency aggressively negotiates affordable housing units with individual potential project. An example of approved infill site is the development of a fifty-four (54) unit affordable senior housing project on a 1.76 acre site. The project was granted a twenty-five (25) percent density bonus above the City's maximum allowable density. In addition, the City entered into a Disposition and Developer Agreement with the developer to issue loans not to exceed \$600,000. The loans are secured by loan agreements, promissory notes and deeds of trust, along with Regulatory Agreement and Declaration of Restrictive Covenants to be recorded against the property for a period of not less than 55 years. The project is 100 percent affordable to very low and low income seniors.

The remaining capacity in Old Town Tustin will be achieved through recycling of underutilized and vacant infill sites (see Figure 1). According to the City's Land Use Element, the sites in Old Town Tustin area are able to accommodate an overall population range for residential use of 2-54 persons per acre¹¹. The Land Use Element further identifies the potential development of dwelling units in the Old Town Commercial area, which will be facilitated by the proposed adoption of zoning regulations and development standards which will allow mixed-use development (see Program 1.21 of Table H-22 Housing Element Programs). This development potential is supported by the market analysis of the Old Town area.

To further create housing opportunities, the City provides the issuance of tax-exempt bonds for the development of affordable housing through a Joint Powers Authority with the California Statewide Communities Development Authority. Other means would include the City's participation in the State and Federal programs such as the Low- Income Housing Revenue Bond Financing program, Low Income Tax Credits, CHFA financing programs, and others.

Additionally, a Density Bonus Ordinance is available and can be applied to infill sites to increase allowable density and the Tustin City Code also provides for a Planned Community District which

¹¹ See Table LU-3 - "Future Land Use Density/Intensity and Population Capacity of the Land Use Plan" in the City of Tustin General Plan Land Use Element, January 16, 2001.

Figure 1 and Table H-15 detail the zoning designations of vacant and underutilized land in Tustin. The vacant and underutilized land inventory includes land that is currently zoned medium- and high-density residential and land that could potentially be designated as high-density residential. Realistic capacity of sites that are identified in Table H-15 are derived from past development proposals, historical character of the area, inquiries received by the Community Development Department ~~and Redevelopment Agency~~, Disposition and Development Agreements between the City and developers, exclusive negotiations with potential developer(s) authorized by the City Council, maximum zoning and general plan densities, and eligible incentives to developers for provisions of affordable housing. Realistic capacity for sites identified to meet the City's share of regional housing needs either are determined based upon current zoning and general plan, executed Disposition and Development Agreement, and the City Council authorized exclusive negotiation with potential developer.

The closure of MCAS Tustin provides the City with opportunity sites to meet the City's share of regional housing needs. The majority of the City's share of housing needs will be provided at the former MCAS Tustin (Tustin Legacy) project site which was part of the base closure realignment process. The Federal government provided the land to the City at no cost. The City subsequently will convey the land to developers for the development of the Tustin Legacy. Although no specific parcel numbers are available at the time of the preparation of this Housing Element, a Disposition and Development Agreement (DDA) has been executed with Master Developer identifying land use capacity for each of the neighborhood. Furthermore, in the planning the implementation of the DDA, the developer has submitted Concept Plans and Tentative Tract Maps to the City identifying proposed lots, gross acreage and number of units as follows:

HOUSING ELEMENT GOALS AND POLICIES

This section of the Housing Element contains the goals and policies the City intends to implement to address a number of housing-related issues. To implement the Housing Element, the following six major issue areas are identified with related goals and policies: 1) ensure that a broad range of housing types are provided to meet the needs of existing and future residents; 2) provide equal housing opportunities for all City residents; 3) ensure a reasonable balance between rental and owner occupied housing; 4) preserve existing affordable housing; 5) promote conservation and rehabilitation of housing and neighborhood identity; and 6) ensure housing is sensitive to the existing natural and built environment.

HOUSING SUPPLY/HOUSING OPPORTUNITIES

Tustin is home to persons requiring a variety of housing options. At different stages in their lives, people require different housing arrangements. Additionally, the City must respond to the housing needs of all economic segments of the community and ensure that housing discrimination does not serve as a barrier. It is also important that the City maintain a balance of housing types and that the City's housing stock is not overly skewed towards the provision of one type of housing. Finally, the continuing need for affordable housing in the region requires the City to attempt to preserve Low-income housing units that are at risk of converting to other uses. The City used the following goals and policies to achieve the above objectives.

GOAL 1: Provide an adequate supply of housing to meet the need for a variety of housing types and the diverse socio-economic needs of all community residents.

Policy 1.1: Promote the construction of additional dwelling units to accommodate Tustin's share of regional housing needs identified by the Southern California Association of Governments (SCAG), in accordance with adopted land use policies.

Policy 1.2: Apply available Tustin ~~Community Redevelopment Agency~~ financial resources to meet the requirements of any identified "Opportunity Sites" as part of the Tustin "Town Center- A

New Beginning” comprehensive implementation study to respond to RHNA requirements.

Policy 1.3: Examine potential increases in residential density as part of the “Town Center-A new Beginning” implementation study as it specifically impacts the Center City Study Area ~~(a portion of which is within the Town Center and South Central Redevelopment Project Areas)~~, the Southern Gateway Study Area ~~(a large portion of which is within the South Central Project Area)~~, and the West Village Area generally located west of the SR-55 Freeway between McFadden Avenue and Main Street to assist the City in accommodating its housing needs.

Policy 1.4: Pursue smart growth principles by supporting the construction of higher density housing, affordable housing, and mixed use development (the vertical and horizontal integration of commercial and residential uses) in proximity to transit, services, shopping, schools, senior centers and recreational facilities, where possible.

Policy 1.5: Consider site scoring, income targeting, and other selection criteria for competitive funding sources for affordable housing, such as Low Income Housing Tax Credits, when allocating Agency resources for affordable housing to maximize leverage of local funds.

Policy 1.6: Continue to implement best practices for developer selection, project underwriting and due diligence for affordable housing developments that receive financial and other assistance to ensure long-term viability of affordable housing and to ensure the maximized leverage of local resources.

Policy 1.7: Preserve affordable housing units, where possible, through actions such as the maintenance of a mobile home park zone, restrictions on R-3 zone uses to preserve the multiple family residential characters, facilitate resident access to funding sources for preservation of low income and assisted housing.

Policy 1.8: Promote the dispersion and integration of housing for low- and very-low income families throughout the community as opposed to within any particular geographic area, neighborhood, or project.

Policy 1.9: Encourage the County of Orange to exercise its responsibilities for housing accommodations for low- and very-low income families within Tustin's sphere of influence.

Policy 1.10: Utilize the ~~Tustin Community Redevelopment Agency's authority~~ various resources, where feasible, to assist in creating opportunities which will expand opportunities for development of affordable housing in the community.

Policy 1.11: Allow second (attached/detached) units in single- and multi-family districts consistent with the Tustin City Code.

Policy 1.12: Utilize Planned Community Districts and Specific Plans to authorize and promote a variety of lot sizes and housing types.

Policy 1.13: Promote cluster housing consistent with General Plan land use density standards to reduce the cost of housing construction.

Policy 1.14: Encourage the availability of affordable housing for special needs households, including large, low-income families. Special needs households include the elderly, large families, female-headed households, households with a disabled person, and the homeless (see discussion under Summary of Housing Needs for Special Needs Groups).

Policy 1.15: Encourage incentives to assist in the preservation and development of affordable housing such as 1) reducing permit processing time and waiving or reducing applicable permit fees; 2) on-site density bonuses when appropriate; 3) tax-exempt financing including continuing to make use of the City's membership in the California Statewide Communities Development Authority to provide opportunities for developer assistance in pre-development and development financing of affordable housing programs; 4) flexibility in zoning or development standards; and 5) other financial incentives using ~~Tustin Community Redevelopment Agency~~ housing set-aside funds and a variety of special State and Federal grant and housing programs.

Policy 1.16: Use tax increment housing set-aside funds ~~of the South Central, Town Center, and MCAS Tustin Redevelopment Areas~~ to

Policy 2.3: Support programs to match elderly and low and moderate-income individuals who want to share housing costs in a joint living arrangement.

Policy 2.4: Support public and private efforts to eliminate all forms of discrimination in housing.

Policy 2.5: Minimize displacement of lower income and special needs households, whenever possible, to ensure that displacement is carried out in an equitable manner.

GOAL 3: Increase the percentage of ownership housing to ensure a reasonable balance of rental and owner-occupied housing within the City.

Policy 3.1: Encourage new housing construction for home-ownership in a mixture of price ranges.

Policy 3.2: Examine existing City and Agency home purchasing assistance programs for low- and moderate-income households, including down-payment assistance, - and mortgage revenue bond financing, and recommend program modifications to make them more effective in the current housing market.

Policy 3.3: Encourage rental unit conversion and alternative forms of homeownership, such as shared equity ownership and limited equity cooperatives where feasible.

Policy 3.4: Examine existing condominium conversion standards to promote renovation of existing units through rental conversion.

GOAL 4: Preserve the existing supply of affordable housing in the City.

Policy 4.1: Continue to use Federal and State housing initiatives available for low-income households.

Policy 4.2: Monitor all federal, state and local funds available to preserve and/or replace lower income units at risk of converting to market rate housing, including tax credit bond financing—and ~~redevelopment tax increment funds.~~

availability of government funds – local, County, State, and Federal. ~~Red~~Development projects are subject to the interests of private developers. The construction of secondary units depends upon the desires of the property owners as related to family needs for housing and economic resources. The achievements of the housing objectives are thus dependent upon the private sector and other governmental agencies. The responsibility of the City is to encourage the construction of affordable housing by providing programs and assistance to developers and to assist in its creation by facilitating the review and approval of development permits.

Table H-17 provides new construction housing objectives for the period 2006-2014. With the exception of the MCAS-Tustin, all sites identified in Table H-17 are privately owned. Units identified are broken down into various income limits in light of RHNA percentages ~~and production requirements under the Redevelopment Law.~~

Table H-13 discusses City's progress toward achieving RHNA quantified objective. Based on units constructed, approved, or under construction, the City of Tustin has the following remaining units to achieve RHNA's construction objective: 150 Very Low Income, 279 Low Income and 247 Moderate Income units. The City will make its best efforts to accommodate this objective by carrying out the following projects and/or programs:

Preservation

Pursuant to Government Code Section 65583.1(c), up to 25 percent of the lower income RHNA may be fulfilled with existing units when affordability is achieved through:

- Affordability covenants placed on previously non-affordable units;
- Extension of affordability covenants on affordable housing projects identified as at risk of converting to market-rate housing; and
- Acquisition/rehabilitation and deed restriction of housing units.

With RHNA allocated 512 lower income units, the City may fulfill 230 lower income units (128 Very Low and 102 Low) through preservation of existing housing units. As identified in the Preservation of Units At-risk for Conversion section of the Housing Element, there are a total of 277 units at risk for conversion during the planning period (100 units at Tustin Gardens and 177 units in the

three projects owned by the Irvine Company: Rancho Maderas; Rancho Alisal; and Rancho Tierra).

The City, in anticipation of this opportunity, has programmed \$2,181,672 of RDA housing set aside funds in the Agency's Comprehensive Affordable Housing Strategy's Six- Year Capital Plan to negotiate the preservation of these units. The City Council in their capacity as the Redevelopment Agency ("~~Agency~~"eliminated 2011) adopted the Comprehensive Affordable Housing Strategy (CAHS) in June 2008 committing up to \$2,181,672 of Agency Housing Set-Aside funds for the preservation efforts of these at-risk units. As presented in Table HTM-35 of the Housing Element Technical Memorandum, the City has fulfilled a portion of its regional share for very low and low income households (472 and 192 units respectively) during the prior planning period, rendering the City eligible to utilize the alternative site program. The City is in contact with both owners regularly and has expressed interest in ensuring the continuation of these affordable units. The City is also in contact with residents of the projects to allow for active public participation with current residents to ensure continued affordability.

Tustin Gardens maintains a Section 8 contract for rental assistance. They are currently approved through July 13, 2009 with a HUD-requirement that they provide a one-year notice to terminate their current Section 8 contract. The earliest date affordability restrictions can expire is July 2010. The city will make every effort to assist the owner obtain an extension of the HUD Section 8 contract. If that is not possible, and additional incentives are needed, the City has estimated the total cost of completely subsidizing rents in Tustin Gardens is \$48,900 per month, and \$586,800 annually. Considering the earliest possible scenario of affordability restrictions expiring July 2010, the total cost of subsidizing Tustin Gardens for the term of the Housing Element, July 2010 to June 2014, would be \$2,347,200.

Rancho Maderas, Rancho Alisal and Rancho Tierra are California Statewide Communities Development Authority bond-funded projects with affordability restrictions expiring May 25, 2012. Beginning June 2012, the estimate for subsidizing rents at Rancho Maderas, Rancho Alisal, and Rancho Tierra is \$61,671 per month, and \$740,052 annually. The total cost of subsidizing rents for twenty-five months, June 2012 to June 2014, would be \$1,541,775. The total cost for subsidizing rents at all four at-risk projects would be \$3,888,975. The following tables illustrate the required subsidies for At-Risk projects.

In order to fund the difference between the potential affordability gap of \$3,888,975 identified in the above Tables, "Required Subsidies for At-Risk Projects" and the potential \$2,181,672 in Redevelopment funds programmed in the Agency's ~~(eliminated 2011)~~ Comprehensive Affordable Housing Strategy, the City analyzed the four at-risk projects and believes Tustin Gardens is the most viable project to receive 4% Tax Credit, Tax-Exempt Bond funding. Tustin Gardens is a 100% affordable, very-low income Senior Project. The City would work with the current owner to establish a non-profit affordable housing entity to apply for a projected \$3,185,937 in 4% Tax Credit, Tax-Exempt Bond funding for the acquisition and rehabilitation of Tustin Gardens. The City's pro forma analysis indicates the potential affordability gap of \$2,347,200 would be eliminated and City subsidies would not be required.

The City would commit \$1,541,775 to fund the potential affordability gap at Rancho Maderas, Rancho Alisal and Rancho Tierra. This would leave a balance of \$639,897 ~~in Redevelopment funds~~, which ~~wc~~ould be available if needed. Although the City projects adequate funding to preserve the 230 at-risk units, the City will pursue all other funding sources to augment funding already set aside for these affordable housing projects. The back-up documentation for this analysis includes the following: 1) Gap Analysis for the 230 Units; 2) Tustin Community Redevelopment Agency ~~(eliminated 2011)~~ Pro Forma Analysis; and 3) Comparable Sales Analysis for Determination of Tax Credit/Bond. Financing of Tustin Gardens can be found in Appendix E of the Technical Memorandum.

Another way rent subsidies could be structured is as a rent buy-down. This would involve the Agency providing a one-time assistance loan to the property owner to cover the present value of the decrease in rents associated with the extended affordability term compared with market rents achievable on the units. This approach offers a benefit to the owner in that they receive cash upfront from the loan. The disincentive is that the use of ~~Redevelopment~~ housing set-aside funds for the rent buy-down necessitates a 55-year affordability covenant on the units. While this large up-front commitment on behalf of the Agency is probably not viable at this time, the City will explore other funding sources to assist with this option.

Program 4.6 provides for City's commitment in preserving assisted housing at-risk for conversion to market rate. Pursuant to Government Code Section 65583.1(c), the City will work with the appropriate owners to enter into legally enforceable agreements no

later than July 1, 2010, and will report on its progress in preserving these units through the annual progress report required pursuant to Government Code 65400. Should the City not enter into a legally enforceable agreement by July 1, 2011, the City will recommend an amendment to the Housing Element within a one-year timeframe, identifying additional sites needed to accommodate the number of affordable units not preserved by enforceable agreements. While the Comprehensive Affordable Housing Strategy identified \$2,181,672 in Redevelopment funds for the period of July 1, 2008 through June 30, 2014, ~~in 2011, the Redevelopment Agency ceased to exist. –the expenditure of Redevelopment funds for the preservation of at-risk units will require City Council approval on an annual basis as part of the Annual Budget approval process.~~

New Construction:

Tustin Legacy Master Developer Footprint (Neighborhoods D and G)

As mentioned throughout the Housing Element, the closure of the MCAS Tustin provides the City with opportunity to create affordable units to accommodate the needs of the residents. The City in 2001 adopted the MCAS Tustin Specific Plan and in 2003 designated the MCAS Tustin as a Redevelopment Project area and adopted the MCAS Tustin Redevelopment Plan ~~(eliminated 2011)~~. As part of the adopted Specific Plan, a total of 4,210 housing units were authorized and to date 2,105 units have been approved and either constructed or undergoing construction. The remaining 2,105 units are under the Master Developer footprint (a Master Developer was selected by the City Council to be responsible for the remaining development of Tustin Legacy, ensuring it is consistent and cohesive).

Although actual entitlement for the construction of the remaining units have not been granted¹³, the City however has entered into a Disposition and Development Agreement with the Master Developer and initiated planning for development of the remaining 2,105 housing units. These units will comprise of 126 Very Low Income units, 95 Low Income units, 232 Moderate Income units, and 1,652 Upper Income units. The Developer will be providing the affordable units as a land write down to their purchase of the property from the City (the original owners of the land), with the Redevelopment Agency reimbursing the City for the Agency's obligations to provide the affordable units. The following table demonstrates the average

¹³ Tustin Legacy Community Partners (Mater Developer) has submitted concept plans and tentative tract maps for the developments within Neighborhoods D and G. However, no entitlements have been granted at the time the housing element was being prepared.

affordable purchase price and average promissory note for units developed at Tustin Legacy between 2007 and 2008. As income eligibility levels change on an annual basis and housing market process adjust, the average affordability gap may vary over time. The average promissory note is the City's contribution towards establishing affordability (gap financing between the fair market price and the affordable purchase price which the Agency will assume based on a cooperative agreement between the City and Agency). All units have terms of affordability not to exceed 45 years.

Income Level	2007-2008 Average Fair Market Price	2007-2008 Average Affordable Purchase Price	2007-2008 Average Promissory Note
Very Low	\$482,792	\$69,689	\$413,103
Low	\$488,157	\$126,375	\$361,783
Moderate	\$539,602	\$276,317	\$263,285

The development of Tustin Legacy is anticipated to occur during the Housing Element planning period. During the preparation of this housing element, the Tustin Legacy Community Partners (Mater Developer) has submitted concept plans and tentative tract maps for the developments within Neighborhoods D and G. Affordable units are expected to be provided concurrently with the development of market rate units.

Center City (Sixth and B Streets) Opportunity Site

The Sixth and "B" Streets opportunity site consists of approximately 8.4 acres within the Center City project area. Approximately 4.2 acres will be set aside for residential uses for up to 126 units. This project site is part of the "Town Center-A new Beginning" implementation study to revitalize the City's older neighborhood (see Program 1.21).

New Owner Housing

A total of 79 units are anticipated during the Housing Element planning period through the following programs:

- Ownership Multi-Family New Construction. Eighteen (18) units are anticipated during the planning period. The Redevelopment Agency (eliminated 2011) has included \$4,363,343 of housing set aside funds in its Comprehensive Affordable Housing Strategy Six-year Capital Plan to accommodate this program. Of the eighteen (18) units, seven (7) units would be set aside for Very Low Income households

and eleven (112) units would be set aside for Low Income households.

- Multi-Family Rental New Construction/Acquisition and Rehabilitation. Thirty one (31) Low Income units are anticipated and \$4,363,343 has been set aside in the Agency's Comprehensive Affordable Housing Strategy Six-Year Capital Plan to accomplish this goal. The estimated subsidy is based on leveraging 4% Low Income Housing Tax Credits with Tax-Exempt Bonds.
- First-time Homebuyer and/or Foreclosure Negotiated Purchase. Five (5) Very Low Income, ten (10) Low Income, and fifteen (15) Moderate Income units are anticipated through this program. To accomplish this goal, \$2,400,000 of housing set aside funds estimated subsidies have been included in the Redevelopment Agency's (eliminated 2011) Comprehensive Affordable Housing Strategy Agency Six-year Capital Plan.

New Rental Housing

Pacific Center East (Trillium West)

The Trillium West project consists of approximately 27 acres site located within the Pacific Center East Specific Plan. Opus West Corporation has submitted a draft project description indicating their interest in developing this site. The project would accommodate a development with a mix of uses including office, commercial, retail, hotel, and residential uses. Approximately 300 new rental units would be provided at this project site.

Other New Construction Units

The remaining new construction obligation of 18 units will be fulfilled through Granny Flats, Second Unit, and Recycling of single family uses in Multi-family zoned lots programs. Based upon recent development proposals, the City has observed increased interest in the development of granny flats, second units and addition of units within multiple family dwelling properties occupied by single family dwelling. The cost to construct these units would be borne by property owner. However, the City would facilitate the development process.

In addition, based upon past development trends (Tustin Grove and Ambrose Lane) that utilized Planned Community Districts to allow

for higher densities, the actual number of units created could be higher than identified. The City will strive to ensure that newly constructed units are developed at sufficient densities to assist in fulfillment of low and very low income needs by employing inclusionary zoning for those sites located within former redevelopment project areas, mixed use zoning in Old Town Tustin, density bonuses particularly in infill sites to allow for increase densities to accommodate affordable housing developments, and Planned Community Districts to allow for flexibility in development standards.

**TABLE H-17
NEW CONSTRUCTION QUANTIFIED OBJECTIVES SUMMARY
CITY OF TUSTIN
2006-2014**

Program	Total # of Units	Extremely Low and Very Low ⁴ (<50%)	Low (<80%)	Moderate (80-120%)	Upper (120%+)
NEW CONSTRUCTION					
MCAS Tustin Housing Units ¹					
Neighborhood D	891	53	53	90	695
Neighborhood G	1,214	73	42	142	957
Units Constructed ²	1176	235 ⁵	57	60	824
Units Approved/Under Construction ²	990	127 ⁶	74	161	628
Preservation ³	230	128	102		
Granny Flats	5		5		
New Owner Housing	79		64	15	
Second Unit	5		5		
Recycling of SF uses to MFD in R-3 district	8		8		
Total Quantified Objectives	4,598	616	410	468	3104
RHNA	2381	512	410	468	991
Difference	2,217	104	0	0	2,113

¹ MCAS Tustin Specific Plan authorized a total 4,049 potential units at Tustin Legacy. Based upon State Redevelopment Law and the proposed Specific Plan requirement, at least 15 percent of the total units (607 units) would be affordable to Very-Low, Low, and Moderate income households, of which at least 6 percent or 243 units would be affordable to Very Low income households. A total of 296 affordable inclusionary units were included in the authorized total number of units to be developed at Tustin Legacy. Of the 4,049 units, 2,105 units have been entitled and currently either completed or undergoing construction. A total of 2,105 units are planned within Neighborhood D and G.

² See Table H-13 and associated discussion for project details.

³ Pursuant to State Law, up to 25 percent of the lower income RHNA may be fulfilled with existing housing units. Although a total of 145 Very Low and 132 Low Income units are planned for preservation, only 128 Very Low and 102 Low Income units are eligible for credits toward RHNA.⁴ Pursuant to Government Code Section 65583(a)(1), City's share of extremely-low income units is 225 (44 percent of the RHNA Very Low income households new construction objective). Total number of units for extremely-low income and low income units equals to City's share of vey-low income units of 512 units

⁵ Includes 192 Extremely Low Income units (Village of Hope)

⁶ Includes 90 Extremely Low income units (Orange County Social Services – Tustin Family Campus)

Source: 2007 RHNA; City of Tustin; MCAS Tustin Specific Plan.

TABLE H- 18
REHABILITATION, PRESERVATION, AND OTHER AFFORDABLE HOUSING QUANTIFIED
OBJECTIVES SUMMARY
CITY OF TUSTIN
2006-2014

Program Category	Total # of Units	Very Low (<50%)	Low (<80%)	Moderate (80-120%)	Upper (120%+)
REHABILITATION					
Single and Multi-Family Rehab					
Single Family	54	32	16	6	
Multi- Family	108	21	21	66	
Multi-Family Rental Acquisition/Rehab/Conversion/Resale	31		31		
Total Rehabilitation	193	53	68	72	
PRESERVATION					
Tustin Gardens	100	100			
Rancho Alisal	72	18	54		
Rancho Maderas	54	14	40		
Rancho Tierra	51	13	38		
Total Preservation	277	145	132		
OTHER AFFORDABLE HOUSING					
1 st Time Homebuyer and/or Foreclosure Negotiated Purchase	30	5	10	15	
Section 8 Rental Voucher Assistance	1,500	1,500			
Shared Housing Referrals	75	50	25		
Homeless Housing Partnership Program	242	242			
Emergency Shelter	282	282			
Total Other Programs	2,129	2,079	35	15	

Source: Effectiveness of Housing Programs 1998-2008, City of Tustin; Five Year Implementation Plan for the Town Center and South Central Redevelopment Project Areas (eliminated 2011) for Fiscal Years 2005-06 to 2009-10; Comprehensive Housing Affordability Strategy for Fiscal Years 2008-18.

Summary of Quantified Objectives

Table H-19 summarizes the City's Quantified Objectives for the 2006-2014 period. Based on the requirements of AB 2634, statute of 2006 (Government Code Section 65583(a)(1)), each jurisdiction must address the projected need of Extremely Low-Income households, defined as households earning less than 30 percent of the Area Median Income (AMI). The projected Extremely-Low Income need is assumed to be 44 percent of the Low Income need, or 225 units based upon the percentage of extremely-low income households contained in the regional housing needs assessment determined by SCAG using census data as the baseline.

TABLE H- 19
SUMMARY OF QUANTIFIED OBJECTIVES
CITY OF TUSTIN
2006-2014

Income Group	RHNA	New Construction	Rehabilitation/ Preservation	Other Programs
Very Low	287	334	70	2,079
Extremely-Low	225 ¹	282 ²		
Low	410	410	982	35
Moderate	468	468	72	15
Above Moderate	991	3,104	0	--
Total	2,381	4,598	240	2,129

¹ Pursuant to Government Code Section 65583(a)(1), City's share of extremely-low income units is 225 (44 percent of the total Very Low Income new construction objective). Total number of units for extremely-low income and low income units equals to City's share of vey-low income units of 512 units

² Includes 192 units at Village of Hope and 90 units at Orange County Social Services - Tustin Family Campus

Source: 2007 RHNA, SCAG

IDENTIFICATION OF AFFORDABLE HOUSING RESOURCES

The City has prepared a Consolidated Plan and Comprehensive Housing Affordability Strategy identifying and describing all funding programs available to the City and Tustin Redevelopment Agency (~~eliminated 2011~~) to assist in meeting the City's housing needs. Included in the plan are descriptions of a wide variety of major housing assistance programs available from federal and state agencies and private lending institutions. More specific information including details regarding eligible projects and activities and funding availability can be found in the document. The following is a summary of this information along with updates to reflect new state and federal programs.

Table H-20 provides an illustrative example of the estimated amount of locally identified resources that could be available to finance housing program objectives on an annual basis over the remaining six-year planning period. The amounts shown are estimates; actual revenue amounts and the timing of their availability could be more or less and would adjust over time. Specific decisions are made on an annual basis as part of the City ~~and Redevelopment Agency~~ budget process.

The key source of local funding for affordable housing development and preservation in Tustin is the Tustin Community Redevelopment Agency's (eliminated 2011) Low and Moderate Income Housing Fund, also known as the 20 Percent Set-Aside Fund. The estimated fund balance in the Agency's Low and Moderate Income Housing Fund as of June 30, 2007 was \$17.86 million. Appendix C of the Housing Element provides a Summary of Six Year Capital Plan Goals in which a set amount of allocations are earmarked for specific programs. The programs and assistance goals are listed in Table 1 of the Affordable Capital Plan attached hereto as Appendix C. The programs included are as follows:

- **Preservation of At-Risk Affordable Housing Rental Units**

The City of Tustin has identified the preservation of existing affordable housing units as one of the most cost-effective methods of maintaining the stock of affordable housing therefore a high-priority program for the City.

The City has identified 277 units of at-risk housing with expiring use restrictions within the six-year planning period, including 145 units of very low income housing and 132 units of low income housing. The amount of assistance provided will be negotiated based on the specific economics of each development and the potential availability of leverage financing, such as tax-exempt bonds and 4% tax credits. The total amount of funds allocated to this program is \$2,181,672.

- **Single- and Multi-Family Home Rehabilitation Program**

The City has identified single- and multifamily home rehabilitation loans and grants as another cost-effective method of extending the life of affordable housing in the community. The City will target single-family neighborhoods in the vicinity of the Town Center opportunity area as part of the Town Center revitalization effort, as well as multifamily units citywide. The City's goals under this program are to rehabilitate 162 units, including 54 single-family units and 108 multifamily units.

- **Ownership Multifamily New Construction**

The City also intends to assist ownership multifamily new construction. Per unit subsidy requirements by income level are

- **Tustin Legacy Ownership Multi-Family New Construction**

The City's development agreements for Tustin Legacy are projected to create 323 new affordable multi-family ownership units in the City over the six-year projection period. This includes 130 units in TLCP and 193 units in the Villages of Columbus. The City anticipates the creation of 40 units affordable to very low income households, 116 units affordable to low income households, and 167 units affordable to moderate income households.

The TLCP unit count represents projected Phase 1 development and the subsidy requirement is unknown at this time. The cost of maintaining the affordability of the TLCP units will be transferred to the ~~Redevelopment Agency~~ City of Tustin and the expense associated with maintaining the 45-year covenants will be determined at the time residential development proceeds. There is no subsidy requirement for the affordable units in the Villages of Columbus.

- **Tustin Legacy Rental New Construction**

The City's development agreements for Tustin Legacy are projected to create 253 new affordable rental units, including 126 units affordable to very low income households, 64 units affordable to low income households, and 63 units affordable to moderate income households.

The TLCP unit count represents projected Phase 1 development and the subsidy requirement is unknown at this time. The cost of maintaining the affordability of the TLCP units will be transferred to the ~~Redevelopment Agency~~ City of Tustin and the expense associated with maintaining the 55-year covenants will be determined at the time residential development proceeds.

- **Administrative Support**

The Agency will provide administrative support to implement its affordable housing activities. The Agency projects operating expenses of \$4.95 million over the six-year capital planning period.

Section 33334.4(a) of the CRL requires expenditures in the Low and Moderate Income Housing Fund during a 10-year period to assist

very low and low income households in at least the same proportion as the total number of units needed within the community. The proportion of very low, low and moderate income units is determined for each community on the basis of the unmet need for housing certain income group categories as reflected in the City's share of the regional housing needs identified pursuant to Section 65584 of the California Government Code (the Regional Housing Needs Assessment (RHNA)). ~~In addition CRL 33490(a)(2)(C)(i) requires the Redevelopment Agency to identify the number of housing units needed for very low, low and moderate income persons as each of those needs have been identified in the most recent determination pursuant to Section 65584. The Agency's RHNA proportional expenditure requirements are 37% for very low income households, 29% for low income households, and 34% for moderate income households. Pursuant to CRL 33334.4(a), the Agency may adjust the proportion by subtracting from the need identified for each income category, the number of units for persons of that income category that are newly constructed over the duration of the implementation plan with other locally controlled assistance and without agency assistance.~~ The City initiated the development of additional very low, low and moderate income housing in the MCAS Tustin Project Area through density bonus incentives. Therefore, ~~the Agency is permitted to adjust the proportional expenditure requirements accordingly.~~

~~Based on the above, as adjusted pursuant to Section 33334.4(a) of CRL, the Agency will spend, at minimum, 28% of Housing Set Aside Funds for very low income households, 32% for low income households and 40% for moderate income households. The target is intended over a ten-year period of the redevelopment project areas and is not strictly on an annual basis and the goal will be adjusted in conjunction with any further locally assisted projects not funded by the Agency. The Agency has been in compliance the last five years and projects over the next five years to spend 63% of Housing Set Aside Funds on very low and low income households, 38% for very low income households and 25% for low income households. The allocation of funds was based on the projected number of households developed under each income category multiplied by the average gap funding provided by the Agency for each income category. The Agency will insure Housing Set Aside funds are expended in proportional compliance with Section 33334.4(a).~~

~~In addition, as of January 1, 2003, according to CRL Section 33334.4(b), each redevelopment agency shall expend, over the duration of each redevelopment Implementation Plan, funds for all persons regardless of age in at least the same proportion as the number of low income households with a member under age 65 years as compared to the total number of low income households of the community as reported in the most recent census of the United States Census Bureau. According to the 2000 U.S. Census, 87 percent of low-income households in Tustin included a member under the age of 65. Therefore, it is the Agency's goal to spend approximately 87% of the moneys in the Housing Fund for non-senior affordable housing activities to reflect this proportion of persons under 65 years of age in the community.~~ All of the units produced to date are for family housing and no expenditures have been made for senior housing units. Coventry Court, a Lennar Homes senior housing development projected to open in FY 2008/09 in the MCAS Tustin Redevelopment Project Specific Plan Area, is building 153 affordable units as a result of City density bonus incentives.

The City is not an entitlement jurisdiction for HOME funds, but may apply to the State for HOME funds as described in a separate report prepared by DRA entitled *Affordable Housing Assistance Programs*, presented as Appendix C of the Comprehensive Affordable Housing Strategy.

The City is an entitlement jurisdiction for Community Development Block Grant (CDBG) funds. For FY 2007/08, the City of Tustin was allocated \$827,201 in CDBG funds. These funds may be used for a number of community development purposes besides housing. Given the many competing needs for these funds and the restrictions on these funds for housing purposes, the Agency does not typically allocate CDBG funds for affordable housing development.

As needed and as shown on Table H-21, the City and its Redevelopment Agency (eliminated 2011) will utilize State and Federal resources to leverage local resources as these funding sources match the City's programmatic objectives. Table H- 21 is a summary of affordable housing resources.

**TABLE H- 21
AFFORDABLE HOUSING RESOURCES¹
CITY OF TUSTIN**

Tax-Exempt Bonds	The Redevelopment Agency and the City has ve the authority to issue tax-exempt bonds. The City is also a member of California Statewide Communities Development Authority. Bond proceeds are used to develop affordable housing.	<ul style="list-style-type: none"> • New Housing Development • Rental Acquisition/ Rehabilitation
City/Agency Owned Land	If available and appropriate, City -of Redevelopment Agency owned land may be made available	<ul style="list-style-type: none"> • Housing • Community Facilities
State Resources		
CalHome	Enable low and very-low income households to become or remain homeowners	<ul style="list-style-type: none"> • Predevelopment, site development, and site acquisition for development projects. • Rehabilitation, and acquisition and rehabilitation, of site-built housing, and rehabilitation, repair and replacement of manufactured homes. • Downpayment assistance, mortgage financing, homebuyer counseling, and technical assistance for self-help
California Self-Help Housing Technical Assistance Allocation Program (CalHome Self-Help)	Fund programs that assist low and moderate income families to build their homes with their own labor	<ul style="list-style-type: none"> • Training and supervision of low and moderate income self-help home-builders

TABLE H- 21
AFFORDABLE HOUSING RESOURCES¹
CITY OF TUSTIN

World/BRIDGE Initiative	Provides lower-interest construction financing for affordable or mixed-income rental housing or affordable home ownership through a consortium of World Savings/Calpers/Wells Fargo/Bank of America	<ul style="list-style-type: none"> • New Construction • Rehabilitation • Acquisition
Non Profit Organizations	According to the State Department of Housing and Community Development, three nonprofit agencies in Orange County have expressed interest in purchasing and or managing at risk or replacement units in the Tustin area.	<ul style="list-style-type: none"> • Acquisition and rehabilitation • Management of multi-family units
Orange County Affordable Housing Clearinghouse	Non-profit lender consortium	<ul style="list-style-type: none"> • Construction Financing • Permanent Financing

¹ The Replacement Housing, Housing Rehabilitation, Housing Production and Land Cost Write-Down programs all use the Redevelopment Agency's (eliminated 2011) low- to moderate-income housing set-aside funds to leverage other regional, state, and federal funding sources. These sources include, but are not limited to: Orange County Housing funds, California Housing Finance HELP funds, Department of Housing and Urban Development HOME funds, along with housing revenue bond financing and low income housing tax credits. Such sources help to ensure an adequate level of funding to satisfy the City's affordable housing production requirements.

Source: City of Tustin Redevelopment Agency (eliminated 2011). Comprehensive Affordable Housing Strategy 2008-2018

In addition to these resources, there are also potential public and private resources that may be available to the City.

Available Sites

The program objective was to utilize Planned Community Districts and Specific Plans to authorize and encourage mixed-use developments to assist in the development of new affordable owner and rental housing, including 3,151 infill units at MCAS Tustin. The program has seen development of 1,486 units over the 10 year period, including a new 12 unit live/work development (known as Prospect Village) in Old Town.

Mobile homes

The objective to maintain existing units was accomplished. In addition, entitlement for the creation of 10 new mobile home spaces was accomplished.

Second Residential Units

The previous City ordinance regarding second residential units required a conditional use permit for the establishment of the use in several residential zoning districts. In 2003, the City adopted an ordinance modifying the zoning code to no longer require a conditional use permit and to allow second residential units to be processed at a ministerial level, to be in conformance with California state law. In the current review period and prior to this ordinance, the Community Development Department approved one third residential unit at 135 South A Street. The objective to provide two new second residential units in the review period has been met.

Deed restricted affordable units

The objective of requiring deed restrictions to ensure continued affordability for low- or moderate-income housing constructed or rehabilitated with the assistance of any public ~~or Redevelopment Agency~~ funds as may be legally required was successfully met. Between the years 1998-2000, 207 units deed restricted units were established, and from 2001-2008, 243 restricted units were established, for a total of 450 deed restricted units established during the program implementation period.

Housing opportunities for all economic segments

The program to monitor the implementation of the affordable housing program adopted as a part of the East Tustin Specific Plan has successfully met the objective of monitoring 174 units in East Tustin over the 10 year period.

Bonding Programs

~~Prior to its dissolution, T~~he Redevelopment Agency ~~has~~ successfully administered a bond financing program ~~which has that~~ processed a total of 252 restricted units for very-low and low income households to accomplish Five-Year Quantified Objectives and help meet the City's affordable housing needs.

Senior Citizen Housing

The objective in protecting and providing senior citizen housing was identified as the preservation of 100 at-risk and creation of 60 new units by 2005. The 100 at-risk units were preserved throughout the review period. In the 1998-2000 period, a site on Sycamore Avenue was identified for a 60-unit senior housing project, which was ultimately developed into 54 one-hundred percent affordable senior units, known as Heritage Place at Sycamore.

Senior Services Program

The City's objective to develop a senior services program consisting of a comprehensive transportation program, case management, information and referral, and a shared housing program to assist 850 elderly annually was exceeded with 920 elderly receiving assistance annually between 2001-2008.

Recycling Single-Family Uses into Multiple-Family Units

The program to encourage developers to consolidate individual lots into larger cohesive developments by responding to all requests for density bonuses per City codes was accomplished in that the City saw the construction of one additional unit at 135 A Street and density bonuses were granted to Lennar as an incentive for the creation of affordable units at the Villages of Columbus.

Environmental Constraints

The on-going goal was to require program Environmental Impact Reports (EIR) on all major development projects to decrease the delays in processing and incorporating mitigation requirements into the development plans. In the first half of the review period, 11 negative declarations (ND) were adopted and a draft and final program joint EIS/EIR for the MCAS Tustin project was prepared. In the second half of the review period, the Final Program EIS/EIR for MCAS Tustin was completed.

Density Bonus Program

The objective was to process all request for density bonuses in order to facilitate the construction of affordable housing. In 1999, the Density Bonus Ordinance was adopted and one application was processes. Between 2001-2008, Lennar/Lyon were granted 182 density bonus units for the creation of affordable units at Columbus Square and Grove.

MCAS Tustin Redevelopment Project Area

The goal to create a new redevelopment project area for the MCAS-Tustin site by adopting the MCAS-Tustin Specific Plan and Redevelopment Project area was attained. However, all redevelopment agencies in California were eliminated in 2011.

Fair Housing

The City's objective to contact with the Fair Housing Council of Orange County (FHCO) to assure equal housing opportunities by assisting approximately 400 residents annually and 2,000 residents by 2005 was exceeded. Between 1998-2000, 2,289 complaints were processed, and an additional 1,541 were processed between 2001-2008.

Shared Housing

The City continued to provide coordination and support to an Orange County housing sharing program by handling a total of 75 cases during the review period.

Housing Referral Program

The City continued to provide housing referral services to families in need of housing assistance and information through the Police, Parks and Recreation Services, and Community Development Departments. The objective was to make 8,750 referrals to social agencies and 50 referrals for shared housing by 2005. Between 1998-2000, 4,375 social service referrals and 25 shared housing referrals were made; between 2001-2008, an additional 4,850 social service referrals and 50 shared housing referrals were made.

Replacement Housing

The program objective was to ensure rehabilitation or construction of an equal number of replacement units when low and moderate income residential units are destroyed or removed from the market ~~pursuant to California Community Redevelopment Law~~. Over the 10 year period, 86 units were removed and replacement was completed.

Housing Rehabilitation

The goal to rehabilitate 100 units by allocating CDBG and Redevelopment Agency ~~(eliminated 2011) (RDA)~~ funds to finance public improvements and rehabilitation of residential units in target areas was achieved. A total of 119 units were assisted with RDA funds over the review period.

Housing Authority

The program to contract with the Orange County Housing Authority (OCHA) for the development and operation of federally assisted low and moderate income housing programs was continued and 1 developer contract (Tustin Gardens) was processed with OCHA.

Rental Assistance

The program to provide rental assistance through Section 8 certificates and voucher certificate program assistance funds through the OCHA was successful over the review period. The objective to

Policy 18.2: While promoting a self-supporting recreation system, explore means of providing low-cost programs to those who cannot afford to pay.

Policy 18.3: Identify, evaluate, and where possible, introduce appropriate revenue-generating activities into future community-level and regional-level parks and recreation centers, consistent with park dedication regulations.

Policy 18.4: Develop long-term agreements with the School District and, as appropriate, other agencies that will maximize joint-use and multiple-use of facilities, eliminate program uncertainty, and reduce overall operations and maintenance costs.

Policy 18.5: Conserve the City's Quimby Act authority by utilizing, wherever practicable, the City's broad powers to enact and enforce its General Plan, Specific Plan(s), ~~Redevelopment Plan(s)~~, subdivision ordinance and Zoning Ordinance to secure public and private recreation sites, open space, trails, and other related land use objectives of community planning significance.

RELATED GOALS AND POLICIES

Goals and policies of the other General Plan Elements also relate to conservation, open space, and recreation issues. A major requirement of all general plans is internal consistency. Table COSR-1 shows each element; conservation, open space, and recreation issues; and goals and policies which relate to both.

Responsible Agency: Community Services

Funding Source: City General Fund ~~/Redevelopment~~/Private Funding/State and Federal Funding

Time Frame: Ongoing

Related C/OS/Recreation Element Policies: 4.8, 7.2, 8.11, 8.12, 8.14, 14.1, 14.2, 14.4, 14.5, 14.9, 14.11-14.13, 14.4, 14.7, 14.8, 14.12, 16.2, 16.4, 17.4, 18.6

38. Joint-Use Agreements with Schools: Through joint-use agreements, enhance the use of school facilities by: a) exploring with the Tustin Unified School District, the provision of programs in areas lacking recreation facilities by using schools or private facilities; b) maintaining contact with and input from the School District during the design of any new public facilities; and c) develop a program for joint use of School District properties and surplus school sites.

Responsible Agency: Community Services

Funding Source: City General Fund/Tustin Unified School District

Time Frame: Ongoing

Related C/OS/Recreation Element Policies: 14.5, 14.6-14.8, 16.6, 16.10, 18.4, 18.7

39. Joint-Use Agreements with Orange County Flood Control: Explore the feasibility of utilizing County Flood Control facilities for recreational trails.

Responsible Agency: Community Services/Public Works

Funding Source: City General Fund/OCFC

Time Frame: Ongoing

Related C/OS/Recreation Element Policies: 7.1, 7.5, 14.3, 17.5

Responsible Agency: Community Development/Community Services/ Public Works

Funding Source: City General Fund/Private Funding/State and Federal Funding

Time Frame: Ongoing

Related C/OS/Recreation Element Policies: 7.6, 8.9, 8.11, 8.14, 14.4, 14.13, 16.2, 17.5, 18.6

43. Accessibility Plan: Design new and renovate existing parks for convenient and accessible use and provide that all recreation programs, services and facilities are accessible to the disabled in accordance with the Americans with Disabilities Act.

Responsible Agency: Community Services

Funding Source: City General Fund ~~_/Redevelopment/~~Private Funding/State and Federal Funding

Time Frame: Ongoing

Related C/OS/Recreation Element Policies: 14.1, 14.2, 16.4

44. Recreational Needs Awareness: Inform the public of recreational facilities and opportunities, and receive public input on such services by: a) providing program and service information through Tustin Today and handouts at City Hall and program sites; b) developing a community education program to provide citizens with information on various programs; c) receiving input from citizens on the design and development of parks and recreation facilities through questionnaires, community meetings, and Park and Recreation Commission meetings; d) staging community events through the use of input from citizens' task forces, committees and other groups; e) evaluating programs on a quarterly basis to ensure that community needs are being met; and f) reviewing and implementing successful programs from other communities.

NOISE ELEMENT IMPLEMENTATION PROGRAM

The City's Noise Element provides information that is important for maintaining environmental noise levels that are compatible with existing and planned land uses. The Element addresses three primary areas: noise from transportation services, such as aircraft, freeways and major roadways; integration of information about the existing and forecasted noise environment into land use planning decisions; and noise from non-transportation sources such as commercial, industrial, and construction activities.

The City Council, by incorporating the Implementation Program into the General Plan, recognizes the importance of long-range planning considerations in day-to-day decision-making, subject to funding constraints.

TRANSPORTATION NOISE CONTROL

1. Roadway Improvement Projects: The principal method of protecting sensitive land uses from traffic noise is the construction of noise barriers in concert with road improvement projects. The City will request, where necessary to mitigate identified adverse significant noise impacts, the inclusion of soundwalls, earthen berms, or other acoustical barriers as part of any Caltrans or OCTA roadway project.

Responsible Agency/Department: Community Development, Public Works/Engineering Division

Funding Source: Various Proposition 111, Measure M, Santa Ana/Tustin TSIA, ~~Redevelopment Agency~~

Time Frame: Ongoing

Related Noise Element Policies: 1.1, 1.2, 1.9, 1.12

2. Rail Line Noise Control: The principal methods of protecting sensitive land uses from rail vehicle noise are the construction of noise barriers, reduction of vehicle speed, the use of well-maintained welded track, rubberized crossings and whistle blowing procedures. The City will seek assistance from the Public Utilities Commission, Southern California Regional Rail Authority, OCTA, and Amtrak in

achieving these methods of noise protection for residential and other sensitive uses.

Responsible Agency/Department: Community Development, Public Works/Engineering

Funding Source: Public Utilities Commission, Southern California Regional Rail Authority, OCTA, Amtrak, ~~Redevelopment Agency~~

Time Frame: Ongoing

Related Noise Element Policies: 1.7, 1.8

3. Vehicle Noise Control: To minimize or reduce noise impacts on residential and other sensitive land uses, the City will: 1) enforce and periodically evaluate truck and bus movements and routes to reduce impacts on sensitive areas; and 2) promote coordination between City Police and the California Highway Patrol to enforce the State Motor Vehicle noise standards.

Responsible Agency/Department: Community Development, Public Works/Engineering, Police Dept., CHP

Funding Source: City General Fund

Time Frame: Ongoing

Related Noise Element Policies: 1.1, 1.2, 1.9-1.12

4. Aviation Noise: Work to reduce noise impacts resulting from aircraft operations at John Wayne Airport by: (a) participating and monitoring the planning process for John Wayne Airport; (b) continuing to discourage general and commercial aviation activities which increase noise exposure to sensitive land uses.

Responsible Agency/Department: Community Development

Funding Source: City General Fund

Time Frame: Ongoing

Related Noise Element Policies: 1.3-1.6

Bicycle Path (Class I facility) - A paved route not on a street or roadway and expressly reserved for bicycles traversing an otherwise unpaved area. Bicycle paths may parallel roads but typically are separated from them by landscaping.

Bicycle Route (Class III facility) - A facility shared with motorists and identified only by signs, a bicycle route has no pavement markings or lane stripes.

Bikeways - A term that encompasses bicycle lanes, bicycle paths, and bicycle routes.

Blight - A condition of a site, structure, or area that may cause nearby buildings and/or areas to decline in attractiveness and/or utility. The Community Redevelopment Law (Health and Safety Code, Sections 33031 and 33032) contains a definition of blight used to determine eligibility of proposed redevelopment project areas (eliminated 2011).

Buffer - A strip of land designated to protect one type of land use from another with which it is incompatible. Where a commercial district abuts a residential district, for example, additional use, yard, or height restrictions may be imposed to protect residential properties. The term may also be used to describe any zone that separates two unlike zones such as a multi-family housing zone between single family housing and commercial uses.

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

California Environmental Quality Act (CEQA) - A State law requiring State and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project. General Plans require the preparation of a "program EIR."

California Housing Finance Agency

(CHFA) - A State agency, established by the Housing and Home Finance Act of 1975, which is authorized to sell revenue bonds and generate funds for the development, rehabilitation, and conservation of low-and moderate-income housing.

Caltrans - California Department of Transportation.

~~**Community Redevelopment Agency (CRA)** - A local agency created under California Redevelopment Law, or a local legislative body which has elected to exercise the powers granted to such an agency, for the purpose of planning, developing, re-planning, redesigning, clearing, reconstructing, and/or rehabilitating all or part of a specified area with residential, commercial, industrial, and/or public (including recreational) structures and facilities. The redevelopment agency's plans must be compatible with adopted community general plans.~~

Compatibility - The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. The designation of permitted and conditionally permitted uses in zoning districts are intended to achieve compatibility within the district. Some elements affecting compatibility include: intensity of occupancy as measured by dwelling units per acre; pedestrian or vehicular traffic generated; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, or the presence of hazardous materials. On the other hand, many aspects of compatibility are based on personal preference and are much harder to measure quantitatively, at least for regulatory purposes.

Condominium - A building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Congestion Management Plan (CMP) - A mechanism employing growth management techniques, including traffic level of service requirements, development mitigation programs, transportation systems management, and capital improvement programming, for the purpose of controlling and/or reducing the cumulative regional traffic impacts of development. AB 1791, effective August 1, 1990, requires all cities, and counties that include urbanized areas, to adopt and annually update a Congestion Management Plan.

Congregate Care Housing - Generally defined as age-segregated housing built specifically for the elderly which provides services to its residents, the minimum of which is usually an on-site meal program, but which may also include housekeeping, social activities, counseling, and transportation. There is generally a minimum health requirement for acceptance into a congregate facility as most do not offer supportive health care services, thus differing from a nursing home. Residents usually have their own bedrooms and share common areas such as living rooms, dining rooms, and kitchens; bathrooms may or may not be shared.

Conservation - The management of natural resources to prevent waste, destruction or neglect.

Cooperative - A group of dwellings or an apartment building that is jointly owned by the residents, the common ownership including the open space and all other parts of the property. The purchase of stock entitles the buyer to sole occupancy, but not the individual ownership of a specified unit.

Council of Governments (COG) - A regional planning and review authority whose membership includes representation from all communities in the designated region. The Southern California Association of Governments (SCAG) and the San Bernardino Association of Governments (SANBAG) are examples of COGs in Southern California.

Coverage - The proportion of the area of the footprint of a building to the area of the lot on which it stands.

~~CRA - Community Redevelopment Agency.~~

Critical Facility - Facilities housing or serving many people which are necessary in the event of an earthquake or flood, such as hospitals, fire, police, and emergency service facilities, utility "lifeline" facilities, such as water, electricity, and gas supply, sewage disposal, and communications and transportation facilities.

Cumulative Impact - As used in CEQA, the total impact resulting from the accumulated impacts of individual projects or programs over time.

Day-Night Average Level (Ldn) - The average equivalent sound level during a 24-hour day, obtained after addition of 10 decibels to sound levels in the night after 10 p.m. and before 7 a.m. See also "Community Noise Equivalent Level."

Decibel (dB) - A unit for describing the amplitude of sound, as it is heard by the human ear. See also "A-Weighted Decibel," "Community Noise Equivalent Level," and "Day-Night Average Level."

Dedication - The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, or other public uses often are made conditions for approval of a development by a city.

Density - The number of families, individuals, dwelling units or housing structures per unit of land; usually density is expressed "per acre." Thus, the density of a development of 100 units occupying 20 acres is 5.0 units per acre.

Recreation, Passive - Type of recreation or activity which does not require the use of organized play areas.

~~**Redevelopment**—Redevelopment, under the California Community Redevelopment Law, is a process with the authority, scope, and financing mechanisms necessary to provide stimulus to reverse current negative business trends, remedy blight, provide job development incentives, and create a new image for a community. It provides for the planning, development, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, and the provision of public and private improvements as may be appropriate or necessary in the interest of the general welfare. In a more general sense, redevelopment is a process in which existing development and use of land is replaced with newer development and/or use.~~

Regional - Pertaining to activities or economies at a scale greater than that of a single jurisdiction, and affecting a broad homogeneous area.

Regulation - A rule or order prescribed for managing government.

Rehabilitation - The upgrading of a building previously in a dilapidated or substandard condition, for human habitation or use.

Restoration - The replication or reconstruction of a building's original architectural features, usually describing the technique of preserving historic buildings.

Retrofit - To add materials and/or devices to an existing building or system to improve its operation, safety, or efficiency. Buildings have been retrofitted to use solar energy and to strengthen their ability to withstand earthquakes, for example.

Rezoning - An amendment to the map and/or text of a zoning ordinance to effect a change in the nature, density, or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

Right-of-Way - A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer, or other similar uses.

Risk - The danger or degree of hazard or potential loss.

Sanitary Landfill - The controlled placement of refuse within a limited area, followed by compaction and covering with a suitable thickness of earth and other containment material.

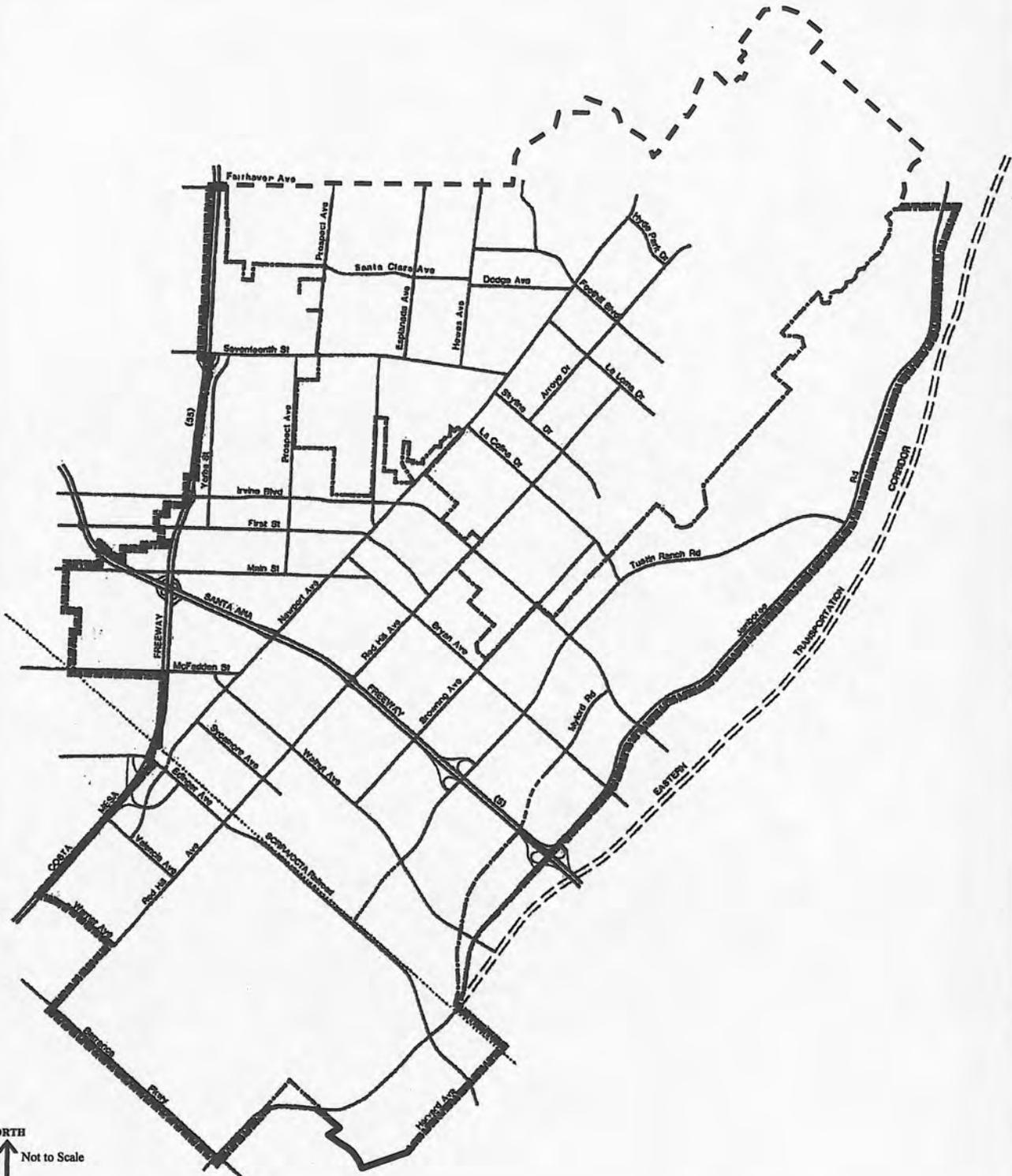
ATTACHMENT 4

Sphere of Influence and First Street Specific Plan Map/Boundary Amendments

INTRODUCTION TO THE GENERAL PLAN

The City of Tustin is located in central Orange County and encompasses an area of 11.08 square miles. The City is bounded on the south by the cities of Irvine and Santa Ana, on the north by the unincorporated portions of the County of Orange and the City of Orange, and on the east by unincorporated County territory and the City of Irvine. Within the context of the larger Southern California region, Tustin is located approximately two miles north of Orange County's John Wayne Airport and is transected by two major regional freeways: the I-5 (Santa Ana) Freeway, divides the City into north and south; and the SR-55 (Costa Mesa) Freeway, divides westerly portions of the City. The City continues to be a discernible entity, characterized physically by its strategic crossroads location, the former Marine Corps Air Station, Tustin, (closed in July 1999), hillside areas which offer sweeping panoramic views of the Pacific Coast and Saddleback Mountains, prime commercial, industrial, and residential development, and one of the oldest historical "old towns" in Orange County. These significant natural and man-made characteristics provide a commonly acknowledged basis for a "sense of place". Together, they act as a foundation for Tustin's Future...a functional desirable and attractive community to live, work or visit.



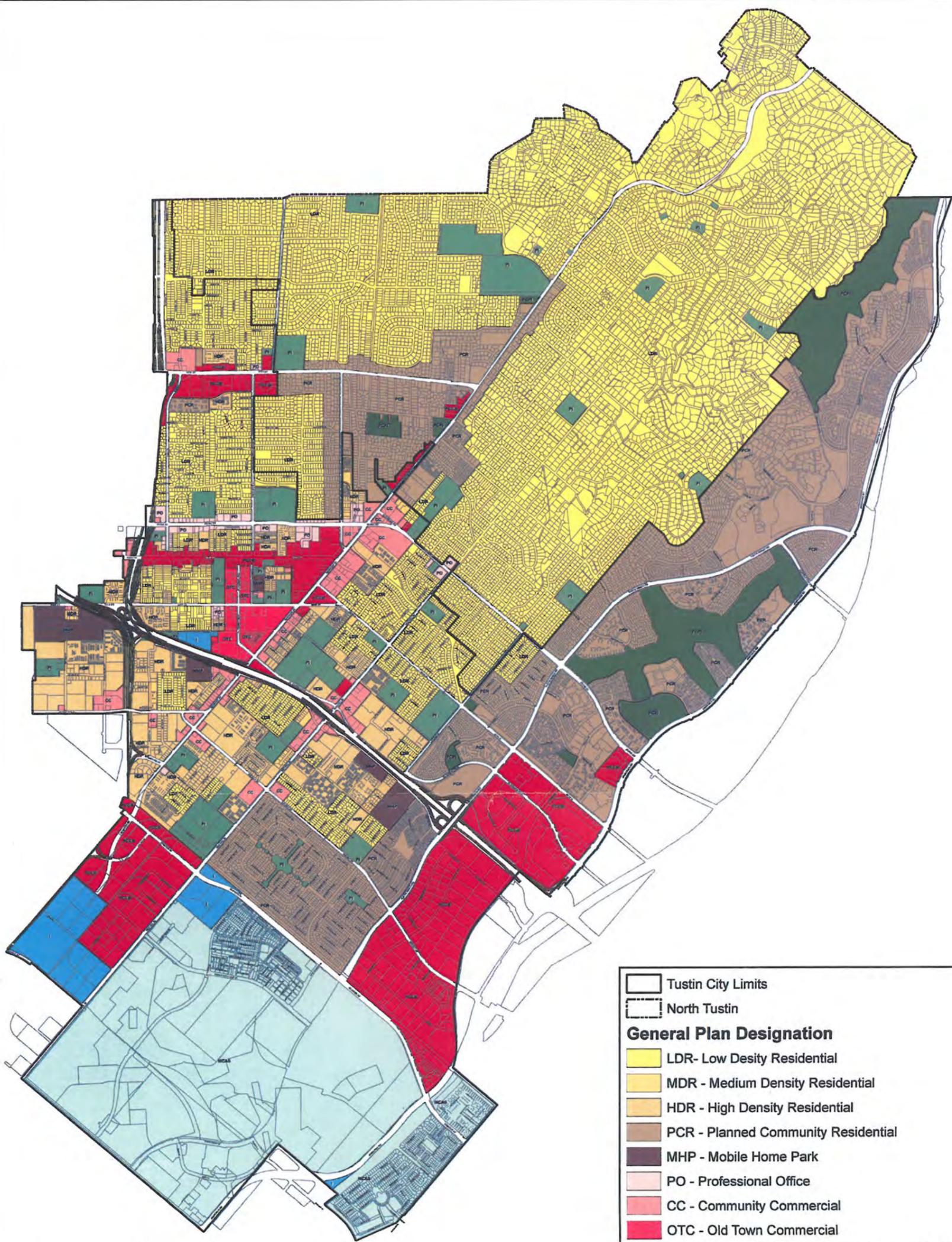


NORTH
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 Not to Scale

- City of Tustin
- Sphere of Influence/Planning Area

TUSTIN GENERAL PLAN

Figure I-1
 Tustin Planning Area



0 0.25 0.5 1 Miles

- Tustin City Limits
- North Tustin
- General Plan Designation**
- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- PCR - Planned Community Residential
- MHP - Mobile Home Park
- PO - Professional Office
- CC - Community Commercial
- OTC - Old Town Commercial
- PCCB - Planned Community Commercial/Business
- I - Industrial
- PI - Public/Institutional
- PCPI Planned Community Public/Institutional
- MCAS - MCAS Tustin Specific Plan

TUSTIN

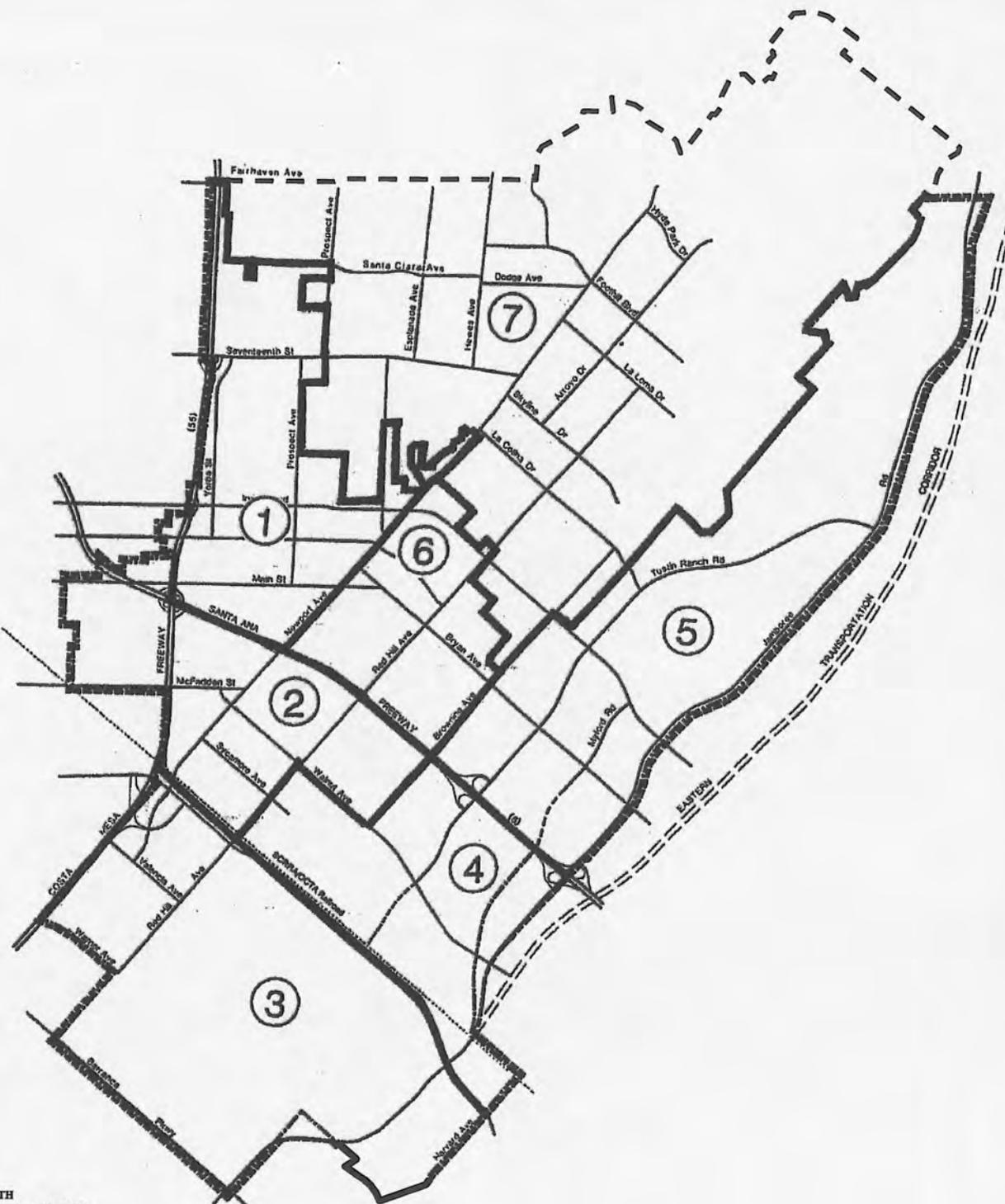


BUILDING OUR FUTURE
HONORING OUR PAST

Date: 07/16/2012

General Plan Map

City of Tustin



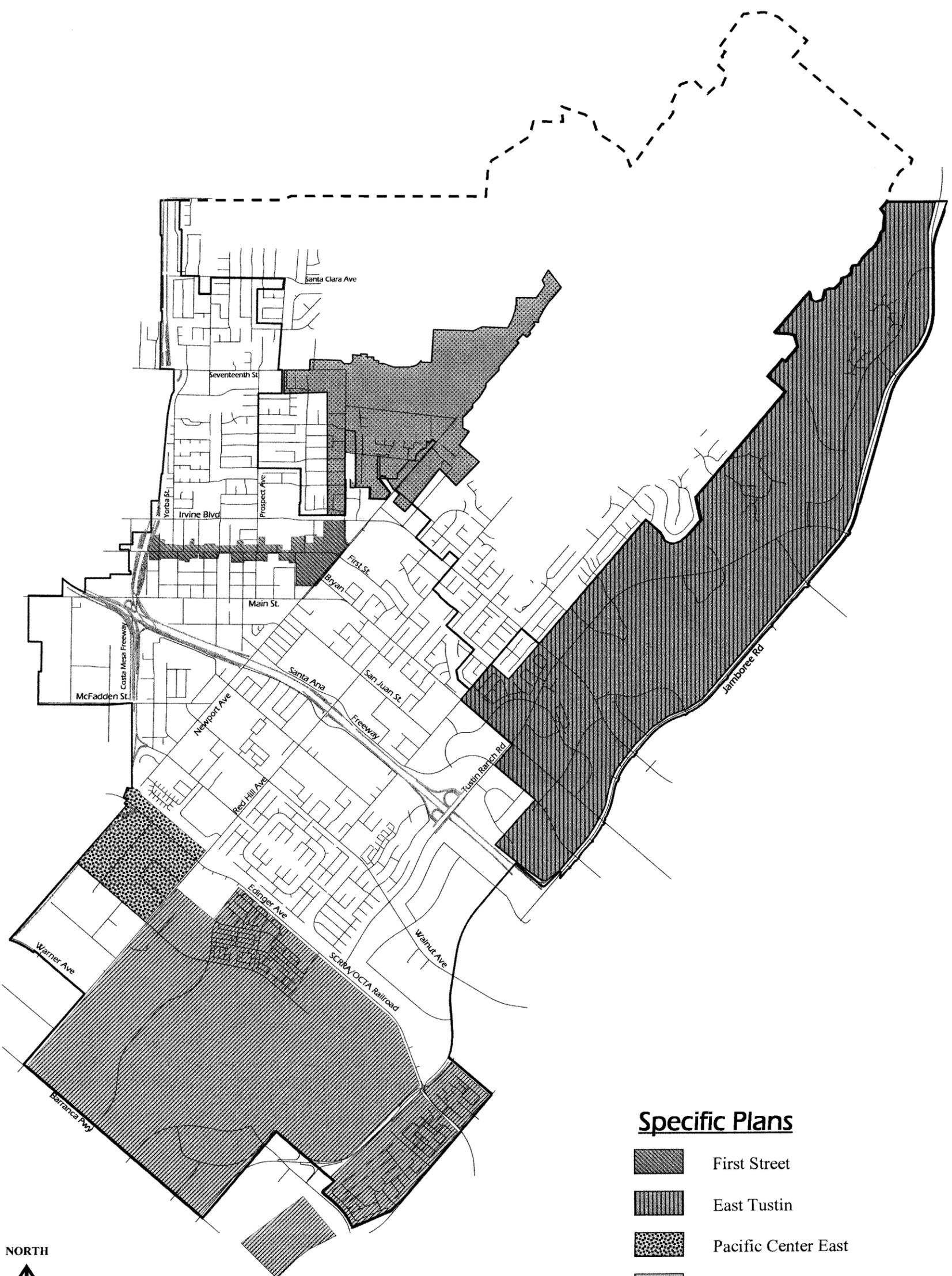
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City of Tustin
 Sphere of Influence/Planning Area

Source: City of Tustin

TUSTIN GENERAL PLAN

Figure LU-3
 Planning Subareas



Specific Plans

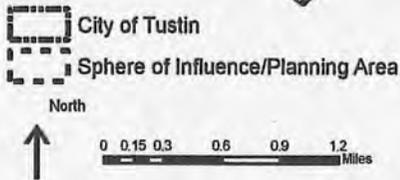
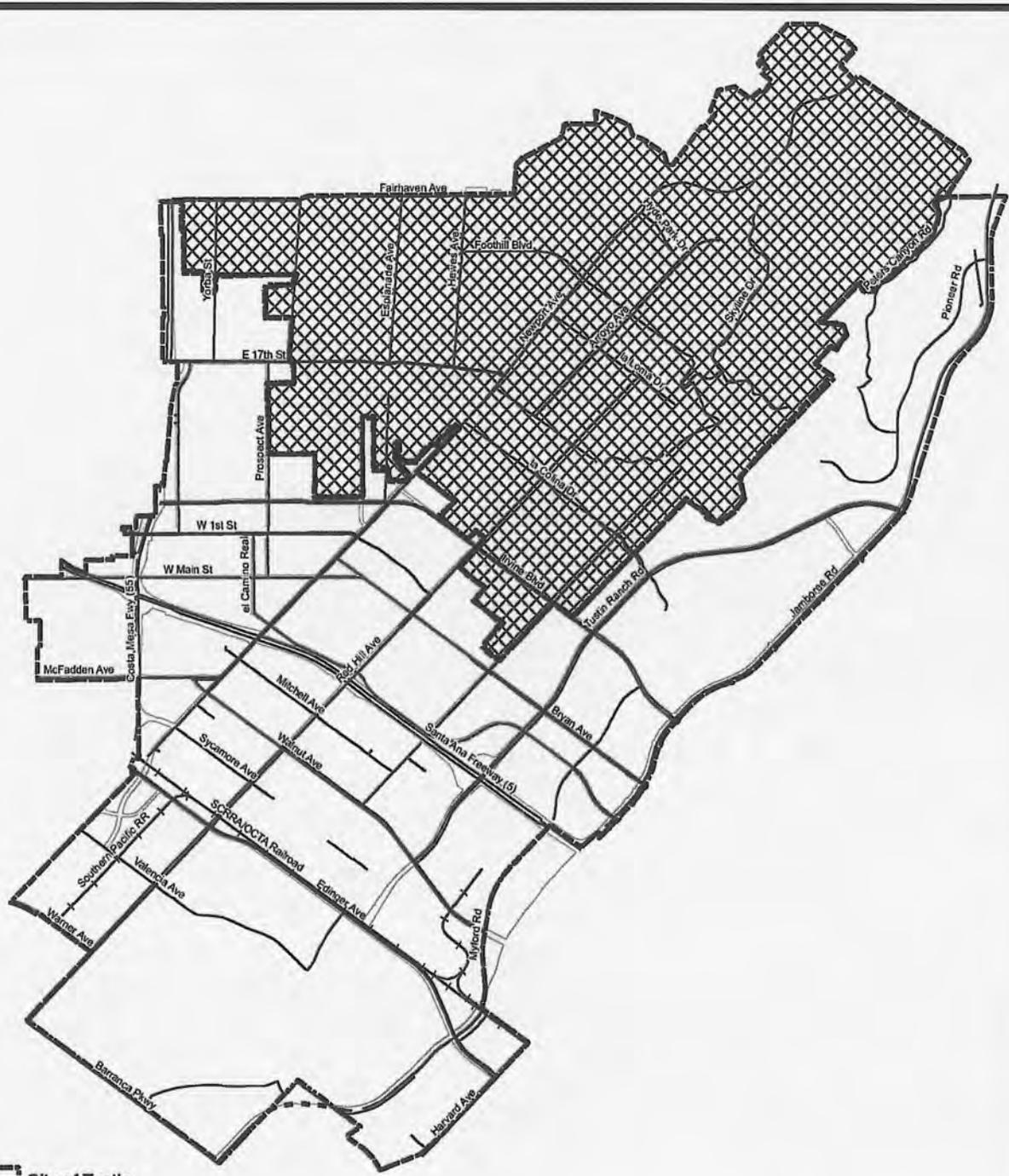
-  First Street
-  East Tustin
-  Pacific Center East
-  North Tustin
-  MCAS Tustin

NORTH
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 City of Tustin
 Sphere of Influence/Planning Area

TUSTIN GENERAL PLAN

Figure LU-4
 Special Management Areas
 Specific Plans



SOURCE: City of Tustin- An Update on Redevelopment

TUSTIN GENERAL PLAN

Figure LU-5
Special Management Areas
Redevelopment Project Areas/
North Tustin/Other Areas

the personality of the city and the level of pride its citizens take in the community. A specific discussion of the City's present image is included in a separate Urban Design Technical Memorandum.

Old Town Tustin Street Character

2012



West along Main Street from El Camino Real

1914

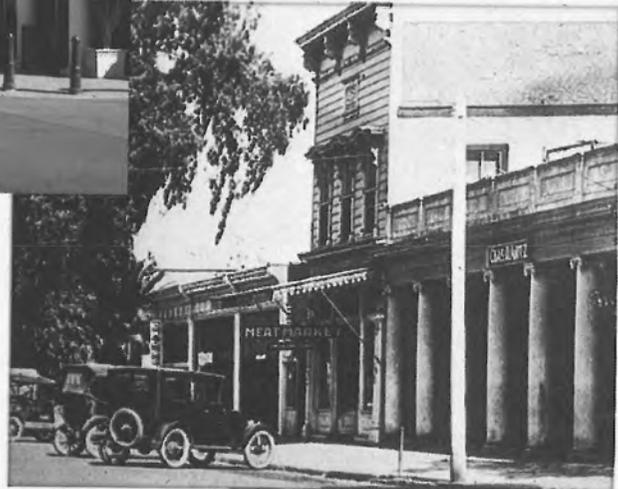


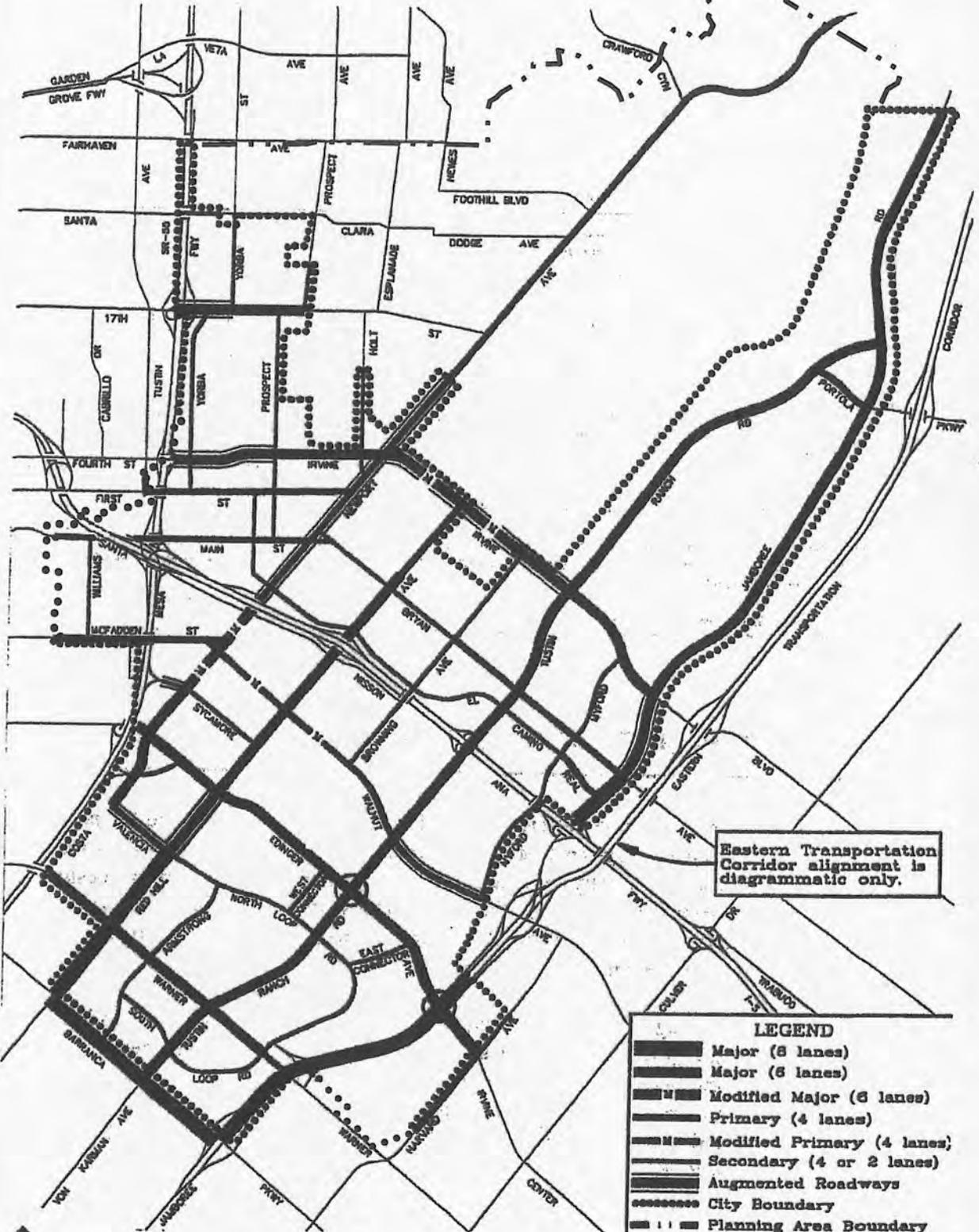
2012



East along Main Street from "C" Street

1920's





Eastern Transportation Corridor alignment is diagrammatic only.

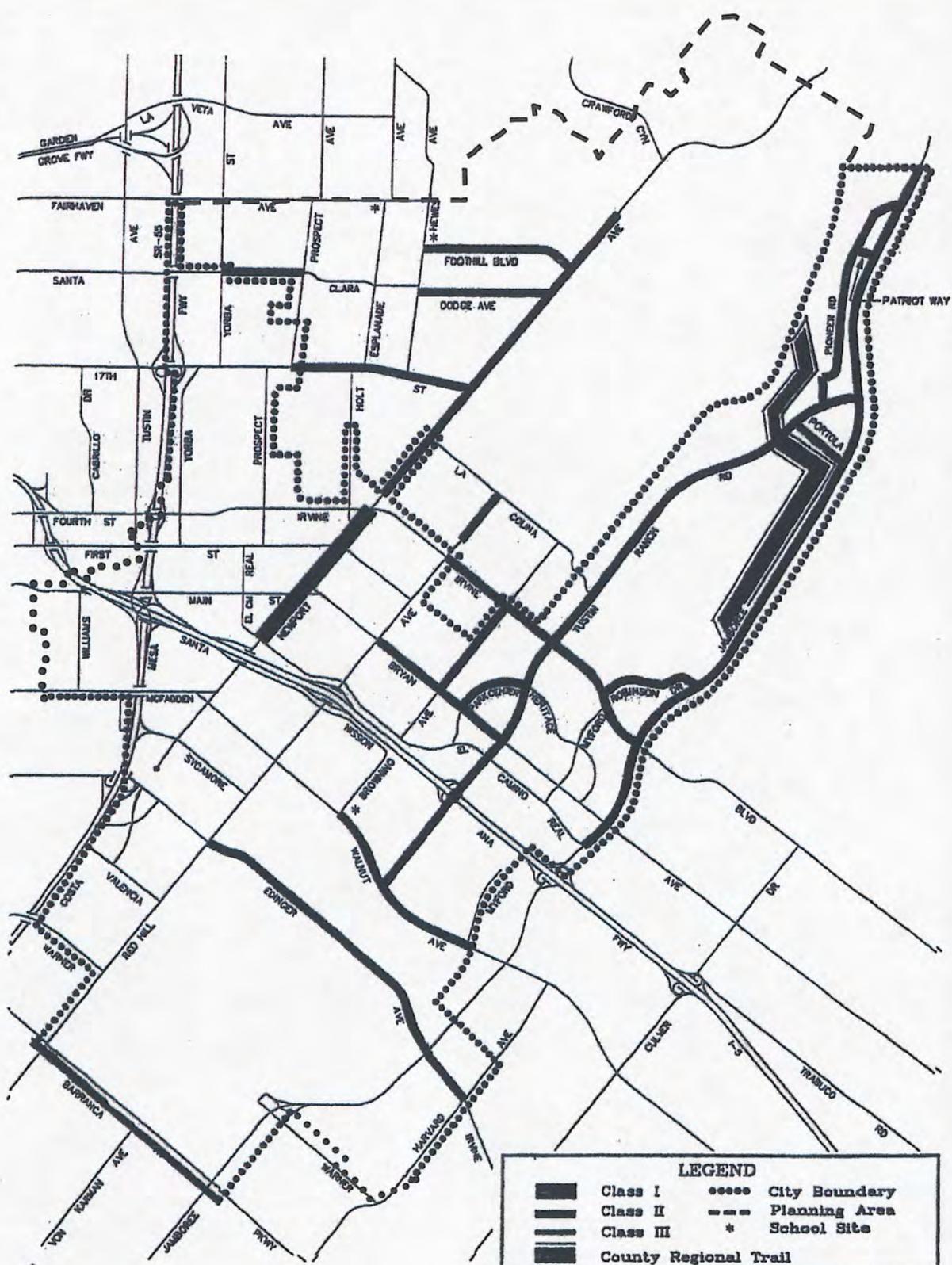
- LEGEND**
- Major (8 lanes)
 - Major (6 lanes)
 - Modified Major (6 lanes)
 - Primary (4 lanes)
 - Modified Primary (4 lanes)
 - Secondary (4 or 2 lanes)
 - Augmented Roadways
 - City Boundary
 - Planning Area Boundary

NORTH not to scale

SOURCE: Austin-Foust Associates, Inc.

TUSTIN GENERAL PLAN

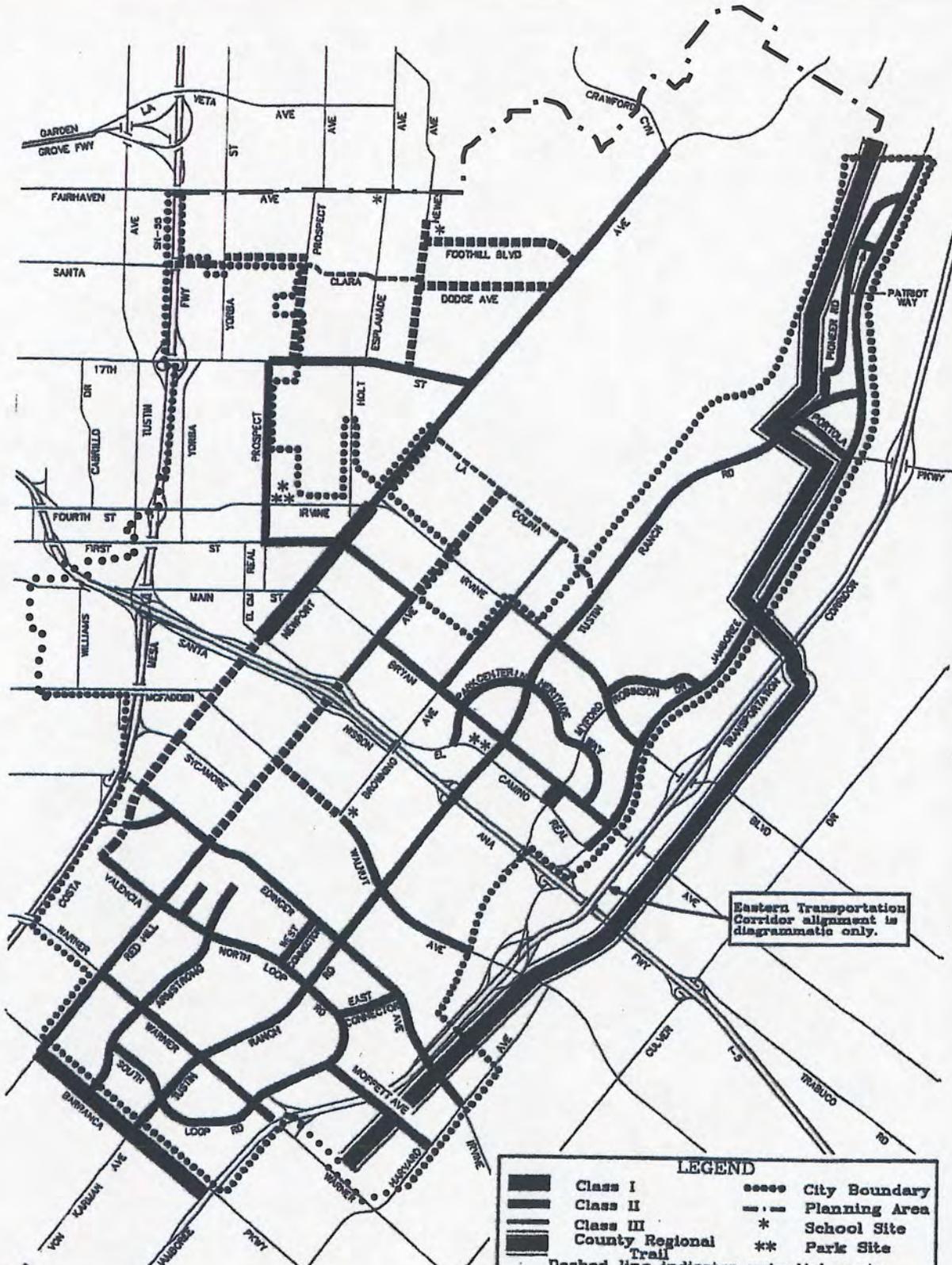
Figure C-2
Arterial Highway Plan



↑ NORTH not to scale
 SOURCE: Austin-Foust Associates, Inc.

TUSTIN GENERAL PLAN

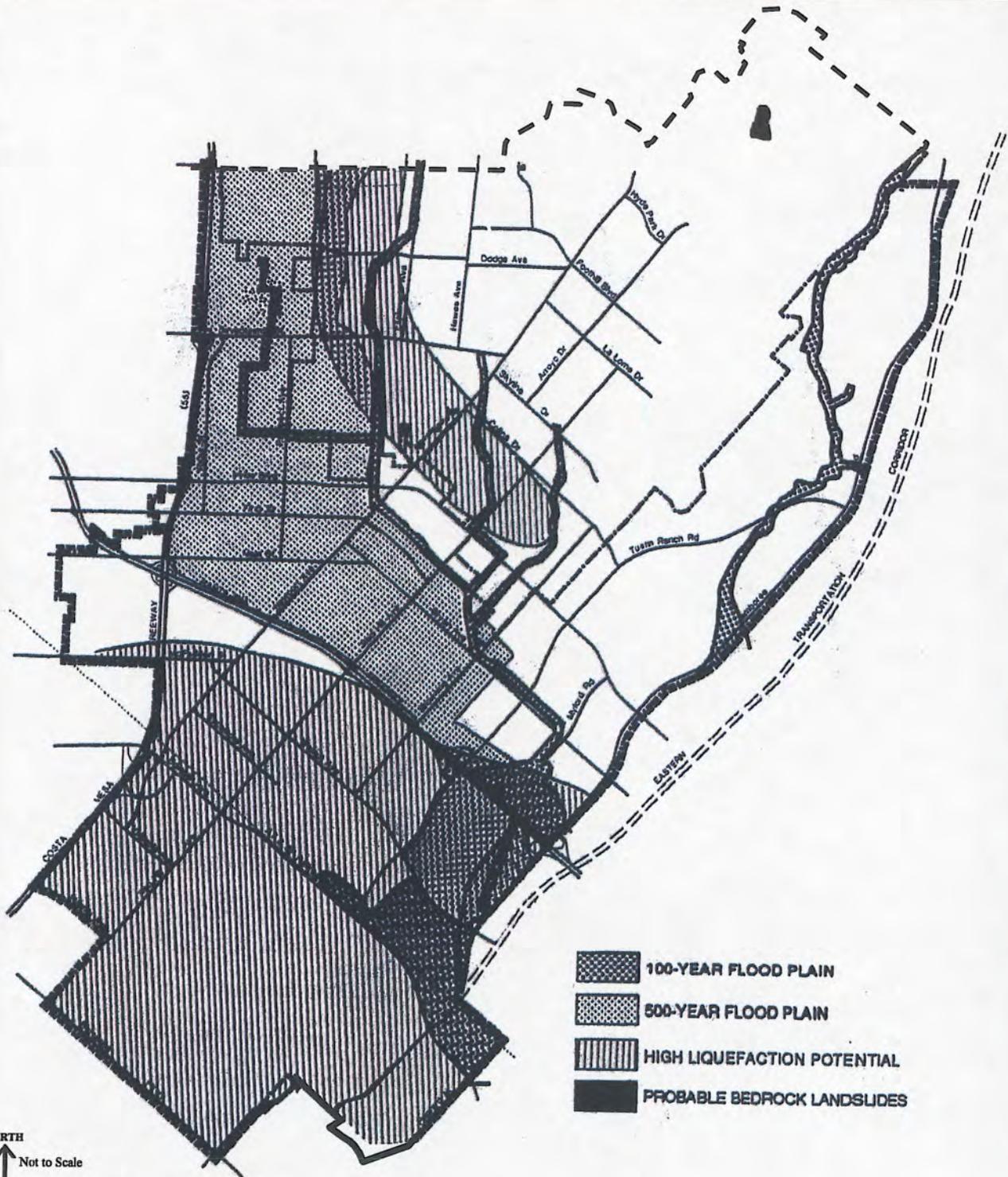
Figure C-4
 Existing Bikeways



NORTH not to scale
 SOURCE: Austin-Foust Associates, Inc.

TUSTIN GENERAL PLAN

Figure C-5
Master Bikeway Plan



-  100-YEAR FLOOD PLAIN
-  500-YEAR FLOOD PLAIN
-  HIGH LIQUEFACTION POTENTIAL
-  PROBABLE BEDROCK LANDSLIDES

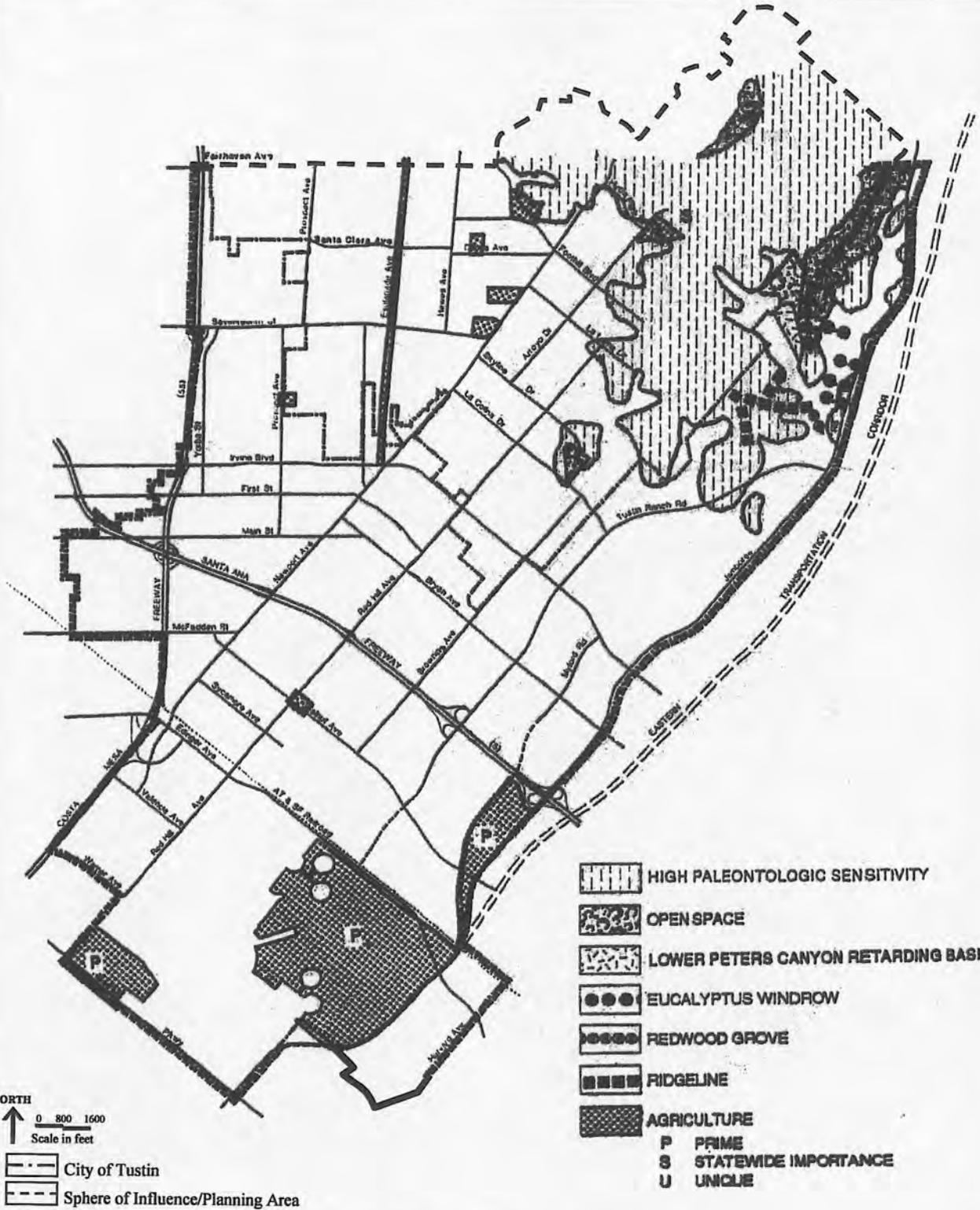
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 City of Tustin
 Sphere of Influence/Planning Area

SOURCE: Federal Emergency Management Agency Flood Insurance Rate Map and MCAS Master Plan

TUSTIN GENERAL PLAN

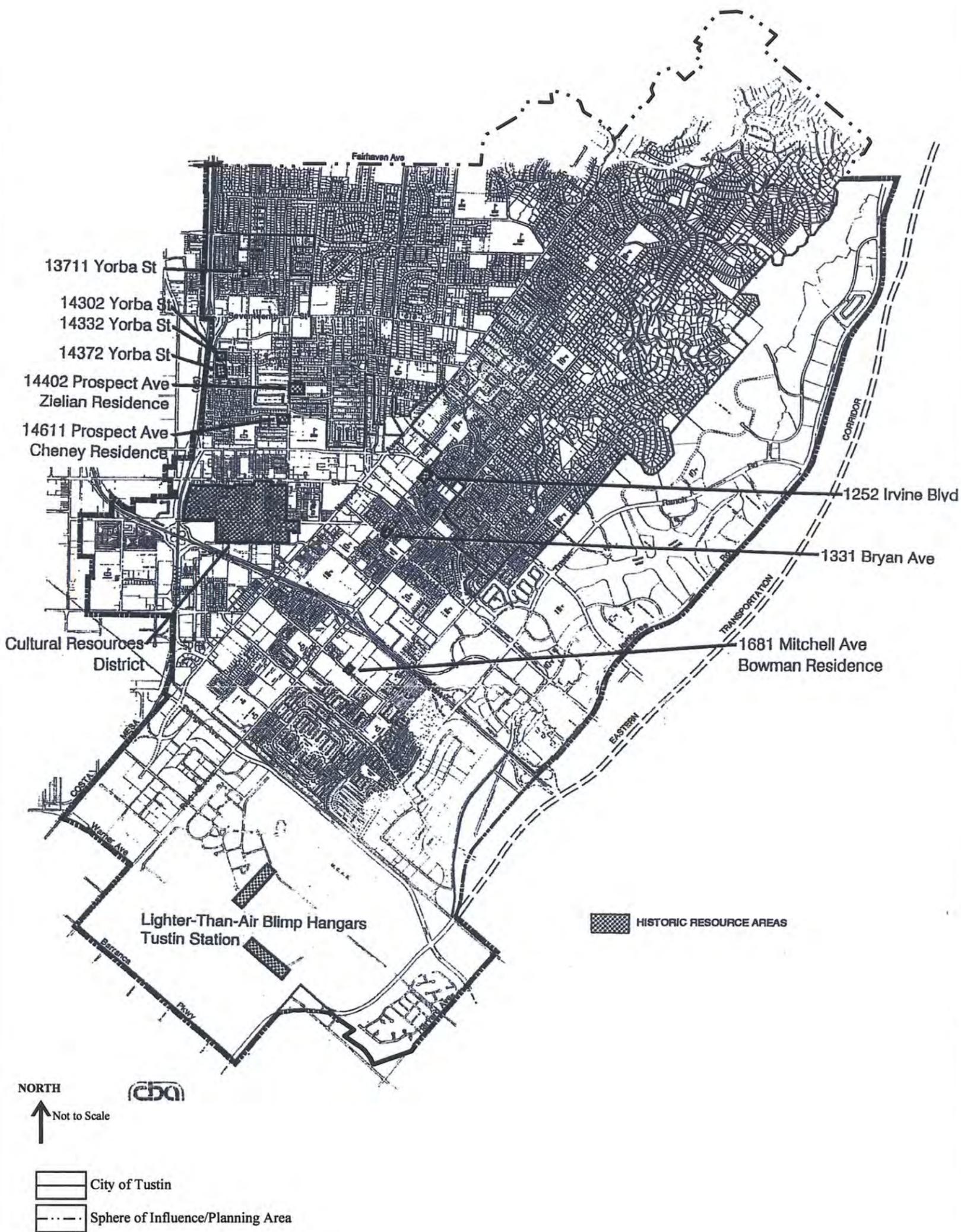
Figure COSR-1
 Hazard Planning Areas



SOURCE: Natural Resource Conservation Services (1999); California Department of Conservation Farmland Mapping and Monitoring Program (1990), City of Tustin, Arial Photographs, John Minch & Associates, January (1991), Tierra Madre Consultants (1994)

TUSTIN GENERAL PLAN

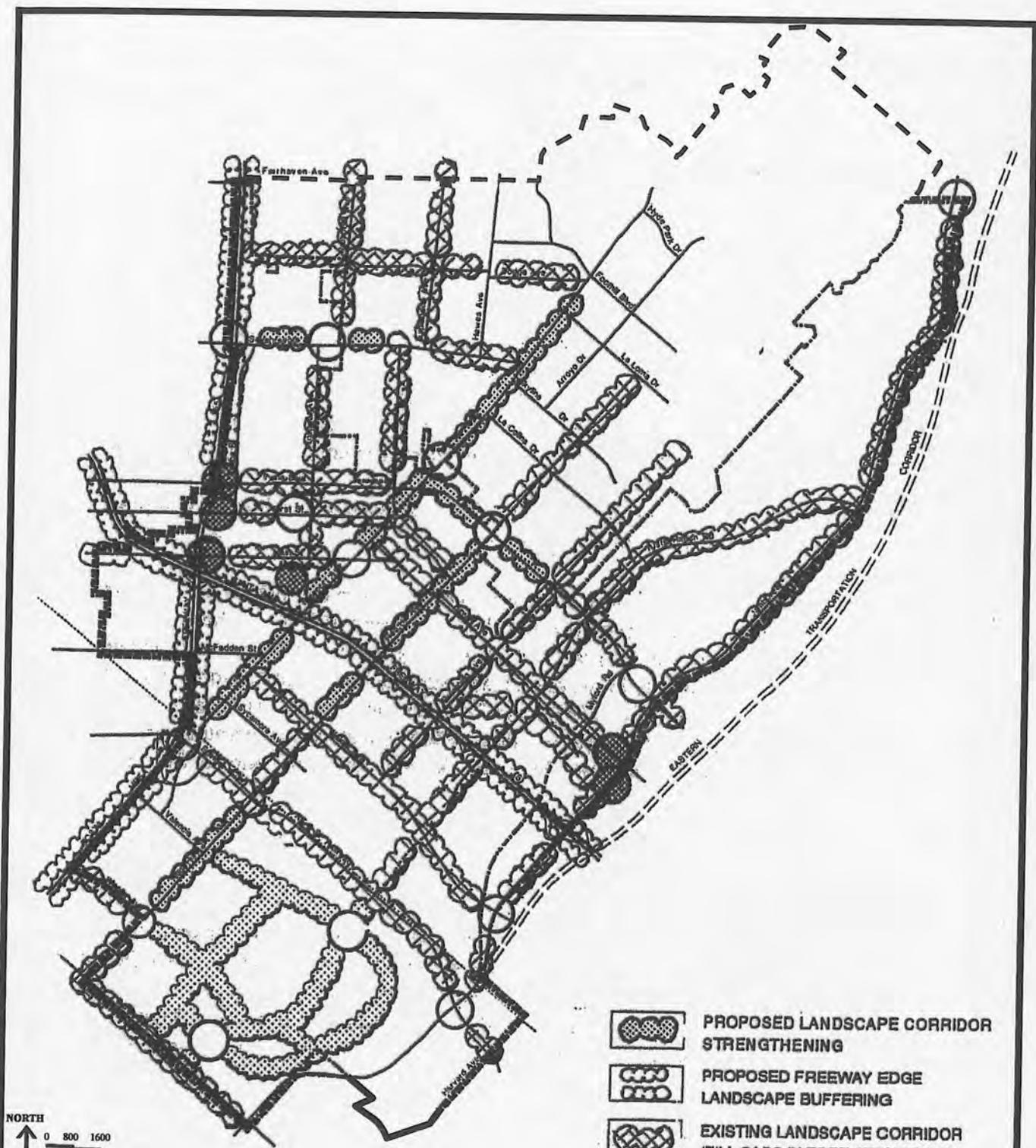
Figure COSR-2
Important Natural Resources



SOURCE: City of Tustin;
 MCAS Tustin Specific Plan (1995)

TUSTIN GENERAL PLAN

Figure COSR-3
 Historic Resources



-  PROPOSED LANDSCAPE CORRIDOR STRENGTHENING
-  PROPOSED FREEWAY EDGE LANDSCAPE BUFFERING
-  EXISTING LANDSCAPE CORRIDOR (FILL GAPS IN TREE STRUCTURE)
-  NEW LANDSCAPED CITY GATEWAY ENTRANCE
-  EXISTING CITY GATEWAY (PROPOSED LANDSCAPE STRENGTHENING)

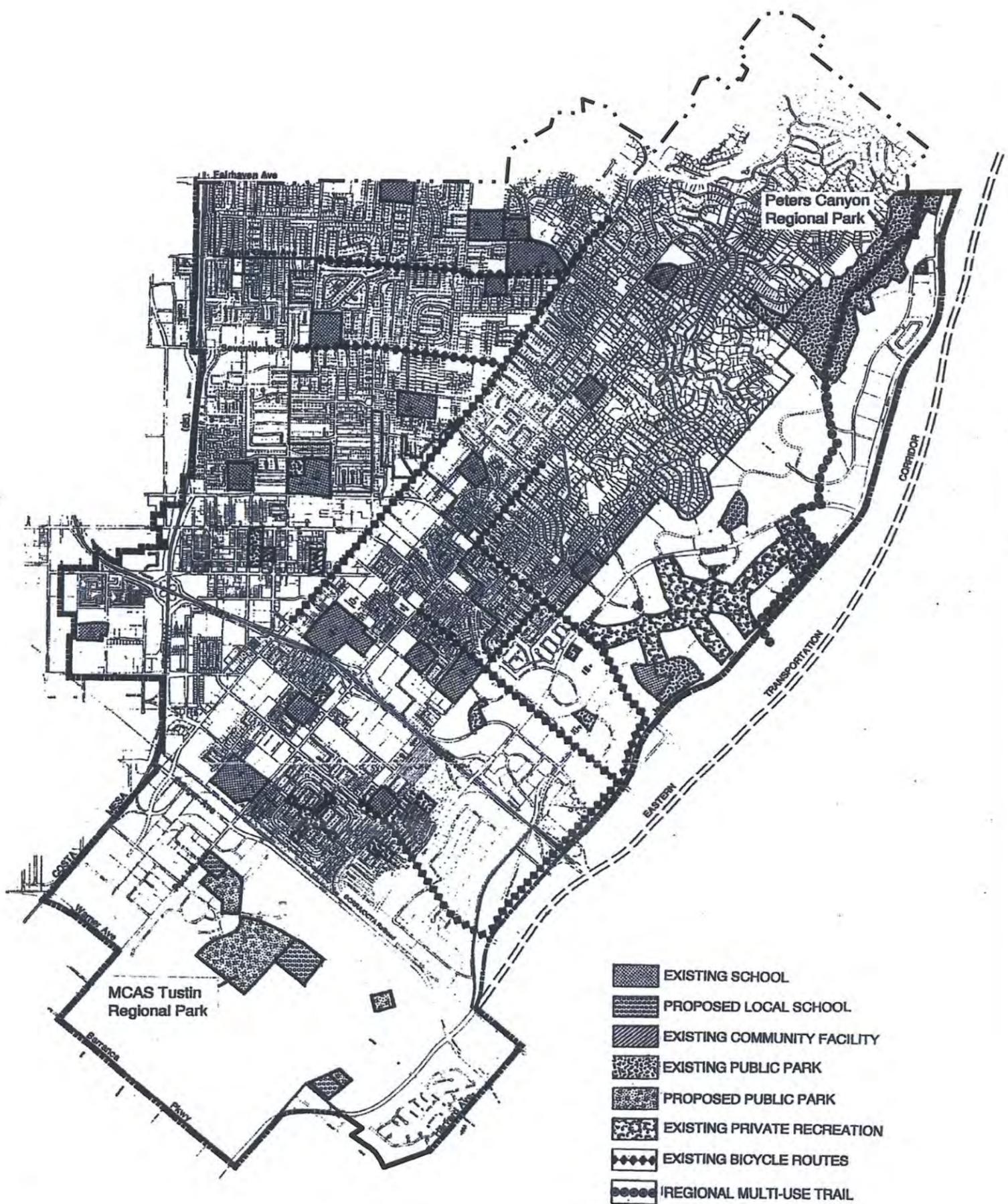
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 Scale in feet

City of Tustin
 Sphere of Influence/Planning Area

SOURCE: Urban Design Technical Memorandum,
 Gast and Hillmer
 MCAS Tustin Specific Plan (1995)

TUSTIN GENERAL PLAN

Figure COSR-4
 Scenic Resources



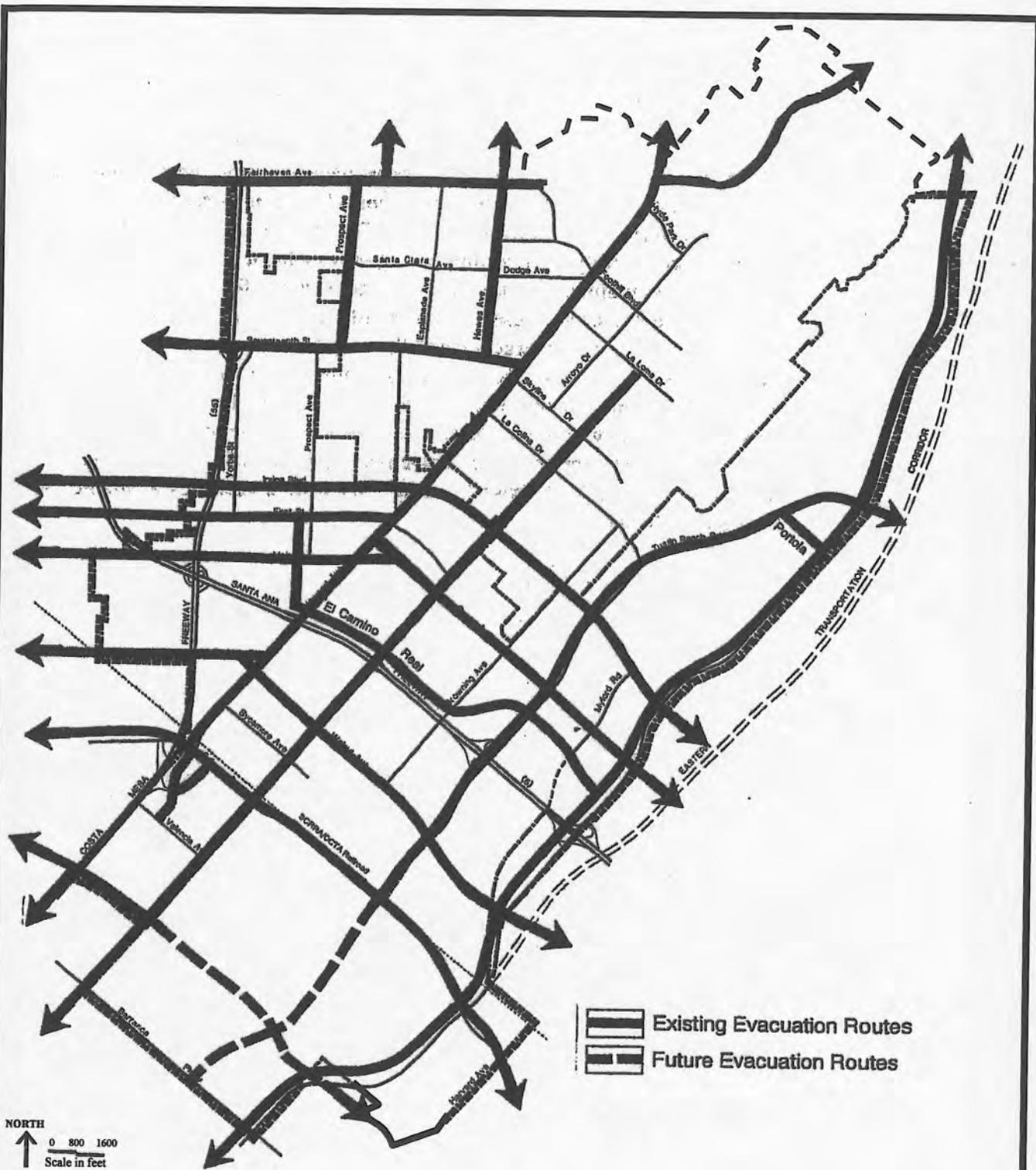
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City of Tustin
 Sphere of Influence/Planning Area

SOURCE: City of Tustin, Recreational Resources
 in the Tustin Area (1990)
 MCAS Tustin Specific Plan (1995)

TUSTIN GENERAL PLAN

Figure COSR-5
 Recreation Plan



SOURCE: City of Tustin Police Department

TUSTIN GENERAL PLAN

Figure PS-1
Evacuation Routes

Attachment 3

Proposed Specific Plan Amendment 2012-001 (Red-Lined/Corrections to First Street Specific Plan)

City Council

John Nielsen, Mayor
Al Murray, Mayor Pro Tem
Jerry Amante, Councilmember
Deborah Gavello, Councilmember
Rebecca "Beckie" Gomez, Councilmember

Planning Commission

Steve Kozak, Chairperson
Jeff Thompson, Chairperson Pro Tem
Wisam "Sam" Altowaiji, Commissioner
Ken Eckman, Commissioner
Fred Moore, Commissioner

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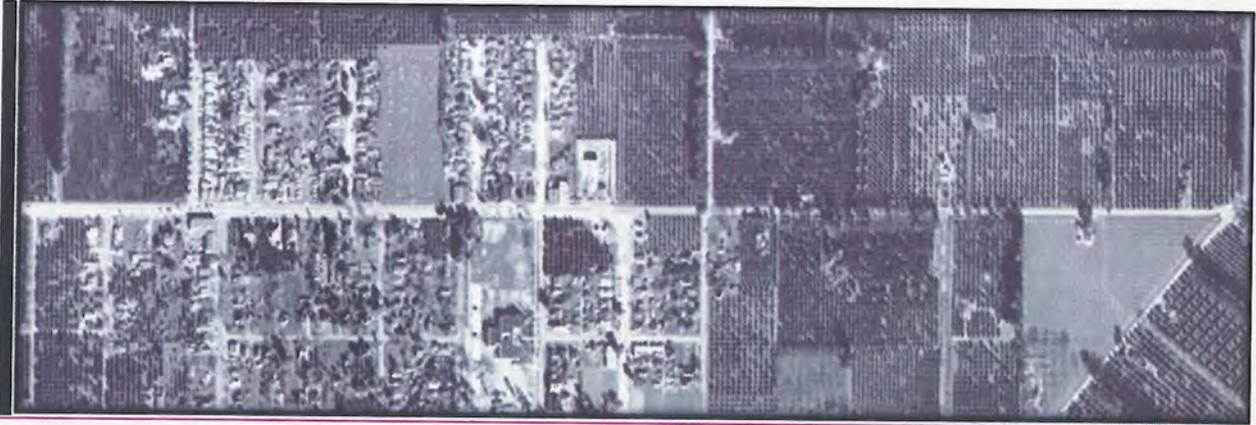
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INTRODUCTION

A. HISTORICAL PERSPECTIVE



First Street – Circa 1946

Tustin's agrarian past has significantly influenced the pattern of commercial development in the community. The earliest development in Tustin was focused within Old Town, the community's original commercial center. As Tustin developed, transportation and commercial corridors evolved along First Street with small residential and commercial buildings. The subdivision of properties along First Street created an irregularly shaped streetscape, with most parcels being relatively small in size. Over the years, small parcel sizes limited the size and intensity of development that could occur along First Street.

As freeway travel expanded and became easier, First Street patrons were willing to travel farther to find goods and services. And, newer and larger retail and service providers were established in Tustin Ranch and along nearby Newport Avenue, creating strong competition for First Street commercial businesses. Although First Street and the Newport (SR-55) Freeway intersect, freeway on- and off-ramps were not provided on First Street, but occurred a block north at Irvine Boulevard. Vehicle traffic found the most direct route to the freeway, resulting in some drivers bypassing First Street.

The less-traveled First Street corridor developed from its early status as the primary gateway to the City into a more fragmented pattern of land uses that continues to include a varied mix of historic residential and commercial properties. Land use changes have been infrequent along First Street, and the existing mixture of uses share a low-scale, low-intensity commercial character that is in need of revitalization. Residential uses (including single family, multi-family, and mobile homes), auto-oriented service uses, office, and small retail buildings currently line First Street. Only the First Street properties located nearest to Newport Avenue are generally larger and more uniform in use and purpose.



First Street – 2009

A. B. PLANNING AREA

The First Street Specific Plan regulates a Planning Area encompasses commercial corridor that extends approximately a mile along First Street from central Tustin at Newport Avenue to the Newport Freeway (SR-55), as depicted on Exhibit 1-1-2. This corridor varies in depth on either side of the street from as little as 0 feet where it abuts the First Street right-of-way, 80 feet in what remains of some old single family residential lots to almost a quarter of a mile along Newport Avenue where the Larwin Square and Courtyard commercial centers are located on sites of ~~have each accumulated sites of~~ several acres.

~~While-Although~~ the First Street Planning Area is relatively small (approximately 84y 65 acres), it is significant in that it continues to serve as ~~constitutes as an~~ major entry to the City from the west and provides access to the Old Town Tustin El Camino Real historic district and, via Centennial Way, to the Civic Center.

The First Street Planning Area is ~~further~~ divided into three sub-areas ~~and related planning units~~ as shown on Exhibits 21, 32 and 43. This geographic system is the basis for ~~delineating development regulations in Chapter III of this plan.~~

A. C. BACKGROUND

Over the years the First Street corridor has evolved into an mixed-use area of considerably varied development. The qQuality and condition of the existing built environment variesy from exemplary-contemporary-high quality projects to those that have not been well maintained-substandard-and-visibly-deteriorating, with many examples throughout the spectrum between these extremes.

The predominant uses existing within the First Street Specific Plan Planning Area are commercial retail, service, and office. Stimulated by a concern about the appropriate

mix of these predominant uses as private redevelopment projects were proposed, the City Council established a moratorium on the issuance of new building permits on June 3, 1985 and extended it in July to allow time to establish overall guidance for further development. The First Street Specific Plan (the "Plan") is the vehicle selected approved by the Tustin City Council to provide that guidance.

When adopted in 1985, the First Street Specific Plan was envisioned to be a 15-year plan. More than 25 years later, in 2011, the Tustin Planning Commission and City staff initiated an effort to update the Plan.

As described in more detail in Appendix E, an intensive series of consultant/staff workshops, public meetings and Planning Commission/City Council work sessions and public hearings led to formulation of the final original 1985 Specific Plan and its 2012 Amendment.

D.C. PURPOSE

In adopting the First Street Specific Plan in 1985, the Tustin City Council was stimulated by a concern to identify an appropriate mix of commercial and office uses for the area and address City Council concerns about an "erosion of commercial potential." The Plan was also intended to protect adjacent residential neighborhoods, establish consistent quality of development design standards but without a uniform architectural theme or style, and to provide for the development of office and retail uses in site-specific locations.

The goal of the 1985 First Street Specific Plan was to identify an appropriate mix of commercial and office uses for the area. Tustin City Council was concerned about an "erosion of commercial potential" along this gateway street. The Plan was also intended to protect adjacent residential neighborhoods and establish consistent development standards.

The purpose of the 2012 Plan is plan is to continue to guide and stimulate the use of properties along First Street to the maximum mutual advantage of affected property owners and the City of Tustin. This will be is accomplished by a comprehensive set of regulations, incentives and urban Design Guidelines, along with other related actions to encourage optimum development.

Upon adoption by ordinance of the City Council, the Plan constitutes the legally established zoning for properties within the Planning Area. Moreover, it establishes certain important development policies within the First Street corridor and on selected land parcels adjacent to the corridor.

The Specific Plan is the major device for implementing the City of Tustin General Plan within the Planning Area.

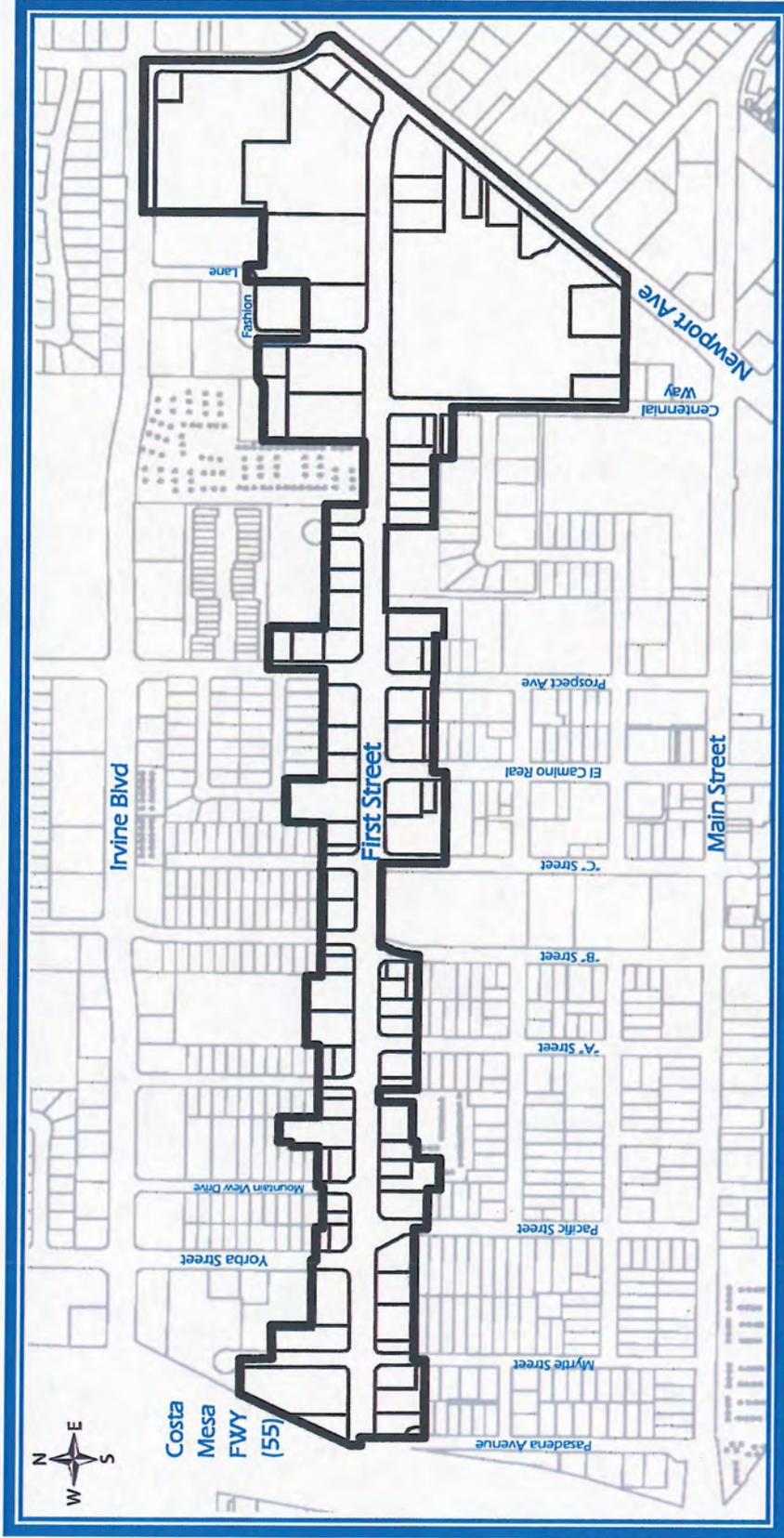
D. E. AUTHORITY

The California Government Code authorizes cities to adopt specific plans by resolution as policy or by ordinance as regulation. Hearings are required by both the Planning Commission and City Council, after which the Specific Plan must be adopted by the City Council to be ~~come-in~~ effective.

The adoption of this Specific Plan by the City of Tustin is authorized by the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457.

The First Street Specific Plan is a regulatory plan which ~~will-serve~~s as the zoning ordinance for the propert~~ies~~y within its boundary. Proposed development plans or agreements, tentative tract or parcel maps and any other development approvals must be consistent with the Specific Plan. Projects consistent with this Specific Plan ~~are~~will be automatically deemed consistent with the General Plan.

The regulations contained herein shall apply to the boundaries depicted on Exhibit ~~1H-2~~.



First Street Specific Plan

2012 Specific Plan Area

EXHIBIT 1

~~E. CALIFORNIA ENVIRONMENT QUALITY ACT (CEQA) COMPLIANCE~~

~~As required by CEQA, an environmental assessment for the First Street corridor was completed as the basis for 1) determining whether or not potential environmental impacts would be sufficient to require an Environmental Impact Report, and 2) specifying the scope of work for the subsequent Specific Plan in such a way that its impacts would be the same as or less than implementation of the General Plan policies and zoning currently in effect.~~

I. LAND USE PLAN

A. INTRODUCTION

The Land Use Plan contains the essential components of the Specific Plan and the policy direction which serve as the foundation for development regulations and guidelines which ~~are will actually be~~ used in reviewing and approving development projects within the First Street Specific Plan.

There is a tendency to emphasize problems in planning documents because perceived problems are frequently the stimulus for undertaking a plan. While there certainly are some real problems-challenges in the Planning Area, it is equally evident that these are unique attributes and considerable opportunities which combine to offer the potential for a balance between preservation, rehabilitation, and expansion, ~~new development and redevelopment~~. The main idea of the Specific Plan is to preserve what is good, improve what is not and allow growth where market forces are evident, through private market decisions.

The basis for this Plan lies in 1) the Tustin General Plan (see Appendix G for a summary of General Plan consistency); ~~and 2) the analysis undertaken as part of to prepare or amend the Specific Plan effort~~ (embodied in the accompanying appendices); ~~and 3) the Specific Plan Request for Proposal (Appendix C to this Plan)~~. The following key points should be kept in mind in reading and using this Specific Plan:

1.

~~1.~~—The primary uses of the area are and should remain commercial retail, service, and office. Differences in uses and regulations within the area are ~~primarily due to variations in property size and configuration, combined with identified market opportunities (see Appendix B)~~ based on the intensity and characteristics of each subarea.

2.

~~2.~~—The City will depend primarily on private market decisions to stimulate development and improvements in the area, ~~although it will consider a variety of support actions to assist in achieving quality development~~.

3. Diversity of appearance within certain broad quality guidelines is desirable, as called out in the urban-Design Guidelines (Appendix A).

4. The Plan is a conscious compromise between one extreme of doing nothing and the other of trying to completely change the area. The balance thus achieved will hopefully provide a stable and durable basis for decision making in the area.

5. In order for the area to work best, a creative partnership between the City, property owners and tenants ~~will be~~ is required. The Specific Plan is intended to be the foundation for that partnership and will support it more effectively than more traditional planning approaches.
6. City Council adoption of the policies, use regulations, site development standards and design guidelines constitutes the City's commitment to property owners and the development community that it will carry out its appropriate share of the effort to maintain the ~~P~~lanning ~~A~~rea as an asset to property owners, tenants and the City as a whole.

B. SUMMARY OF SPECIFIC PLAN POLICY DIRECTION

The following points express the most essential ideas contained in ~~theis Pplan and constitute. They should be thought of as~~ the overall policy direction for the Plan ~~which the rest of the plan's ingredients are supporting details.~~

1. Decisions about continuation, ~~expansion,~~ redevelopment or new development of uses on property within the Specific Plan shall rest with the individual property owner.
2. Decisions about development standards to be maintained or established shall rest with the City and shall be as prescribed in this ~~P~~plan, as it may be amended from time to time.
- ~~3. Interpretation of what constitutes "quality" development within the First Street Specific Plan shall be a cooperative decision between the developer and the City. Quality, as referenced throughout the Pplan, consists of the following ingredients:~~
 - ~~a. Property which is developed within uses permitted by the Pplan;~~
 - ~~b. Development which conforms to the site development standards in the Pplan; and~~
 - ~~e. Projects which generally respond to each of the major subjects in the Design Guidelines in the Pplan. (see Appendix A)~~
- ~~4.3.~~ The basic intent is for continuation of primarily commercial retail, service, and office uses, including some commercial mixed use projects at various scales.
- ~~5. Optional commercial and office districts may be expanded by Specific Plan Amendment within clearly defined subareas if the property owners involved wish to seek such approval and the development standards prescribed can be satisfied. The Plan Area may be expanded by Specific Plan Amendment and Zone Change.~~
- ~~6.4.~~ This ~~P~~plan, as amended, provides guidance for development as it could occur within approximately a 15-year time span, or by approximately the year ~~2027~~2030.

C. GOALS, OBJECTIVES AND POLICIES

The following statements represent the policy direction for the ~~planning~~ Planning Area as a whole, as well as the distinct sections of the subject area that exhibit particular use constraints or potentials.

1. Pattern of Uses

ISSUE: What is the most productive pattern of uses?

GOAL: The best use of property within the Specific Plan area is development approaching maximum development potential while providing a compatible and monitored growth program.

OBJECTIVES:

- 1.1 Preservation of existing quality uses.
- 1.2 Expansion/intensification of existing quality uses.
- 1.3 Maximum possible responsiveness to market opportunities for ~~the planning area and~~ each sub-area (see Exhibits ~~1, 2, and 3, and 4~~).
- 1.4 ~~A priority of Uu~~ uses appropriate to each sub-area.

POLICIES:

1. Maintain and perpetuate a mix of commercial retail, service, and office uses in sub-area 1 ~~with a major motel/hotel option~~. The best use of property within the Specific Plan area ~~which~~ balances maximum development potential with compatible uses and monitored growth.
2. Stimulate retail and service commercial uses in sub-area 2.
3. Preserve the dominant retail and service commercial uses in sub-area 3, retaining already established offices ~~and limited residential uses~~.
4. Promote development, expansion or redevelopment that:
 - a. Is a ~~first priority~~ permitted use;
 - b. Meets prescribed development regulations;
 - c. Is responsive to established design guidelines.

2. Condition of Existing Development

ISSUE: How can the overall condition of development be improved?

GOAL: A consistent quality of development throughout the area.

OBJECTIVES:

- 2.1 Maintenance of quality that exists.
- 2.2 Improvement of development that is deteriorated or inefficiently designed.

POLICIES:

1. Reinforce existing private property health and safety regulations by committing City enforcement efforts to this area.
2. Allow maximum site development through relatively liberal site development standards in return for well-conceived site plans.
3. Offer development incentives to property owners for projects that are highly responsive to plan objectives.
4. Establish and administer ~~urban-Design~~ Guidelines to assist developers in understanding and implementing the ~~P~~plan's intent.

3. Visual Improvement

ISSUE: How can the area's appearance and image be improved?

GOAL: A quality physical appearance of both existing and future development.

OBJECTIVES:

- 3.1 Elimination of visible outside storage.
- 3.2 Compatible building elevations and materials.
- 3.3 High quality Contemporary landscape treatments throughout the corridor.
- 3.4 Achievement of an overall positive identity for the area.

POLICIES:

1. Require responsiveness to ~~urban-design~~ Design guidelines Guidelines in plans for new development, expansion or redevelopment.

2. Discourage parking in front ~~setbacks of buildings.~~ Buildings should be located as close to the street as possible.
3. When ~~front~~ rear parking is not possible, screen parking areas with landscaping materials or treatment in excess of minimum standards.
- ~~4. Consider fee waivers to site plan review costs for owners who wish to rehabilitate existing property but not expand.~~
- ~~5.4. Maintain the existing streetscape improvements, adding only items that do not present a large capital expense to the City.~~

4. Compatibility of Land Uses

ISSUE: How can land uses within the specific Plan be kept compatible with each other and with adjacent uses?

GOAL: Compatible land uses which do not interfere or create health and safety ~~or moral problems concerns~~ for an adjacent use.

OBJECTIVES:

- 4.1 Reduction of existing conflicts between uses.
- 4.2 Prevention of future incompatibility as new development occurs.
- 4.3 Use of design standards in the Design Guidelines to improve compatibility where changes in use are impractical.

POLICIES:

- ~~1. Prohibit additional residential uses in the planning area.~~
- ~~2.1. Approve site plans for authorized uses which demonstrate design compatibility with adjacent uses and structures, particularly where such adjacent uses are single family residential in character.~~
- ~~3.2. Encourage lot consolidation or integrated site planning by considering development incentives.~~
- ~~4.3. Apply appropriate urban Ddesign Gguidelines to mitigate conflicts between uses where a change in use is not practical.~~

5. New Uses/Use Intensification

ISSUE: What new uses are appropriate and feasible in the area and where should they be allowed?

GOAL: Effective integration of new uses.

OBJECTIVES:

~~5.14.1~~ Maximum possible capture of market opportunities by property owners.

~~5.24.2~~ The most effective possible use of each parcel of land.

~~5.34.3~~ Location of new uses in areas which contribute most to overall improvement of the area.

~~5.44.4~~ Efficient use of existing public facilities to support market-generated growth and development.

POLICIES:

1. Encourage primarily new retail commercial, service commercial, and office uses in designated sub-areas.

~~2. Establish priorities for permitted uses appropriate to each sub-area and planning unit.~~

~~3.2.~~ Establish and administer a system of incentives for lot consolidation or integrated planning of smaller parcels through consideration of reductions in parking requirements, fee waivers for permit processing, etc.

~~4.3.~~ Allow shared parking and access to allow maximum parcel usage.

6. Parcel Size/Configuration

ISSUE: What is the best way to deal with the variety of land parcels, particularly the numerous small ones?

GOAL: Efficient parcel sizes and configurations.

OBJECTIVES:

~~6.14.1~~ Consolidation of lots wherever possible in conjunction with anticipated quality design as set forth in this plan.

~~6.24.2~~ Coordinated site planning and development of adjacent lots where consolidation is not possible.

~~6.3 Expansion of uses in selected areas beyond the area boundary as part of a unified project.~~

POLICIES:

1. Provide lot consolidation incentives in the plan regulations.
2. Apply incentives also for an integrated site plan on adjacent individually owned parcels.
- ~~2.3. Recordation of reciprocal access agreements for new development located adjacent to sites with future potential for shared ingress/egress.~~
3. ~~Encourage expansion of projects to include land beyond the planning area boundary in selected areas.~~

~~7.5.~~ **Site Development Standards**

ISSUE: What site development standards are appropriate?

GOAL: A combination of standards and incentives which will stimulate quality development.

OBJECTIVES:

- ~~7.15.1~~ Site development regulations which lead to efficient use of available space.
- ~~7.25.2~~ ~~Urban Design development~~ Guidelines which assist in defining and describing the level of quality intended.
- ~~7.35.3~~ Site development incentives which stimulate lot consolidation or cooperative site design and lead to more profitable and efficient parcel use.
- ~~7.45.4~~ Safe, effective and adequate access and parking for each business enterprise.

POLICIES:

- ~~1. Incorporate generally less restrictive site development regulations and permit processing requirements for first priority uses.~~
- 2.1. Provide incentives for lot consolidation/
integrated site planning in the Specific Plan Regulations.

~~3.2.~~ Include responsiveness to ~~D~~esign ~~G~~uidelines as a major consideration in site plan review and approval.

~~8.6.~~ Incentives for Plan Administration

ISSUE: What ~~C~~ity assistance can be provided to encourage expedient implementation ~~of~~ this Plan?

GOAL: To encourage rapid rehabilitation of ~~nonconforming~~ poorly maintained structures and uses.

OBJECTIVE:

~~8-16.1~~ Rehabilitation of facades (including signage) of existing structures to comply with ~~D~~esign ~~G~~uidelines of this ~~P~~lan.

~~8-26.2~~ Improve vehicular inter-site circulation.

~~8-36.3~~ Maximization of pedestrian movement and access.

POLICY:

~~1.~~ — To make available to property owners, where possible, funding ~~from the Redevelopment Agency or other appropriate sources~~ for rehabilitation of existing buildings and for new development.

D. LAND USE CONCEPT

The main idea underlying the First Street Specific Plan land use concept is to build upon the positive features already present. They include the following ~~There are many:~~

- ~~1. Half of the use potentials identified in the corridor represent quality existing developments that are not expected to change in the foreseeable future.~~
1. First Street is an attractive gateway to the City that has identifiable east and west entry points at the Newport Freeway overcrossing and at Newport Avenue
2. The Specific Plan emphasizes "pedestrian-friendly" design and uses to preserve the existing human scale and character.
3. Setback and height restrictions appear compatible with nearby residential uses to the north and south.
4. Mixed use with retail on the first floor and offices on the second floor is encouraged.
5. Street improvements are well maintained. The Specific Plan corridor has a pleasant streetscape, which includes wide medians, mature trees, and close proximity to an attractive City Park. Street furniture, flags, planters, and bus shelters as recommended in the Design Guidelines can improve the existing streetscape with a more cohesive appearance and further encourage pedestrian activities. A vision and plan for future

- improvements through the Urban Design Guidelines with public and private incentives and funding will achieve the desired improvements along First Street.
- ~~6.~~ There is little traffic congestion and ample parking along First Street.
 - ~~2.~~ The general quality of uses expected to remain is quite good and generally appropriate as a standard for future development on First Street.
 - ~~3.~~ Street improvements are above average in appearance and appear to be well maintained.
 - ~~4.~~ There is a strong market for certain retail commercial uses and office use in the Tustin area generally and along First Street specifically.
 - ~~5.~~ The corridor is a major entrance to the City and is well served by intersecting surface arterial streets.
 - ~~6-7.~~ There appears to be a strong interest on the part of property owners are encouraged to make positive changes, but balanced by an equally strong desire to while maintaining a "human scale" environment along First Street.

The plan concept ~~is represented on a series of Exhibits.~~ It consists of the following components:

1. Subareas ~~{See Exhibits, 1, 2 and 3}~~

The corridor is made up of three subareas, each characterized by a particular land use emphasis.

Subarea 1, closest to the Newport (SR-55) Freeway, is a mixed use office-commercial area (Exhibit 2).

Subarea 2, either side of the El Camino Real/Prospect Avenue intersections, is a transition area with an emphasis on retail commercial and service development (Exhibit 3).

Subarea 3, anchored by two relatively large shopping centers opening out on facing Newport Avenue, is predominantly a retail and service commercial area, but with a strong office enclave (Exhibit 4).

- ~~2.~~ Use Potentials

~~Four basic potentials are identified, sometimes by individual ownership parcel and sometimes by block. (See Figures)~~

~~“A. No Use Change Proposed” is the most predominant category, particularly on an acreage basis. The major potential in areas so designated is preservation of existing quality and, perhaps, limited visual enhancement.~~

~~“B. Use Change” is designated where existing uses are either no longer appropriate, marginal in character or where long-term market potential is available if and when property owners wish to respond to it.~~

~~“C. Rehabilitation/Redesign” is identified for parcels on which the basic use reinforces the plan concept but could be improved economically, functionally and visually by certain improvements.~~

~~“D. New Development” is the obvious potential for the few vacant parcels within the planning area.~~

~~3. Use Priorities (See Table 1 on page III-2)~~

~~Most of the land parcels upon which some change is proposed or allowed in the plan have two use potentials. These uses are identified in the development regulations chapter, with the preferred land use as the first priority. It is easiest to get first priority uses approved. However, if a property owner wishes to pursue the secondary priority use, rules for doing so are included in the plan. Approval of such uses in conformance with the applicable site development standards and urban design guidelines is entirely consistent with the plan.~~

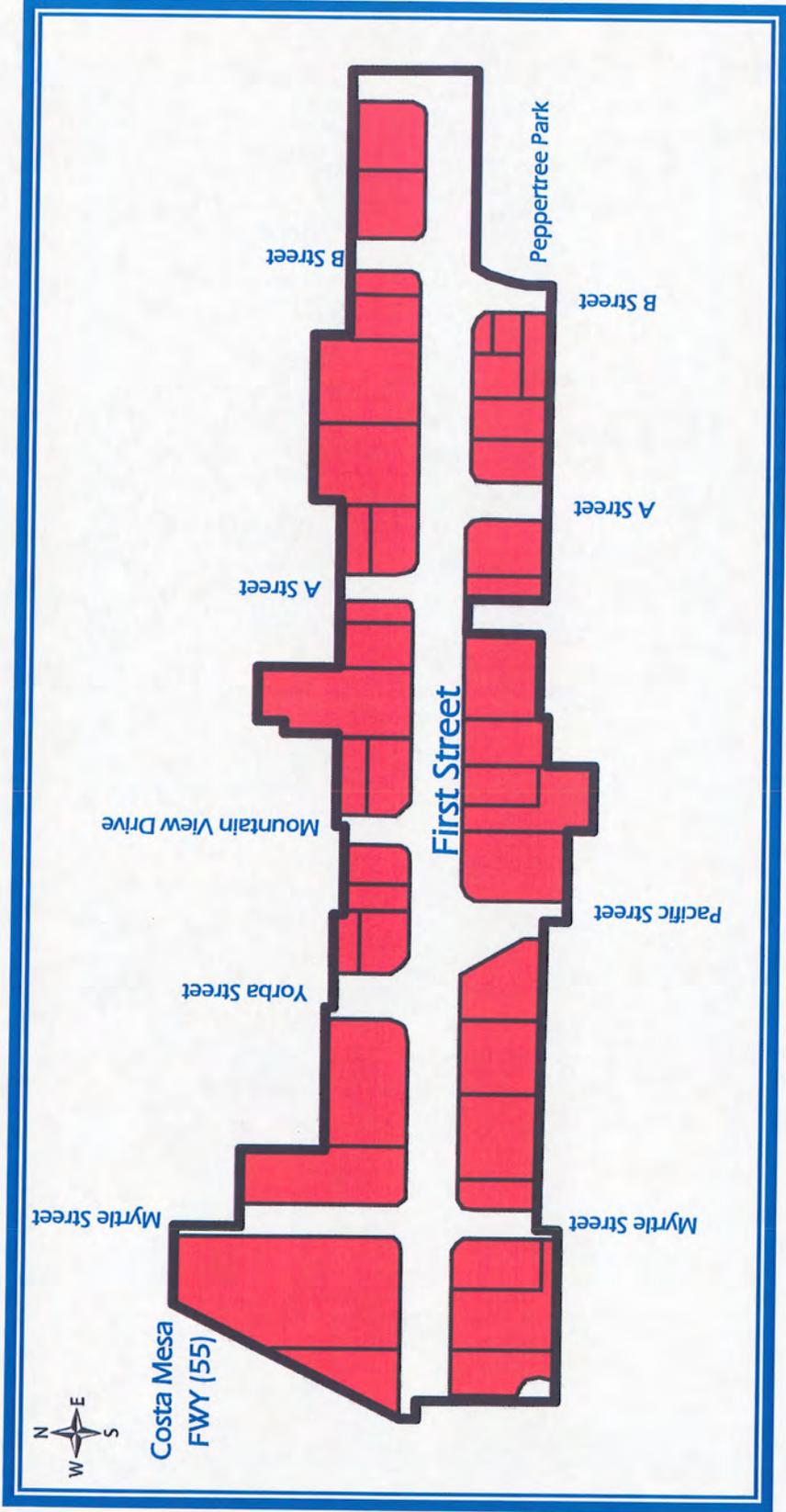
~~4. Use Expansion~~

~~Generally, such areas extend into adjacent residential lots zoned Multiple Family Residential (R3) or Central Commercial Combining Parking District (C2P). While some structures may be allowed in these expansion areas, the primary intent is to provide for added parking so that the parcels having frontage on First Street can be used more efficiently. Moreover, these opportunities constitute a form of incentive which may be authorized in conjunction with a proposed project which is particularly responsive to the Specific Plan objectives, policies and design guidelines. See Exhibit 4 for Use Expansion Opportunities.~~

~~5.2. Preservation of Human Scale and Character~~

~~Site development standards, with only a couple of exceptions, limit development to one or two stories directly along the corridor. Efforts are made through the urban Design Guidelines to achieve a low-profile “pedestrian-friendly” environment by making it possible to move freely within each subarea from business to business. Moreover, the visual image being sought is one of human scale, not dominated by large or high close-in building masses. with streetscape and the design of the public realm, adding to a sense of place for First Street.~~

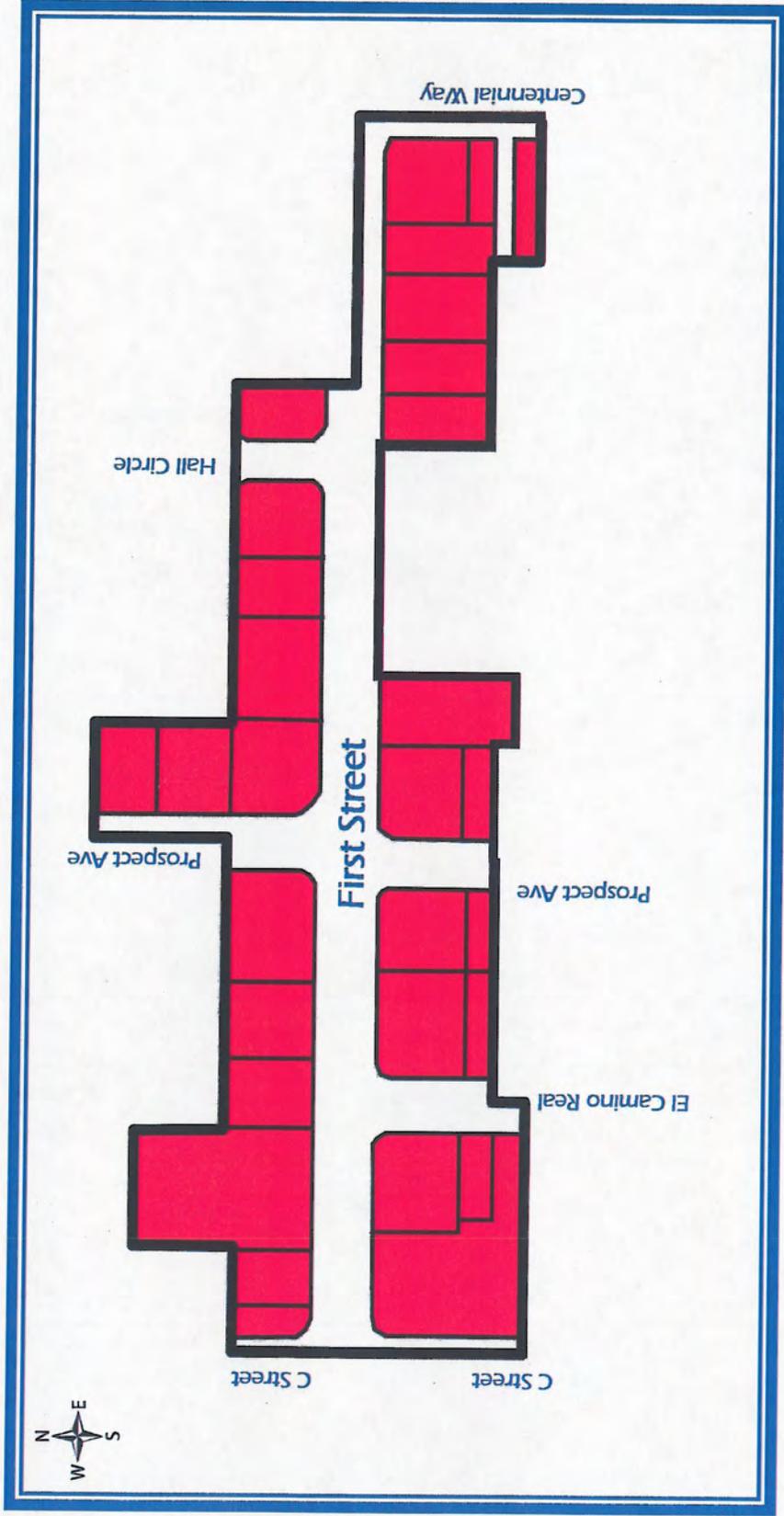
In summary, the concept seeks a balance between market responsive expansion on the one hand and preservation of the basic existing scale and character on the other.



First Street Specific Plan

2012 Subarea 1

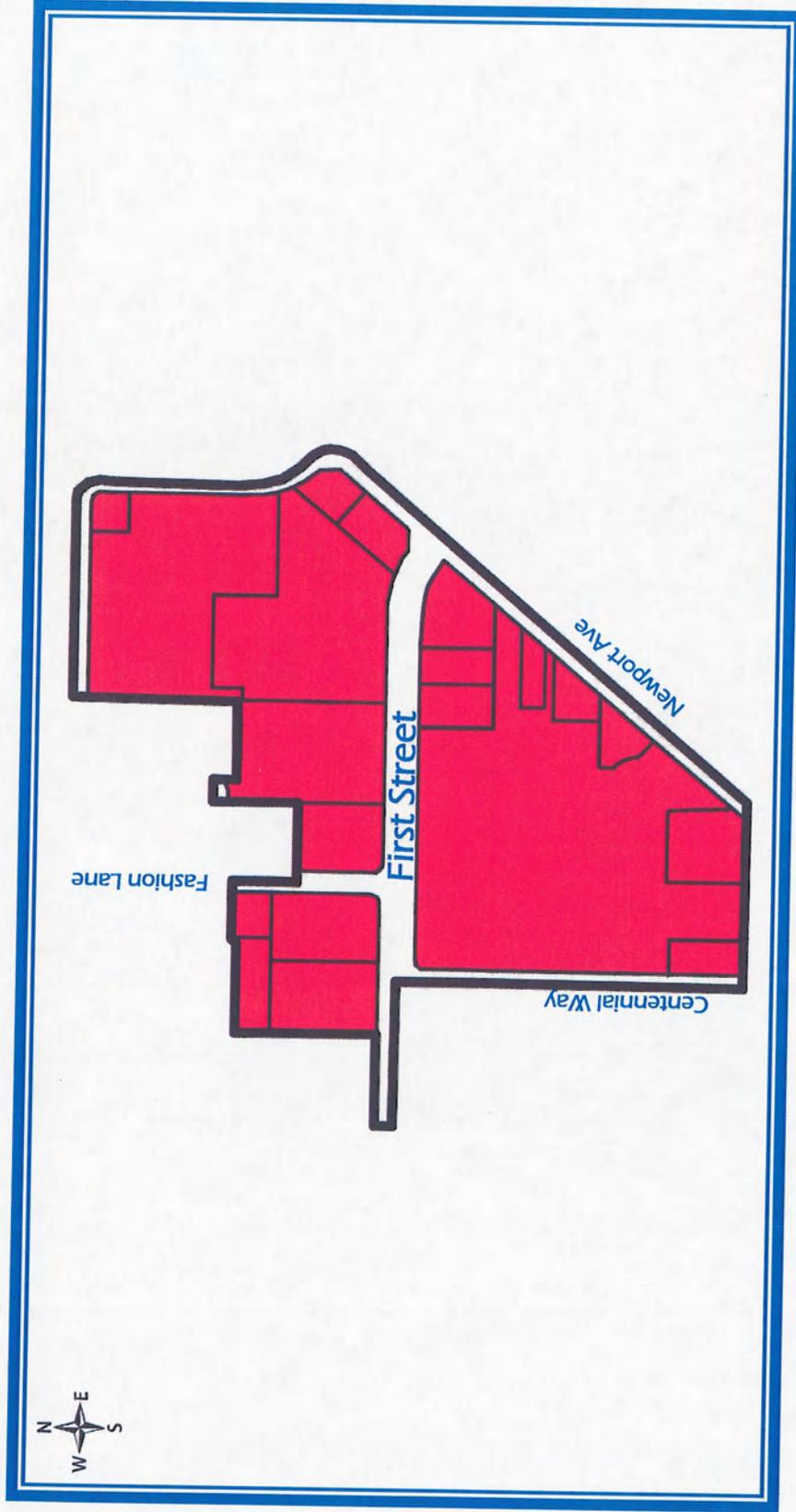
EXHIBIT 2



First Street Specific Plan

2012 Subarea 2

EXHIBIT 3



First Street Specific Plan

2012 Subarea 3

EXHIBIT 4

II. DEVELOPMENT REGULATIONS

A. INTRODUCTION AND INTENT

These regulations constitute the primary zoning provisions for the First Street Specific Plan. These regulations are in addition to regular Zoning Code provisions (Article 9 Land Use, Chapter 2 – Zoning ~~Land Use~~) of the ~~Municipal Tustin City~~ Code. Where there is a conflict, the regulations herein will prevail. Where direction is not provided in this Specific Plan, the ~~Municipal~~ Zoning Code shall prevail.

The overall intent of these regulations is to guide development on all development parcels in the ~~S~~pecific ~~P~~lan area ~~so as~~ to insure that each individual development project contributes to meeting the goals and objectives of the First Street area. More specifically, the regulations are intended to:

- Provide opportunities for economically productive business enterprises.
- Establish uses and site development standards which contribute to the preservation and enhancement of adjacent single family residential environments and which promote an economically sound land use pattern for First Street.
- Provide for the scale and nature of ~~uses~~ uses which can ~~make~~ facilitate the most efficient use of the existing development pattern as well as parcel sizes and shapes.
- Achieve gradual improvement of older commercial, office and residential buildings ~~through use changes by allowing commercial retail, service, and office uses that are compatible and consistent with surrounding areas, encouraging~~ redevelopment, promoting consolidation of parcels, enabling rehabilitation, emphasizing landscaping ~~and~~ design improvements ~~and promoting~~ any combination of these devices desired by the property owner(s) and supportable by the City.
- Contribute to the improvement of both visual and functional attributes of First Street to help stimulate business activity.
- Protect the traffic handling capacity of First Street while accommodating new development and rehabilitation. ~~and rehabilitate~~ redevelopment.
- Establish a sense of place, as well as continuity and consistency of development standards, within the Specific Plan Area.

B. SUBAREAS

Table 1 summarizes the primary and secondary use (if permitted) of each planning unit within the three subareas (See color Exhibits 5, 6, 7).

Identification of particular planning units will be by number of the planning subarea followed by the planning unit number, thus, 2-6 represents planning subarea 2, planning unit number 6, which has commercial as its primary use.

TABLE 1

<u>Subarea 1</u>	<u>Primary</u>	<u>Secondary</u>
Planning Unit 1	Commercial	Hotel*
Planning Unit 2	Office	Hotel*
Planning Unit 3	Commercial	Hotel*
Planning Unit 4	Retail Commercial	Office*
Planning Unit 5	Office	Mixed Use**
Planning Unit 6	Commercial	Office*
Planning Unit 7	Office	
Planning Unit 8	Office	
Planning Unit 9	Office	
Planning Unit 10	Commercial	
Planning Unit 11	Commercial	Office
Planning Unit 12	Office	
Planning Unit 13	Commercial	Office
Planning Unit 14	Commercial	Office*
Planning Unit 15	Office	
<u>Subarea 2</u>	<u>Primary</u>	<u>Secondary</u>
Planning Unit 1	Commercial	***
Planning Unit 2	Commercial	
Planning Unit 3	Restaurant	Commercial
Planning Unit 4	Hotel	Office
Planning Unit 5	Commercial	Restaurant***
Planning Unit 6	Commercial	Restaurant***
Planning Unit 7	Commercial	Restaurant
Planning Unit 8	Commercial	
Planning Unit 9	Commercial	
Planning Unit 10	Commercial	
Planning Unit 11	Commercial	
<u>Subarea 3</u>	<u>Primary</u>	<u>Secondary</u>
Planning Unit 1	Residential	Office
Planning Unit 2	Office	
Planning Unit 3	Commercial	
Planning Unit 4	Commercial	

* Implies lot size expansion beyond specific plan limits and a related specific plan amendment. Such expansion may impact the priority of uses (e.g., in Planning Unit 1) an expanded area may make a Hotel or Motel the primary use for the site(s).

** See mixed use incentive, page III-20.

*** These properties shall receive design review by Planning Commission regardless of Primary Use or Secondary Use. The area shall exhibit a strong pedestrian emphasis.

~~C.B.~~ GENERAL PROVISIONS

The following regulations apply to all subareas ~~and planning units~~ within the First Street Specific Plan Area.

1. All construction and development within the Specific Plan area shall comply with applicable provisions of the Tustin City Code, Uniform California Building Code and the various related mechanical, electrical, plumbing codes, grading and excavation code and the Subdivision codes, as currently adopted by the City Council. Where there is a conflict, the regulations of the Specific Plan will prevail. Where direction is not provided in this Specific Plan, the Zoning Code shall prevail. However, In any case of a conflict between the specific provisions of any such code and this Specific Plan, the provision which most serves to protect safety shall apply and the Community Development Director shall resolve the conflict by written determination in a manner consistent with the goals and policies of this Specific Plan.
2. The setback requirements are as specified by each use category district of this Specific Plan. All setbacks shall be determined as the perpendicular distance from the existing street right-of-way line, or property line, to the foundation point of the closest structure. This shall not preclude pedestrian arcades or awnings from encroaching into the front yard setback area.
3. If an issue, condition or situation arises or occurs that is not sufficiently covered or provided for or is not clearly understandable, those regulations of the City Zoning Code that are applicable for the most similar issue, condition or situation shall be used by the Community Development Director as guidelines to resolve the unclear issue, condition or situation. This provision shall not be used to permit uses or procedures not specifically authorized by this Specific Plan or the City Zoning Code.
4. This Specific Plan may be amended by the same procedure as it was originally adopted. Each amendment shall include all sections or portions of the Specific Plan that are affected by the change. An amendment may be initiated by the City Council or the Planning Commission, the general public, or City staff. Any such amendment requested by the general public a property owner shall be subject to the fee schedule adopted by the City Council.
5. Any persons, firm or corporation, whether a principal, agent, employee or otherwise, violating any provisions of these regulations shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to penalties and provisions of City Code.
6. Whenever a use has not been listed as being a primary or secondary use in a permitted or conditionally permitted use a particular planning unit classification within the Specific Plan, it shall be the duty of the Community Development Director and/or the Planning Commission to determine if said use is 1) consistent with the overall intent of the planning unit Specific Plan and 2) the said use is consistent with the other listed permitted or conditionally permitted uses in the Specific Plan that planning unit.

~~7. Whenever a permitted use (whether primary or secondary) abuts a residentially zoned district, the minimum building setback minimum shall be twenty (20) feet for rear yard and ten (10) feet for side yard.~~

8-7. _____ In order to maintain and enhance vehicular and pedestrian circulation along First Street, any development occupying a parcel which is located on a corner with side street frontage ~~will~~ should have vehicular access restricted to the side street only. The Community Development Director will review this on a case-by case basis. Wherever a site is not on a corner, a reciprocal easement agreement will be ~~encouraged~~ necessary.

9-8. _____ Non-conforming Structures and Uses of Land ~~(See Exhibit 8)~~

Where, at the time of passage of this Specific Plan, lawful use of land exists which would not be permitted by the regulations imposed by this Specific Plan, such use may be continued so long as it remains otherwise lawful, provided:

- a. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Specific Plan.
- b. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Specific Plan.
- c. If any such non-conforming use of land ceases for any reason for a period of more than 180 days, any subsequent use of such land shall conform to the regulations specified by this Specific Plan for the district in which such land is located;
- d. No additional structure not conforming to the requirements of this Specific Plan shall be erected in connection with such non-conforming use of land.

10. Non-conforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Specific Plan that could not be built under the terms of these regulations by reason of restrictions on area, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease or not affect its non-conformity.
- b. Should such non-conforming structure or non-conforming portion of structure be destroyed by any means to an extent of more than 50 percent of its assessed

value at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Specific Plan;

- c. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

D. LAND USE REGULATIONS

1. Permitted Uses

a. Subarea 1 – Neighborhood Commercial

In Subarea 1 (Neighborhood Commercial), the following uses, occupying no more than 10,000 square feet, shall be permitted by right where the symbol "P" appears and may be permitted subject to a conditional use permit where the symbol "C" appears in the column to the right.

1) Retail Uses:

(a)	Antique shops	P
(b)	Apparel stores	P
(c)	Art galleries	P
(d)	Bakeries, retail only	P
(e)	Bicycle shops (including repair)	P
(f)	Books, gifts and stationery	P
(g)	Confectioneries	P
(h)	Convenience markets	C
(i)	Drug store	P
(j)	Florists	P
(k)	Furniture store	P
(l)	General retail stores	P
(m)	Hardware store	P
(n)	Hobby stores	P
(o)	Jewelry stores	P
(p)	Music stores	P
(q)	Neighborhood commercial centers	P
(r)	Nurseries and garden supply	P
(s)	Office Supplies and equipment	P
(t)	Religious supplies	P
(u)	Print shops	P
(v)	Shoe stores	P
(w)	Sporting goods stores	P

2) Service Uses:

(a)	Assisted living, rest homes, extended care facilities, convalescent hospitals	C
(b)	Banquet facilities	C
(c)	Barber, beauty salons	P
(d)	Dance and martial arts studios	P
(e)	Fitness training, indoor one on one	C
(f)	Hotels and motels (boutique)	C
(g)	Indoor commercial recreational uses	C

(h)	Insurance agencies	P
(i)	Laundry and dry cleaners (off site only)	C
(j)	Locksmith	P
(k)	Massage establishments	P
(l)	Meeting rooms	C
(m)	Real estate agencies	P
(n)	Restaurants with alcoholic beverage sales	C
(o)	Restaurants with drive thru service	C
(p)	Restaurants without alcohol	P
(q)	Schools, pre-school and nursery	C
(r)	Seamstress or tailor shops	P
(s)	Shoe or luggage repair shops	P
(t)	Travel agencies	P
(u)	Tutoring facilities	P

3) Office Uses:

(a)	Accountants	P
(b)	Advertising agencies	P
(c)	Answering service	P
(d)	Architect	P
(e)	Attorney	P
(f)	Chiropractor	P
(g)	Collection agency	P
(h)	Contractors and building consultants	P
(i)	Dentist	P
(j)	Doctor	P
(k)	Drafting	P
(l)	Economic consultant	P
(m)	Engineer	P
(n)	Escrow	P
(o)	Interior decorator or artist studio	P
(p)	Land and property management	P
(q)	Land planner	P
(r)	Oculist	P
(s)	Optometrist	P
(t)	Others licensed by the State of California to practice the healing arts, including clinics for out-patients only	P
(u)	Personnel Agency	P
(v)	Photographer	P
(w)	Surveyor	P
(x)	Social work	P
(y)	Professional consultant	P
(z)	Stock broker	P
(aa)	Title insurance	P
(bb)	Travel agency	P

4) Community and Institutional Uses:

- (a) Churches, convents, monasteries and other religious institutions C
- (b) Fraternal organizations and Lodges C

5) Existing Single Family Residential Use/Structures

Any existing single family residential structure listed within the City's official historic survey is encouraged to be preserved and used as a residence, or preserved and used as a commercial use as authorized by this Section and consistent with the City's *Cultural Resource District Residential Design Guidelines* and the Secretary of Interior's Standards for Rehabilitation.

- a Any existing historic single family residential structure used for such purposes is a permitted use.
- b The conversion of an existing historic single family residential structure to a commercial use shall comply with the use limitations identified for the Subarea in which it is located.
- c No commercial use of an existing historic single family residential structure shall be changed to another commercial use (e.g. office to retail) without the prior approval of the Community Development Department.
- d Any historic single family residential structure lawfully converted to a commercial use is considered more conforming and must be maintained as a commercial use.

6) Any other similar and/or compatible retail, service, office or community/institutional use the Community Development Director and/or Planning Commission deems consistent with the context of Subarea 1 listed above as permitted/conditionally permitted.

7) Development Standards

- (a) Maximum Structural Height – 2 story, 28 feet.
- (b) Minimum Building Site Area – No minimum
- (c) Minimum Yard Setbacks:

Front: 10 feet
Side: 0 feet*
Rear: 20 feet

*Exception: 10 feet required when a side yard abuts a residentially zoned property

(d) Lot coverage: No maximum; limited only by setback areas.

(e) Landscaping: All areas not utilized for parking, building and walkways, but not less than a minimum of ten percent of the building site area shall be landscaped in conformance with the Design Guidelines of this Specific Plan area.

b. Subareas 2 and 3 – Commercial

In Subareas 2 and 3 (Commercial), the following uses shall be permitted by right where the symbol "P" appears and may be permitted subject to a conditional use permit where the symbol "C" appears in the column to the right.

1. Retail Uses:

(a) All permitted or conditionally permitted retail uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter

<u>(b) Appliance stores</u>	<u>P</u>
<u>(c) Automobile parts and supplies</u>	<u>C</u>
<u>(d) Department stores</u>	<u>P</u>
<u>(e) Drug stores, pharmacies</u>	<u>P</u>
<u>(f) Furniture stores</u>	<u>P</u>
<u>(g) Hardware stores</u>	<u>P</u>
<u>(h) Liquor stores</u>	<u>C</u>
<u>(i) Pet stores and supply</u>	<u>P</u>
<u>(j) Sporting goods</u>	<u>P</u>
<u>(k) Supermarkets, grocery stores</u>	<u>P</u>
<u>(l) Tire sales and service</u>	<u>C</u>

2. Service Uses:

(a) All permitted or conditionally permitted service uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter

<u>(b) Banks and financial institutions</u>	<u>P</u>
<u>(c) Car washes</u>	<u>C</u>
<u>(d) Cocktail lounges and bars when not an integral part of a restaurant</u>	<u>C</u>
<u>(e) Service stations</u>	<u>C</u>
<u>(f) Theaters</u>	<u>C</u>

3. Office Uses:

- (a) All permitted or conditionally permitted office uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter
- (b) Banks and financial institutions P
- (c) Insurance P
- (d) Personnel agency P
- (e) Public utility office (but not including corporate yards) C
- (f) Title insurance P

4. Community and Institutional Uses:

- (a) All permitted or conditionally permitted Community and Institutional uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter
- (b) Animal hospitals and clinics C
- (c) Commercial recreation facilities including tennis, racquetball, bowling, ice skating, athletic clubs and similar uses C

5. Any other similar and/or compatible retail, service, or office use the Community Development Director and/or Planning Commission deems consistent with the other uses listed above as permitted/conditionally permitted.

6. Development Standards – Subarea 2

- (a) Maximum Structural Height – 2 story, 28 feet.
- (b) Minimum Building Site Area – No minimum
- (c) Minimum Yard Setbacks:

Front: 10 feet
Side: 0 feet*
Rear: 20 feet

*Exception: 10 feet required when a side yard abuts a residentially zoned property

- (d) Lot coverage: No maximum; limited only by setback areas.
- (e) Landscaping: All areas not utilized for parking, building and walkways, but not less than a minimum of ten percent of the

building site area shall be landscaped in conformance with the Design Guidelines of this Specific Plan area.

7. Development Standards – Subarea 3

(a) Maximum Structural Height – 3 story, 35 feet.

(b) Minimum Building Site Area – 10,000 sq. ft.

(c) Minimum Yard Setbacks:

Front: 10 feet

Side: 0 feet*

Rear: 30 feet

*Exception: 10 feet required when a side yard abuts a residentially zoned property

(d) Lot coverage: No maximum; limited only by setback areas.

(f) Landscaping: All areas not utilized for parking, building and walkways, but not less than a minimum of ten percent of the building site area shall be landscaped in conformance with the Design Guidelines of this Specific Plan area.

1. Commercial as Primary Use

a. Permitted and conditionally permitted uses

The following uses shall be permitted by right where the symbol “P” appears and may be permitted subject to a conditional use permit where the symbol “C” appears in the column to the right.

1) Retail businesses conducted within a building:

- a) Antique shops _____ P
- b) Apparel stores _____ P
- c) Appliance and hardware stores _____ P
- d) Art galleries _____
- ed) Automobile parts and supplies _____ C
- fe) Bakeries, retail only _____ P
- g) Bicycle shops (including repair) _____ P
- hf) Books, gifts and stationery _____ P
- i) Confectioneries _____
- ig) Convenience markets _____ C
- k) Department stores _____ P

lh) Drug stores, pharmacies	P
mi) Florists	P
nj) Furniture stores	P
ok) General retail stores	P
p) Hardware stores	P
ql) Hobby stores	P
m) Hotels and Motels	C
rn) Jewelry stores	P
0) Laundry and Dry Cleaners	P
sp) Liquor stores	C
t) Music stores	P
uq) Neighborhood Commercial Centers	P
vr) Nurseries and garden supply	P
w) Office Supplies and equipment	P
xs) Pet stores and supply	P
y) Religious supplies	
zt) Print shops	P
aa) Service stations	C
bb) Shoe stores	P
v) Skating rinks	C
ccw) Sporting goods	P
ddx) Supermarkets, grocery stores	P
y) Theaters	C
eez) Tire sales and service	C

2) Service Business including retail sales incidental thereto:

a) Banks and financial institutions	P
b) Banquet facilities	C
cb) Barber, beauty salons	P
dc) Car washes	C
ed) Cocktail lounges and bars when not and integral part of a restaurant	C
f) Dance and martial arts studios	P
g) Dentists	C
h) Driving schools	C
i) Fitness training, indoor one on one	C
j) Hotels and motels	C
k) Indoor commercial recreational uses	C
l) Insurance agencies	P
m) Laundry and dry cleaners	C
ne) Locksmith	P
o) Massage establishments	P
p) Meeting rooms	C
q) Real Estate sales	P

r) Restaurants with/without alcoholic beverage sales	C
sg) Restaurants with drive thru service	C
t) Restaurants without alcohol	P
u) Schools, pre-school and nursery	C
v) Seamstress or tailor shops	P
wh) Service stations	C
x) Shoe or luggage repair shops	P
y) Theaters	C
zi) Travel agencies	P
j) Real estate sales	P
aa) Tutoring facilities	P

~~3) Any other similar retail or service use the Community Development Director and/or Planning Commission deems consistent with the other uses permitted/conditionally permitted.~~

~~b. Maximum Structural Height—1 story, 18 feet, unless offices are incorporated on a second floor in which case the maximum height shall be 28 feet.~~

~~c. Minimum Building Site Area—No minimum~~

~~d. Yard setbacks:~~

~~Front:—10 feet~~

~~Side:—0 feet~~

~~Rear:—20 feet~~

~~e. Lot coverage: Lot coverage shall include all enclosed building area. Atriums open to the sky or plazas, open parking, hardscaped areas shall not constitute lot coverage.~~

~~—Maximum allowed: limited only by setback areas.~~

~~f. Landscaping: A minimum of ten percent of the building site area shall be landscaped in conformance with the Ddesign Gguidelines of this Sspecific Pplan area.~~

~~2. Commercial as the Secondary Use~~

~~a. Permitted and conditional uses:~~

~~—The following uses shall be permitted by right where the symbol "P" appears and may be permitted subject to a conditional use permit where the symbol "C" appears in the column to the right.~~

1) Retail business conducted within a building:

- a) Antique shops _____ P
- b) Apparel stores _____ P
- c) Appliance and hardware stores _____ P
- d) Automobile parts and supplies _____ C
- e) Bakeries, retail only _____ P
- f) Books, gifts and stationery _____ P
- g) Convenience markets _____ C
- h) Drug stores, pharmacies _____ P
- i) Florists _____ P
- j) Furniture stores _____ P
- k) General retail stores _____ P
- l) Hobby stores _____ P
- m) Hotels and Motels _____ C
- n) Jewelry stores _____ P
- o) Laundry and Dry Cleaners _____ P
- p) Liquor stores _____ C
- q) Neighborhood Commercial Centers _____ P
- r) Nurseries and garden supply _____ P
- s) Pet stores and supply _____ P
- t) Print shops _____ P
- u) Service stations _____ C
- v) Skating rinks _____ C
- w) Sporting goods _____ P
- x) Supermarkets, grocery stores _____ P
- y) Theaters _____ C
- z) Tire sales and service _____ C

2) Service business including retail sales incidental thereto:

- a) Banks and financial institutions _____ P
- b) Barber, beauty salons _____ P
- c) Car washes _____ C
- d) Cocktail lounges and bars when not
_____ an integral part of a restaurant _____ C
- e) Locksmith _____ P
- f) Restaurants with/without
_____ alcoholic beverage sales _____ C
- g) Restaurant with drive thru service _____ C
- h) Service stations _____ C
- i) Travel agencies _____ P
- j) Real estate sales _____ P

3) Any other similar retail use the Planning Commission deems consistent with the other uses permitted.

~~b. Maximum Structural Height—1 story, 18 feet, unless offices are incorporated on a second floor in which case the maximum height shall be 28 feet.~~

~~c. Minimum building site Area—10,000 square feet~~

~~d. Yard setbacks:~~

~~—Front: 15 feet~~

~~—Side: 10 feet~~

~~—Rear: 25 feet~~

~~e. Lot Coverage: Lot coverage shall include all enclosed building areas. Atriums open to the sky, or plazas, open parking, hardscaped areas shall not constitute lot coverage.~~

~~Maximum allowed: 55 percent~~

~~f. Landscaping: A minimum of fifteen percent of the building site area shall be landscaped in conformance with the design guidelines of this specific plan.~~

~~2. Office as Primary Use.~~

~~1.~~

~~a. Permitted and conditionally permitted uses~~

~~—The following uses shall be permitted by right where the symbol “P” appears and may be permitted subject to a Conditional Use Permit where the symbol “C” appears in the column to the right.~~

~~1) Professional offices for:~~

a) Architect	P
b) Attorney	P
c) Chiropractor	P
d) Dentist	P
e) Doctor	P
f) Oculist	P
g) Optometrist	P
h) Others licensed by the State of California to practice the healing arts, including clinics for out patients only	P
i) Engineer	P
j) Land planner	P
k) Surveyor	P

~~2) General Offices for:~~

a) Accountants	P
b) Advertising agency	P
c) Contractors and building consultants	C
d) Drafting	P
e) Economic consultant	P
f) Escrow	P
g) Insurance	P
h) Public utility office (but not including corporate yards)	C
i) Social work	P

3) Other offices including:

a) Personnel agency	P
b) Answering service	P
c) Banks and financial institutions	P
d) Collection agency	P
e) Land and property management	P
f) Photographer	P
g) Interior decorator or artist studio	P
h) Professional consultant	P
i) Realtor	P
j) Stock broker	P
k) Travel agency	P
l) Title insurance	P

4) Community Facilities including:

a) Churches, convents, monasteries and other religious institutions	C
b) Fraternal organizations and Lodges	C
c) Animal hospitals and clinics	C
d) Commercial recreation facilities including tennis, racquetball, bowling, ice skating, athletic clubs and similar uses	C
e) Post office branch	C
f) Public utility offices	C

b. Maximum Structural Height — 2 story, 28 feet with pitched roof.

e. Minimum Building Site Area — No minimum.

d. ~~Yard Setbacks:~~

~~Front: 1st story 16', 2nd story 24'~~

~~Side: 0 feet~~

~~Rear: 30 feet~~

e. ~~Lot Coverage: Lot coverage shall include all enclosed building area. Atriums open to the sky or plazas, open parking, hardscaped areas shall not constitute lot coverage.~~

~~Maximum allowed: Limited only by setbacks.~~

f. ~~Landscaping: A minimum of ten percent of the building site area shall be landscaped in conformance with the Design Guidelines of this Specific Plan.~~

4. ~~Office as Secondary use~~

a. ~~Permitted and conditional use~~

~~The following uses shall be permitted by right where the symbol "P" appears and may be permitted subject to a conditional use permit where the symbol "C" appears in the column to the right.~~

1) ~~Professional offices for:~~

a) Architect	P
b) Attorney	P
c) Chiropractor	P
d) Dentist	P
e) Doctor	P
f) Oculist	P
g) Optometrist	P
h) Others licensed by the State of of California to practice the healing arts, including clinics for out patients only	P
i) Engineer	P
j) Land planner	P
k) Surveyor	P

2) ~~General Offices for:~~

a) Accountants	P
b) Advertising agency	P
c) Contractors and building	

- ~~_____ consultants _____ C~~
- ~~d) Drafting _____ P~~
- ~~e) Economic consultant _____ P~~
- ~~f) Escrow _____ P~~
- ~~g) Insurance _____ P~~
- ~~h) Public utility office (but not
_____ including corporate yards) _____ C~~

3) Other Offices including:

- ~~a) Personnel agency _____ P~~
- ~~b) Answering service _____ P~~
- ~~c) Collection agency _____ P~~
- ~~d) Land and property management P~~
- ~~e) Photographer _____ P~~
- ~~f) Interior decorator or
_____ artist studio _____ P~~
- ~~g) Professional consultant _____ P~~
- ~~h) Realtor _____ P~~
- ~~i) Stock broker _____ P~~
- ~~j) Travel agency _____ P~~
- ~~k) Title insurance _____ P~~

4) Community Facilities including:

- ~~a) Churches, convents monasteries
and other religious institutions C~~
- ~~b) Fraternal organizations
and lodges _____ C~~
- ~~_____ c) Animal hospitals and clinics _____ C~~
- ~~_____ d) Commercial recreation facilities
including tennis, racquetball,
_____ bowling, ice skating, athletic
_____ clubs and similar uses _____ C~~
- ~~_____ e) Post office branch _____ C~~
- ~~_____ f) Public utility offices _____ C~~

~~b. Maximum Structural Height 2 story, 26 feet, with pitched roof.~~

~~e. Minimum Building Site Area 10,000 square feet.~~

~~d. Yard Setbacks:~~

~~Front: 1st story 12', 2nd story 24'
Side: 10 feet
Rear: 30 feet~~

e. ~~Lot Coverage: Lot coverage shall include all enclosed building area. Atriums open to the sky or plazas, open parking, hardscaped areas shall not constitute lot coverage.~~

~~Maximum allowed: 55 percent~~

f. ~~Landscaping: A minimum of fifteen percent of the building site area shall be landscaped in conformance with the design guidelines of this Specific Plan.~~

5. ~~Restaurant as Primary or Secondary Use~~

a. ~~Permitted and conditional uses~~

~~The following uses shall be permitted by right where the symbol "P" appears and may be permitted subject to a conditional use permit where the symbol "C" appears in the column to the right.~~

1) Restaurants without drive thru facilities	P
2) Restaurants with drive thru facilities	C
3) Eating and drinking establishments with liquor	C
4) Eating and drinking establishments without liquor	P
5) Nightclubs and cabarets	C
6) Health food store	P
7) Grocery store with beer and wine	C
8) Grocery store without beer and wine	P

b. ~~Maximum Structural Height—2 story, 26 feet, with pitched roof.~~

c. ~~Minimum Building Site area~~

Sit down type	25,000
Fast food drive thru	12,000

d. ~~Yard setbacks:~~

Front:	0 feet
Side:	0 feet
Rear:	20 feet

e. ~~Lot Coverage: Lot coverage shall include all enclosed building area. Atriums open to the sky or plazas, open parking, hardscaped areas shall not constitute lot coverage.~~

~~Maximum allowed: Limited only by setback areas.~~

f. ~~Landscaping: a minimum of ten percent of the building site areas shall be landscaped in conformance with the design guidelines of this Specific Plan area.~~

~~6.4. Hotel as Primary or Secondary Use~~

~~a. Conditionally Permitted Uses~~

~~All of the following uses may be permitted subject to a Conditional Use Permit.~~

- ~~1) Hotels~~
- ~~2) Motels~~
- ~~3) Motor Lodges~~

b. ~~Maximum Structural Height — The height of such a structure will be determined relative to its location. In Subarea 1 Planning Unit 1-1, 1-2, 1-3, where a hotel is a secondary use, the height limit is 50 feet. In Planning Unit 2-4, Subarea 2 where a hotel is a primary use, the height limit is 35 feet.~~

c. ~~Maximum Building site area — 1 acre~~

d. ~~Yard setbacks:~~

- ~~Front: — 25 feet~~
~~Side: — 25 feet~~
~~Rear: — 25 feet~~

e. ~~Lot Coverage: Lot coverage shall include all enclosed building area. Atriums open to the sky or plazas, open parking, hardscaped areas shall not constitute lot coverage.~~

~~Maximum allowed: 85 percent~~

f. ~~Landscaping: a minimum of ten percent of the building site area shall be landscaped in conformance with the design guidelines of this specific plan.~~

E. PARKING REQUIREMENTS

All parking requirements shall be subject to the provisions of the Tustin City Code.

1. ~~Parking Stall Size~~

~~Parking areas shall consist of off street parking spaces, each space being a rectangular area 9 feet by 17½ feet, with a 2½ foot overhang together with drives, aisles, turning and maneuvering areas having unrestricted access to a public street or alley. A 2½ foot front overhang area over low level landscaping shall be permitted.~~

2. ~~Compact Car Accommodations~~

~~—Parking accommodations for compact cars may provide for up to 30 percent of the total spaces required for a new development; however, compact cars may not exceed 20 percent of the total spaces required for a secondary use. Compact spaces shall be a rectangular area 8 feet by 16 feet with a two (2) foot overhang.~~

~~These compact spaces must be specially signed for compact car use only and the applicant shall furnish evidence of means of enforcement by assignment of spaces or applicability of the Uniform Traffic Ordinance.~~

3. ~~Parking Lot Design~~

- ~~a. —Whenever access to a parking area is from any public street, parking spaces, driveways and maneuvering areas shall be designed so that vehicles shall enter the street in a forward direction.~~
- ~~b. —All required off street parking spaces shall be designed, located, constructed, and maintained so as to be fully and independently usable and accessible at all times.~~
- ~~c. —Grading, drainage, and paving of parking areas, driveways and private streets shall be designed by a soils engineer or civil engineer based upon the types of soil present at the site and the type of wheel loading that it may support. Said engineered design shall be a minimum of 3" of asphaltic concrete over 6" of aggregate base.~~
- ~~d. —Wheel stops shall be of continuous curbing.~~
- ~~e. —Parking lot lighting shall be arranged so that direct rays do not shine on adjacent property. Lighting fixtures and intensity of lighting shall be subject to the review and approval of the Community Development Director.~~
- ~~f. —Trash enclosures shall be located so as to provide trash, vehicle access and maneuvering area.~~

- ~~g. Off street parking areas shall be arranged so that a vehicle within the parking area will not have to enter a street to move from one location to any other location within that parking area.~~
- ~~h. Perimeter masonry walls, 6' 8" in height shall be constructed when a parking lot adjoins a residential use.~~
- ~~i. Parking lot plans shall incorporate the following:
 - ~~1. Dimensions for internal spacing, circulation and landscaped areas~~
 - ~~2. Curbing, stall markings, signs and other vehicular control devices~~
 - ~~3. Location of lighting fixtures~~
 - ~~4. Location of trash enclosures~~
 - ~~5. Location of fire hydrants~~
 - ~~6. Location of landscaped areas~~
 - ~~7. Materials design of perimeter walls~~~~
- ~~j. Parking areas shall be designed in accordance with the standards illustrated by Exhibits A, B and C on the following pages.~~
- ~~k. Landscaping Requirements
 - ~~1. Each off street parking area shall provide an area or areas landscaped equivalent to 20 square feet for each parking space. Such landscaping shall be provided along the periphery of the parking area and shall consist of trees and plant material provided, however, that such landscaped area shall include at least one minimum 15 gallon tree shall be provided in the interior portions of the parking area for each 1,500 square feet of parking area plus one full-sized parking space shall be landscaped every eight spaces. Required landscaped yard or setback areas shall not be construed as satisfying any portion of the minimum landscaped percentage area required by this section.~~
 - ~~2. Any unused space resulting from the design of the parking area shall be used for landscaping purposes.~~
 - ~~3. All required landscaped areas shall be provided with a permanent and adequate means of irrigation and shall be adequately maintained.~~
 - ~~4. Landscaping adjacent to drive entrance or aisle ends shall not exceed 30" in height, to preclude restricting visibility.~~
 - ~~5. Landscape and irrigation plans, including the type and location of plant materials to be used, shall be subject to the approval of the Community Development Director and should be in conformance with the plant palette included in the design guidelines portion of this Specific Plan.~~~~

~~6. Raised center islands may be designed with alternatives of paved concrete and landscaped areas.~~

~~7. Perimeter parking lot trees shall be planted in planters of a sufficient width to provide 2½ feet minimum clearance for vehicle overhang.~~

~~1. Off Street Parking Requirements~~

~~1. Hotel—one space for each two guest rooms~~

~~2. Retail Store—one space for each 200 square feet of store floor area~~

~~3. Banks and Office Buildings—one space for each 250 square feet of floor area~~

~~4. Restaurants—one space for each three seats~~

~~5. Medical-Dental Professional uses—six parking spaces per 1000 square feet of gross floor area~~

~~6. Service commercial—one space for each 225 square feet of floor area.~~

~~7. The Planning Commission shall determine the amount of parking required for uses not listed herein~~

F. LOT CONSOLIDATION PROGRAM

Lot consolidation, for the purposes of this Specific Plan, shall refer to the legal combination of lots or the development of multiple lots under separate ownership as one cohesively designed development. ~~A single parcel, existing at the time of adoption of this Specific Plan is not eligible for the lot consolidation bonuses.~~

As a means to encourage lot consolidation along First Street rather than requiring it by specifying larger than presently existing lot sizes, the City Planning Commission may grant certain bonuses for consolidations exceeding a certain level. These bonuses may include relaxed height limitations, ~~being able to develop a secondary use under primary use site development standards,~~ parking reductions, relaxed setbacks or other such modifications as may be determined to be appropriate.

~~How does it work?~~

~~In order to~~ To qualify to request for a lot consolidation bonus, the total area of the lots being combined or cohesively designed must surpass the minimum required lot size by at least 50 percent. If a minimum lot size is not stipulated, the lots being combined or cohesively designed are area automatically eligible for bonus provisions. For example, two adjacent owners want to cohesively develop their properties as one development. Property owner A's property is 7,500 square feet and property B's lot is 9,000 square feet. The minimum lot size requirement under which they are developing is 10,000 square feet. Combined, their development parcel(s) safely exceeds 15,000 square feet (50 percent over minimum of 15,000), therefore they may seek lot consolidation bonuses.

It should be specifically noted here that this is a completely discretionary action of the Planning Commission. The Planning Commission is under no obligation to grant development bonuses. In addition to determining the degree of the bonus provision, they will also determine how well the development has addressed the ~~D~~esign ~~G~~uidelines of this ~~S~~pecific ~~P~~lan. Any bonuses may be granted by the Planning Commission on a case-by-case basis with past actions not affecting future direction. Each development ~~will stand~~s on its own merit.

The following bonus provisions are available but shall not be limited to:

Parking reductions

Height relaxation

~~Legal assistance in parcel assemblage~~

Lot coverage relaxation

~~Ability to develop secondary uses under primary use site development standards~~

Reduction or waiver of processing fees

~~Agency loan for infrastructure improvements~~

~~Agency land purchase, lease or write-down~~

G. MIXED USE INCENTIVES

~~Planning units which have offices delineated as the primary use are eligible for this incentive.~~

Development and construction of buildings incorporating retail commercial or service commercial uses on the street level with an equal or greater amount of square footage relative to the office space on the upper floor(s) shall be exempt from all site development standards except for height and parking. The development ~~must~~ shall be responsive to the ~~D~~ G design ~~guidelines~~ however.

H. CONSOLIDATED PARKING/ACCESS BONUS

Any development proposal which incorporates either consolidated parking or a reciprocal access agreement with an adjacent ~~business-use~~ may be eligible for the Consolidated Parking/Access Bonus. The bonus shall be an overall reduction of required parking spaces by up to 20 percent ~~(20%)~~.

I. PLAN ADMINISTRATION

1. General

All regular administrative provisions of the Tustin ~~Municipal~~-Zoning Code shall apply to all properties within the First Street Specific Plan boundaries, including but not limited to Design Review, Zoning Permits, Conditional Use Permits, ~~Various~~-Appeals, Amendments, public notice and hearing provisions. The provisions herein add to or supplement the above-referenced provisions.

2. Administrative Review

In order to further encourage the development and rehabilitation of permitted uses within the First Street Specific Plan area, ~~of Primary permitted uses within all Planning Units~~, the review of plans ~~which have developed for a permitted Primary~~ use shall not be required to be processed such plans through the Planning Commission unless they are conditionally permitted uses. The Community Development Department shall review and comment on all matters of the application, and a final determination on the plan shall be rendered by the Community Development Department. The Planning Commission may at their discretion suggest design modifications consistent with the design-Design guidelines~~Guidelines~~. Any project having development plans approved by building permit issuance or land use permit prior to the adoption-amendment of this Specific Plan shall remain approved without amendment. ~~Any Primary Use project proposed in the Specific Plan area shall be forwarded to the Planning Commission as an information item.~~

3. Site Plan Rreview

a. Method and Purpose

The First Street Specific Plan shall be implemented through the use of Site Plan Rreview. A Site Plan shall be required for all rehabilitation, redevelopment, expansion of existing uses or structures and new development within the Specific Plan area requiring a building permit. ~~A site plan will not be required for rehabilitation of a structure where there is no square footage increase or use intensification.~~ This requirement is instituted for the following reasons:

1. To ensure consistency with the intent of the Specific Plan.
2. To encourage innovative community design and development.
3. To assure substantial long-range compliance with the Redevelopment Plan and General Plan.
4. To promote the highest contemporary standards of site design.

5. To adapt to specific or special development conditions that occur from time to time while continuing to implement the Specific Plan.
6. To facilitate complete documentation of land use entitlements authorized and conditions pertinent thereto.

b. Applicability

Approval of a Site Plan shall be required prior to or concurrent with a Conditional Use Permit, Tentative Tract Map, or Parcel Map for all proposed projects within the Specific Plan area. Where no Tentative Tract or Parcel Map is required, approval of a Site Plan shall rest with the Planning Commission except in the case of permitted primary uses. The Site Plan process shall be similar in its requirements and procedures to the Conditional Use Permit process in the City of Tustin. The only primary difference between the two is the simpler administrative review procedure for development projects which are consist of utilizing Primary-permitted uses in their respective Planning Unit.

[Appendix A Design Guidelines \(Separate Document\)](#)

[Appendix B 1985 Market Analysis \(Separate Document\)](#)

APPENDIX C CURRENT 1985 AND 2012 CONDITIONS SUMMARY

~~In order for the study team to~~ formulate what some of the ~~potentials- opportunities~~ and constraints of the Specific Plan Area were in 1985, ~~it was necessary to perform~~ certain basic mapping tasks ~~were performed~~. These tasks ultimately ~~directed-assisted~~ the study team to ~~reach~~ conclusions about what ~~was~~ there and how it related~~s~~ to the goals of the study. The ~~three-two current-1985~~ conditions exhibits discussed here include:

- ~~existing-1985~~ land use
- ~~1985~~ zoning
- ~~ownership patterns~~

1. ~~Existing-1985~~ Land Use

The ~~existing-1985~~ land use exhibit confirmed much of what the study team had generally been told about the area. Land uses ~~are-were~~ generally well mixed, with retail commercial and office development the most predominant. Also, the area generally became less commercial in nature as one traveled in a westerly direction from Newport Avenue to the Newport Freeway (55 Freeway). A small family of auto-related uses on the north side of First Street near El Camino Real was also found. Residential properties were the predominant non-conforming uses along the corridor. See Exhibit ~~59~~.

Existing (2012) Land Use

The existing land use exhibit demonstrates that there is a mixture of commercial retail, service, office, and residential uses along the First Street corridor. As shown in Exhibit 6, there is only one vacant lot within the Specific Plan area.

2. ~~1985~~ Zoning

The ~~Zoning Prior to the 1985 First Street Specific Plan zoning~~ exhibit coupled with the ~~existing-1985 First Street Existing Land Uses~~ exhibit posed striking observations from the study team. The one distinctive conclusion made was the proliferation of commercial zoning at the western end of First Street and the general lack of primary commercial uses located there. The other fairly obvious notation about the zoning configuration was the lack of depth presented by the commercial zoning with medium and low density residential zoning immediately to the rear of First Street properties. ~~The area is zoned much like a strip commercial area.~~ See Exhibit ~~7-10~~.

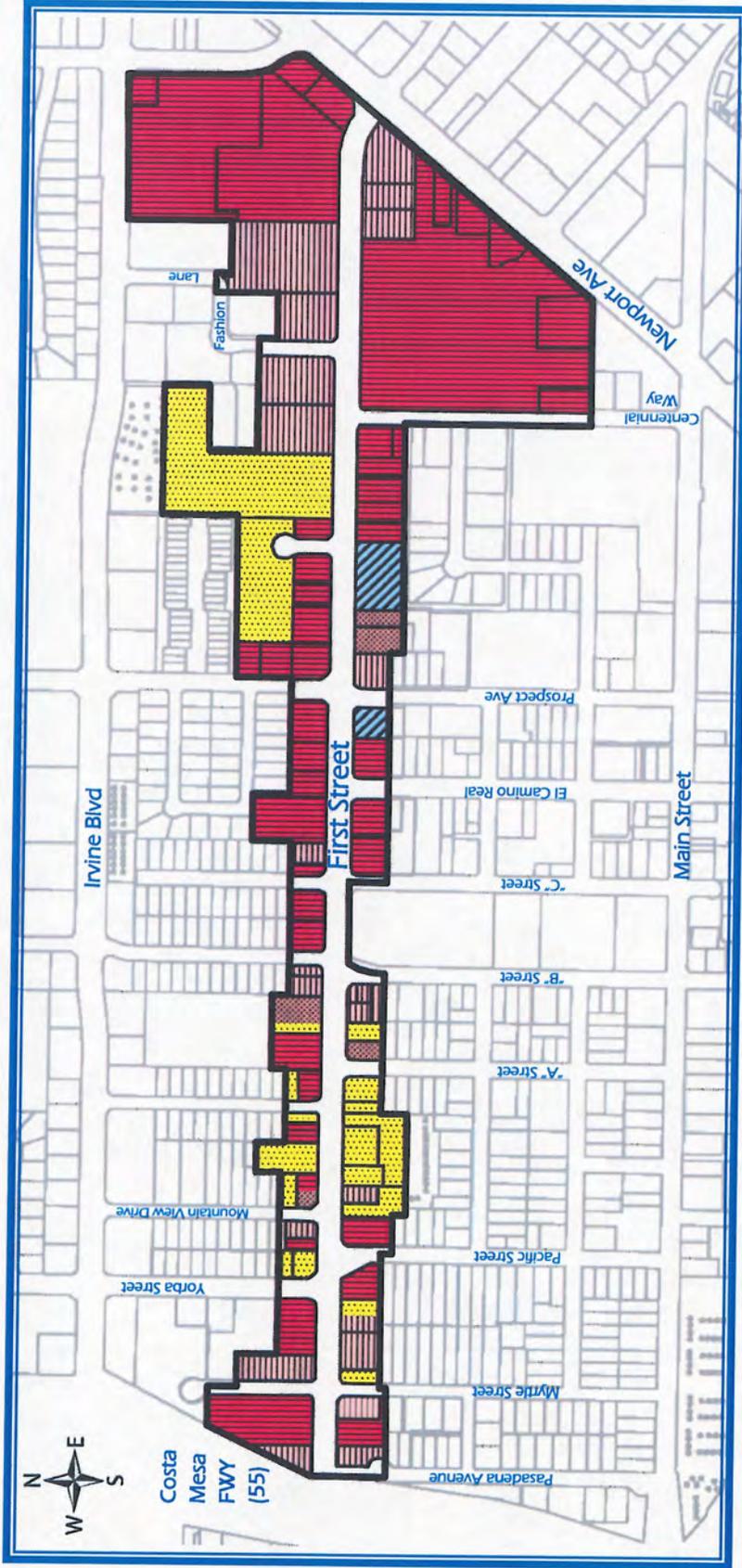
2012 Zoning

In 2012, a Specific Plan Amendment was approved that corrected minor zoning inconsistencies created by the 1985 adoption of the Specific Plan and its boundaries.

including restoring the zoning for large residential land uses to that previously established in 1985. Also, the less intensive built environment existing at the westerly end of First Street was preserved by revising the zoning designation to Neighborhood Commercial while preserving the more urban commercial built environment existing at the easterly end of the street. In addition, auto repair, single family residences and other previously prohibited uses were reintroduced as permitted or conditionally permitted uses in the Specific Plan.

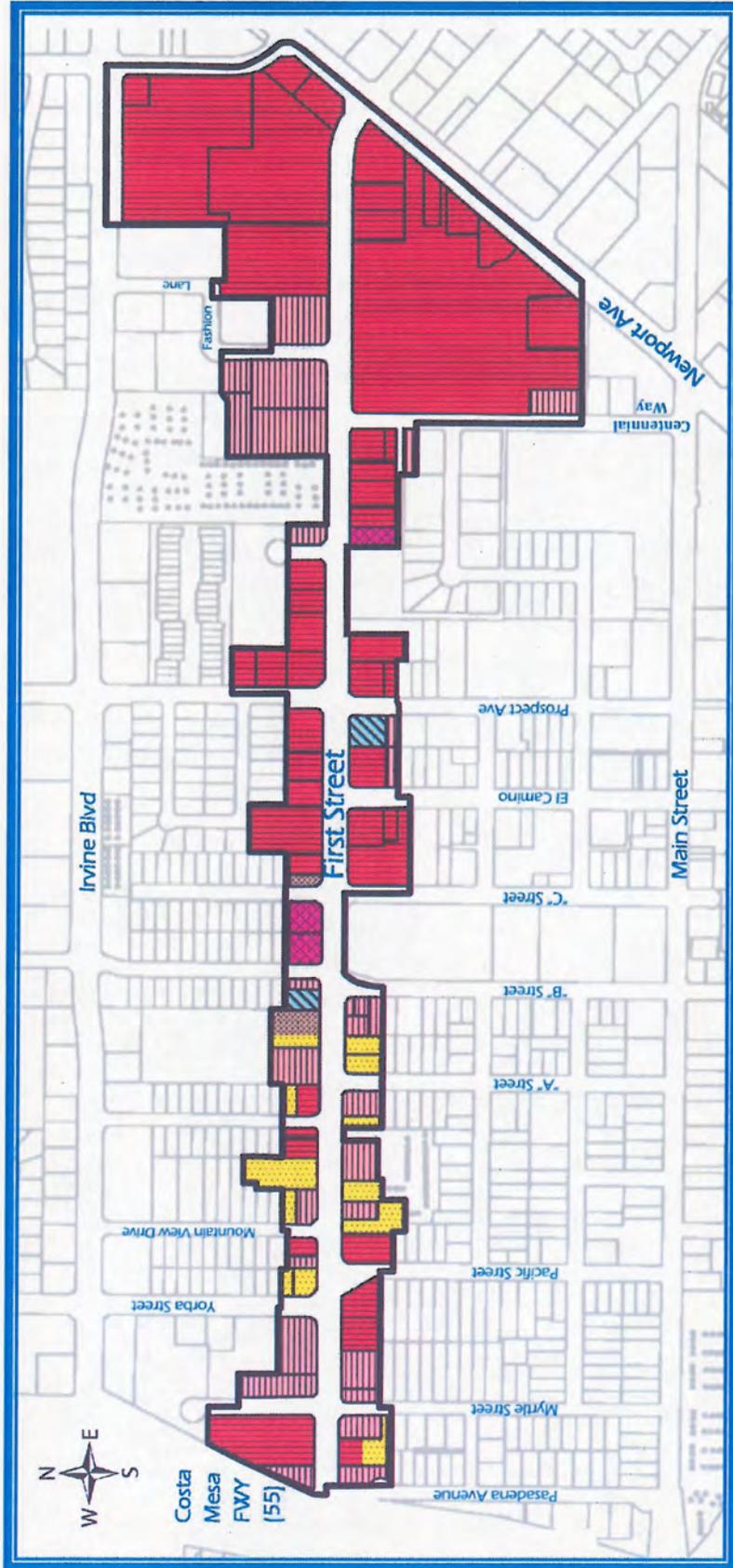
3. Ownership/Lot Size Patterns

~~—The consultant team undertook this task essentially looking for development opportunities in various properties being owned by a single owner. However, First Street, much like other arterials in Southern California, was divided up among various property owners with small to medium sized parcels. One notable difference was discovered on the north side of First Street between Mountain View and A Street. Once again the consultant team summarized that ownership patterns in general were scattered and lot sizes were small. Opportunities for lot consolidation would have to be subsidized through the Specific Plan. See Exhibit 11.~~



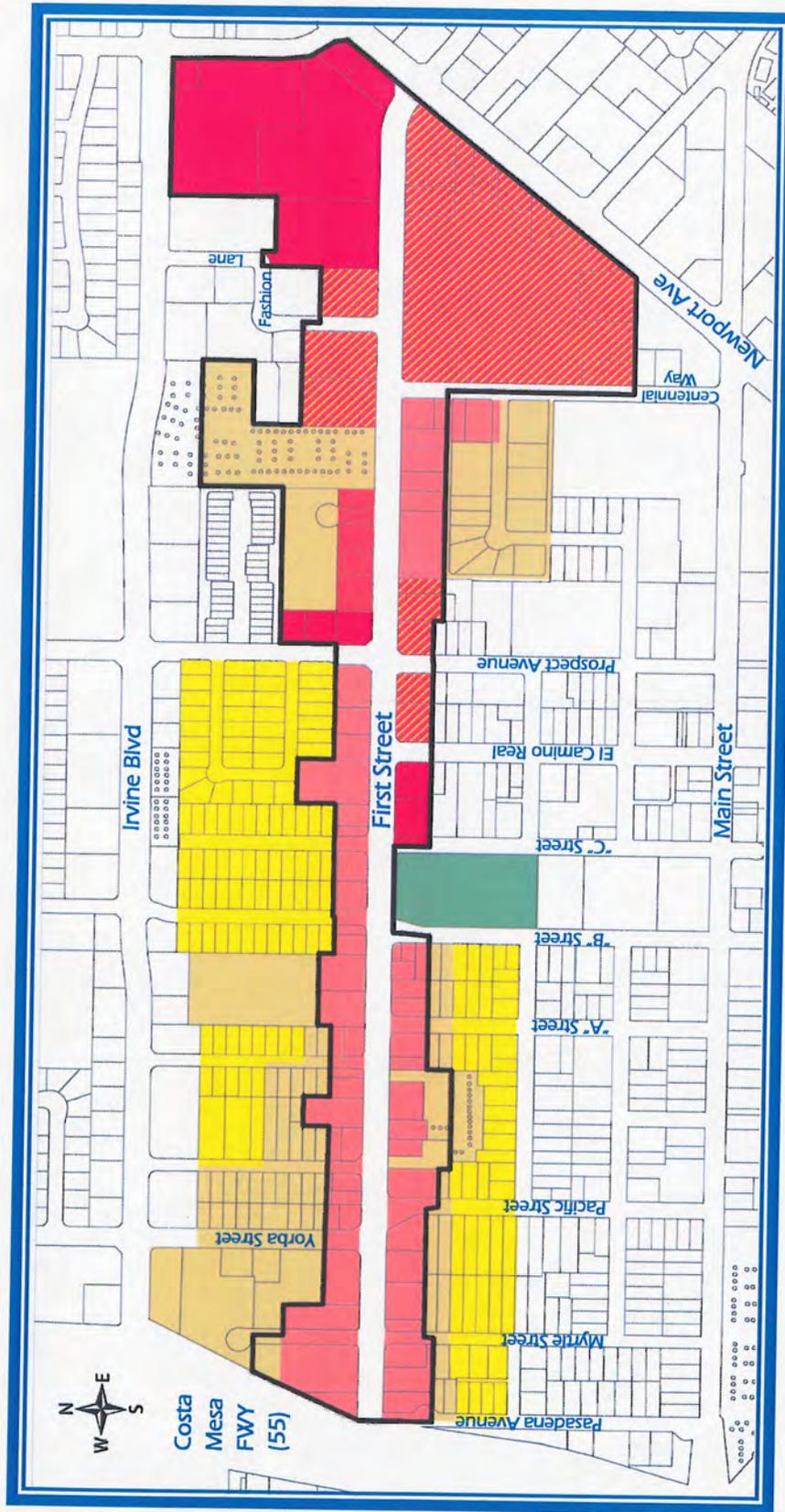
First Street Specific Plan 1985 First Street Existing Land Use Map





First Street Specific Plan 2012 First Street Existing Land Use Map

EXHIBIT 6



First Street Specific Plan

Zoning Prior to the 1985

First Street Specific Plan

EXHIBIT 7

- | | | | |
|---|-----------------------------|---|--------------------------------------|
|  | Single Family Residential |  | Central Commercial |
|  | Multiple Family Residential |  | Central Commercial Combining Parking |
|  | Retail Commercial |  | Commercial General |
|  | Public & Institutional | | |

APPENDIX D
FIRST STREET SPECIFIC PLAN
OPPORTUNITIES POTENTIALS AND CONSTRAINTS SUMMARY

A major ~~ingredient component~~ in the preparation of a Specific Plan in an already developed area is the careful examination and analysis of existing physical conditions ~~(summarized in Appendix C)~~. The next important step is the identification of physical ~~opportunities potentials~~ and constraints against which the market opportunities can be measured. These factors, combined with public input and policy/technical direction from the City, are the ingredients used in shaping the content of the plan.

This existing conditions summary and map were used in 1985 in part to identify the issues, goals, objectives and policies in Chapter II of the Specific Plan. The potential measures were evaluated for potential use in the regulatory guideline portions of the ~~P~~plan.

The First Street corridor is an area of distinct contrasts. On one hand, certain commercial properties have well designed, intensively used developments, particularly the ones located at the eastern terminus of First Street at Newport Boulevard, while a few blocks west of El Camino Real the buildings exhibit an older, less consistent image, where ~~building vacancies, vacant lots and~~ underutilized developments are more prevalent.

Analyzing First Street at the Specific Plan level, it becomes apparent that the street should continue to be planned as a cohesive whole with concentrations of "families of uses" dominating certain sections of the street.

In many revitalization situations similar in nature to First Street, the initial reaction might be to correct problems with long range, costly and controversial remedies. These remedies typically take the form of inflexible mandatory regulatory formats for new development. Such approaches do little to stimulate private commercial development.

The City of Tustin was and is interested in providing catalysts for change by providing regulatory "opportunity" through the judicious use of revised site development standards and the stimulus of incentive or bonus provisions. It ~~is was~~ The Planning Center's the consultant team's goal in 1985 to prepare a pro-business, pro-economic strategy plan designed to solve immediate physical problems as well as offer long-range programs for ongoing project-wide improvements.

Certain ~~potentials opportunities~~ and constraints have been identified thus far and are summarized below. See Exhibit 8 for a visual depiction of the opportunities and constraints identified in 1985.

~~City staff, Planning Commission, City Council and merchants will also be encouraged to contribute additional findings.~~

Opportunities Potentials

- There are several large cohesively designed shopping centers in the area.
- Relatively few buildings are in poor condition.
- There are recent instances of quality redevelopment/development within the area.
- Peppertree Park, ~~a~~Although not within the specific plan boundary, contributes a special landscape atmosphere which relates to the corridor.
- Most revitalization opportunities will occur in small, identifiable pockets ~~west of Prospect Avenue.~~
- The entry to El Camino Real offers a special historical streetscape element nearly in the middle of the project area, offering a central node of development for First Street.
- Prospect Street, the major north-south traffic carrier through the project area is located in the center of the area, reinforcing the activity node provided by El Camino Real.
- First Street has identifiable east and west entry points at the Newport Freeway and Newport Boulevard.
- The present streetscape system on First Street contains good elements which can be incorporated into the proposed plan. The medians with turf and well-established olive trees compliment the existing Ficus nitida. The curbside amenities (street furniture) fulfill functional needs but ~~may~~ not add aesthetically to the streetscape scene. ~~The accent paving presently used on El Camino Real could easily be added to the sidewalks on First Street to improve the visual quality of the area. Present plantings along First Street are appropriate, but planting techniques need to be adjusted. Existing trees are lifting the sidewalk and in many cases the planting wells contain only bare dirt.~~
- The project area has a series of equally spaced nodes or intersections that, when developed and enhanced, would help draw shoppers along its entire length.
- There appears to be little traffic congestion in the study area in relation to other commercial areas in southern California, with the most serious peak hour congestion occurring on the east/west peripheries.

Constraints

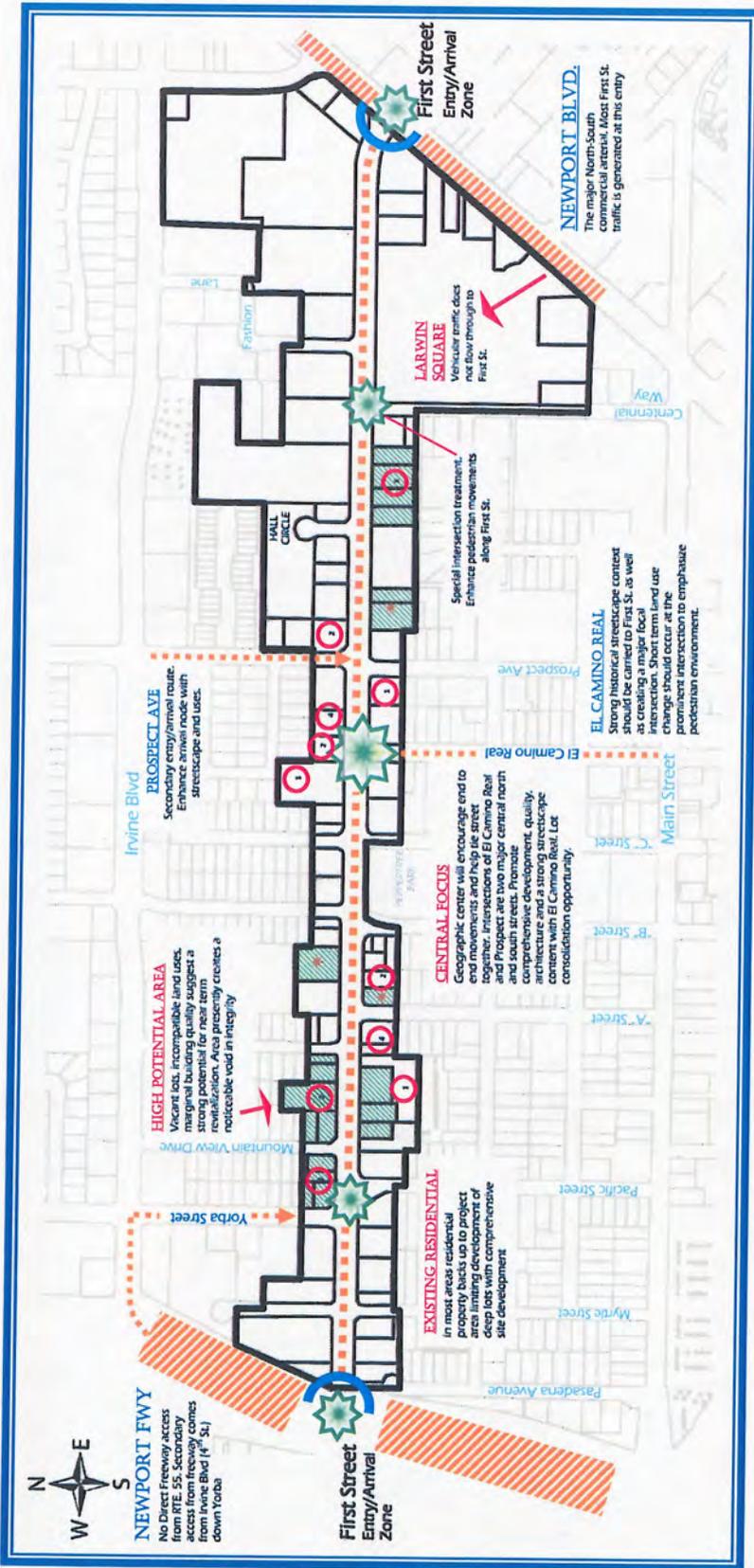
- Circulation:

- There is a lack of convenient inter-site circulation, in that vehicles must generally enter First Street to access the adjacent site.
- Mixed Land Uses:
 - While a mixture of land uses can add excitement to an area, in the case of First Street there ~~is a~~ no cohesive family of uses which encourage spontaneous shopping or strolling, etc. In fact, many adjacent land uses are incompatible with one another.
- Scattered Retail Uses:
 - The existing retail uses which comprise the First Street Specific Plan area are too dispersed. The area exhibits the physical characteristics of strip commercial development but without enough truly auto-related retail uses to capitalize on its linear shape.
- Poorly maintained buildings, ~~vacancies, vacant lots~~:
 - Some properties within the Specific Plan area ~~are in need of maintenance—exhibit these maladies.~~ ~~Along the west end of~~ First Street, ~~in particular, exhibits the greatest incidence of vacant lots,~~ ~~there are~~ non-conforming uses, vacancies and older, poorly maintained buildings.
- Lack of Freeway Entry (Newport ~~(SR-55)~~ Freeway);
 - One of First Street's major ~~problems—constraints~~ is its lack of direct Freeway access, both vehicular and visual. Moreover, entry at Newport Avenue doesn't offer a ~~really exciting or different~~ visual statement either.
- Small, shallow development parcels:
 - Commercial development on single, shallow lots does little to promote ~~a viable larger scale—commercial centers~~ on First Street (such as Larwin ~~Square~~ or ~~The~~ Courtyard). The most successful commercial and office developments have assembled and consolidated lots along and behind First Street.
- Inconsistent Development Standards:
 - The inconsistent mixture of architectural styles, parking configurations, setback and landscape requirements, while offering a variety of individual site conditions lacks any cohesiveness which could tie all of these varietal standards together. This gives First Street no sense of cohesiveness or commercial identity.

Potential Measures

The following analysis outlines ~~in a shopping list format, a myriad of~~ programs which might be able to take advantage of the area's ~~opportunities potentials in an attempt to~~ improve some ~~problem-challenging~~ conditions. It is by no means inclusive or a final recommendation. This list is simply a compilation of some ideas that have been successfully applied in situations similar to First Street. ~~See Exhibit 12.~~

- Consolidate small lots (either through private land assembly or coordinated site planning), developing more efficient use of land, creating a more efficient building site, and providing a non-strip commercial atmosphere. Depth needs to be established where possible.
- Establish development incentives for providing off street parking with improved inter-property circulation opportunities. These development incentives could be the relaxation of certain development standards for more efficient parking design or streetscape amenities.
- Form a Business Improvement District to guide project-wide improvements. This could be similar in nature to a merchant's association in a mall or shopping center. It could be self policed; it could solve problems of who cares for shared parking lots; it could even sponsor promotional events.
- Provide alternatives to front setback parking lots.
- Establish new, comprehensive site development standards unique to the area.
- ~~Re-zone residential areas near the Specific Plan area into compatible zones with adjacent floating zones, readily available for commercial developments fronting on First Street.~~
- Develop an improved streetscape program compatible consistent with the established El Camino Real improvements.
- Establish consistent, yet flexible, sign controls.
- Create pedestrian points of interest to enhance a linear pedestrian route along First Street.
- Grant development bonuses to businesses which utilize storefront canopies and plazas to enhance the pedestrian movement from property to property.
- ~~Consider the feasibility of adopting a new Redevelopment Project Area namely the portion of the Specific Plan area (west of Prospect) not presently in a redevelopment area.~~
- Develop means for ~~more aggressively~~ drawing vehicles from nearby ~~Newport~~ Freeway exits at Main Street Irvine Boulevard and Newport Avenue to First Street.



- 1 Long Term Use Change
 - 2 Short Term Use Change
 - 3 Commercial Rehabilitation
 - 4 Intensification Potential
- Special Intersection Treatment
 - Vacant Lot
 - High Future Potential

First Street Specific Plan

1985 Opportunities And Constraints

APPENDIX E

The attached request for proposal describes the initial direction for the First Street Specific Plan. Along with the subsequent market analysis, physical conditions analysis and public commentary, this guidance helped to shape the thrust of the plan.

**APPENDIX F
FIRST STREET SPECIFIC PLAN
PLANNING PROCESS**

This appendix documents the process by which the First Street Specific Plan was prepared and considered.

<u>Date</u>	<u>Event</u>
July 2, 1985	Request for Proposal distributed by City to potential consultants. Contained a carefully worded scope of work and statement of objectives.
August 23, 1985	The Planning Center authorized to begin work.
August 28, 1985	Detailed scoping meeting between City Staff and consultant team.
September 30, 1985	Progress review meeting with City Staff and consultant team. Focus on issues potentials and constraints.
October 24, 1985	First public town_hall meeting held to explain planning effort, share market and physical conditions information and gain insight from the public before beginning plan formulation.
October 25, 1985	Consultant team began plan preparation.
November 12, 1985	Planning Commission workshop to present findings, summarize public input and obtain commission comments. City Council members invited to hear briefing.
November 25, 1985	Presentation of draft plan to joint City Council/Planning Commission workshop. Opportunity to expose them and interested public to details of the plan, provide council and commission members the opportunity to question consultants, and discuss possible resolution of issues embodied in the plan.
December 9, 1985	Formal public hearing on plan by the Planning Commission. Direct testimony received from public, with responses by both consultants and staff.
December 16, 1985	Formal public hearing on the plan by the City Council. Consideration of Planning Commission recommendation, public testimony and both consultant and staff reports and

responses to questions. Plan adopted.

- January 25, 2011 Planning Commission workshop to consider an update to the First Street Specific Plan.
- March 22, 2011 Continued Planning Commission workshop
- July 24, 2012 Draft First Street Specific Plan Amendment distributed to the Planning Commission.
- September 14, 2011 Public workshop on the First Street Specific Plan
- October 23, 2012 Tustin Planning Commission adopts Resolution No. 4209 recommending that the Tustin City Council approve Specific Plan Amendment 2012-001.

The process, highlighted by these key dates and events, was accompanied throughout the project life by a very close and constructive staff/consultant communication that resulted in clarifying a great number of technical questions as needed so that policy issues could be focused upon by the public, the Planning Commission and the City Council. The quality of this working relationship was the major ingredient in completing the plan in an unusually short period of time.

APPENDIX G GENERAL PLAN CONSISTENCY

Section 65860 of the California Government Code requires that zoning be consistent with a jurisdiction's General Plan.

The dominant element of the City of Tustin General Plan relevant to the First Street Specific Plan Area is the Land Use Element. ~~The entire planning area is designated for commercial use. As defined in the General Plan, this land use category is cumulative and includes "professional office buildings, private recreation facilities, individual stores and shops, shopping centers, and facilities providing sales and services, including automobile sales and service."~~

The City's General Plan Land Use Element designates the area as PC Commercial/Business. Under this land use designation, a mix of commercial and office uses such as hotel/motels, commercial centers, research and development, and professional offices are permitted.

The First Street Specific Plan is consistent with the following General Plan goals and policies:

GOAL 1: Provide for a well balanced land use pattern that accommodates existing and future needs for housing, commercial and industrial land, open space and community facilities and services, while maintaining a healthy, diversified economy adequate to provide future City services.

Policy 1.8: Provide incentives to encourage lot consolidation and parcel assemblage to provide expanded opportunities for coordinated development and redevelopment.

GOAL 5: Revitalize older commercial, industrial and residential uses and properties.

Policy 5.2: Provide development incentives to facilitate the consolidation of individual parcels along the City's commercial corridors.

GOAL 7: Promote expansion of the City's economic base and diversification of economic activity.

Policy 10.6: Encourage the integration of retail or service commercial uses on the street level of office projects through flexibility in site development standards.

Policy 10.7: Encourage the consolidation of individual parcels/consolidated site planning and parking and access along First Street and in Old Town through utilization

of development incentives such as reduced parking, height bonus, lot coverage relaxation, allowance for secondary uses, fee waivers, and/or financial assistance in land acquisition and/or infrastructure improvements.

Policy 10.9: Review the First Street Specific Plan including modifications to the Plan which would consider issues associated with eliminating and prohibiting future automobile service-related uses and restrictions on the expansion of existing automobile service related uses.

Two major goals of the General Plan apply:

- ~~1. "To promote an economically balanced community with complementary and buffered land uses to include industrial, commercial, professional, multi-family and single-family development," and~~
- ~~2. "To revitalize the economic health and vitality of the town center area."~~

The ~~P~~lan responds directly to ~~the first goal~~ these goals and policies by providing for appropriate commercial retail, service, and office uses. It responds indirectly ~~to the second goal~~ by reinforcing successful development and stimulating both economic growth and aesthetic improvement ~~on the periphery of the town center~~ First Street.

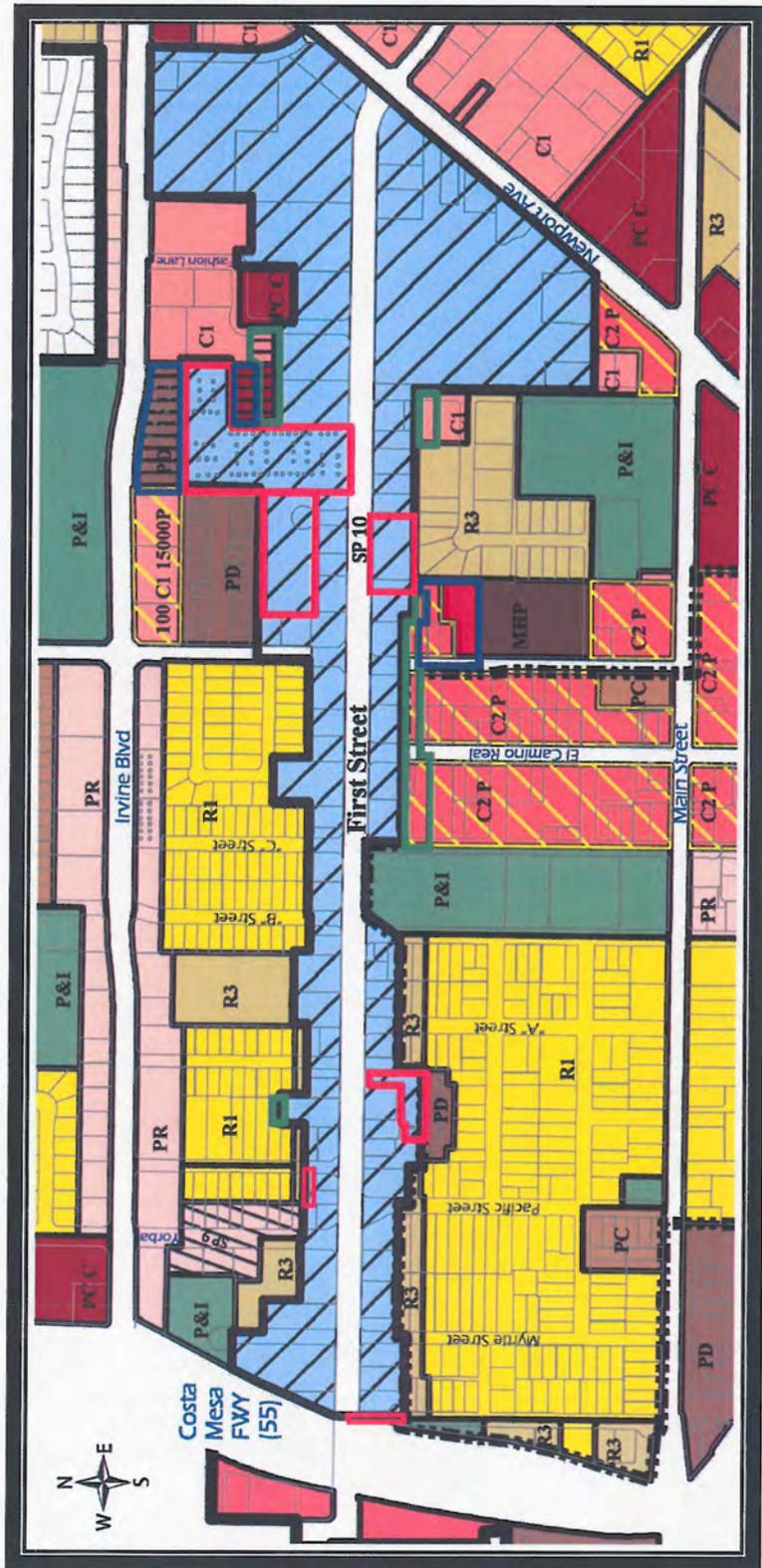
~~A specific proposal in the land use element is "to encourage the development of First Street between the Newport Freeway and Newport Avenue for professional-commercial development at a depth that will result in quality improvements while protecting the enjoyment of abutting residential properties." That is exactly what the Specific Plan does through its policies, regulations and design guidelines.~~

The ~~P~~lan effects a change not so much in the nature of uses along First Street but the balance, arrangement, development standards and design characteristics of office, commercial and specialized uses so that they will be more responsive to market opportunities and enhance the First Street corridor.

The First Street Specific Plan is therefore consistent with the City of Tustin General Plan.

APPENDIX H
FIRST STREET SPECIFIC PLAN
FINDINGS

1. The proposed commercial and office development is consistent in intensity and character with the City's adopted General Plan.
2. Reasonable alternatives to the plan and their implications have been considered.
3. The scope and depth of plan analysis are commensurate with the level of detail contained in the plan and the specificity of land use entitlement its adoption authorizes.
4. The various components of the plan as well as the plan in its entirety are sensitive to the environmental and public policy impacts of the proposed development.
5. Appropriate mitigation measures are incorporated in the plan to insure that concerns identified at this level of planning are resolved as part of the more detailed site plan review which must be completed before private development may proceed.
6. Administration of the plan is thoroughly integrated into the City's development processing system.
7. All subjects required in a specific plan by the California Government Code and applicable City ordinances are appropriately and adequately covered.
8. Adequate time and opportunities have been afforded interested organizations and members of the public to comment on or propose changes to the plan if they so desired.
9. The level of development direction established by the plan is sufficient to eliminate the need for a continued development moratorium in the First Street corridor.



First Street Specific Plan Zone Changes

- Areas to be Removed
- Areas to be Added
- Related Zone Changes
- SP 10-1985 First Street Specific Plan
- Cultural Resources District
- P-Parking Overlay
- R1-Single Family
- R3-Multi-Family
- C1-Retail Commercial
- C2-Central Commercial
- CG-Commercial General
- P&I-Public & Institutional
- PD-Planned Development
- PC-Planned Community
- PCC-Planned Community Commercial

Attachment 4

Planning Commission Resolution No. 4209 and Meeting
Minutes of October 23, 2012

RESOLUTION NO. 4209

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TUSTIN, CALIFORNIA, RECOMMENDING THAT THE TUSTIN CITY COUNCIL APPROVE SPECIFIC PLAN AMENDMENT 2012-001 (ORDINANCE NO. 1414), INCLUDING AMENDMENT OF THE TUSTIN ZONING MAP; AND GENERAL PLAN AMENDMENT 2012-001, TO PROVIDE A GENERAL UPDATE TO THE FIRST STREET SPECIFIC PLAN.

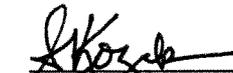
The Planning Commission of the City of Tustin does hereby resolve as follows:

- I. The Planning Commission finds and determines as follows:
 - A. That the First Street Specific plan was adopted on December 2, 1985. At that time, the First Street Specific Plan was envisioned as a 15-year document.
 - B. That property owners, real estate professionals, members of the Tustin Planning Commission, and staff have identified that the First Street Specific Plan is outdated and in need of amendment.
 - C. That on January 25, 2011 and March 22, 2011, the Tustin Planning Commission held public workshops to identify and discuss the strengths and weaknesses of the First Street Specific Plan, and to identify necessary revisions that should be considered.
 - D. That on September 15, 2011, Community Development Department staff held a Community Workshop with affected property owners and other interested parties to further identify and discuss the strengths and weaknesses of the First Street Specific Plan and necessary revisions that should be considered.
 - E. That on September 25, 2012, the Planning Commission held an additional public workshop where staff presented the proposed amendment of the First Street Specific Plan, including amendment of the Tustin Zoning Map and General Plan. At that time, the Planning Commission directed that the matter be scheduled for formal action by the Planning Commission and City Council.
 - F. That the proposed amendment of the First Street Specific Plan requires revision of the Tustin Zoning Map to reflect recommended Specific Plan Planning Area boundary changes.
 - G. That General Plan Amendment 2012-001 is proposed to implement minor text revisions and map modifications related to the proposed amendment of the First Street Specific Plan, and implementing a general update requested by the Orange County Airport Land Use Commission and Sphere of Influence boundary changes approved by the Orange County Local Agency Formation Commission.
 - H. That a public hearing was duly called, noticed, and held on Specific Plan Amendment 2012-001, including amendment of the Tustin Zoning Map, and

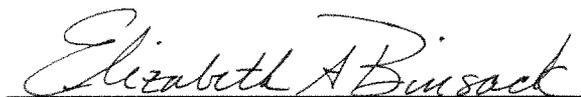
General Plan Amendment 2012-001 on October 23, 2012, by the Tustin Planning Commission.

- I. That Specific Plan Amendment 2012-001, including amendment of the Tustin Zoning Map, and General Plan Amendment 2012-001 are considered a "project" subject to the terms of the California Environmental Quality Act ("CEQA"). An Initial Study and findings for a proposed Negative Declaration have been prepared regarding this project for consideration and recommendation by the Planning Commission. In compliance with the State CEQA Guidelines, the Initial Study and Draft Negative Declaration was made available for a 20-day public review and comment period from September 27, 2012, through October 23, 2012. A Notice of Intent to adopt a Negative Declaration will be prepared for subsequent City Council consideration since the City Council is the final approval authority for the project.
- II. The Planning Commission hereby recommends that the City Council adopt Ordinance No. 1414 approving Specific Plan Amendment 2012-001 attached hereto as Exhibit A; and, approve General Plan Amendment 2012-001 attached hereto as Exhibit B.

PASSED AND ADOPTED by the Planning Commission of the City of Tustin at a regular meeting on the 23rd day of October, 2012.



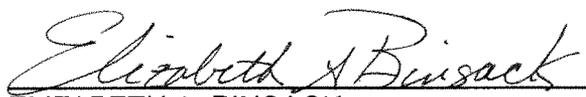
STEVE KOZAK
Chairperson



ELIZABETH A. BINSACK
Planning Commission Secretary

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF TUSTIN)

I, Elizabeth A. Binsack, the undersigned, hereby certify that I am the Planning Commission Secretary of the City of Tustin, California; that Resolution No. 4209 was duly passed and adopted at a regular meeting of the Tustin Planning Commission, held on the 23rd day of October, 2012.



ELIZABETH A. BINSACK
Planning Commission Secretary

In the interest of conservation, Exhibits A and B are not provided here but can be viewed as attachments to City Council Ordinance No. 1414 and Resolution No. 12-103

MINUTES
REGULAR MEETING
TUSTIN PLANNING COMMISSION
OCTOBER 23, 2012

7:00 p.m.

CALL TO ORDER:

Given

INVOCATION/PLEDGE OF ALLEGIANCE:

Chair Kozak

ROLL CALL:

Chair Kozak

Chair Pro Tem Thompson

Commissioners Altowaiji, Eckman, and Moore

Staff Present

Elizabeth A. Binsack, Director of Community Development

M. Lois Bobak, Assistant City Attorney

Dana L. Ogdon, Assistant Director of Community Development

Justina Willkom, Principal Planner

Scott Reekstin, Senior Planner

Amy Stonich, Senior Planner

Joe Pearson II, Planning Intern

Tom Vo, Planning Intern

Adrienne DiLeva, Recording Secretary

PUBLIC CONCERNS:

Chair Pro Tem Thompson noted for the record that he will need to leave the meeting at 8:00 p.m. this evening.

CONSENT CALENDAR:

Approved

1. APPROVAL OF MINUTES – OCTOBER 9, 2012, PLANNING COMMISSION.

RECOMMENDATION:

That the Planning Commission approve the minutes of the October 9, 2012, meeting as provided.

It was noted by the Assistant City Attorney that the minutes of October 9, 2012, should be approved in two separate motions, due to Commissioner Altowaiji's abstention from hearing item three.

Motion:

It was moved by Thompson, seconded by Eckman, to move item three. Motion carried 4-1. Commissioner Altowaiji abstained.

Motion:

It was moved by Altowaiji, seconded by Thompson to move the remainder of the minutes. Motion carried 5-0.

It should be noted that item three was heard before item two during the progression of the meeting.

PUBLIC HEARINGS:

Adopted Resolution
No. 4209 as amended

2. SPECIFIC PLAN AMENDMENT 2012-001 (ORDINANCE NO. 1414) INCLUDING AMENDMENT OF THE CITY OF TUSTIN ZONING MAP, GENERAL PLAN AMENDMENT 2012-001 TO PROVIDE A GENERAL UPDATE TO THE FIRST STREET SPECIFIC PLAN.

The Planning Commission held public workshops on the First Street Specific Plan on January 25 and March 22, 2011. On September 15, 2011, Community Development Department staff held a Community Workshop with affected property owners and other interested parties. The purpose of all three workshops was to identify and discuss First Street Specific Plan document strengths and weaknesses with the intent of identifying necessary revisions that might be needed.

On September 25, 2012, the Planning Commission held an additional public workshop where staff presented the proposed amendment of the First Street Specific Plan. At that time, the Planning Commission directed that all discretionary actions needed to implement the proposed amendment of the First Street Specific Plan be presented for formal action at their meeting of October 23, 2012.

Generally, the Amendments:

1. Address residential uses;
2. Eliminate expansion areas;
3. Eliminate the hopscotch zoning pattern of primary uses so that retail and office uses can occur anywhere in the District;
4. List auto repair as a conditionally permitted use;
5. Update parking, development, and use regulations;
6. Revise First Street Specific Plan Boundaries to include or exclude entire properties;
7. Eliminate references to the Community Redevelopment Agency;

8. Eliminate the First Street Specific Plan's tow-tier system of supporting primary uses and discouraging secondary uses, and;
9. Update First Street Specific Plan Design Guidelines.

ENVIRONMENTAL ANALYSIS - DRAFT NEGATIVE DECLARATION:

The California Environmental Quality Act requires an analysis of a project's potential impacts prior to formal consideration by the appointed decision maker. Consistent with CEQA, a Negative Declaration has been prepared in support of the proposed amendment of the First Street Specific Plan and associated amendment of the General Plan. The proposed GPA 2012-01 and SPA 2012-01 are considered a "project" subject to the terms of the California Environmental Quality Act ("CEQA"). An Initial Study and findings for a proposed Negative Declaration have been prepared regarding this project for consideration and recommendation by the Planning Commission. In compliance with the State CEQA Guidelines, the Initial Study and Draft Negative Declaration was made available for a 20-day public review and comment period from September 27, 2012, through October 23, 2012. A Notice of Intent to adopt a Negative Declaration will be prepared for subsequent City Council consideration since the City Council is the final approval authority for the project.

RECOMMENDATION:

That the Planning Commission adopt Resolution No. 4209, recommending that the Tustin City Council adopt Ordinance No. 1414, approving Specific Plan Amendment (SPA) 2012-001, including amendment of the Tustin Zoning Map; and, approve General Plan Amendment 2012-001, incorporating the associated changes to the General Plan with other minor updates.

Ogdon

Gave a presentation of the item and noted that a minor change was made to Appendix E of the First Street Specific Plan updating the recent dates of workshops and the public hearing, as well as modifying a typographical error in the Ordinance.

Planning Commission questions included: the existing use of the PD zone which is being removed; impact of the First Street

Specific Plan on the community; and an approximate timeline for when the First Street Specific Plan will be refreshed.

The public hearing was opened and closed at 7:34 p.m. with no members of the audience stepping forward to speak.

Altowaiji Inquired on public feedback received regarding the FSSP. Had no additional concerns regarding the project.

Moore Stated the document has been greatly improved and appreciated how staff will continue to revisit the document to work on the long-term updates. Is in support of approving the item.

Eckman Echoed the comments of his fellow Commissioners and stated that with staff's continued work on the document it will only get better over time.

Thompson Stated staff has done a great job with public outreach on this project, and also liked the objectives for long-term goals in updating the document.

Kozak Congratulated staff for their work on the project and stated that the final product is a great collaboration with the public, members of the Commission, and staff. Added that he would like to eventually integrate mixed-uses into First Street and improve the street design to include bus turnouts.

Motion: It was moved by Altowaiji, seconded by Eckman to adopt Resolution No. 4209 as amended. Motion carried 5-0.

REGULAR BUSINESS:

Adopted Resolution
No. 4208 as amended

3. REVOCATION OF MESSAGE ESTABLISHMENT PERMIT FOR WD MESSAGE, 13846 RED HILL AVENUE.

In response to law enforcement observations of suspicious activity, the Tustin Police Department conducted an undercover investigation of WD Massage on August 31, 2012, and made an arrest for prostitution. Pursuant to Tustin City Code Section 3721, the Planning Commission may revoke a massage establishment permit for any of several reasons, including violations of the Tustin City Code and Statutes of the State of California.

PERMITTEE: Yun Zhao Deng
27111 Mariscal Lane
Mission Viejo, CA 92691

PROPERTY
OWNER:

Howard Abel
125 Baker Street, E #208
Costa Mesa, CA 92626

PROPERTY
LOCATION:

13846 Red Hill Avenue

ENVIRONMENTAL:

This project is categorically exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; therefore it is not subject to CEQA.

RECOMMENDATION:

Adopt Resolution No. 4208 revoking the massage establishment permit issued to Ms. Yun Zhao Deng for WD Massage.

Reekstin

Gave a presentation for the item and noted that an additional item was added to the Resolution, indicating that WD Massage stopped operating after the business license was deemed invalid.

Commission questions included whether a business license has ever been granted after invalidation of the original license.

Commission deliberation of the item included a consensus to revoke the massage establishment permit based on facts of the matter given in staff's report and Resolution.

The permittee, Ms. Deng, or a representative of the permittee, was not present to provide testimony to the Commission during deliberation of the item.

Motion:

It was moved by Thompson, seconded by Altowaiji, to adopt Resolution No. 4208 as amended. Motion carried 5-0.

Received and filed

4. SUMMARY OF PROJECTS.

The following is a list of projects and activities since the Summary of Projects report provided at the July 24, 2012, Planning Commission meeting. The list focuses on the status of projects that the Planning Commission, Zoning Administrator, or staff approved; major improvement projects; Certificates of Appropriateness; Code Enforcement activities; and, other items of interest.

RECOMMENDATION:

That the Planning Commission receive and file this item.

DiLeva

Gave a presentation of the item.

The Commission thanked staff for the informative presentation.

There was no formal motion for the item, and it was received and filed.

STAFF CONCERNS:

The Assistant City Attorney clarified that she misspoke at the prior meeting regarding CUP 2012-10 for the Wilcox Manor. Stated that the CUP would need to be tied to the land and could not be tied to the property owners as previously conditioned by the Planning Commission.

The Director added that although the CUP runs with the land, subsequent property owners are required to agree to the conditions imposed in the CUP and remain accountable for complying with the conditions.

The Director reported that the Mayor's Thanksgiving Breakfast is upcoming, and stated that the Commission should have received an invitation to RSVP.

COMMISSION CONCERNS:

Altowaiji

- Had nothing to report on this evening.

Moore

- Reminded everyone to vote and that the Dino Dash is upcoming;
- Inquired regarding the road improvements near Jamboree and the 5 Freeway.

Eckman

- Reminded the audience to let their voices be heard by voting;
- Attended the PDAOC Forum;
- Thanked staff for the assistance they provide to the Planning Commission.

Thompson

- Attended the opening of the Fitness Zone at Frontier Park and congratulated the Parks and Recreation Department on this new addition;

Thompson cont.

- Attended the PDAOC Forum and was impressed with the development activity around Orange County;
- Appreciated the City Council candidate debates;
- Attended the OCTA Citizens Advisory Committee meeting, will be updating the City Council soon on the details of the meeting;
- Attended the Old Town Art Walk and conducted tours of Old Town.

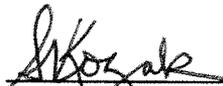
Kozak

- Thanked staff for the opportunity to attend the PDAOC Forum;
- Attended the City Council candidates forum;
- Enjoyed the Old Town Art Walk and stated it was well-attended;
- Echoed the comments of his fellow Commissioners to vote on November 6th.

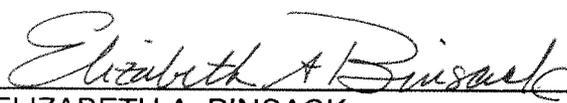
8:02 p.m.

ADJOURNMENT:

The next regular meeting of the Planning Commission is scheduled for Tuesday, November 13, 2012, at 7:00 p.m. in the City Council Chamber at 300 Centennial Way.



STEVE KOZAK
Chairperson



ELIZABETH A. BINSACK
Planning Commission Secretary

Attachment 5

**Ordinance No. 1414 adopting Specific Plan Amendment
2012-001 (Update of First Street Specific Plan)**

ORDINANCE NO. 1414

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUSTIN, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT 2012-001, INCLUDING AMENDMENT OF THE TUSTIN ZONING MAP, TO PROVIDE A GENERAL UPDATE TO THE FIRST STREET SPECIFIC PLAN.

The City Council of the City of Tustin does hereby ordain as follows:

SECTION 1. The City Council finds and determines as follows:

- A. That the First Street Specific plan was adopted on December 2, 1985. At that time, the First Street Specific Plan was envisioned as a 15-year document;
- B. That property owners, real estate professionals, members of the Tustin Planning Commission, and staff have identified that the First Street Specific Plan is outdated and in need of amendment;
- C. That on January 25, 2011 and March 22, 2011, the Tustin Planning Commission held public workshops to identify and discuss the strengths and weaknesses of the First Street Specific Plan, and to identify necessary revisions that should be considered;
- D. That on September 15, 2011, Community Development Department staff held a Community Workshop with affected property owners and other interested parties to further identify and discuss the strengths and weaknesses of the First Street Specific Plan and necessary revisions that should be considered;
- E. That on September 25, 2012, the Planning Commission held an additional public workshop where staff presented the proposed amendment of the First Street Specific Plan, including amendment of the Tustin Zoning Map and General Plan;
- F. That on October 23, 2012, a public hearing was duly called, noticed, and held by the Tustin Planning Commission whereupon the Commission adopted Resolution No. 4209 recommending that the City Council approve Specific Plan Amendment 2012-001, including amendment of the Tustin Zoning Map, and General Plan Amendment 2012-001;
- G. That on November 20, 2012, the Tustin City Council adopted Resolution No. 12-104 approving the Negative Declaration and Initial Study prepared for Specific Plan Amendment 2012-001 (Ordinance No. 1414) and General Plan Amendment 2012-01, to provide a general update of the First Street Specific Plan.
- H. That on November 20, 2012, the Tustin City Council adopted Resolution No. 12-103 (General Plan Amendment 2012-01), ensuring that Specific Plan Amendment 2012-001 is consistent with the Tustin General Plan. The Land Use Element includes the following City goals and policies for the long-term growth, development, and revitalization of Tustin, including the First Street Specific Plan area.

1. Achieve balanced development;
2. Ensure that compatible and complementary development occurs;
3. Improve city-wide urban design;
4. Promote economic expansion and diversification; and
5. Strengthen the development character and mixture of uses in the Old Town/First Street area.

SECTION 2. Specific Plan Amendment 2012-001 is hereby approved. The First Street Specific Plan is hereby amended, including amendment of the Tustin Zoning Map, as provided in Attachment A.

PASSED AND ADOPTED, at a regular meeting of the City Council for the City of Tustin on this 20th day of November, 2012.

JOHN NIELSEN
MAYOR

ATTEST:

PAMELA STOKER
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF TUSTIN)

CERTIFICATION FOR ORDINANCE NO. 1414

PAMELA STOKER, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, does hereby certify that the whole number of the members of the City Council of the City of Tustin is five; that the above and foregoing Ordinance No. 1414 was duly and regularly introduced and read at the regular meeting of the City Council held on the 20th day of November 2012, and was given its second reading, passed and adopted at a regular meeting of the City Council held on the ___ day of _____ 2012, by the following vote:

COUNCILPERSONS AYES:
COUNCILPERSONS NOES:
COUNCILPERSONS ABSTAINED:
COUNCILPERSONS ABSENT:

PAMELA STOKER, City Clerk

Attachment 1: Amendments to the First Street Specific Plan, including amendment of the Tustin Zoning Map.

Attachment 1



**FIRST STREET
SPECIFIC PLAN
2012**



City Council

John Nielsen, Mayor
Al Murray, Mayor Pro Tem
Jerry Amante, Councilmember
Deborah Gavello, Councilmember
Rebecca "Beckie" Gomez, Councilmember

Planning Commission

Steve Kozak, Chairperson
Jeff Thompson, Chairperson Pro Tem
Wisam "Sam" Altowaiji, Commissioner
Ken Eckman, Commissioner
Fred Moore, Commissioner

City Staff

Elizabeth A. Binsack, Director of Community Development
Dana L. Ogdon, Assistant Director of Community Development, AICP
Scott Reekstin, Senior Planner
Amy Stonich, Senior Planner, AICP
Joe Pearson II, Planning Intern
Suzanne Schwab, Former Planning Intern

Original document adopted by Planning Commission Resolution No. 2228 on
December 9, 1985

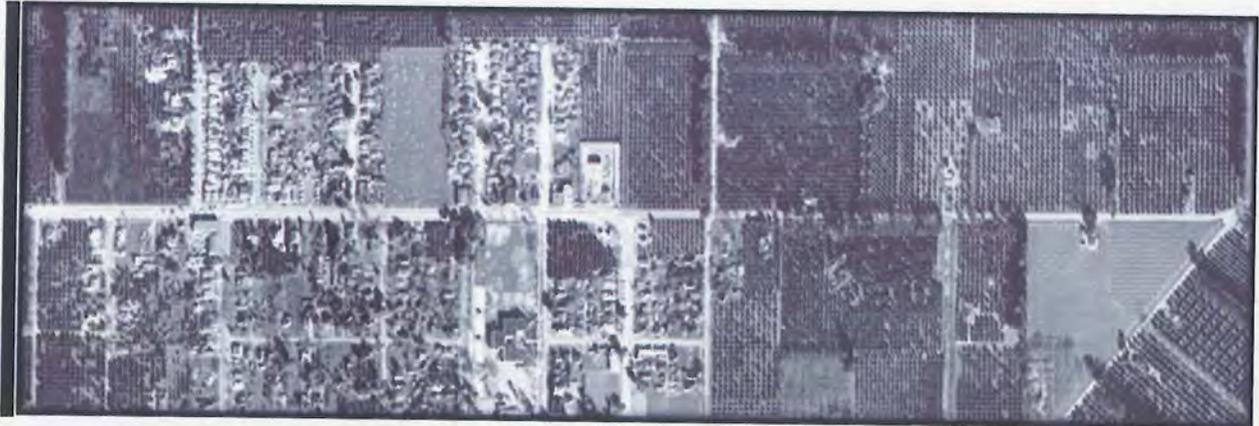
Original document adopted by City Council Resolution No. 85-126 and Council
Ordinance No. 961 on December 16, 1985

Specific Plan Amendment 2012-001 adopted by Planning Commission Resolution No.
4209 on October 23, 2012

Amended version adopted by City Council Resolution No. ____ on _____, 2012

I. INTRODUCTION

A. HISTORICAL PERSPECTIVE



First Street – Circa 1946

Tustin's agrarian past significantly influenced the pattern of commercial development in the community. The earliest development in Tustin was focused within Old Town, the community's original commercial center. As Tustin developed, transportation and commercial corridors evolved along First Street with small residential and commercial buildings. The subdivision of properties along First Street created an irregularly shaped streetscape, with most parcels being relatively small in size. Over the years, small parcel sizes limited the size and intensity of development that could occur along First Street.

As freeway travel expanded and became easier, First Street patrons were willing to travel farther to find goods and services. Newer and larger retail and service providers were established in Tustin Ranch and along nearby Newport Avenue, creating strong competition for First Street commercial businesses. Although First Street and the Newport (SR-55) Freeway intersect, freeway on- and off-ramps were not provided on First Street, but occurred a block north at Irvine Boulevard. Vehicle traffic found the most direct route to the freeway, resulting in some drivers bypassing First Street.

The less-traveled First Street corridor developed from its early status as the primary gateway to the City into a more fragmented pattern of land uses that continues to include a varied mix of historic residential and commercial properties. Land use changes have been infrequent along First Street, and the existing mixture of uses share a low-scale, low-intensity commercial character that is in need of revitalization. Residential uses (including single family, multi-family, and mobile homes), auto-oriented service uses, office, and small retail buildings currently line First Street. Only the First Street properties located nearest to Newport Avenue are generally larger and more uniform in use and purpose.



First Street – 2009

B. PLANNING AREA

The First Street Specific Plan regulates a commercial corridor that extends approximately a mile along First Street from central Tustin at Newport Avenue to the Newport Freeway (SR-55), as depicted on Exhibit 1. This corridor varies in depth on either side of the street from as little as 0 feet where it abuts the First Street right-of-way, to almost a quarter of a mile along Newport Avenue where the Larwin Square and Courtyard commercial centers are located on sites of several acres.

Although the First Street Planning Area is relatively small (approximately 84 acres), it is significant in that it continues to serve as an entry to the City from the west and provides access to the Old Town Tustin historic district and, via Centennial Way, to the Civic Center.

The First Street Planning Area is divided into three sub-areas as shown on Exhibits 2, 3 and 4.

C. BACKGROUND

Over the years the First Street corridor has evolved into an area of considerably varied development. The quality and condition of the existing built environment varies from high quality projects to those that have not been well maintained with many examples throughout the spectrum between these extremes.

The predominant uses existing within the First Street Planning Area are commercial retail, service, and office. Stimulated by a concern about the appropriate mix of these predominant uses as private development projects were proposed, the City Council established a moratorium on the issuance of new building permits on June 3, 1985 to allow time to establish overall guidance for further development. The First Street Specific Plan (the "Plan") is the vehicle approved by the Tustin City Council to provide that guidance.

When adopted in 1985, the First Street Specific Plan was envisioned to be a 15-year plan. More than 25 years later, in 2011, the Tustin Planning Commission and City staff initiated an effort to update the Plan.

As described in more detail in Appendix E, an intensive series of consultant/staff workshops, public meetings and Planning Commission/City Council work sessions and public hearings led to formulation of the original 1985 Specific Plan and its 2012 Amendment.

D. PURPOSE

The goal of the 1985 First Street Specific Plan was to identify an appropriate mix of commercial and office uses for the area. Tustin City Council was concerned about an "erosion of commercial potential" along this gateway street. The Plan was also intended to protect adjacent residential neighborhoods and establish consistent development standards.

The purpose of the 2012 Plan is to continue to guide and stimulate the use of properties along First Street to the maximum mutual advantage of property owners and the City of Tustin. This is accomplished by a comprehensive set of regulations, incentives and Design Guidelines, along with other related actions to encourage optimum development.

The Plan constitutes the legally established zoning for properties within the Planning Area. Moreover, it establishes certain important development policies within the First Street corridor.

The Specific Plan is the major device for implementing the City of Tustin General Plan within the Planning Area.

E. AUTHORITY

The California Government Code authorizes cities to adopt specific plans by resolution as policy or by ordinance as regulation. Hearings are required by both the Planning Commission and City Council, after which the Specific Plan must be adopted by the City Council to become effective.

The adoption of this Specific Plan by the City of Tustin is authorized by the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457.

The First Street Specific Plan is a regulatory plan which serves as the zoning ordinance for the properties within its boundary. Proposed development plans or agreements, tentative tract or parcel maps and any other development approvals must be consistent with the Specific Plan. Projects consistent with this Specific Plan are automatically deemed consistent with the General Plan.

The regulations contained herein shall apply to the boundaries depicted on Exhibit 1.

II. LAND USE PLAN

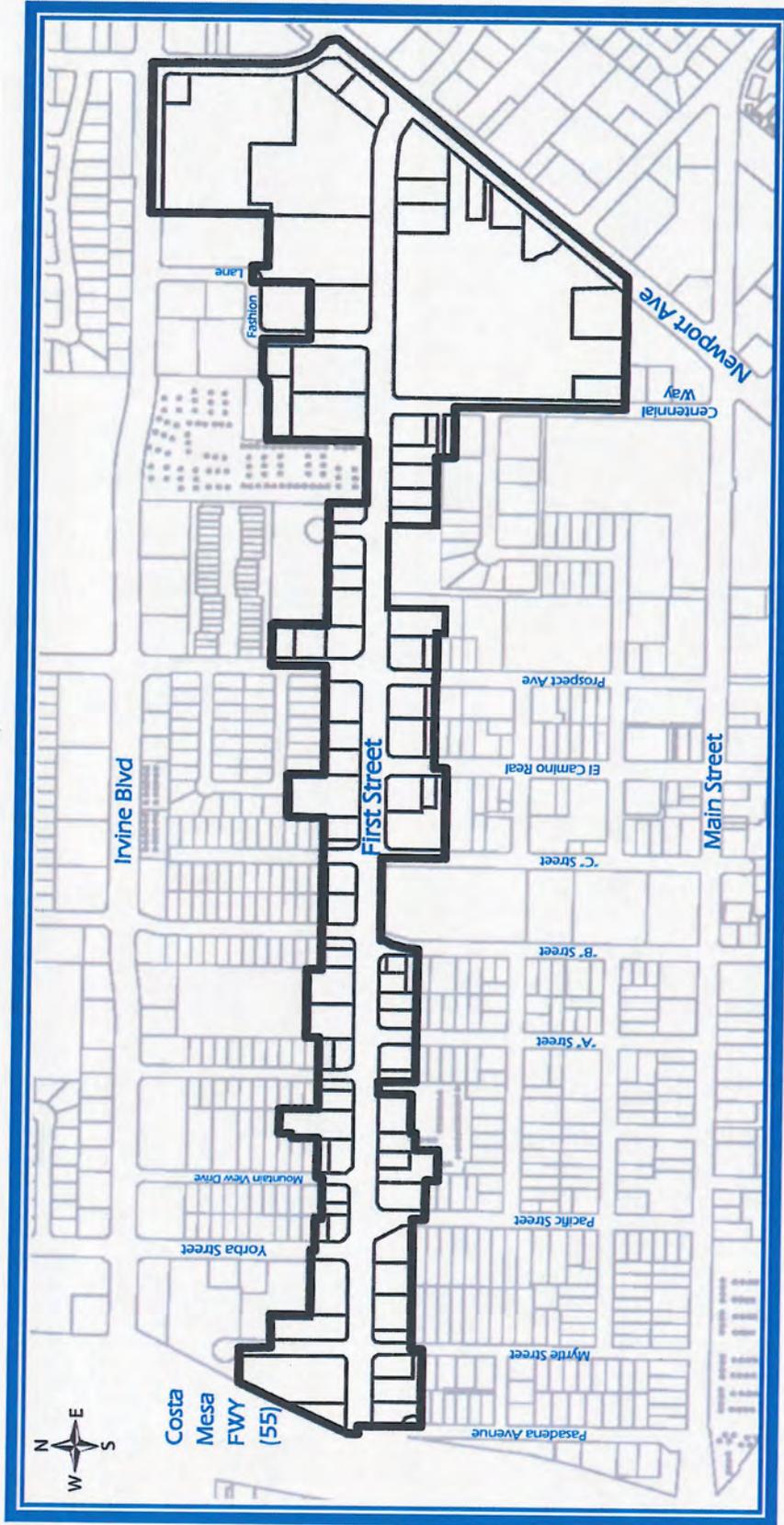
A. INTRODUCTION

The Land Use Plan contains the essential components of the Specific Plan and the policy direction which serve as the foundation for development regulations and guidelines which are used in reviewing and approving development projects within the First Street Specific Plan.

There is a tendency to emphasize problems in planning documents because perceived problems are frequently the stimulus for undertaking a plan. While there certainly are some real challenges in the Planning Area, it is equally evident that these are unique attributes and considerable opportunities which combine to offer the potential for a balance between preservation, rehabilitation, and new development. The main idea of the Specific Plan is to preserve what is good, improve what is not and allow growth where market forces are evident, through private market decisions.

The basis for this Plan lies in 1) the Tustin General Plan (see Appendix G for a summary of General Plan consistency) and 2) the analysis undertaken to prepare or amend the Specific Plan (embodied in the accompanying appendices). The following key points should be kept in mind in reading and using this Specific Plan:

1. The primary uses of the area are and should remain commercial retail, service, and office. Differences in uses and regulations within the area are based on the intensity and characteristics of each subarea.
2. The City will depend primarily on private market decisions to stimulate development and improvements in the area.
3. Diversity of appearance within certain broad quality guidelines is desirable, as called out in the Design Guidelines (Appendix A).
4. The Plan is a conscious compromise between one extreme of doing nothing and the other of trying to completely change the area. The balance thus achieved will hopefully provide a stable and durable basis for decision making in the area.
5. In order for the area to work best, a creative partnership between the City, property owners and tenants is required. The Specific Plan is intended to be the foundation for that partnership and will support it more effectively than more traditional planning approaches.
6. City Council adoption of the policies, use regulations, site development standards and design guidelines constitutes the City's commitment to property owners and the development community that it will carry out its appropriate share of the effort to



First Street Specific Plan

2012 Specific Plan Area

EXHIBIT 1

maintain the Planning Area as an asset to property owners, tenants and the City as a whole.

B. SUMMARY OF SPECIFIC PLAN POLICY DIRECTION

The following points express the most essential ideas contained in the Plan and constitute the overall policy direction for the Plan.

1. Decisions about continuation, redevelopment or new development of uses on property within the Specific Plan shall rest with the individual property owner.
2. Decisions about development standards to be maintained or established shall rest with the City and shall be as prescribed in this Plan, as it may be amended from time to time.
3. The basic intent is for continuation of primarily commercial retail, service, and office uses, including some commercial mixed use projects at various scales. The Plan Area may be expanded by Specific Plan Amendment and Zone Change.
4. This Plan, as amended, provides guidance for development as it could occur within approximately a 15-year time span, or by approximately the year 2027.

C. GOALS, OBJECTIVES AND POLICIES

The following statements represent the policy direction for the Planning Area as a whole, as well as the distinct sections of the subject area that exhibit particular use constraints or potentials.

1. Pattern of Uses

ISSUE: What is the most productive pattern of uses?

GOAL: The best use of property within the Specific Plan area is development approaching maximum development potential while providing a compatible and monitored growth program.

OBJECTIVES:

- 1.1 Preservation of existing quality uses.
- 1.2 Expansion/intensification of existing quality uses.
- 1.3 Maximum possible responsiveness to market opportunities for each sub-area (see Exhibits 2, 3, and 4).
- 1.4 Uses appropriate to each sub-area.

POLICIES:

1. Maintain and perpetuate a mix of commercial retail, service, and office uses in sub-area 1. The best use of property within the Specific Plan area balances maximum development potential with compatible uses and monitored growth.
2. Stimulate retail and service commercial uses in sub-area 2.
3. Preserve the dominant retail and service commercial uses in sub-area 3, retaining already established offices.
4. Promote development, expansion or redevelopment that:
 - a. Is a permitted use;
 - b. Meets prescribed development regulations;
 - c. Is responsive to established design guidelines.

2. Condition of Existing Development

ISSUE: How can the overall condition of development be improved?

GOAL: A consistent quality of development throughout the area.

OBJECTIVES:

- 2.1 Maintenance of quality that exists.
- 2.2 Improvement of development that is deteriorated or inefficiently designed.

POLICIES:

1. Reinforce existing private property health and safety regulations by committing City enforcement efforts to this area.
2. Allow maximum site development through relatively liberal site development standards in return for well-conceived site plans.
3. Offer development incentives to property owners for projects that are highly responsive to plan objectives.
4. Establish and administer Design Guidelines to assist developers in understanding and implementing the Plan's intent.

3. Visual Improvement

ISSUE: How can the area's appearance and image be improved?

GOAL: A quality physical appearance of both existing and future development.

OBJECTIVES:

- 3.1 Elimination of visible outside storage.
- 3.2 Compatible building elevations and materials.
- 3.3 High quality landscape treatments throughout the corridor.
- 3.4 Achievement of an overall positive identity for the area.

POLICIES:

1. Require responsiveness to Design Guidelines in plans for new development, expansion or redevelopment.
2. Discourage parking in front of buildings. Buildings should be located as close to the street as possible.
3. When rear parking is not possible, screen parking areas with landscaping materials or treatment in excess of minimum standards.
4. Maintain the existing streetscape improvements.

4. Compatibility of Land Uses

ISSUE: How can land uses within the specific Plan be kept compatible with each other and with adjacent uses?

GOAL: Compatible land uses which do not interfere or create health and safety concerns for an adjacent use.

OBJECTIVES:

- 4.1 Reduction of existing conflicts between uses.
- 4.2 Prevention of future incompatibility as new development occurs.
- 4.3 Use of design standards in the Design Guidelines to improve compatibility where changes in use are impractical.

POLICIES:

1. Approve site plans for authorized uses which demonstrate design compatibility with adjacent uses and structures, particularly where such adjacent uses are single family residential in character.

2. Encourage lot consolidation or integrated site planning by considering development incentives.
3. Apply appropriate Design Guidelines to mitigate conflicts between uses where a change in use is not practical.

5. New Uses/Use Intensification

ISSUE: What new uses are appropriate and feasible in the area and where should they be allowed?

GOAL: Effective integration of new uses.

OBJECTIVES:

- 4.1 Maximum possible capture of market opportunities by property owners.
- 4.2 The most effective possible use of each parcel of land.
- 4.3 Location of new uses in areas which contribute most to overall improvement of the area.
- 4.4 Efficient use of existing public facilities to support market-generated growth and development.

POLICIES:

1. Encourage primarily new retail commercial, service commercial, and office uses in designated sub-areas.
2. Establish and administer a system of incentives for lot consolidation or integrated planning of smaller parcels through consideration of reductions in parking requirements, fee waivers for permit processing, etc.
3. Allow shared parking and access to allow maximum parcel usage.

6. Parcel Size/Configuration

ISSUE: What is the best way to deal with the variety of land parcels, particularly the numerous small ones?

GOAL: Efficient parcel sizes and configurations.

OBJECTIVES:

- 4.1 Consolidation of lots wherever possible in conjunction with anticipated quality design as set forth in this plan.
- 4.2 Coordinated site planning and development of adjacent lots where consolidation is not possible.

POLICIES:

1. Provide lot consolidation incentives in the plan regulations.
2. Apply incentives also for an integrated site plan on adjacent individually owned parcels.
3. Recordation of reciprocal access agreements for new development located adjacent to sites with future potential for shared ingress/egress.

5. Site Development Standards

ISSUE: What site development standards are appropriate?

GOAL: A combination of standards and incentives which will stimulate quality development.

OBJECTIVES:

- 5.1 Site development regulations which lead to efficient use of available space.
- 5.2 Design Guidelines which assist in defining and describing the level of quality intended.
- 5.3 Site development incentives which stimulate lot consolidation or cooperative site design and lead to more profitable and efficient parcel use.
- 5.4 Safe, effective and adequate access and parking for each business enterprise.

POLICIES:

1. Provide incentives for lot consolidation/ integrated site planning in the Specific Plan Regulations.

2. Include responsiveness to Design Guidelines as a major consideration in site plan review and approval.

6. Incentives for Plan Administration

ISSUE: What City assistance can be provided to encourage expedient implementation of this Plan?

GOAL: To encourage rapid rehabilitation of poorly maintained structures and uses.

OBJECTIVE:

- 6.1 Rehabilitation of facades (including signage) of existing structures to comply with Design Guidelines of this Plan.
- 6.2 Improve vehicular inter-site circulation.
- 6.3 Maximization of pedestrian movement and access.

POLICY:

To make available to property owners, where possible, funding sources for rehabilitation of existing buildings and for new development.

D. LAND USE CONCEPT

The main idea underlying the First Street Specific Plan land use concept is to build upon the positive features already present. They include the following:

1. First Street is an attractive gateway to the City that has identifiable east and west entry points at the Newport Freeway overcrossing and at Newport Avenue.
2. The Specific Plan emphasizes "pedestrian-friendly" design and uses to preserve the existing human scale and character.
3. Setback and height restrictions appear compatible with nearby residential uses to the north and south.
4. Mixed use with retail on the first floor and offices on the second floor is encouraged.
5. Street improvements are well maintained. The Specific Plan corridor has a pleasant streetscape, which includes wide medians, mature trees, and close proximity to an attractive City Park. Street furniture, flags, planters, and bus shelters as recommended in the Design Guidelines can improve the existing streetscape with a more cohesive appearance and further encourage pedestrian activities. A vision and plan for future improvements through the Design Guidelines with public and private incentives and funding will achieve the desired improvements along First Street.

6. There is little traffic congestion and ample parking along First Street.
7. Property owners are encouraged to make positive changes, while maintaining a "human scale" environment along First Street.

The plan concept consists of the following components:

1. Subareas

The corridor is made up of three subareas, each characterized by a particular land use emphasis.

Subarea 1, closest to the Newport (SR-55) Freeway, is a mixed use office-commercial area (Exhibit 2).

Subarea 2, either side of the El Camino Real/Prospect Avenue intersections, is a transition area with an emphasis on retail commercial and service development (Exhibit 3).

Subarea 3, anchored by two relatively large shopping centers facing Newport Avenue, is predominantly a retail and service commercial area, but with a strong office enclave (Exhibit 4).

2. Preservation of Human Scale and Character

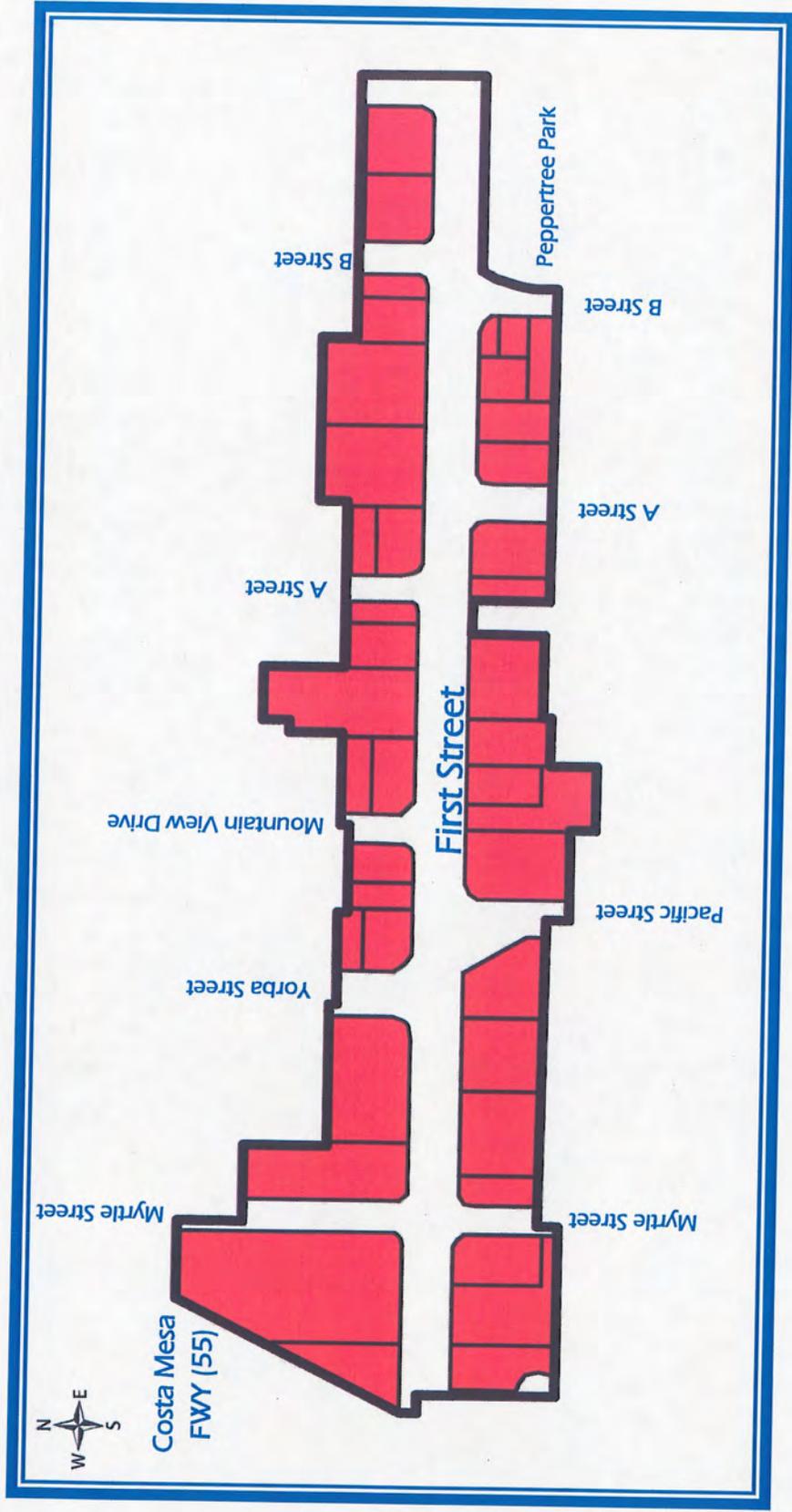
Site development standards, with only a couple of exceptions, limit development to one or two stories directly along the corridor. Efforts are made through the Design Guidelines to achieve a low-profile "pedestrian-friendly" environment by making it possible to move freely within each subarea from business to business. Moreover, the visual image being sought is one of human scale, not dominated by large or high close-in building masses, with streetscape and the design of the public realm, adding to a sense of place for First Street.

In summary, the concept seeks a balance between market responsive expansion on the one hand and preservation of the basic existing scale and character on the other.

III. DEVELOPMENT REGULATIONS

A. INTRODUCTION AND INTENT

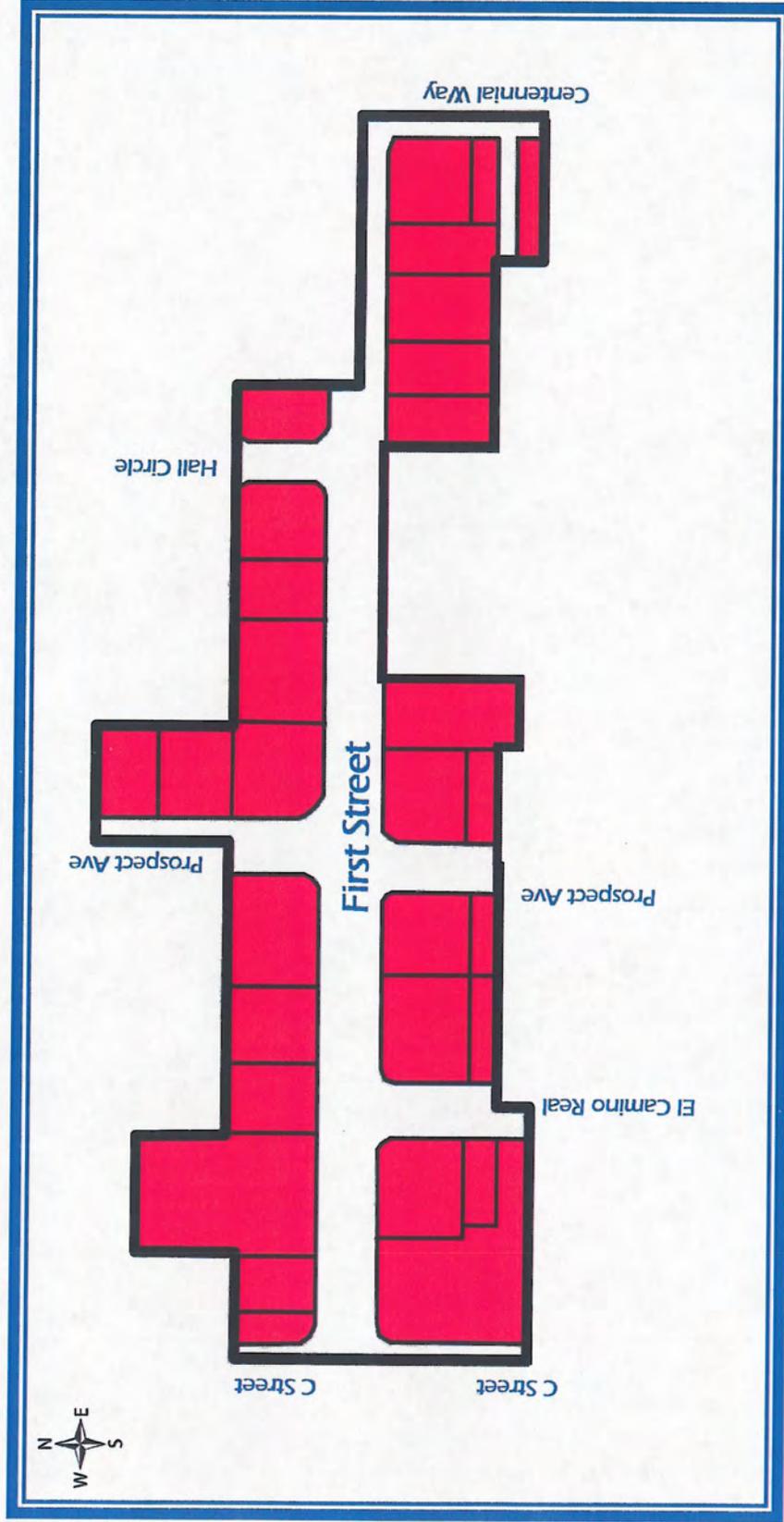
These regulations constitute the primary zoning provisions for the First Street Specific Plan. These regulations are in addition to regular Zoning Code provisions (Article 9 Land Use, Chapter 2 – Zoning) of the Tustin City Code. Where there is a conflict, the regulations herein will prevail. Where direction is not provided in this Specific Plan, the Zoning Code shall prevail.



First Street Specific Plan

2012 Subarea 1

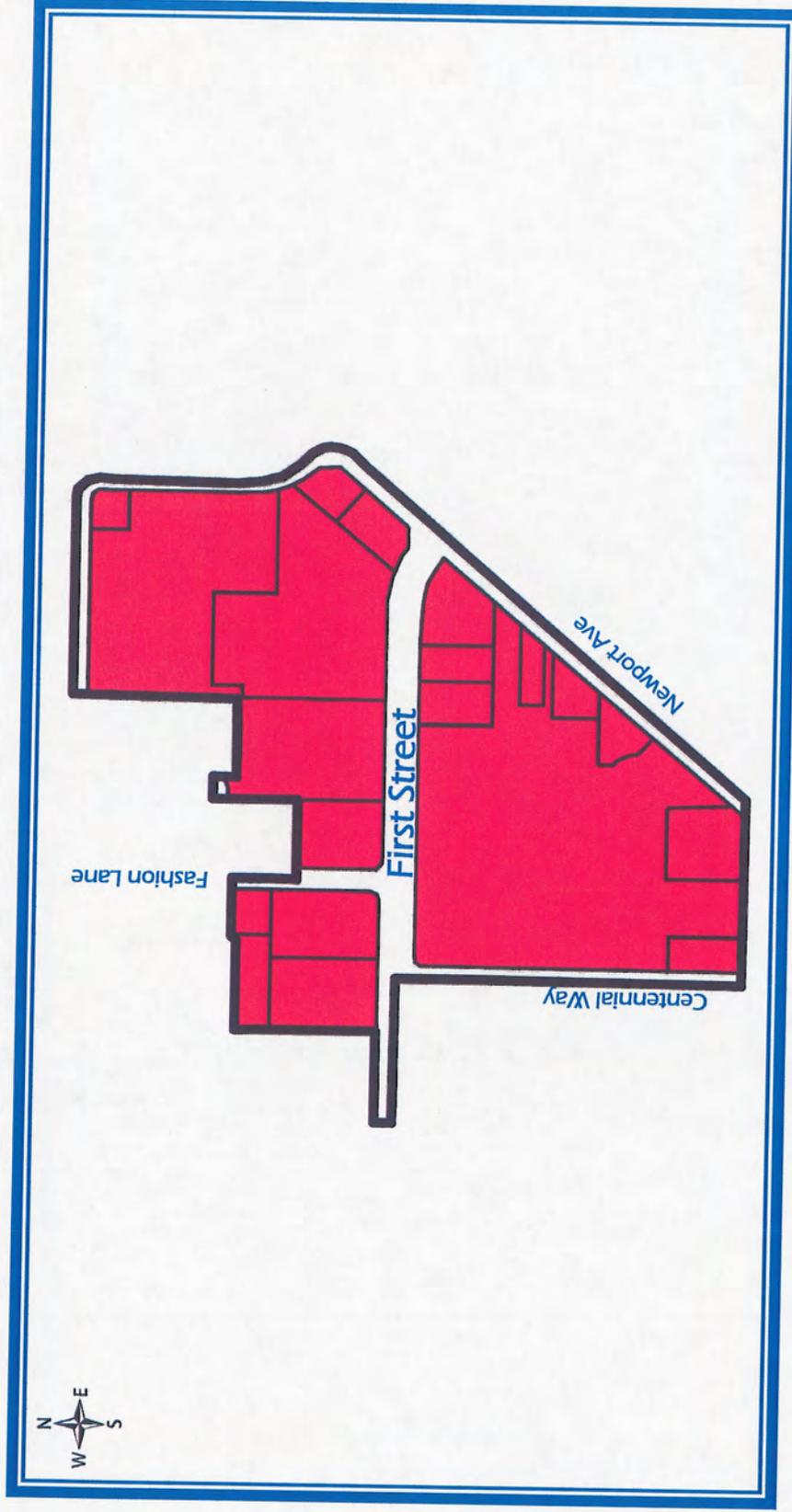
EXHIBIT 2



First Street Specific Plan

2012 Subarea 2

EXHIBIT 3



First Street Specific Plan

2012 Subarea 3

EXHIBIT 4

The overall intent of these regulations is to guide development on all development parcels in the Specific Plan area to insure that each individual development project contributes to meeting the goals and objectives of the First Street area. More specifically, the regulations are intended to:

- Provide opportunities for economically productive business enterprises.
- Establish uses and site development standards which contribute to the preservation and enhancement of adjacent single family residential environments and which promote an economically sound land use pattern for First Street.
- Provide for the scale and nature of uses which can facilitate the most efficient use of the existing development pattern as well as parcel sizes and shapes.
- Achieve gradual improvement of older commercial, office and residential buildings by allowing commercial retail, service, and office uses that are compatible and consistent with surrounding areas, encouraging redevelopment, promoting consolidation of parcels, enabling rehabilitation, emphasizing landscaping and design improvements and promoting any combination of these devices desired by the property owner(s) and supportable by the City.
- Contribute to the improvement of both visual and functional attributes of First Street to help stimulate business activity.
- Protect the traffic handling capacity of First Street while accommodating new development and rehabilitation.
- Establish a sense of place, as well as continuity and consistency of development standards, within the Specific Plan Area.

B. GENERAL PROVISIONS

The following regulations apply to all subareas within the First Street Specific Plan Area.

1. All construction and development within the Specific Plan area shall comply with applicable provisions of the Tustin City Code, California Building Code and the various related mechanical, electrical, plumbing codes, grading and excavation code and the Subdivision codes, as currently adopted by the City Council. Where there is a conflict, the regulations of the Specific Plan will prevail. Where direction is not provided in this Specific Plan, the Zoning Code shall prevail. However, In any case of a conflict between the specific provisions of any such code and this Specific Plan, the provision which most serves to protect safety shall apply and the Community Development Director shall resolve the conflict by written determination in a manner consistent with the goals and policies of this Specific Plan.

2. The setback requirements are as specified by each use category of this Specific Plan. All setbacks shall be determined as the perpendicular distance from the existing street right-of-way line, or property line, to the foundation point of the closest structure. This shall not preclude pedestrian arcades or awnings from encroaching into the front yard setback area.
3. If an issue, condition or situation arises or occurs that is not sufficiently covered or provided for or is not clearly understandable, those regulations of the City Zoning Code that are applicable for the most similar issue, condition or situation shall be used by the Community Development Director as guidelines to resolve the unclear issue, condition or situation. This provision shall not be used to permit uses or procedures not specifically authorized by this Specific Plan or the City Zoning Code.
4. This Specific Plan may be amended by the same procedure as it was originally adopted. Each amendment shall include all sections or portions of the Specific Plan that are affected by the change. An amendment may be initiated by the City Council or the Planning Commission, the general public, or City staff. Any such amendment requested by the general public shall be subject to the fee schedule adopted by the City Council.
5. Any persons, firm or corporation, whether a principal, agent, employee or otherwise, violating any provisions of these regulations shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to penalties and provisions of City Code.
6. Whenever a use has not been listed as a permitted or conditionally permitted, it shall be the duty of the Community Development Director and/or the Planning Commission to determine if said use is 1) consistent with the overall intent of the Specific Plan and 2) the said use is consistent with the other listed permitted or conditionally permitted uses in the Specific Plan.
7. In order to maintain and enhance vehicular and pedestrian circulation along First Street, any development occupying a parcel which is located on a corner with side street frontage should have vehicular access restricted to the side street only. The Community Development Director will review this on a case-by case basis. Wherever a site is not on a corner, a reciprocal easement agreement will be encouraged.
8. Non-conforming Structures and Uses of Land

Where, at the time of passage of this Specific Plan, lawful use of land exists which would not be permitted by the regulations imposed by this Specific Plan, such use may be continued so long as it remains otherwise lawful, provided:

- a. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Specific Plan.

- b. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Specific Plan.
- c. If any such non-conforming use of land ceases for any reason for a period of more than 180 days, any subsequent use of such land shall conform to the regulations specified by this Specific Plan for the district in which such land is located;
- d. No additional structure not conforming to the requirements of this Specific Plan shall be erected in connection with such non-conforming use of land.

10. Non-conforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Specific Plan that could not be built under the terms of these regulations by reason of restrictions on area, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease or not affect its non-conformity.
- b. Should such non-conforming structure or non-conforming portion of structure be destroyed by any means to an extent of more than 50 percent of its assessed value at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Specific Plan;
- c. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

D. LAND USE REGULATIONS

1. Permitted Uses

a. Subarea 1 – Neighborhood Commercial

In Subarea 1 (Neighborhood Commercial), the following uses, occupying no more than 10,000 square feet, shall be permitted by right where the symbol "P" appears and may be permitted subject to a conditional use permit where the symbol "C" appears in the column to the right.

1) Retail Uses:

(a)	Antique shops	P
(b)	Apparel stores	P
(c)	Art galleries	P
(d)	Bakeries, retail only	P
(e)	Bicycle shops (including repair)	P
(f)	Books, gifts and stationery	P
(g)	Confectioneries	P
(h)	Convenience markets	C
(i)	Drug store	P
(j)	Florists	P
(k)	Furniture store	P
(l)	General retail stores	P
(m)	Hardware store	P
(n)	Hobby stores	P
(o)	Jewelry stores	P
(p)	Music stores	P
(q)	Neighborhood commercial centers	P
(r)	Nurseries and garden supply	P
(s)	Office Supplies and equipment	P
(t)	Religious supplies	P
(u)	Print shops	P
(v)	Shoe stores	P
(w)	Sporting goods stores	P

2) Service Uses:

(a)	Assisted living, rest homes, extended care facilities, convalescent hospitals	C
(b)	Banquet facilities	C
(c)	Barber, beauty salons	P
(d)	Dance and martial arts studios	P
(e)	Fitness training, indoor one on one	C
(f)	Hotels and motels (boutique)	C
(g)	Indoor commercial recreational uses	C
(h)	Insurance agencies	P
(i)	Laundry and dry cleaners (off site only)	C
(j)	Locksmith	P
(k)	Massage establishments	P
(l)	Meeting rooms	C
(m)	Real estate agencies	P
(n)	Restaurants with alcoholic beverage sales	C
(o)	Restaurants with drive thru service	C
(p)	Restaurants without alcohol	P
(q)	Schools, pre-school and nursery	C
(r)	Seamstress or tailor shops	P

- (s) Shoe or luggage repair shops P
- (t) Travel agencies P
- (u) Tutoring facilities P

3) Office Uses:

- (a) Accountants P
- (b) Advertising agencies P
- (c) Answering service P
- (d) Architect P
- (e) Attorney P
- (f) Chiropractor P
- (g) Collection agency P
- (h) Contractors and building consultants P
- (i) Dentist P
- (j) Doctor P
- (k) Drafting P
- (l) Economic consultant P
- (m) Engineer P
- (n) Escrow P
- (o) Interior decorator or artist studio P
- (p) Land and property management P
- (q) Land planner P
- (r) Oculist P
- (s) Optometrist P
- (t) Others licensed by the State of California to practice the healing arts, including clinics for out-patients only P
- (u) Personnel Agency P
- (v) Photographer P
- (w) Surveyor P
- (x) Social work P
- (y) Professional consultant P
- (z) Stock broker P
- (aa) Title insurance P
- (bb) Travel agency P

4) Community and Institutional Uses:

- (a) Churches, convents, monasteries and other religious institutions C
- (b) Fraternal organizations and Lodges C

5) Existing Single Family Residential Use/Structures

Any existing single family residential structure listed within the City's official historic survey is encouraged to be preserved and used as a

residence, or preserved and used as a commercial use as authorized by this Section and consistent with the City's *Cultural Resource District Residential Design Guidelines* and the Secretary of Interior's Standards for Rehabilitation.

- a Any existing historic single family residential structure used for such purposes is a permitted use.
 - b The conversion of an existing historic single family residential structure to a commercial use shall comply with the use limitations identified for the Subarea in which it is located.
 - c No commercial use of an existing historic single family residential structure shall be changed to another commercial use (e.g. office to retail) without the prior approval of the Community Development Department.
 - d Any historic single family residential structure lawfully converted to a commercial use is considered more conforming and must be maintained as a commercial use.
- 6) Any other similar and/or compatible retail, service, office or community/institutional use the Community Development Director and/or Planning Commission deems consistent with the context of Subarea 1 listed above as permitted/conditionally permitted.

7) Development Standards

- (a) Maximum Structural Height – 2 story, 28 feet.
- (b) Minimum Building Site Area – No minimum
- (c) Minimum Yard Setbacks:

Front: 10 feet
Side: 0 feet*
Rear: 20 feet

*Exception: 10 feet required when a side yard abuts a residentially zoned property

- (d) Lot coverage: No maximum; limited only by setback areas.
- (e) Landscaping: All areas not utilized for parking, building and walkways, but not less than a minimum of ten percent of the building site area shall be landscaped in conformance with the Design Guidelines of this Specific Plan area.

b. Subareas 2 and 3 – Commercial

In Subareas 2 and 3 (Commercial), the following uses shall be permitted by right where the symbol "P" appears and may be permitted subject to a conditional use permit where the symbol "C" appears in the column to the right.

1. Retail Uses:

- (a) All permitted or conditionally permitted retail uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter
- (b) Appliance stores P
- (c) Automobile parts and supplies C
- (d) Department stores P
- (e) Drug stores, pharmacies P
- (f) Furniture stores P
- (g) Hardware stores P
- (h) Liquor stores C
- (i) Pet stores and supply P
- (j) Sporting goods P
- (k) Supermarkets, grocery stores P
- (l) Tire sales and service C

2. Service Uses:

- (a) All permitted or conditionally permitted service uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter
- (b) Banks and financial institutions P
- (c) Car washes C
- (d) Cocktail lounges and bars when not an integral part of a restaurant C
- (e) Service stations C
- (f) Theaters C

3. Office Uses:

- (a) All permitted or conditionally permitted office uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter
- (b) Banks and financial institutions P
- (c) Public utility office (but not including corporate yards) C

4. Community and Institutional Uses:

- (a) All permitted or conditionally permitted Community and Institutional uses listed in Subarea 1 subject to the use restrictions specified therein and the development criteria specified hereafter
- (b) Animal hospitals and clinics C
- (c) Commercial recreation facilities including tennis, racquetball, bowling, ice skating, athletic clubs and similar uses C

5. Any other similar and/or compatible retail, service, or office use the Community Development Director and/or Planning Commission deems consistent with the other uses listed above as permitted/conditionally permitted.

6. Development Standards – Subarea 2

- (a) Maximum Structural Height – 2 story, 28 feet.
- (b) Minimum Building Site Area – No minimum
- (c) Minimum Yard Setbacks:

Front: 10 feet
Side: 0 feet*
Rear: 20 feet

*Exception: 10 feet required when a side yard abuts a residentially zoned property

- (d) Lot coverage: No maximum; limited only by setback areas.
- (e) Landscaping: All areas not utilized for parking, building and walkways, but not less than a minimum of ten percent of the building site area shall be landscaped in conformance with the Design Guidelines of this Specific Plan area.

7. Development Standards – Subarea 3

- (a) Maximum Structural Height – 3 story, 35 feet.
- (b) Minimum Building Site Area – 10,000 sq. ft.
- (c) Minimum Yard Setbacks:

Front: 10 feet
Side: 0 feet*
Rear: 30 feet

*Exception: 10 feet required when a side yard abuts a residentially zoned property

- (d) Lot coverage: No maximum; limited only by setback areas.
- (f) Landscaping: All areas not utilized for parking, building and walkways, but not less than a minimum of ten percent of the building site area shall be landscaped in conformance with the Design Guidelines of this Specific Plan area.

E. PARKING REQUIREMENTS

All parking requirements shall be subject to the provisions of the Tustin City Code.

F. LOT CONSOLIDATION PROGRAM

Lot consolidation, for the purposes of this Specific Plan, shall refer to the legal combination of lots or the development of multiple lots under separate ownership as one cohesively designed development.

As a means to encourage lot consolidation along First Street rather than requiring it by specifying larger than presently existing lot sizes, the City Planning Commission may grant certain bonuses for consolidations exceeding a certain level. These bonuses may include relaxed height limitations, , parking reductions, relaxed setbacks or other such modifications as may be determined to be appropriate.

To qualify for a lot consolidation bonus, the total area of the lots being combined or cohesively designed must surpass the minimum required lot size by at least 50 percent. If a minimum lot size is not stipulated, the lots being combined or cohesively designed are automatically eligible for bonus provisions. For example, two adjacent owners want to cohesively develop their properties as one development. Property owner A's property is 7,500 square feet and property B's lot is 9,000 square feet. The minimum lot size requirement under which they are developing is 10,000 square feet. Combined, their development parcel(s) safely exceeds 15,000 square feet (50 percent over minimum of 15,000), therefore they may seek lot consolidation bonuses.

It should be specifically noted here that this is a completely discretionary action of the Planning Commission. The Planning Commission is under no obligation to grant development bonuses. In addition to determining the degree of the bonus provision, they will also determine how well the development has addressed the Design Guidelines of this Specific Plan. Any bonuses may be granted by the Planning Commission on a case-by-case basis with past actions not affecting future direction. Each development stands on its own merit.

The following bonus provisions are available but shall not be limited to:

Parking reductions
Height relaxation
Lot coverage relaxation
Reduction or waiver of processing fees

G. MIXED USE INCENTIVES

Development and construction of buildings incorporating retail commercial or service commercial uses on the street level with an equal or greater amount of square footage relative to the office space on the upper floor(s) shall be exempt from all site development standards except for height and parking. The development shall be responsive to the Design Guidelines.

H. CONSOLIDATED PARKING/ACCESS BONUS

Any development proposal which incorporates either consolidated parking or a reciprocal access agreement with an adjacent use may be eligible for the Consolidated Parking/Access Bonus. The bonus shall be an overall reduction of required parking spaces by up to 20 percent (20%).

I. PLAN ADMINISTRATION

1. General

All regular administrative provisions of the Tustin Zoning Code shall apply to all properties within the First Street Specific Plan boundaries, including but not limited to Design Review, Zoning Permits, Conditional Use Permits, Appeals, Amendments, public notice and hearing provisions. The provisions herein add to or supplement the above-referenced provisions.

2. Administrative Review

In order to further encourage the development and rehabilitation of permitted uses within the First Street Specific Plan area, permitted, the review of plans for a permitted use shall not be required to be processed through the Planning Commission unless they are conditionally permitted uses. The Community Development Department shall review and comment on all matters of the application, and a final determination on the plan shall be rendered by the Community Development Department. The Planning Commission may at their discretion suggest design modifications consistent with the Design Guidelines. Any project having development plans approved by building permit issuance or land use permit prior to the amendment of this Specific Plan shall remain approved without amendment.

3. Site Plan Review

a. Method and Purpose

The First Street Specific Plan shall be implemented through the use of Site Plan Review. A Site Plan shall be required for all rehabilitation, redevelopment, expansion of existing uses or structures and new development within the Specific Plan area requiring a building permit. This requirement is instituted for the following reasons:

1. To ensure consistency with the intent of the Specific Plan.
2. To encourage innovative community design and development.
3. To assure substantial long-range compliance with the Redevelopment Plan and General Plan.
4. To promote the highest contemporary standards of site design.
5. To adapt to specific or special development conditions that occur from time to time while continuing to implement the Specific Plan.
6. To facilitate complete documentation of land use entitlements authorized and conditions pertinent thereto.

b. Applicability

Approval of a Site Plan shall be required prior to or concurrent with a Conditional Use Permit, Tentative Tract Map, or Parcel Map for all proposed projects within the Specific Plan area. Where no Tentative Tract or Parcel Map is required, approval of a Site Plan shall rest with the Planning Commission except in the case of permitted uses. The Site Plan process shall be similar in its requirements and procedures to the Conditional Use Permit process in the City of Tustin. The primary difference between the two is the simpler administrative review procedure for development projects which consist of permitted uses.

Appendix A
DESIGN GUIDELINES
(Separate Document)

Appendix B
1985 MARKET ANALYSIS
(Separate Document)

APPENDIX C 1985 AND 2012 CONDITIONS SUMMARY

To formulate what some of the opportunities and constraints of the Specific Plan Area were in 1985, certain basic mapping tasks were performed. These tasks ultimately assisted the study team to reach conclusions about what was there and how it related to the goals of the study. The two 1985 conditions exhibits discussed here include:

- 1985 land use
- 1985 zoning

1. 1985 Land Use

The 1985 land use exhibit confirmed much of what the study team had generally been told about the area. Land uses were generally well mixed, with retail commercial and office development the most predominant. Also, the area generally became less commercial in nature as one traveled in a westerly direction from Newport Avenue to the Newport Freeway (55 Freeway). A small family of auto-related uses on the north side of First Street near El Camino Real was also found. Residential properties were the predominant non-conforming use along the corridor. See Exhibit 5.

Existing (2012) Land Use

The existing land use exhibit demonstrates that there is a mixture of commercial retail, service, office, and residential uses along the First Street corridor. As shown in Exhibit 6, there is only one vacant lot within the Specific Plan area.

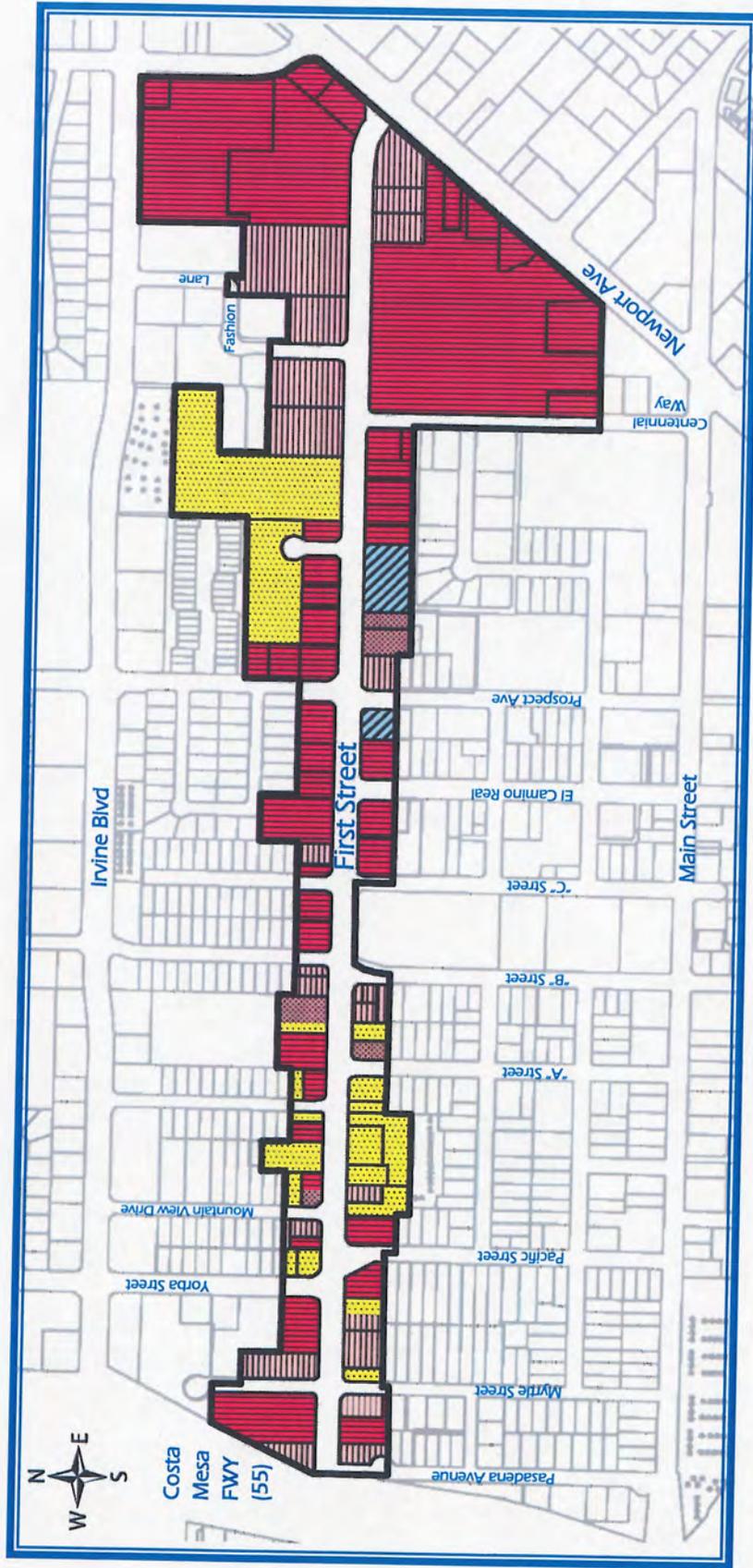
2. 1985 Zoning

The Zoning Prior to the 1985 First Street Specific Plan exhibit coupled with the 1985 First Street Existing Land Use exhibit posed striking observations from the study team. The one distinctive conclusion made was the proliferation of commercial zoning at the western end of First Street and the general lack of primary commercial uses located there. The other fairly obvious notation about the zoning configuration was the lack of depth presented by the commercial zoning with medium and low density residential zoning immediately to the rear of First Street properties. See Exhibit 7.

2012 Zoning

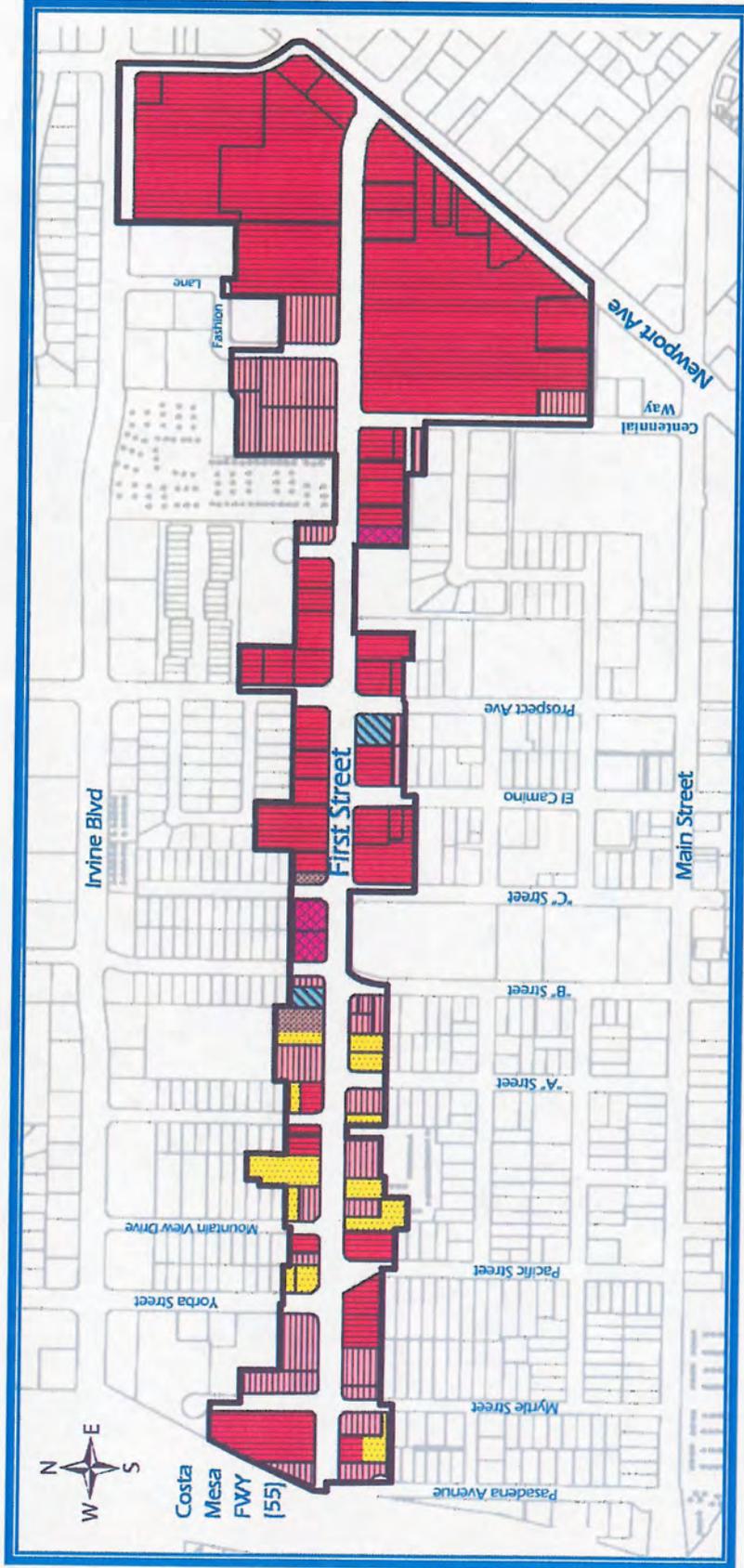
In 2012, a Specific Plan Amendment was approved that corrected minor zoning inconsistencies created by the 1985 adoption of the Specific Plan and its boundaries, including restoring the zoning for large residential land uses to that previously established in 1985. Also, the less intensive built environment existing at the

westerly end of First Street was preserved by revising the zoning designation to Neighborhood Commercial while preserving the more urban commercial built environment existing at the easterly end of the street. In addition, auto repair, single family residences and other previously prohibited uses were reintroduced as permitted or conditionally permitted uses in the Specific Plan.



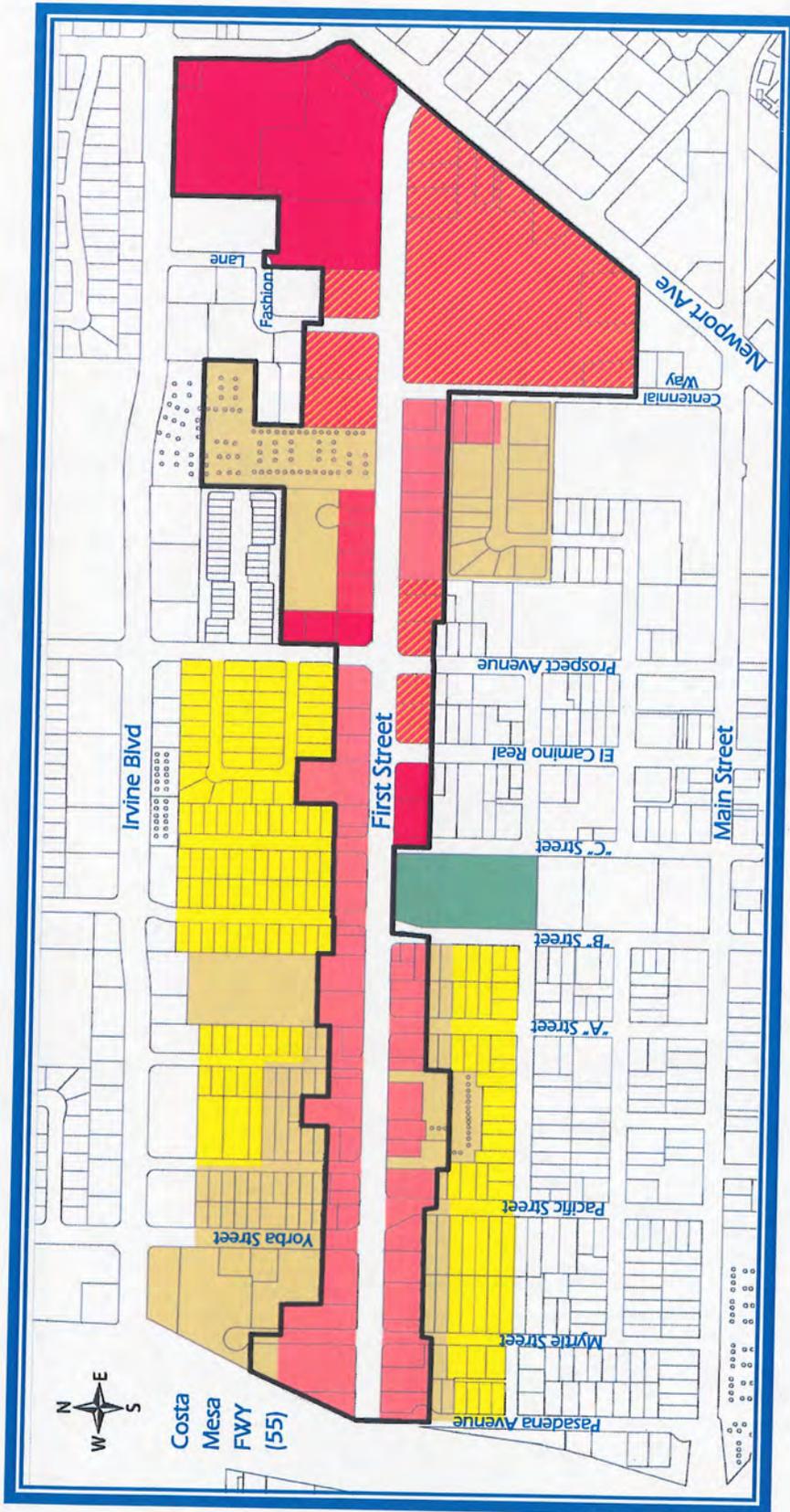
First Street Specific Plan 1985 First Street Existing Land Use Map

EXHIBIT 5



First Street Specific Plan 2012 First Street Existing Land Use Map

EXHIBIT 6



First Street Specific Plan

Zoning Prior to the 1985

First Street Specific Plan

EXHIBIT 7

**APPENDIX D
FIRST STREET SPECIFIC PLAN
OPPORTUNITIES AND CONSTRAINTS SUMMARY**

A major component in the preparation of a Specific Plan in an already developed area is the careful examination and analysis of existing physical conditions. The next important step is the identification of physical opportunities and constraints against which the market opportunities can be measured. These factors, combined with public input and policy/technical direction from the City, are the ingredients used in shaping the content of the plan.

This existing conditions summary and map were used in 1985 in part to identify the issues, goals, objectives and policies in Chapter II of the Specific Plan. The potential measures were evaluated for potential use in the regulatory guideline portions of the Plan.

The First Street corridor is an area of distinct contrasts. On one hand, certain commercial properties have well designed, intensively used developments, particularly the ones located at the eastern terminus of First Street at Newport Boulevard, while a few blocks west of El Camino Real the buildings exhibit an older, less consistent image, where underutilized developments are more prevalent.

Analyzing First Street at the Specific Plan level, it becomes apparent that the street should continue to be planned as a cohesive whole with concentrations of "families of uses" dominating certain sections of the street.

In many revitalization situations similar in nature to First Street, the initial reaction might be to correct problems with long range, costly and controversial remedies. These remedies typically take the form of inflexible mandatory regulatory formats for new development. Such approaches do little to stimulate private commercial development.

The City of Tustin was and is interested in providing catalysts for change by providing regulatory "opportunity" through the judicious use of revised site development standards and the stimulus of incentive or bonus provisions. It was the consultant team's goal in 1985 to prepare a pro-business, pro-economic strategy plan designed to solve immediate physical problems as well as offer long-range programs for ongoing project-wide improvements.

Certain opportunities and constraints have been identified thus far and are summarized below. See Exhibit 8 for a visual depiction of the opportunities and constraints identified in 1985.

Opportunities

- There are several large cohesively designed shopping centers in the area.
- Relatively few buildings are in poor condition.
- There are recent instances of quality redevelopment/development within the area.
- Peppertree Park, although not within the specific plan boundary, contributes a special landscape atmosphere which relates to the corridor.
- Most revitalization opportunities will occur in small, identifiable pockets.
- The entry to El Camino Real offers a special historical streetscape element nearly in the middle of the project area, offering a central node of development for First Street.
- Prospect Street, the major north-south traffic carrier through the project area is located in the center of the area, reinforcing the activity node provided by El Camino Real.
- First Street has identifiable east and west entry points at the Newport Freeway and Newport Boulevard.
- The present streetscape system on First Street contains good elements which can be incorporated into the proposed plan. The medians with turf and well-established olive trees complement the existing *Ficus nitida*. The curbside amenities (street furniture) fulfill functional needs but may not add aesthetically to the streetscape scene.
- The project area has a series of equally spaced nodes or intersections that, when developed and enhanced, would help draw shoppers along its entire length.
- There appears to be little traffic congestion in the study area in relation to other commercial areas in southern California, with the most serious peak hour congestion occurring on the east/west peripheries.

Constraints

- **Circulation:** There is a lack of convenient inter-site circulation, in that vehicles must generally enter First Street to access the adjacent site.
- **Mixed Land Uses:** While a mixture of land uses can add excitement to an area, in the case of First Street there is no cohesive family of uses which encourage spontaneous

shopping or strolling, etc. In fact, many adjacent land uses are incompatible with one another.

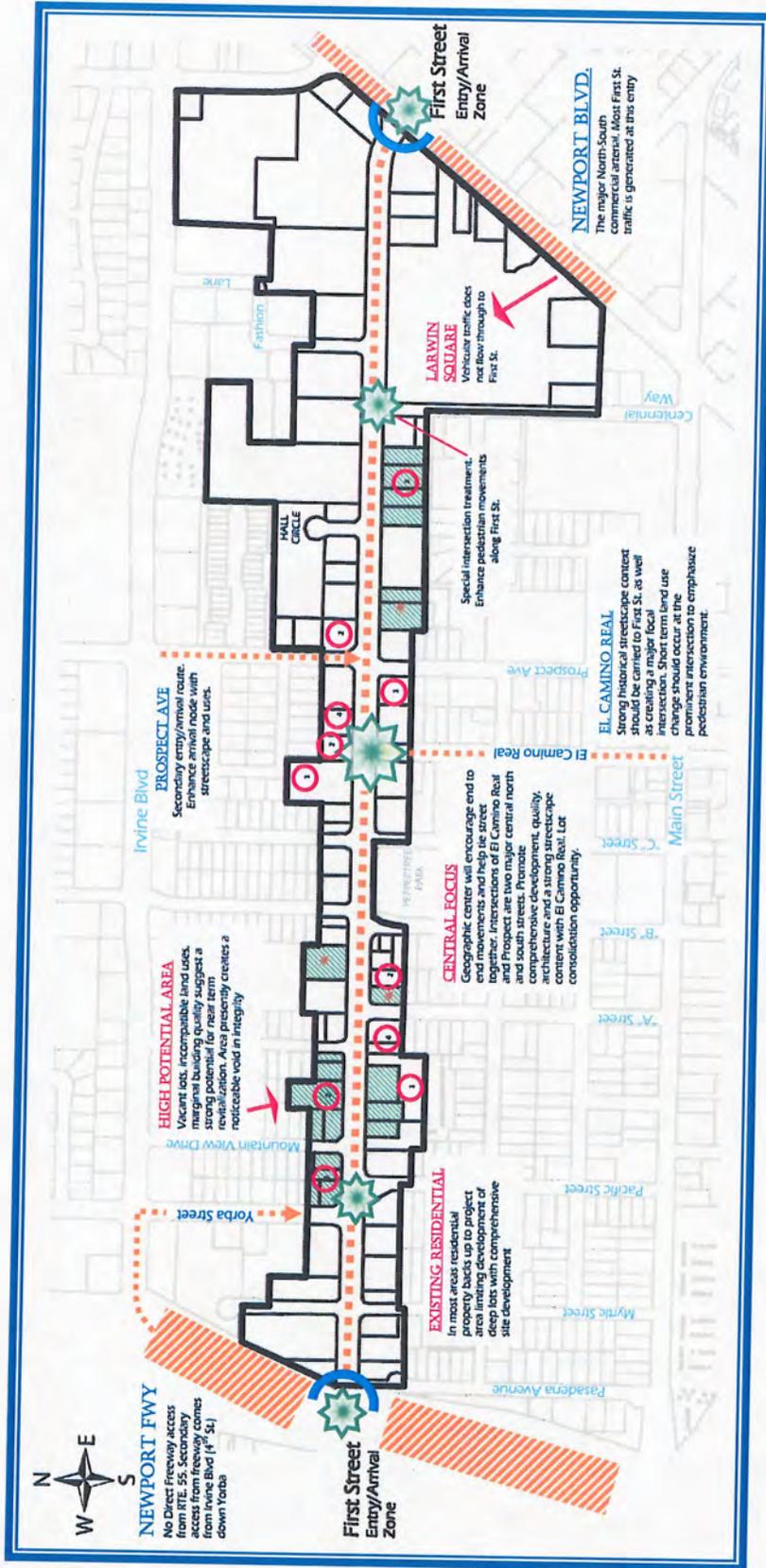
- **Scattered Retail Uses:** The existing retail uses which comprise the First Street Specific Plan area are too dispersed. The area exhibits the physical characteristics of strip commercial development but without enough truly auto-related retail uses to capitalize on its linear shape.
- **Poorly maintained buildings:** Some properties within the Specific Plan area are in need of maintenance. Along First Street,, there are non-conforming uses, vacancies and older, poorly maintained buildings.
- **Lack of Freeway Entry (Newport (SR-55) Freeway):** One of First Street's major constraints is its lack of direct Freeway access, both vehicular and visual. Moreover, entry at Newport Avenue doesn't offer a visual statement either.
- **Small, shallow development parcels:** Commercial development on single, shallow lots does little to promote viable larger commercial centers on First Street (such as Larwin Square or The Courtyard). The most successful commercial and office developments have assembled and consolidated lots along and behind First Street.
- **Inconsistent Development Standards:** The inconsistent mixture of architectural styles, parking configurations, setback and landscape requirements, while offering a variety of individual site conditions lacks any cohesiveness which could tie all of these varietal standards together. This gives First Street no sense of cohesiveness or commercial identity.

Potential Measures

The following analysis outlines programs which might be able to take advantage of the area's opportunities to improve some challenging conditions. It is by no means inclusive or a final recommendation. This list is simply a compilation of some ideas that have been successfully applied in situations similar to First Street.

- **Consolidate small lots** (either through private land assembly or coordinated site planning), developing more efficient use of land, creating a more efficient building site, and providing a non-strip commercial atmosphere. Depth needs to be established where possible.
- **Establish development incentives** for providing off street parking with improved inter-property circulation opportunities. These development incentives could be the relaxation of certain development standards for more efficient parking design or streetscape amenities.

- Form a Business Improvement District to guide project-wide improvements. This could be similar in nature to a merchant's association in a mall or shopping center. It could be self policed; it could solve problems of who cares for shared parking lots; it could even sponsor promotional events.
- Provide alternatives to front setback parking lots.
- Establish new, comprehensive site development standards unique to the area.
- Develop an improved streetscape program compatible with the established El Camino Real improvements.
- Establish consistent, yet flexible, sign controls.
- Create pedestrian points of interest to enhance a linear pedestrian route along First Street.
- Grant development bonuses to businesses which utilize storefront canopies and plazas to enhance the pedestrian movement from property to property.
- Develop means for drawing vehicles from nearby Freeway exits at Irvine Boulevard and Newport Avenue to First Street.



- 1 Long Term Use Change
 - 2 Short Term Use Change
 - 3 Commercial Rehabilitation
 - 4 Intensification Potential
- Special Intersection Treatment
 - Vacant Lot
 - High Future Potential

First Street Specific Plan

1985 Opportunities And Constraints

**APPENDIX E
FIRST STREET SPECIFIC PLAN
PLANNING PROCESS**

This appendix documents the process by which the First Street Specific Plan was prepared and considered.

<u>Date</u>	<u>Event</u>
July 2, 1985	Request for Proposal distributed by City to potential consultants. Contained a carefully worded scope of work and statement of objectives.
August 23, 1985	The Planning Center authorized to begin work.
August 28, 1985	Detailed scoping meeting between City Staff and consultant team.
September 30, 1985	Progress review meeting with City Staff and consultant team. Focus on issues potentials and constraints.
October 24, 1985	First public town hall meeting held to explain planning effort, share market and physical conditions information and gain insight from the public before beginning plan formulation.
October 25, 1985	Consultant team began plan preparation.
November 12, 1985	Planning Commission workshop to present findings, summarize public input and obtain commission comments. City Council members invited to hear briefing.
November 25, 1985	Presentation of draft plan to joint City Council/Planning Commission workshop. Opportunity to expose them and interested public to details of the plan, provide council and commission members the opportunity to question consultants, and discuss possible resolution of issues embodied in the plan.
December 9, 1985	Formal public hearing on plan by the Planning Commission. Direct testimony received from public, with responses by both consultants and staff.
December 16, 1985	Formal public hearing on the plan by the City Council. Consideration of Planning Commission recommendation, public testimony and both consultant and staff reports and responses to questions. Plan adopted.

January 25, 2011	Planning Commission workshop to consider an update to the First Street Specific Plan.
March 22, 2011	Continued Planning Commission workshop
September 14, 2011	Public workshop on the First Street Specific Plan
July 24, 2012	Draft First Street Specific Plan Amendment distributed to the Planning Commission.
September 14, 2012	Public Workshop on the Draft First Street Specific Plan Amendment.
October 23, 2012	Tustin Planning Commission adopts Resolution No. 4209 recommending that the Tustin City Council approve Specific Plan Amendment 2012-001.

The process, highlighted by these key dates and events, was accompanied throughout the project life by a very close and constructive staff/consultant communication that resulted in clarifying a great number of technical questions as needed so that policy issues could be focused upon by the public, the Planning Commission and the City Council. The quality of this working relationship was the major ingredient in completing the plan in an unusually short period of time.

APPENDIX F GENERAL PLAN CONSISTENCY

Section 65860 of the California Government Code requires that zoning be consistent with a jurisdiction's General Plan.

The dominant element of the City of Tustin General Plan relevant to the First Street Specific Plan Area is the Land Use Element.

The City's General Plan Land Use Element designates the area as PC Commercial/Business. Under this land use designation, a mix of commercial and office uses such as hotel/motels, commercial centers, research and development, and professional offices are permitted.

The First Street Specific Plan is consistent with the following General Plan goals and policies:

GOAL 1: Provide for a well balanced land use pattern that accommodates existing and future needs for housing, commercial and industrial land, open space and community facilities and services, while maintaining a healthy, diversified economy adequate to provide future City services.

Policy 1.8: Provide incentives to encourage lot consolidation and parcel assemblage to provide expanded opportunities for coordinated development and redevelopment.

GOAL 5: Revitalize older commercial, industrial and residential uses and properties.

Policy 5.2: Provide development incentives to facilitate the consolidation of individual parcels along the City's commercial corridors.

GOAL 7: Promote expansion of the City's economic base and diversification of economic activity.

Policy 10.6: Encourage the integration of retail or service commercial uses on the street level of office projects through flexibility in site development standards.

Policy 10.7: Encourage the consolidation of individual parcels/consolidated site planning and parking and access along First Street and in Old Town through utilization of development incentives such as reduced parking, height bonus, lot coverage relaxation, allowance for secondary uses, fee waivers, and/or financial assistance in land acquisition and/or infrastructure improvements.

Policy 10.9: Review the First Street Specific Plan including modifications to the Plan which would consider issues associated with eliminating and prohibiting future automobile service-related uses and restrictions on the expansion of existing automobile service related uses.

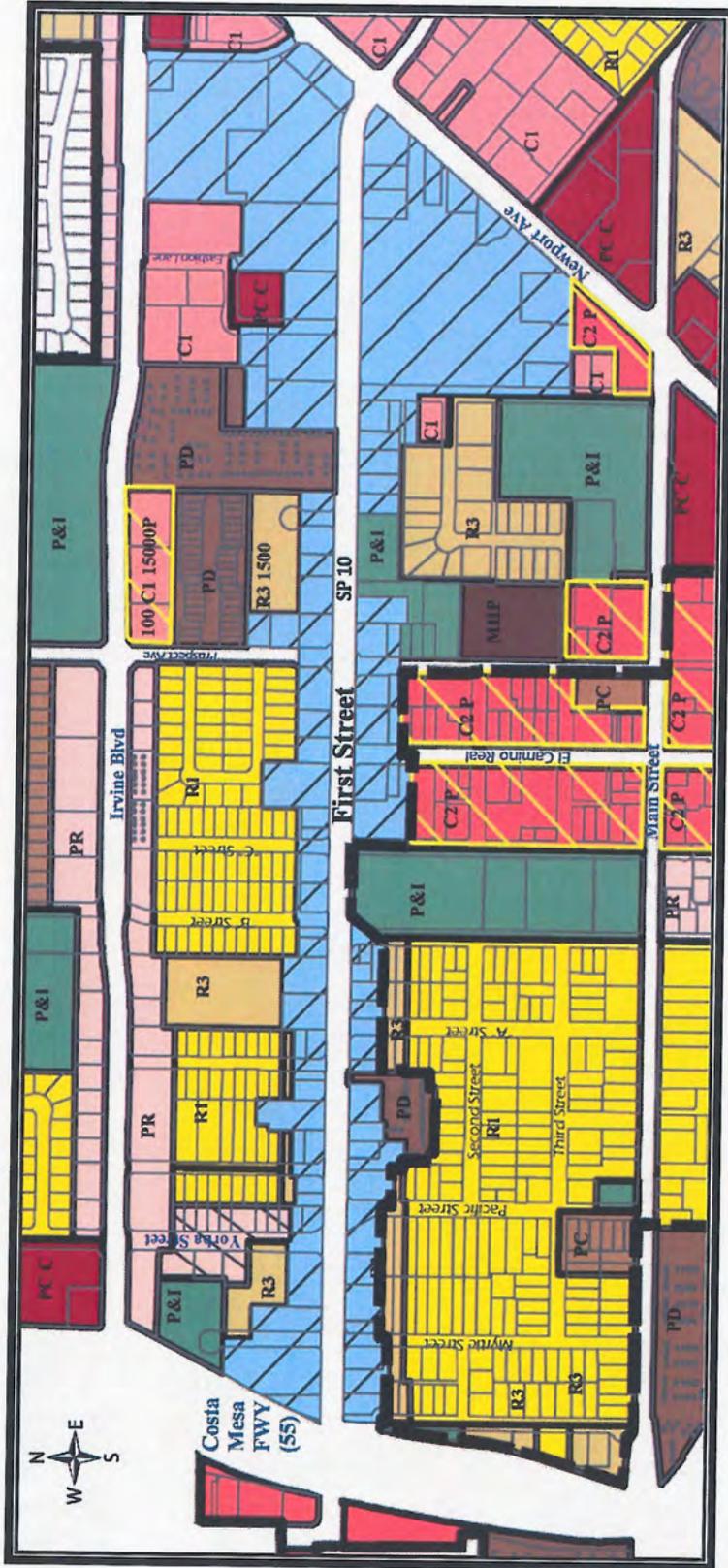
The Plan responds directly to these goals and policies by providing for appropriate commercial retail, service, and office uses. It responds indirectly by reinforcing successful development and stimulating both economic growth and aesthetic improvement on First Street.

The Plan effects a change not so much in the nature of uses along First Street but the balance, arrangement, development standards and design characteristics of office, commercial and specialized uses so that they will be more responsive to market opportunities and enhance the First Street corridor.

The First Street Specific Plan is therefore consistent with the City of Tustin General Plan.

**APPENDIX G
FIRST STREET SPECIFIC PLAN
FINDINGS**

1. The proposed commercial and office development is consistent in intensity and character with the City's adopted General Plan.
2. Reasonable alternatives to the plan and their implications have been considered.
3. The scope and depth of plan analysis are commensurate with the level of detail contained in the plan and the specificity of land use entitlement its adoption authorizes.
4. The various components of the plan as well as the plan in it's entirely are sensitive to the environmental and public policy impacts of the proposed development.
5. Appropriate mitigation measures are incorporated in the plan to insure that concerns identified at this level of planning are resolved as part of the more detailed site plan review which must be completed before private development may proceed.
6. Administration of the plan is thoroughly integrated into the City's development processing system.
7. All subjects required in a specific plan by the California Government Code and applicable City ordinances are appropriately and adequately covered.
8. Adequate time and opportunities have been afforded interested organizations and members of the public to comment on or propose changes to the plan if they so desired.
9. The level of development direction established by the plan is sufficient to eliminate the need for a continued development moratorium in the First Street corridor.



2012 First Street Specific Plan Proposed Zoning Map



- | | | | |
|--|---------------------------------------|--|----------------------------------|
| | SP 10—2012 First Street Specific Plan | | C2—Central Commercial |
| | Cultural Resources District | | CG—Commercial General |
| | P—Parking Overlay | | P&I—Public & Institutional |
| | R1—Single Family | | PD—Planned Development |
| | R3— Multi-Family | | PC—Planned Community |
| | C1—Retail Commercial | | PCC—Planned Community Commercial |
| | | | SP 9—Yorba Street Specific Plan |



**FIRST STREET SPECIFIC PLAN
DESIGN GUIDELINES 2012**

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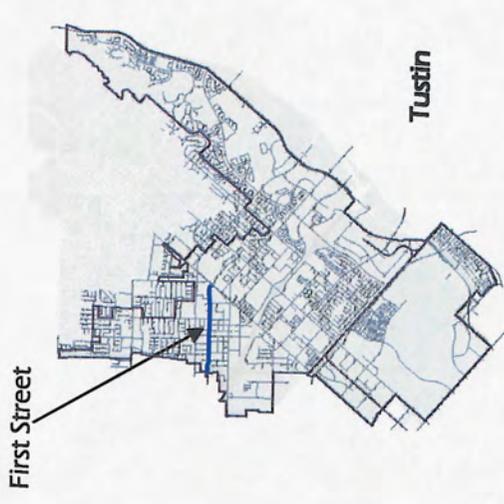


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I. Introduction

The purpose of this manual is to outline design guidelines and public street improvements specifically aimed at maintaining First Street's small town ambience while allowing new development and renovations that are consistent with the intended 'vision' for this important City street. Unlike land use plans and zoning regulation, this manual is intended to provide direct technical assistance to property owners, merchants, architects and designers, developers and public officials interested in undertaking specific improvement action to:

1. Encourage new construction that is compatible with existing construction, existing resources, and the desire of maintaining the small town image of First Street (guidance for new an existing development).
2. Upgrade and enhance public areas of First Street, such as sidewalks, medians, intersections and parking areas (guidance for the public right-of-way).

Overall, the design concept is to link First Street together with a consistent streetscape program, maintain a pedestrian scale, and generally keep First Street as 'small town' as practical.

This manual contains information, graphic material and photographs recommended for public area improvements and design guidelines for new development and renovation. Both tangible and intangible elements contribute to a person's perception of what First Street is and how it fits into the City's urban environment. This section represents a careful analysis of the design principles that will mold a better First Street environment and how they contribute to a 'quality' experience.

This document provides design direction, illustrations and photographs related to new and existing development as well as the street and public right-of-way. The following pages include streetscape, placemaking and landscaping as well as the building, how it is sited, parking lots, and rehabilitation. This manual addresses each of these elements in general terms and establishes the guidelines which can be used and expanded upon in more detail through the site planning process. Each guideline should be considered for how it applies to a given project. The illustrated examples are intended as images of a vision which communicate ideas and should not be viewed as design solutions that are to be strictly adhered to.

This document is not intended to limit the work of designers, but to provide a flexible framework to accomplish an overriding concept and to encourage quality development which will establish First Street as a special place for work, shopping and recreation.

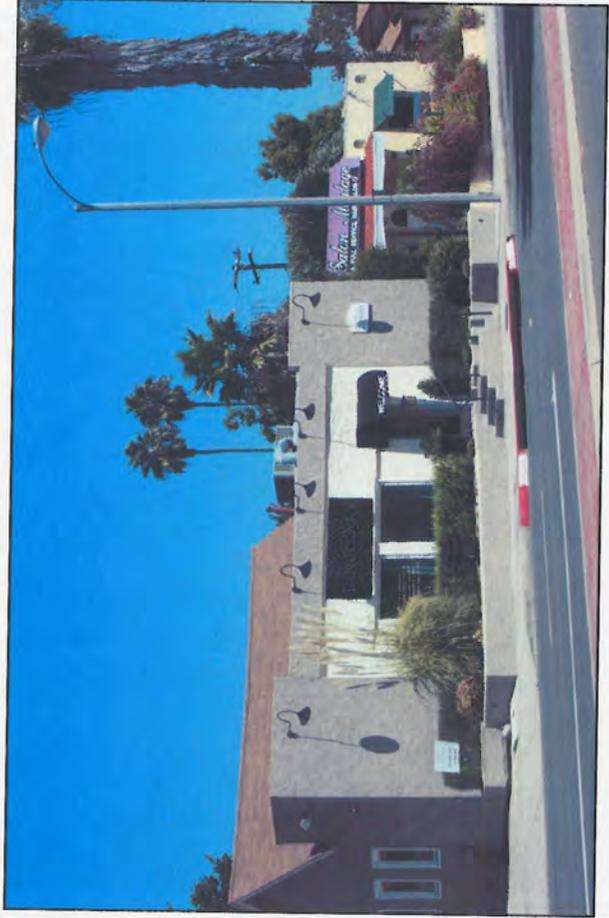
These design guidelines will serve to preserve the unique character of First Street and create a vision for the future. The implementation of this plan will make a significant contribution to the quality of life of all users of First Street and those who dwell in the area.

II. Design Guidelines Goals and Objectives

Goals

The goals of the First Street Streetscape Plan are as follows:

1. To aid in economic development by promoting a more attractive image for First Street which will improve the vitality of commercial activities; enhance the livability of the nearby residential community; and integrate the street with the surrounding environment.
2. To develop a safe, convenient and pleasant environment with appeal to consumers, merchants, and residents.
3. To provide a guide for future improvement of First Street and the environs beyond the public right-of-way.
4. To maintain the feeling of "small town America" while enhancing the aesthetic quality of the public right-of-way.



Plan Objective

Establish development policies, design guidelines and design standards for the planning, design and construction of streetscape, landscaping and other design elements within the public right-of-way.

III. Urban Design Policies

Policies

Policy 1: Promote and encourage the orderly and cohesive growth of First Street.

Policy 2: Promote and enhance first Street's existing environmental qualities with particular emphasis on its location relative to El Camino Real and Old Town.

Policy 3: Promote architectural variety and diversity within an overall sense of mass and scale for buildings and streetscape.

Policy 4: Relate the scale and character of new development to the pedestrian functions and existing spaces along First Street.

Policy 5: The form and siting of new development will relate to the use of pedestrian spaces while maintaining convenient vehicular access to commercial properties.

Policy 6: Plazas, covered walkways and other pedestrian amenities are encouraged in new development whenever possible.



IV. General Guidelines for Streetscape and Placemaking

Support and Encourage Activities and Destinations

Improvements include:

- Widening sidewalks to accommodate multiple activities
- Opening streets to multiple activities
- Encouraging/providing active ground floor uses in adjacent buildings
- Clustering activities and amenities

Design Street Elements and Adjacent Buildings for the Human Scale

Use amenities that are pedestrian-scaled including:

- Signs
- Lighting
- Seating

Encourage building design (e.g., through zoning regulations and design guidelines) that is scaled to the human body, such as:

- Frequent building entrances
- Building transparency at street level
- Interesting facades

Connect Both Sides of the Street

Invite people to cross in more places by:

- Slowing vehicular traffic speeds
- Establishing mid-block crossings
- Making shared streets

Provide a Feeling of Safety and Security on Streets

Keep streets well-maintained and both the street and surrounding buildings well-lit by:

- Adding pedestrian scale lighting along walkways and in parking lots
- Placing up-lights in landscaping, medians, monuments, and under trees
- Add architectural lighting to highlight building details and to provide ambient lighting

Slow traffic to a comfortable speed to mix with other travel modes through:

- Low speed design elements
- Traffic calming techniques
- Shared space

Maintain a buffer between pedestrians and vehicles when there is fast moving traffic using:

- Planters
- Bollards
- Parked cars

IV. General Guidelines for Streetscape and Placemaking (Continued)

Reflect Community Identity

Unique community identity draws from the natural setting and local history, as well as the cultural backgrounds of community residents and their architectural tastes. Development projects should showcase local assets including:

- Monuments and building architecture
- Views of environmental features
- Trees and other plants
- Parks and plazas
- History
- People
- Intersections transformed into meeting places
- Invite a diversity of users
- Reference or preserve continuity of local aesthetics

Move Community Towards Local Sustainability Through the Conservation of Natural Resources

Utilize on-site and local resources where possible.
Use surface area for energy capture.
Use effective Low Impact Development (LID)/ stormwater management techniques including:

- Bioswales
- Rain Gardens
- Pervious Pavements
- Stormwater Planters
- Tree Box Filters
- Channels to direct water into retention areas

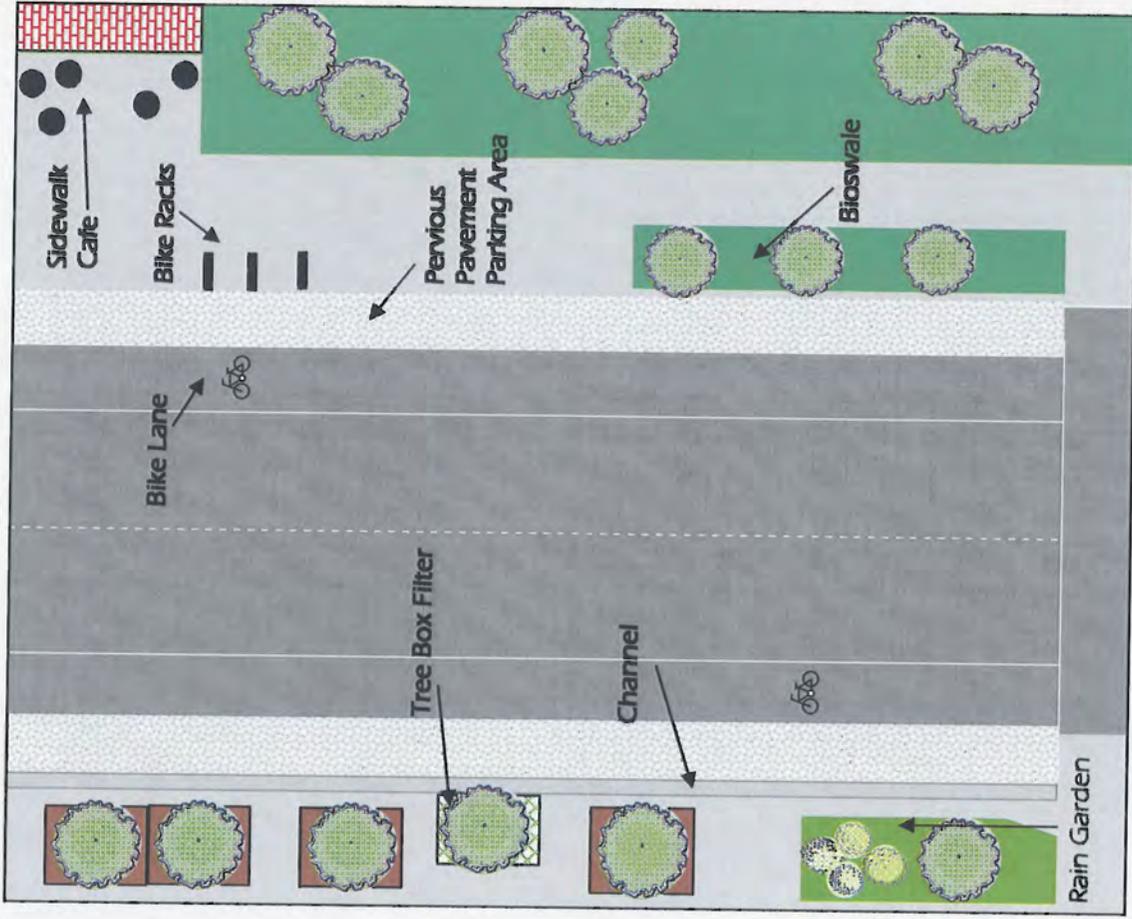


Figure 1 Depicts Low Impact Development techniques to conserve stormwater

IV. General Guidelines for Streetscape and Placemaking (Continued)

Most American cities have come to view streets primarily as conduits for moving vehicles from one place to another (from A to B is the common expression). While moving vehicles is one of their purposes, streets are spaces, even destinations in and of themselves. Conceiving of a street as a public space and establishing design guidelines that serve multiple social functions involves several fundamental steps. We need to redefine whom the street ought to serve. By approaching streets as public spaces, cities redirect their attention from creating traffic conduits to designing a place for the people who use the street. People put the place back in streets.

The environmental and aesthetic quality of a street is a significant determinant in the perception, by both residents and passersby, of the image or identity of an area and the subsequent potential enjoyment of its use. A street can be a boring, chaotic, disoriented place of frustration, and a place of unpleasant experiences and associations. On the other hand, a street can be a coherent expression of form providing order and clarity to the organization of urban development providing enjoyable experiences of the variety and richness of the environment.

In order to be places, streets should...

- Augment and complement surrounding destinations, including other public spaces such as parks and plazas
- Reflect a community's identity
- Invite physical activity through allowing and encouraging active transportation and recreation
- Support social connectivity
- Promote social and economic equity
- Be as pleasant and accessible for staying as for going
- Prioritize the slowest users over the fastest
- Balance mobility and public space functions

So that people can...

- Walk and stroll in comfort
- Sit down in nice, comfortable places, sheltered from the elements
- Meet and talk—by chance and by design
- Look at attractive things along the way
- See places that are interesting
- Feel safe in a public environment
- Enjoy other people around them
- And get where they need to go!

IV. General Guidelines for Streetscape and Placemaking (Continued)

General Placemaking Principles for Streets:

The need to maximize social and economic exchange.

Streets will need to serve the highest and best use for the land they are on, and mobility is only one among many possible uses. Streets need to be designed to maximize social value, which also spurs healthy economic exchange. In this way, streets become arteries distributing prosperity. Streets that invite social interaction are more likely to ensure healthy growth.

The need to reduce energy consumption and induce sustainable growth

Streets that are places promote locality. They enable people to travel comfortably by non-motorized modes, which in turn shortens travel distance demand. With growing concerns regarding fuel resources and climate change, this shift will be critical. Because re-placed streets spur locality-serving commerce and social venues, they also set the stage for and enable healthy and environmentally sustainable practices/behaviors in the surrounding built environment.

A desire to create public space

Beyond being the frames for other development, streets can be public spaces themselves. Access to public space is critical to safe, healthy, and successful communities. When streets are designed as great spaces for people, they reinforce a sense of belonging and build on the strengths of the communities they host.

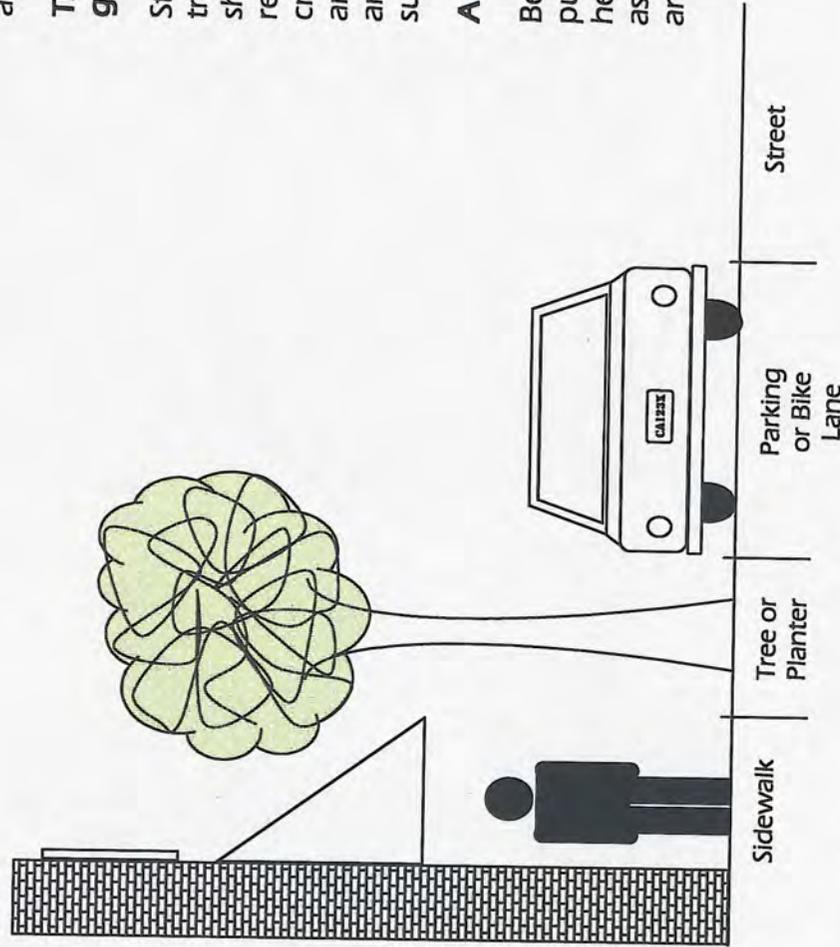


Figure 2 Street cross section with tree/ planting and parking buffer zones.

V. Streetscape and Public Areas

A. Existing Conditions

The First Street Specific Plan is broken into 3 Subareas. The most westerly portion of the street, from the Santa Ana/ Tustin border up to C Street is Subarea 1. Subarea 2 starts at C Street and ends at Centennial Way. And lastly Subarea 3 starts at Centennial Way and includes both Larwin Square and the Courtyard Shopping Center ending at Newport Avenue.

Each Subarea is just a little different from the others:

- Subarea 1 small commercial, office, and retail/ service;
- Subarea 2 retail, restaurant, and automobile related uses;
- Subarea 3 large retail centers, banks and offices.

Opportunity for renovation and redevelopment exist within all Subareas of this plan.

The current streetscape is somewhat disjointed. While there are sidewalks and some street furniture both could be improved. Along several sections of the street the sidewalks narrow or disappear. When walking along First Street a pedestrian will have to navigate around a utility box, sign, or even a landscape planter. Additionally, the street is lacking uniform street furniture.

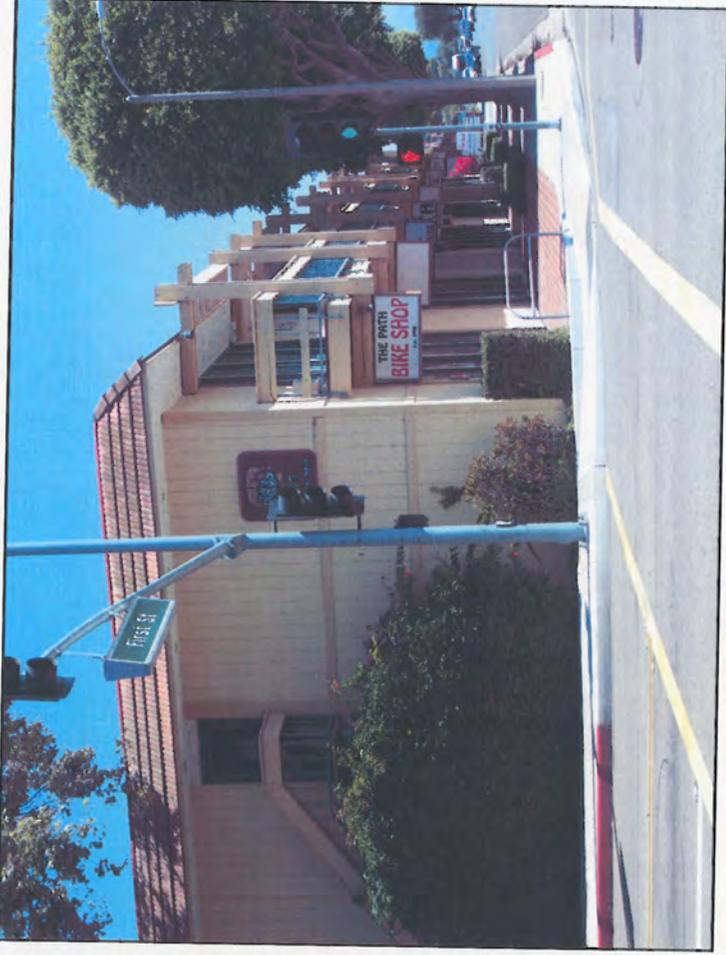
Important adjacent streets, such as El Camino, are given special attention through the use of bollards and special signage. However, over the years the signs have been over crowded, faded by the sun, and over shadowed by nearby trees.

Landscape plantings along First Street are well maintained but species selections may need to be updated to new City recommendations. An opportunity also lies in capturing the vitality and richness of the area by upgrading the roadway and streetscape.

Traffic along the street is not what it was 20 years ago. The 55 is no longer connected to First Street. First Street now serves more as a neighborhood commercial corridor than a transportation corridor. Yet, the entrance to Tustin from Santa Ana on the west side of the street is still an important link. The median entrance sign on this side is still an significant feature that could be enhanced.



V. Streetscape and Public Areas (Continued)



V. Streetscape and Public Areas (Continued)

B. Streetscape Standards

Urban design is the art of relationship of the parts of the city to its whole. Street furniture, like buildings, public spaces, and greenery are parts of the whole. It is essential that they be related in a unified concept. The emphasis in street furnishings is simplicity and the avoidance of clutter.

Streetscape design standards provide the basic design elements of street rights-of-way and adjacent pedestrian walkways. Streets, though primarily designed to facilitate circulation, project an image of both the City and the businesses which locate on it. The elements of the streetscape should be designed to provide continuity amidst the diversity of the existing and future architecture.

C. Street Furnishings

Elements found in the street right-of-way environment, such as lighting fixtures, planters, benches, trash receptacles, etc., are collectively called street furniture. A consistent design of street furniture would be appropriate for some elements while other elements may be made consistent by establishing a basic module and vocabulary of materials. The design of street furniture throughout the project can be made to relate to each other while leaving enough flexibility for shops and commercial centers to maintain their individual identities.

Consolidate street furniture if the opportunity exists; example: cluster a bus shelter, lighting, public graphics, and trash receptacle together.

D. Short Term Street Improvements

Standardize street furniture using existing Tustin approved benches, trash receptacles, bus stops, etc. This will give the street a cohesive look.

Standard City of Tustin Concrete



Standard City of Tustin Trash Can



OCTA Trash Receptacle



V. Streetscape and Public Areas (Continued)



OCTA Bench at a Bus Stop

E. Benches

Streamline the different benches used along the street. The Tustin concrete bench is the preferred bench and should replace all other stand alone benches along First Street.

F. Trash Receptacles

There are a variety of trash receptacles along First Street. Where possible they should be brought up to City standards. Ideally trash cans would have a cover to keep trash contained.

G. Tustin/ Santa Ana Border Median

The median sign needs some repair work and could be maintained for the next few years. Overtime this sign should be updated.

Median Entrance Sign on the west side of First Street



H. Bollards

Bollards are to be provided at the intersections of El Camino Real, Prospect Avenue, and First Street to increase pedestrian-vehicular separation and to help identify these two intersections as major focal points. The current bollards are suitable but may need to be replaced over time due to damage or wear.

I. Street Lighting

The existing lighting program is functional and is sufficient for the needs of the automobile. Additional public accent lighting could be incorporated into bus stops, entry documentation, medians, and concentrated at the intersections of Prospect Avenue, El Camino Real, and First Street. This lighting should emphasize the pedestrian experience and highlight major focal points.



V. Streetscape and Public Areas (Continued)

J. Bus Shelters

Several bus stops provided by OCTA and the City are located along First Street. There is an opportunity to improve the continuity of stops along the street by updating the shelters and/or benches and trashcans.

All shelters are required to be designed to accommodate wheelchairs and meet the Americans with Disabilities Act (ADA) specifications.

Including lighting in the bus shelter will provide security and safety for waiting passengers.

Each shelter should provide a trash receptacle, designed and placed to promote maximum usage by shelter patrons. Trash receptacles should be durable and decorative and consistent with design of the bench and shelter and other street furniture used on First Street.

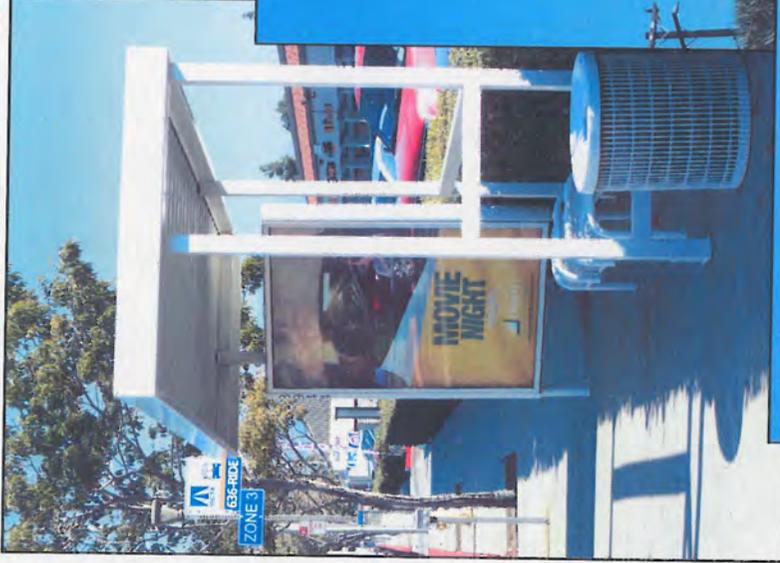
For specific requirements and more information on Bus Shelters see Tustin City Code.

K. Future Street Improvements

Long term improvements include new furniture to give First Street its own unique character, allowing it to be different from other areas of Tustin. The addition of bike racks to encourage alternative modes of transportation. And lastly, pedestrian scale lighting along sidewalks and the park will enhance the pedestrian experience.

L. Approvals

Public improvements to the street are reviewed by the Community Development Department and Public Works.



V. Streetscape and Public Areas (Continued)



Simple Bike Rack



Artistic Bike Rack used to Promote the City or Neighborhood



Utility box as Public Art



M. Public Art

Encourage public art to reflect the community, history and culture of the neighborhood. By developing a theme these pieces give the streets a sense of identity.

- Public art is a pedestrian amenity and should be presented in an area suited for pedestrian viewing.
- The piece should be placed as a focal element in a park or plaza, or situated along a pedestrian path to be discovered by the traveler.
- Public art can be incorporated into standard street elements for example bike racks, light standards, benches, trash receptacles, utility boxes (a simple bike rack could serve as the base for a public art project).
- Public art can provide information (maps, signs) or educational information (history, culture). All installations do not need to have an educational mission; art can be playful.
- Public art should be accessible to persons with disabilities and placement should not compromise the sidewalk or pedestrian zone.

VI. Public Area Graphics

A. Public Signs

First Street is an entry into the City and subsequently can benefit enormously through the use of an integrated comprehensive public signage program. A high quality signage system would reinforce the existing neighborhood character of First Street and provide information and orientation to shoppers, pedestrians and other patrons of the area.

Three factors should be considered when creating a new signage program for First Street:

1. Clustering of signs and the avoidance of clutter. This method of clustering signs eliminates “sign clutter” and decreases maintenance and installation costs because of fewer poles.
2. Signage in streets, parking areas, and pedestrian spaces should be treated as both a source of information and environmental artwork.
3. The location of these signs should be coordinated with the planting and street furniture locations to increase their legibility. Existing signs which conflict with existing and proposed landscaping and furniture should be moved to more visible and safe locations.

Additionally, consider the placement of other elements on the street. Signs, bus shelters, benches, news racks and the like should be appropriately grouped. Cluster these items in a way that makes them accessible for pedestrians and travelers but does not inhibit circulation.

B. Entrance Signs at the Intersection of El Camino and First Street
Replace the current oval signs at El Camino and First Street with eye level or more pedestrian friendly signs. These signs should acknowledge the adjacency of the two areas (Old Town and First Street) but also identify that they are two unique places in Tustin.

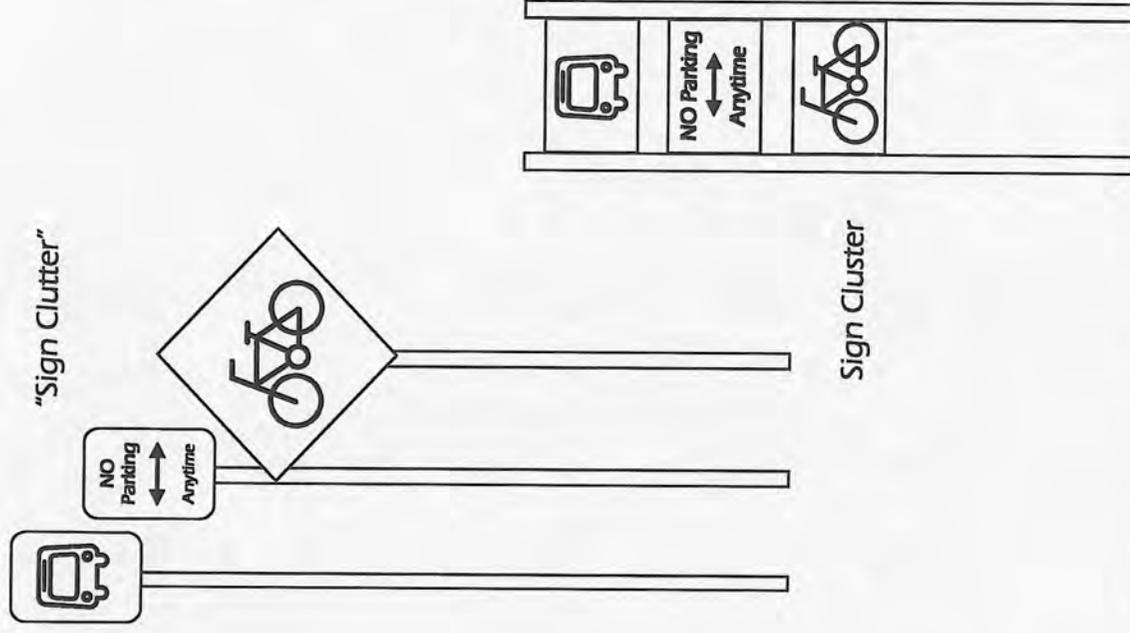
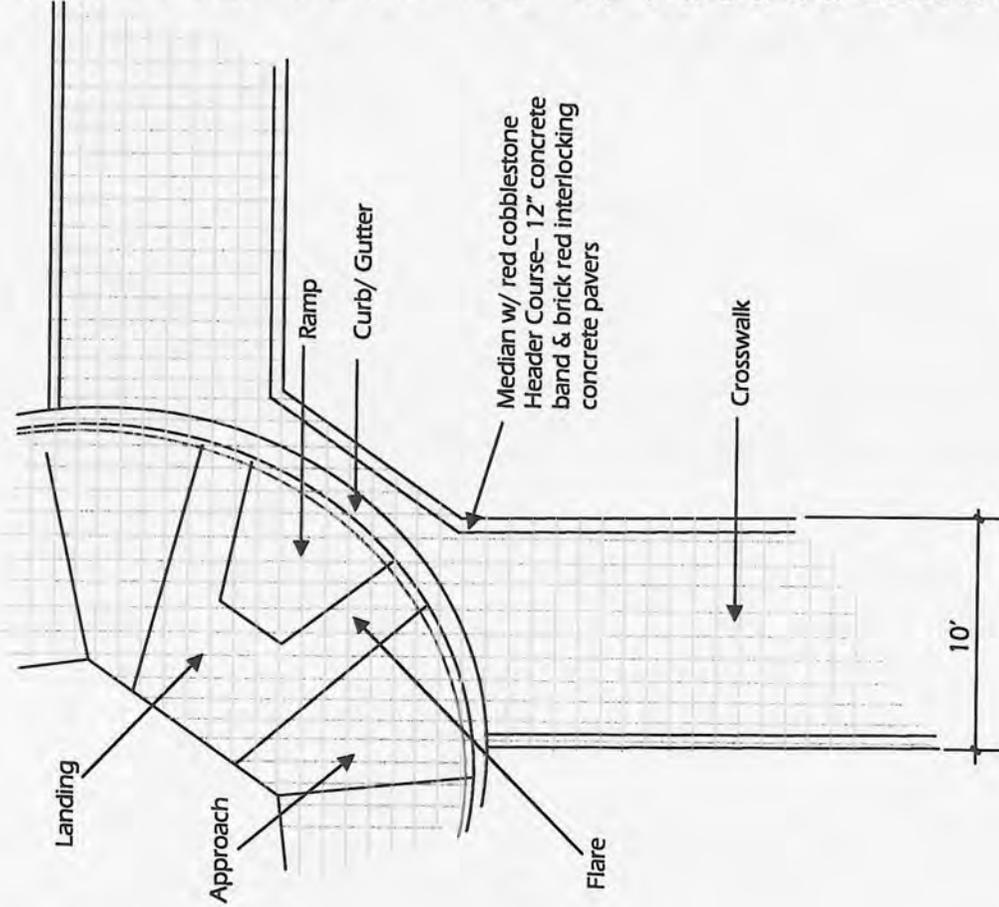


Figure 3 Condensing all signs into one frame will help to alleviate sign clutter along the street.

VII. Public Parking, Sidewalk, and Paving Guidelines



A. Paving

Sidewalks: The existing concrete sidewalk paving should remain. Adding interlocking concrete pavers behind all tree wells, at bus stops and crosswalks as noted below could be a potential improvement. The interlocking pavers should be the same as those used on El Camino Real and will add character to the pedestrian environment.

Crosswalks: Crosswalks at the intersection of El Camino Real, Prospect Avenue, and First Street are paved with brick colored interlocking concrete pavers and concrete bands identical to those used on El Camino Real.

Use pervious pavement where possible to help to control runoff and retain water onsite.

B. Sidewalks

The walking environment should be safe, inviting, and accessible to people of all ages and physical abilities. Pedestrian areas should be easy to use and understand. It should seamlessly connect people to places. It should be continuous, with complete sidewalks, well-designed curb ramps, and well-designed street crossings. Future sidewalk enhancements could include converting the current sidewalks into meandering and winding paths. This will improve the pedestrian experience and beautification along First Street. A winding path will allow for improved landscaping areas and encourage people to take their time while on First Street. A meandering sidewalk will provide the setting for residents and visitors to stroll along and stop to shop or dine at their leisure.

Figure 4 Paved crosswalks at the intersection of El Camino Real, Prospect Avenue, and First Street should be paved with brick colored interlocking concrete pavers.

VII. Public Parking, Sidewalk, and Paving Guidelines (Continued)

C. ADA Requirements

Under Title II of the 1990 Americans with Disabilities Act (ADA), state and local governments and public transit authorities must ensure that all of their programs, services, and activities are accessible to and usable by individuals with disabilities.

State and local governments must also keep the accessible features of facilities in operable working condition through maintenance measures including sidewalk repair, landscape trimming, and work zone accessibility. Minimum standards must be met for sidewalk width and grade. For the most up to date technical information see www.access-board.gov/ada.

D. Bike Paths

Bike lanes or paths should be introduced into the design of First Street. They can help to create a barrier between pedestrians and traffic. They also offer an alternative mode of transportation along the street giving adjacent residential neighbors a quick and safe route to this commercial corridor. Subarea 3 is designated as a Class II bike lane in the City's Master Bikeway Plan (The Master Bikeway Plan can be found in the Circulation Element of the Tustin General Plan).

E. On-Street Parking

On-street parking serves visitors and residents, and provides a valuable buffer between pedestrians, children at play, and passing traffic. Street signs, painted curbs and spaces designate appropriate areas for parking and loading zones.

F. Mid Street Crosswalks

Consider the addition of mid street crosswalks along First Street to increase access from the nearby residential neighborhood to Peppertree Park and local businesses.

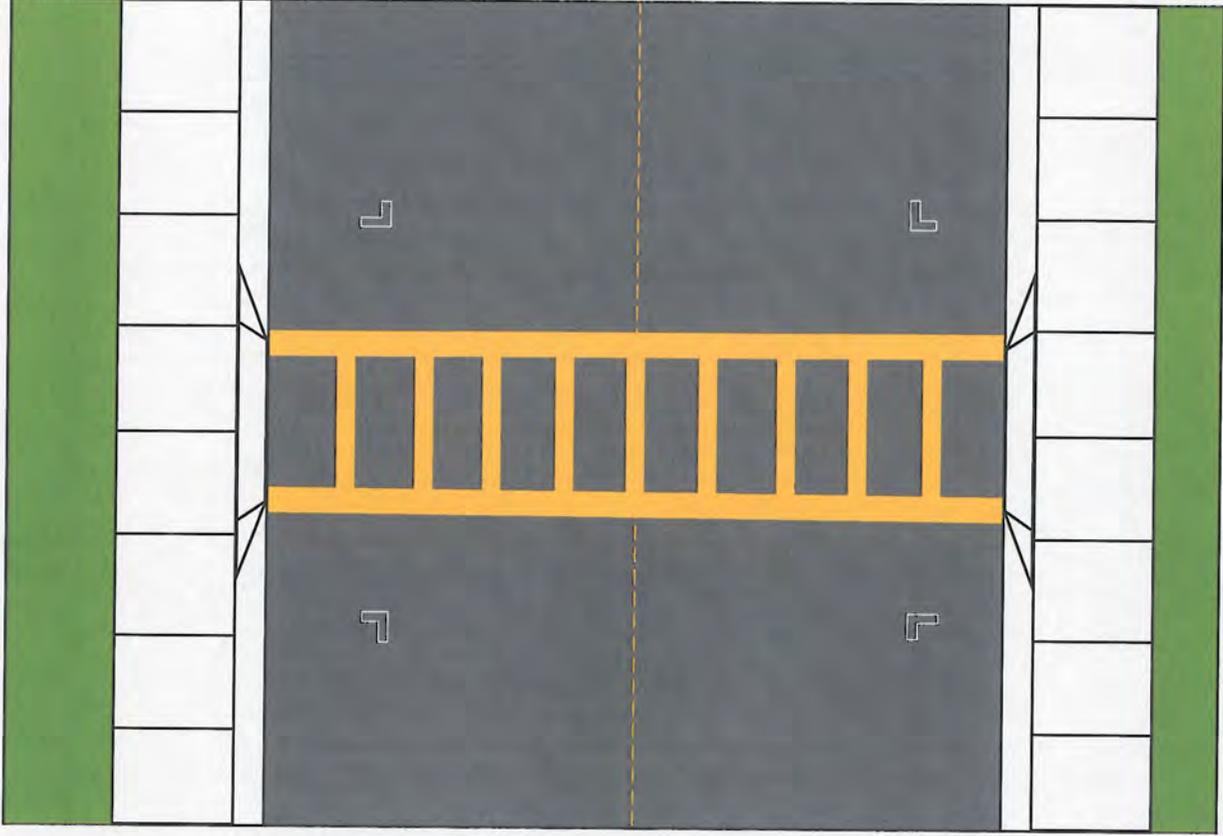


Figure 5 Mid Street Crosswalks and On-Site Parking create a more pedestrian friendly environment .

VIII. Public Area Landscape Guidelines

A. Existing Conditions

First Street in Tustin has a partially existing streetscape program. The existing median program which uses stately olive trees, blade grass and pattern stamped concrete is a unique City image and any proposed streetscape plan should reinforce this theme. The existing parkway street tree, *Ficus nitida*, will transition to the *Tabebuia avellanedae* as existing *Ficus nitida* will eventually require removal.

B. Medians and Entry

The existing median landscape program is both functional and aesthetic. The continued use of olive trees, blade grass and pattern stamped brick red concrete is recommended. Accent up-lighting should be added to each tree (two lights per tree) in the medians. Placement of the lights should not impact the root zone of trees.

C. Landscaping Standards

Street Tree Planting:

Tustin's street tree program of *Tabebuia avellanedae* should be applied to First Street. Many existing planting pockets contain no landscape materials whatsoever. These should be planted with a *Tabebuia avellanedae* and have a tree grate installed. In all new tree plantings, a root barrier box should be installed but only along the curb and sidewalk. This will lessen the damage done to curb and sidewalk due to invasive roots. *Tabebuia avellanedae*, *Jacaranda mimosifolia*, *Koelreuteria bipinnata* and *Geijera parviflora* are recommended trees for other areas, i.e., parking lots, alleys, etc., within the First Street area.

Plant Materials:

The plant materials palette presents appropriate species for trees, shrubs and groundcovers. To select plant materials refer to the Plant Material Palette Chart and locate the area of concern (see page 39). Recommended location/ placement is

given for each plant type (median, parkway, landscape boundary and parking lots).

D. Tree Wells

Urban accessories like flush mounted tree grates (or approved equivalent) should be provided for all planted trees. The size and detail of each grate will be compatible with those used on El Camino Real and Main Street.



VIII. Public Area Landscaping Guidelines (Continued)

E. Low Impact Development Principles

Conserving water on site allows for natural resources to be used for irrigation and it also prevents contaminated runoff from going to the ocean. Low Impact Development (LID) principles offer several solutions:

- **Bioswales:** linear, vegetated depressions that capture rainfall and run off from adjacent surfaces. Swales can reduce off-site streetwater discharge and remove pollutants along the way. In a swale, water is slowed by traveling through vegetation on a relatively flat grade. Because the vegetation receives much of its needed moisture through streetwater, the need for irrigation is greatly reduced.
- **Rain Gardens:** vegetated depressions in the landscape. They have flat bottoms and gently sloping sides. Rain gardens can be similar in appearance to swales, but their footprints may be any shape. Rain gardens hold water on the surface, like a pond, and have overflow outlets. The detained water is infiltrated through the topsoil and subsurface drain rock unless the volume of water is so large that some will overflow. Rain gardens can reduce or eliminate off-site streetwater discharge while increasing on-site recharge.

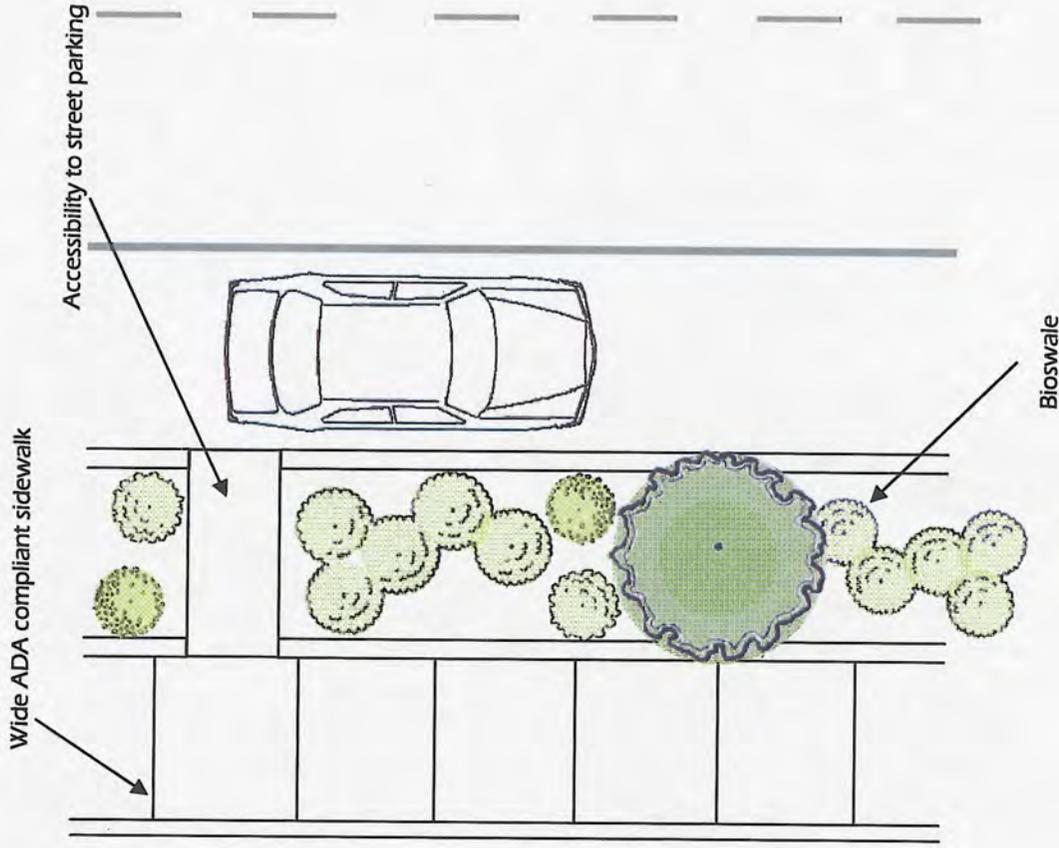


Figure 5 Creating a bioswale is one Low Impact Development principle that could be used for water retention along First Street.

VIII. Public Area Landscaping Guidelines (Continued)

- **Pervious Pavements:** a system that slows or eliminates direct runoff by absorbing rainfall and allowing it to infiltrate into the soil. Care should be taken to avoid flows from landscaped areas reaching permeable paving. In those cases, bioretention is a better choice. Pervious paving is, in certain situations, an alternative to standard paving. Conventional paving is designed to move streetwater off-site quickly. Permeable paving, alternatively, accepts the water where it falls, minimizing the need for management facilities downstream.
- **Stormwater Planters:** are typically above-grade or at-grade with solid walls and a flow-through bottom. They are contained within an impermeable liner and many or may not use an underdrain to direct treated runoff back to the collection system. At-grade street-adjacent planter boxes are systems designed to take street runoff and/or runoff from sidewalks and incorporate bioretention processes to treat stormwater.
- **Tree Box Filters:** are mini bioretention areas installed beneath trees that help to control runoff, especially when distributed throughout the site. Runoff is directed to the tree box, where it is cleaned by vegetation and soil before entering a catch basin. The runoff collected in the tree-boxes helps irrigate the trees.

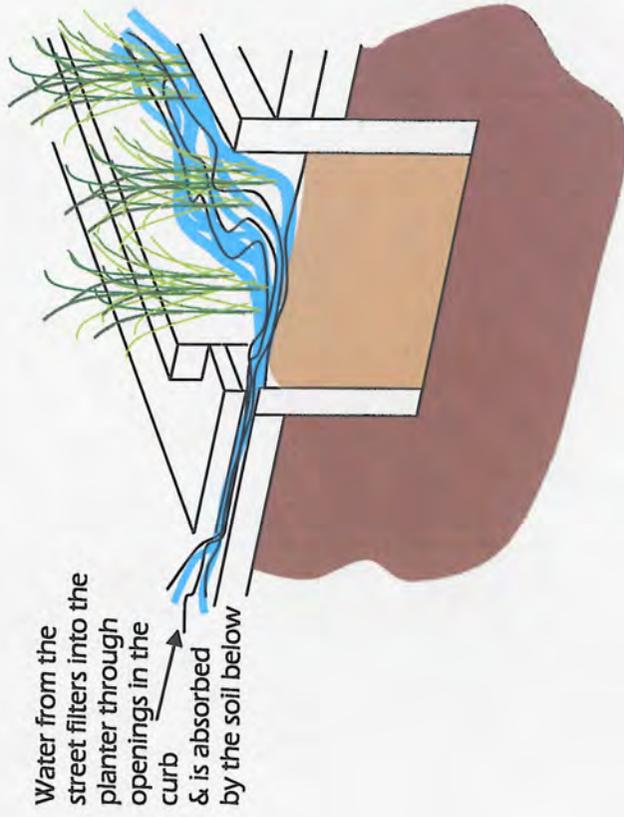


Figure 6 A Stormwater Planter is another LID option for onsite water conservation.

IX. Private Development Standards

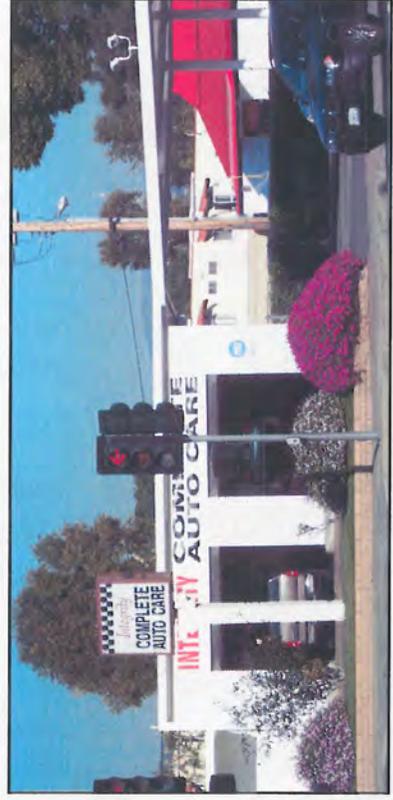
A. Existing Conditions

The current image of First Street is that of a neighborhood commercial corridor. From an aesthetic point of view First Street is an eclectic mix of architectural styles and urban form that may seem inconsistent yet it adds to the character and small town image that First Street is known for.

The quality and condition of the existing built environment varies from exemplary projects to those that have not been well maintained with many buildings along the spectrum between these two extremes.

There is a mixture of uses along First Street. Often time the use is reflected in the architecture of the building. This adds to the unique character of the street. Commercial, service, and residential uses are all present. Residential homes are dispersed mostly within subarea 3. Commercial uses are most prevalent in subareas 1 and 2. Service uses are predominantly found within subarea 1. For a complete description of uses see the First Street Specific Plan. Printed copies are available through the Community Development Department and a web version can be found at www.tustinca.org then click on Departments, Community Development.

Many of the existing buildings could use some maintenance work and rehabilitation. These guidelines provide ideas and tips on how to improve these sites.



IX. Private Development Standards (Continued)



IX. Private Development Standards (Continued)

B. Buildings

Design buildings to be visually connected rather than creating gaps in the streetscape system

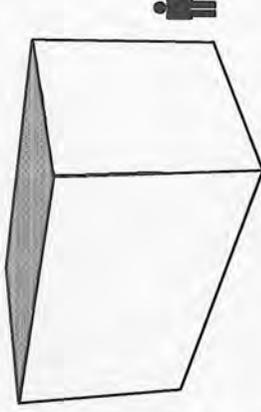
In situations where buildings are highly visible from side streets, Peppertree Park, or adjacent parking, wall should not be left blank. Add additional landscaping, articulation, or other architectural details to add interest.

Loading docks and service functions should not be visible from First Street. Additionally, the design should not conflict with pedestrian entrances from sidewalks into the building.

In the case of multi-storied buildings it is important that they relate to the pedestrian walking along First Street. All ground story facades should be designed to relate to pedestrian scale. This can be accomplished through breaking the façade into bays, and the signage brought down in size and location. Pedestrian scale along First Street will also be established through the use of pedestrian arcades and awnings which add horizontal articulation to facades.

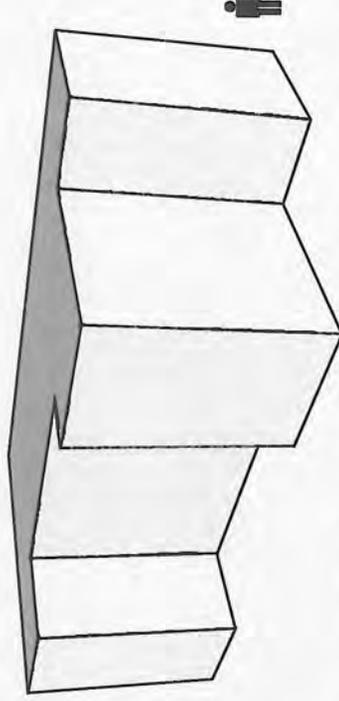
Infill commercial projects are often by necessity larger in scale than the context of the surrounding area. Disparity in scale can be mitigated through the use of sufficient articulation, and the use of architectural features and materials consistent with the character of the area. Using a two story commercial/office building as an example, the exhibits on this page as well as the next page illustrate some of the design basics that constitute articulation.

1. Undesirable Architectural "Box" Treatment



The example above depicts the structure as it would appear if there was no articulation to mitigate its scale impact. It is nothing more than a two story "box" with a flat roof. This type of architecture is strongly discouraged on First Street.

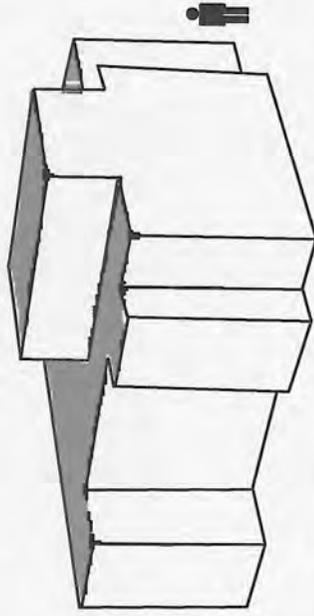
2. Vertical Articulation



Example 2 shows the introduction of "vertical articulation" to the same building mass. Vertical articulation starts to break up the monotony of the box while adding some visual interest making it seem smaller to the pedestrian.

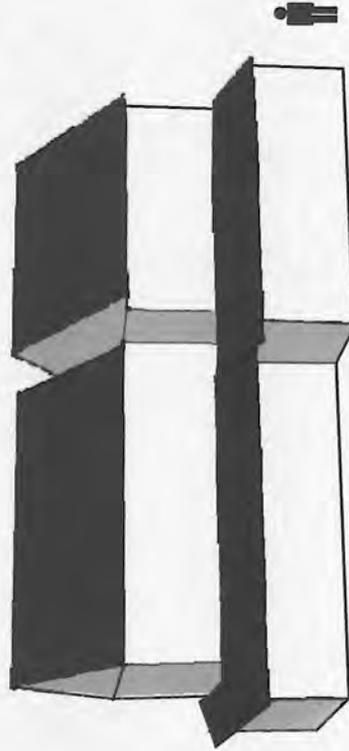
IX. Private Development Standards (Continued)

3. Horizontal Articulation Added



The example above shows the introduction of "horizontal articulation" to the already vertically articulated mass. Horizontal articulation further breaks down the mass responding to the scale of the pedestrian at the street level.

4. Multi-Planned Roofs and Awnings Are Very Desirable



This image shows the addition of sloped, multi-planned roofs and awnings which not only reduce the scale but add considerable aesthetic appeal. Larger buildings proposed for First Street should endeavor to incorporate these geometric articulations.

C. Siting of Buildings

Place building close to First Street (for setback guidelines refer to the First Street Specific Plan) to create a more appealing, active streetscape and to ensure privacy of low density residential areas.

Site and design buildings to minimize pedestrian/ vehicle conflicts. Avoid locating driveways and service areas where they interfere with the flow of First Street pedestrian movement.

Site buildings to create new spaces that complement and expand the existing pedestrian rights-of-way along First Street. This can be accomplished by setting buildings back a little further to create areas for outdoor seating, landscaping, and pedestrian use by providing wider sidewalks on First Street.

Site and design structures to facilitate public access across sites where important pedestrian movements occur. Mid block passageways from rear parking lots can be created to allow pedestrian circulation through a fully developed site. Passageways that are open rather than covered relate better to pedestrian street activity.

Buildings should orient their public entrances and siting toward First Street as much as possible.

IX. Private Development Standards (Continued)

D. Architecture

Variation in the design and form of architecture along First Street adds to the overall character of the street. When remodeling or building new, follow the guidelines below to help you get started with your design.

The recommended qualities and design elements include:

- Richness of surface and texture
- Equal void to solid building wall ratios
- Multi-planned, pitched roofs
- Include a variety of materials and shapes
- Roof overhangs
- Regular or traditional window rhythm

Recommended colors include:

- Subtle warm earth tones and natural shades
- Neutral color pallet
- White and off-white
- Reddish, orange, and brown brick combinations
- Complementary and accent color trims

The elements to avoid or minimize:

- Highly reflective surfaces
- Large blank walls
- Split face block
- Exposed concrete block
- Reflective glass
- Metal siding
- Plastic siding
- Irregular, modernistic window shapes and rhythm



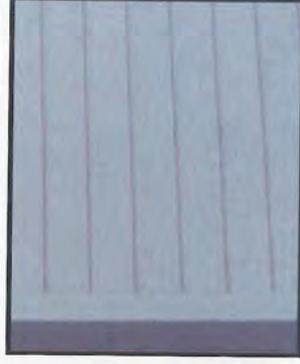
Tile Roof



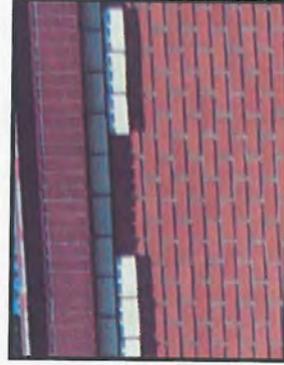
Shingle Roof



Stucco Wall



Wood Siding



Brick



Awning & Window

IX. Private Development Standards (Continued)

E. Suggested Materials Palette

<i>ARCHITECTURAL DETAIL</i>	<i>MATERIAL</i>	<i>COLOR</i>
Sloping Roof (shallow to moderate)	Clay Barrel Tile	Red to Brown
Walls	Stucco	Off-White, Beige, Earth, and Natural Tones in a "flat finish"
	Wood	Horizontal Clapboard or Board and Rattan used in Horizontal Planes Dark Brown, Light Brown, or Neutral Shade
	Brick	Red to Brown
Accents	Tile	Glazed or Unglazed
Awning	Canvas	Dark Green, Brick Red, Black, or Blue
Pavement	Interlocking Permeable Pavers or Poured Concrete	Natural
Fences/Gates	Wrought Iron	Painted Reddish Brown or Dark Green

IX. Private Development Standards (Continued)

F. Renovation/ Rehabilitation

The following design guidelines have been developed to provide direction to renovation projects within a broad streetscape setting. These guidelines are intended to apply to revitalization efforts in any of the Subareas identified by the First Street Specific Plan.

When renovating remember the following design principles:

Consider integrating vertical design details to provide visual diversity and minimize the effect of linear strip commercial center's predominantly horizontal form.

Consolidate architectural forms to create a sense of integration and to provide a theme. Eliminate excessive building detail in favor of a clean architectural appearance.

Exterior remodeling materials should be permanent; brick, concrete, glass, etc.

Unify existing single structures or satellite buildings within a complex through the use of common colors, building materials, signs, lighting treatment and landscape architecture.

Limit the introduction of new building materials to one or two. Try matching materials used on existing surrounding buildings.

Use awnings, trellises, doors, planter boxes and windows on all exposed sides of the building as design elements to create a sense of activity as well as unifying elements. Covered walkways with canopies or arcades also provide pedestrian character.

G. Using Color

Painting can be one of the simplest and most dramatic improvements one can make to a façade. It gives the façade a well maintained appearance and is essential to the long life of many traditional building materials. Select complementary neutral or earth tones. Select only three colors for the project:

- Base color,
- Major trim color, and
- Minor trim color.

In the end, color choice is a personal decision. It is an expression of the building owner and the businesses located in the building. If basic color guidelines are kept in mind, color can add interest and vitality to the First Street area.



IX. Private Development Standards (Continued)

H. Adding Awnings

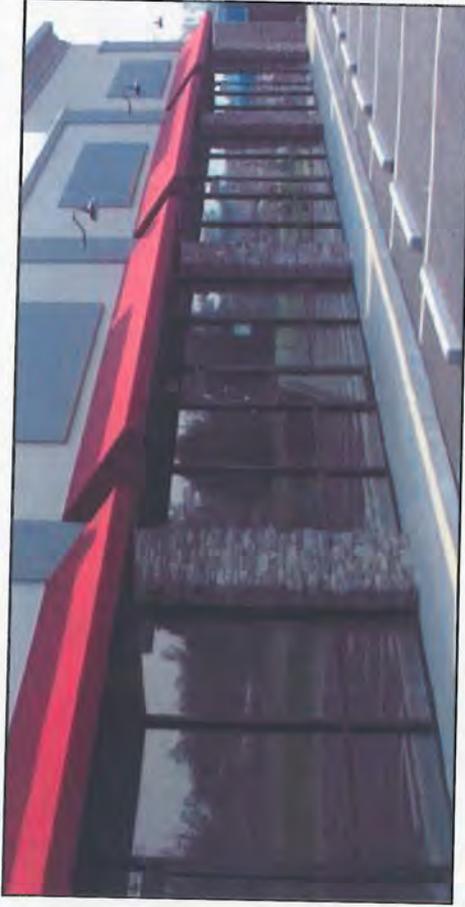
Retractable canvas awnings were often used on traditional commercial facades. In the summer, the awning could be lowered to shade the storefront and keep it cool. In the winter, in a raised position, it allows the welcome sun to warm the store. Year round it could be used to protect the sidewalk pedestrian from extremes of sun and weather. Awnings also contributed bright color and pattern to the streetscape, and was often used for signage.

Today most awnings are fixed and are used to provide shade and to create a more appealing pedestrian environment. They also add architectural detail to a building.

The shape of the awning should mimic the shape of the window. Choose a contrasting color to the building, this will add visual interest and separation. Additionally they add depth and a place for store identification.

I. Historic Buildings

First Street is also home to several historic residential and commercial properties. For renovation and rehabilitation guidance for historic structures see the Secretary of Interior's Standards for historic buildings in the Cultural Resources District Residential Design Guidelines. A printed copy is available at City Hall through the Community Development Department and an electronic version can be found at www.tustinca.org by clicking on Departments, then Community Development.



Awnings add a clean and consistent look to a building. They add a three dimensional quality to an otherwise drab façade and additional space for an identification sign.

X. Private Development Identification Signs

Signs are a vital component of the First Street design picture. A sign calls attention to a business and creates an individual image for a store, restaurant, or office. But it is often forgotten that signs contribute to overall image as well. Merchants try to out-shout one another with large, flashy signs. A successful sign can reinforce the image of First Street as well as serve the needs of the business.

Consider the following sign guidelines:

A sign should express an easy to read, direct message: Keep it simple. The most important message the sign should convey is the name of the business

Selecting a common theme and font for signage and the address will create a unifying and consistent brand image for a building or commercial center. This can be achieved through the use of a Master Sign Program.

Pedestrian-oriented signs may be applied directly to the face of the building. The shape of the sign can be a positive feature by adding to the overall character of the building or complex.

Monument signs provide additional visibility to automobile drivers and pedestrians from a far. Refer to the Tustin Sign code for specifications and sign requirements.

Window signs should not obscure the display area. To maximize visibility the color of the letters should contrast with the display background. Light colored letters with dark boarders are effective.

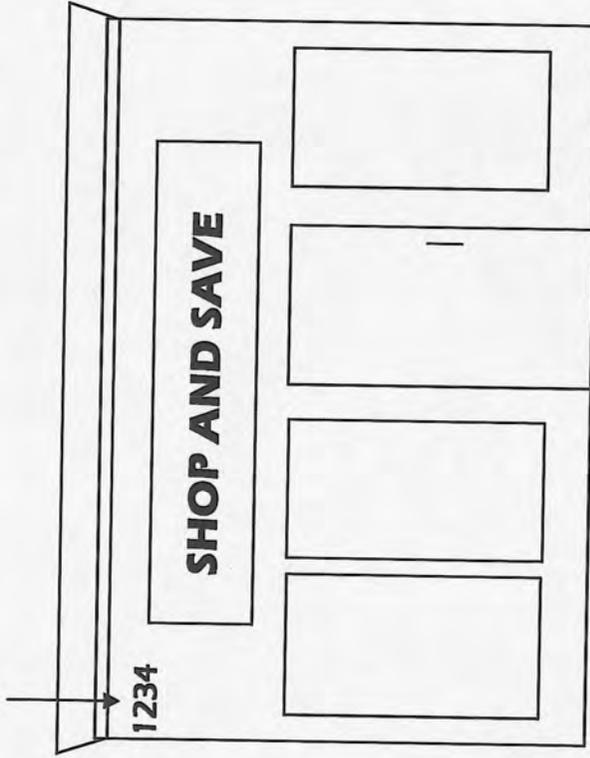
Per the Tustin City Code, temporary signs placed on the exterior of a window are discouraged. These signs tend to present a cluttered, unattractive appearance which will detract from First Street's overall aesthetic impression.

Buildings using rear parking lots should clearly identify their businesses with rear wall signage in addition to their primary street facing sign.

Refer to the Tustin Sign Code for more information.

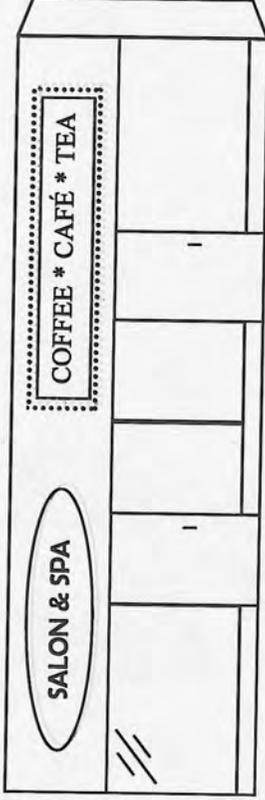
X. Private Development Identification Signs (Continued)

Visible address numbers minimum



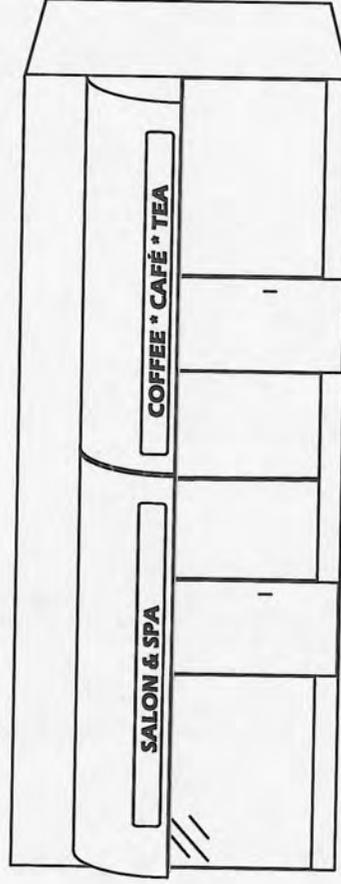
An uncluttered, easy to read identification sign will make it easy for shoppers, clients, patients, etc. to find your location.

123 First Street Business Center	
Dentist	Notary
Attorney	Accountant



Inconsistent signage is less attractive.

A unified sign design can give a plaza a more appealing façade. Awning signs are great way to add architectural interest and consistent signage.



A more unified look is more appealing. A Master Sign Program is a good way to achieve consistency.

XI. Sidewalks, Walkways, and Lighting for Private Development

A. Sidewalk Sales

Architecture and outdoor space along First Street should be integrally designed and oriented toward the pedestrian experience. The experience should be visually diverse and stimulating and include activities that create a sense of vitality and excitement. Businesses are encouraged to move the sale of some goods out onto the sidewalk by filing for a Temporary Use Permit with the City. Ideally merchants could collaborate to create an annual or semi-annual sidewalk sale event for First Street.



B. Sidewalk Cafés

Sidewalk cafés are encouraged for restaurants where appropriate. Tables and chairs should not interfere with the public right-of-way and pedestrian circulation. Outdoor tables and seating can be located on private property or the adjacent public sidewalk with permission from the City.

C. Walkways

Walkways serve as a connection between the parking lot, sidewalk, and businesses. Add or widen walkways adjacent to the front, rear and side of buildings, whenever appropriate. Use decorative materials such as exposed aggregate concrete and interlocking pavers.



D. Building and Pedestrian Lighting

Pedestrian scale lighting could also be integrated into the building design to indirectly illuminate the sidewalk at night by:

- light filtering through storefront windows, and
- architectural lighting that features the building itself and subtly enriches the street environment at night.

XI. Sidewalks, Walkways, and Lighting for Private Development (Continued)



XII. Parking Lots for Private Development

Parking Lots

Whenever possible, locate site entries on side streets in order to minimize pedestrian/ vehicular conflicts. When this is not possible, design the First Street site entry with an appropriately patterned concrete or pavers to differentiate it from the sidewalks.

Parking access points, whether located on First Street or side streets should be located as far as possible from streets intersections.

Design parking areas so that pedestrians walk parallel to moving cars. Minimize the need for the pedestrian to cross parking aisles.

All parking spaces should be clearly outlined on the surface of the parking facility.

Link individual projects and parking areas with on-site driveways which are clearly identified and easily recognized as connectors.

New development projects need to identify vehicular connection to adjacent sites on their plans. The applicant is also required to demonstrate provisions for a reciprocal easement for such vehicular movements.

New development projects should also seek to combine parking facilities and access to serve more than one individual project.

Vehicular circulation through a parking facility should be directed away from the fire lane (adjacent to the rear of stores) to the outer edge of the parking lot where there is less pedestrian traffic.

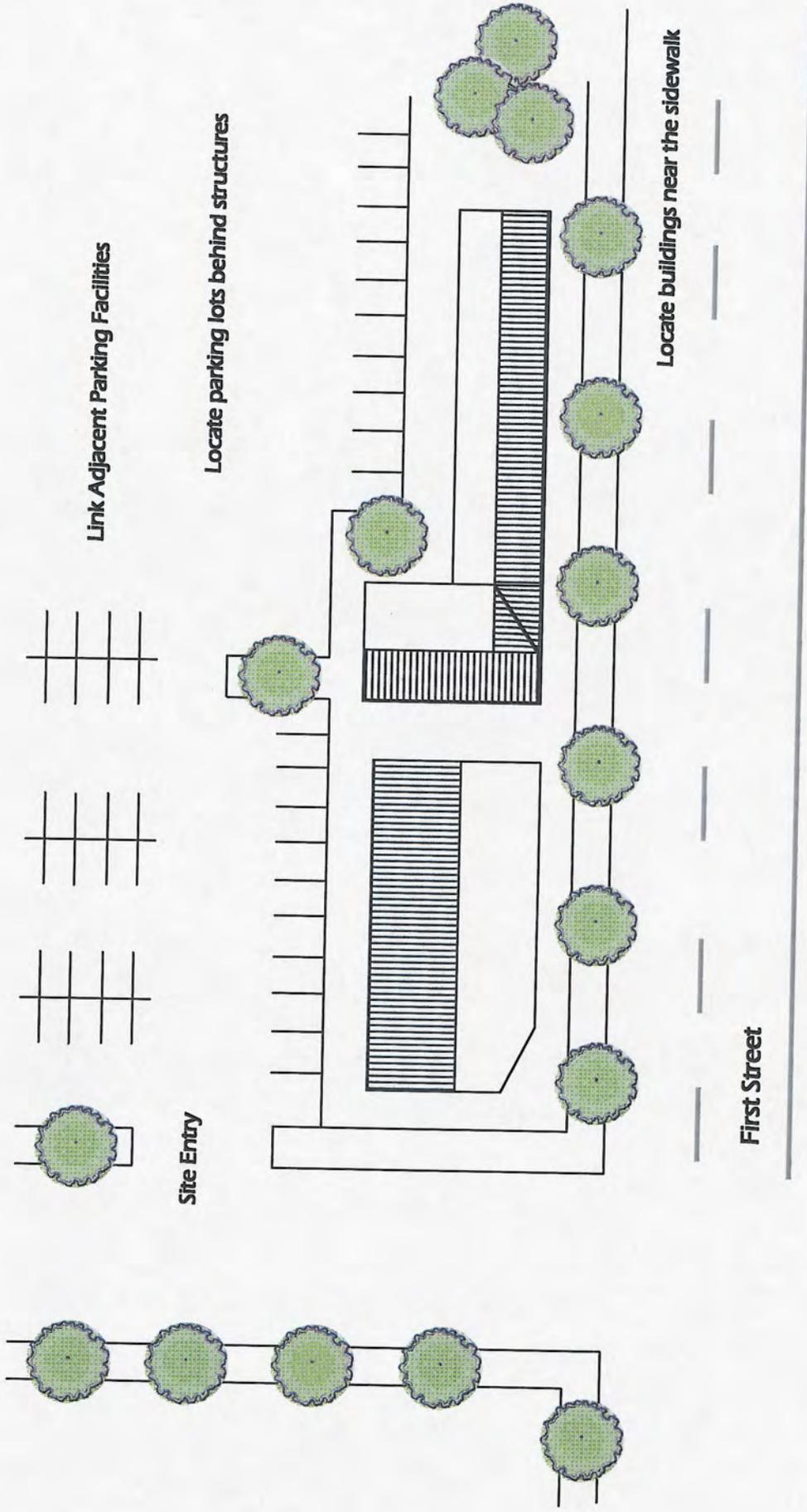
The parking area should be designed in a manner which links the building to the street sidewalk system as an extension of the pedestrian environment. This can be accomplished by using design features such as walkways with enhanced paving, trellis/ arbor structures and/ or landscaping treatment.

Locate parking areas to the rear of buildings.

Utilize the concept of 'tuck under' parking only where it is not visible from First Street or any other side street.

Refer to the First Street Specific Plan and Tustin Parking Ordinance for additional parking requirements.

XII. Parking Lots for Private Development (Continued)



* See the First Street Specific Plan for setback requirements

XIII. Private Development Landscape Standards

A. Landscape Design

Much like architecture, landscaping can add character and visual interest to First Street. Use the guidelines below to get started on your landscape design.

- Establish a colorful landscape edge at the base of buildings. Avoid asphalt edges at the base of structures as much as possible.
- Landscaping should result in a low profile image, i.e., use of blade grass lawn area, canopy trees in parking areas, use of hedges and low walls to screen service areas.
- Add large canopy trees to existing landscapes, especially in parking area.
- Limit the types of plant materials used in new developments by utilizing the suggested plant material palette in the streetscape section of these design guidelines.
- Refer to Tustin City Code for more information about water efficient landscapes.



B. Landscaping Standards

Tree Planting and Plant Materials

The plant materials list presents the plant palette for trees, shrubs and groundcovers. Plant materials are identified which are appropriate for the desired planting treatment and location (median, parkway, landscape boundary and parking lots). To select plant materials, refer to the planting diagram and locate the area of concern (see page 39). This will indicate the type of planting for that area. Plants may then be selected by finding those plants which are suitable within that location.



C. Low Impact Development Principles

Include Bioswales and Bioretention setback areas along walkways, sidewalks, and the edges of parking lots. They help to retain water and create a natural barrier between pedestrians and street traffic. For definitions of Low Impact Development strategies see pages 22 and 23.

PLANT MATERIAL PALETTE

Plant Type	Use and Location								Character	Remarks	
	Screen Planting	Entry Planting	Street Tree	Median Planting	Bus Stop Planting	Parking Lot Planting	Intersection Planting	Site Planting			
Trees											
<i>Olea europaea</i>									25'-30'	25'-30'	Evergreen
<i>Jacaranda mimosifolia</i>									25'-40'	25'-40'	Deciduous- Blue Flowers
<i>Tabebuia avellanedae</i>									25'-30'	25'-30'	Deciduous- Semi Deciduous
<i>Koelreuteria bipinnata</i>									25'-40'	25'-40'	Deciduous- Yellow Flowers
<i>Geijera parviflora</i>									30'-40'	25'-25'	Evergreen
Shrubs											
<i>Abelia grandiflora</i>									5'-7'	4'-5'	Evergreen- Showy Flowers
<i>Rhaphiolepis indica</i>									4'-5'	4'-5'	Evergreen
<i>Photinia fraseri</i>									6'-8'	4'-8'	Foliage Color
<i>Escallonia 'Fradesii'</i>									5'-6'	4'-6'	Evergreen- Flowers
<i>Hemerocallis sp</i>									varies	varies	Showy Flowers
<i>Calliandra inaequilatera</i>									6'-10'	6'-10'	Showy Flowers
<i>Agapanthus africanus</i>									varies	varies	Showy Flowers
<i>Ligustrum japonicum</i>									8'-10'	6'-8'	Evergreen
<i>Nandina domestica</i>									4'-5'	4'-5'	Evergreen
Vines											
<i>Bougainvillea spp.</i>											Showy Flowers
<i>Distictis buccinatoria</i>											Showy Flowers
Ground Cover											
<i>Trachelospermum jasminoides</i>											Showy Flowers
<i>Lonicera japonica 'Halliana'</i>											Flats @ 12" oc Fragrant
<i>Hypericum calycinum</i>											Flats @ 12" oc Fragrant
<i>Gazania 'Copper King'</i>											Flats @ 12" oc Showy Flowers
<i>'Marathon' Hybrid</i>											Flats @ 12" oc Showy Flowers
<i>Tall Fescue</i>											Hydroseed/ Sod

Appendix A Glossary of Terms

Adaptive Reuse

Conversion of a building designed for a specific use to a wholly different new use (e.g. a residence converted to office space).

Aesthetics

The science and philosophy of beauty; if something is aesthetic, it is of beauty or artistic.

Arcade

An arched roof or covered passage way.

Arch

A curved structure supporting its weight over an open space such as a door or window.

Architrave

In the classical orders, the lowest member of the entablature; the beam that spans from column to column, resting directly on their capitals.

Articulation

Architectural composition in which elements and parts of the building are expressed logically, distinctly, and consistently, with clear joints.

Asymmetry

The lack or absence of symmetry in spatial arrangements.

Awning

A fixed cover, typically comprised of cloth over a metal armature, that is placed over windows or building openings as protection from the sun and rain.

Balance

Another important aspect of rhythm; balance can be described in terms of symmetrical and asymmetrical elements; an important feature of balance is that it is often achieved by matching differing element which, when perceived in whole, display balance.

Balustrade

A series of balusters surmounted by a rail.

Bargeboard

A finishing board at the edge of a gable roof.

Appendix A Glossary of Terms (Continued)

Bay

Any division of a building between vertical lines or planes, especially the entire space included between two adjacent supports.

Bay Window

A window projecting outward from the main wall of a building.

Beveled Siding

A type of wood cladding characterized by beveled overlapping boards with rabbeted edges.

Belt Course

A continuous horizontal band, either plain or ornate, which projects from the surface of an exterior wall, separating two stories; ornate belt courses often resemble cornices.

Board and Batten

Vertical siding composed of wide boards that do not overlap and narrow strips, or battens, nailed over the spaces between boards.

Bond

The general method of overlapping the joints of successive courses of bricks or stones, thereby binding them together to form a wall or other surface; different patterns may be formed by these joints (e.g. common bond, Flemish bond, English bond, herringbone bond).

Bowstring

A roof structural system composed of parallel trusses which resemble a bow with the string parallel to and nearest to the ground.

Bracket

A support element under overhangs; often more decorative than functional.

Canopy

A fixed, roof-like covering that extends from the building as protection from the sun and rain.

Cantilever

A projecting overhang or beam supported only at one end.

Capital

The upper part of a column, pilaster, or pier: the three most commonly used types are Corinthian, Doric, and Ionic.

Casement Window

A window that opens on hinges fixed to its vertical side.

Appendix A Glossary of Terms (Continued)

Chamfer

A 90 degree corner cut to reduce it to 2-45 degree edges; a bias cut.

Clapboard

A long, thin board graduating in thickness with the thick overlapping the thin edges, also known as weatherboard.

Clerestory

An upward extension of a single storied space used to provide window for lighting and ventilation.

Colonnade

A row of columns supporting a roof structure.

Column

A vertical support, usually cylindrical, consisting of a base, shaft, and capital, either monolithic or built-up of drums the full diameter of the shaft.

Coping

The capping or top course of a wall, sometimes protecting the wall from weather.

Corbel

A type of bracket found in some cornices of brick buildings; it is formed by extending successive courses of brick so that they stand out from the wall surface.

Cornice

In a masonry wall, a single line of bricks or stones.

Cupola

A lookout or similar small structure on the top of a building.

Curb Cuts

The elimination of a street curb to enable vehicles to cross sidewalks and enter driveways or parking lots.

Dormer

A vertically framed window which projects from a sloping roof and has a roof of its own.

Double Hung Window

A window with an upper and lower sash arranged so that each slides vertically past the other.

Appendix A Glossary of Terms (Continued)

Eaves

The overhang at the lower edge of the roof which usually projects out over the walls.

Eclectic

A composition of elements from different styles.

Elevation

A two dimensional representation or drawings of an exterior face of a building in its entirety.

Emphasis

Describes the use of elements which call attention to themselves; emphasis is an important feature in creating balance when using dissimilar elements; canopies and balconies are examples of elements which, when emphasized properly, can assist in presenting a balanced look. Emphasis also can be found within strip developments of malls by the location of a more massive or monumental building, such as a major department store. This emphasis provides a directional guide because it creates a point of reference for the uses. Emphasis can also be used as a directional element such as the emphasis at a store entrance or mall entrance.

Entablature

In classical architecture, the elaborated beam member carried by the columns, horizontally divided into architrave (below), frieze and cornice (above); the proportions and detailing are different for each order, and strictly prescribed.

Façade

The exterior face of a building which is the architectural front, sometimes distinguished from other faces by elaboration of architectural or ornamental details.

Fanlight

Semi-circular window over a door or window with sash radiating like the ribs of an open fan.

Fascia

A flat strip or band with a small projection, often found near the roofline in a single story building.

Fenestration

The arrangement and design of windows in a building.

Flashing

Copper or other materials used to make weather-tight the joint between a chimney and a roof.

Fluting

The vertical channeling on the shaft of a column.

Appendix A Glossary of Terms (Continued)

Focal Point

A building, object, or natural element in a street-scene that stands out and serves as a point of focus, catching and holding the viewer's attention.

Frieze

The middle horizontal member of a classical entablature, above the architrave and below the cornice.

Gable

The triangular part of an exterior wall, created by the angle of a pitched roof.

Gambrel Roof

A roof with a broken slope creating two pitches between eaves and ridges, found often on barns.

Garish

That which is gaudy, showy, flashing, dazzling or too bright to be aesthetically pleasing.

Glazed Brick

A brick which has been glazed and fired on one side.

Hip Roof

A roof with four uniformly pitched sides.

Horizontal

Near, on, or parallel to the horizon.

Hyphen

A structural section that serves as a connecting link between the main portion of a building and another large building element or addition.

Joist

Any small timber laid horizontally to support a floor or ceiling.

Icon

A pictograph or graphic representation of an object; used in signage to replace or supplement text.

Infill

A newly constructed building within an existing development area.

Appendix A Glossary of Terms (Continued)

Light

A windowpane.

Lintel

The horizontal member above a door or window which supports the wall above the opening.

Loggia

A gallery behind an open arcade or colonnade.

Lot

A parcel of land, in single or joint ownership, and occupied or to be occupied by a main building and accessory building, or by a dwelling group and its accessory buildings, together with such open spaces and having its principal frontage on a street, road, highway, or waterway.

Mansard

A roof with two slopes on each side, the lower slope being much steeper; frequently used to add an upper story.

Masonry

Wall construction of such material as stone, brick, and adobe.

Mass

Mass describes three dimensional forms, the simplest of which are cubes, boxes (or "rectangular solids"), cylinders, pyramids, and cones. Buildings are rarely one of these simple forms, but generally are composites of varying types of assets. This composition is generally described as the "massing" of forms in a building. During the design process, massing is one of the many aspects of form considered by an architect or designer and can be the result of both exterior and interior design concepts. Exterior massing can identify an entry, denote a stairway or simply create a desirable form. Interior spaces (or lack of mass) can be designed to create an intimate space or perhaps a monumental entry. Interior spaces create and affect exterior mass, and exterior mass can affect the interior space. Mass and massing are inevitably affected by their opposite, open space. The lack of mass, or creation of perceived open space, can significantly affect the character of a building. Architects often call attention to a lack of mass, by defining the open space with low walls or railings. Landscape architects also use massing in design such as in grouping of plants with different sizes and shapes. These areas are intended to be perceived as whole rather than as individual trees or shrubs. Plant masses can be used to fill a space, define the boundary of an open area, or extend the perceived form of an architectural element.

Molding

A continuous decorative band that serves as an ornamental device on both the interior and exterior of buildings; moldings may also serve a functional purpose by obscuring the joint formed when two surfaces or materials meet.

Appendix A Glossary of Terms (Continued)

Monochromatic

Painting with a single hue or color.

Monolithic

Exhibiting massive uniformity, singular.

Movement

The apparent directional emphasis of a building façade as indicated by its proportions. Static movement is based on square proportions, dynamic movement is based on rectangular proportions.

Mullions

The divisional pieces in a multi-paned window.

Muntin

A small, slender wood or metal member which separates the panes of glass in a window.

Newel Post

The major upright support at the end of a stair railing or a guardrail at a landing.

Non-Descript

Without distinctive architectural form or style; ordinary and without architectural character.

Palladian Window

A three-part window with a top-arched center window and long, narrow rectangular windows on either side.

Parapet

The part of a wall which rises above the edge of a roof.

Pattern

The pattern of material can also add texture and can be used to add character, scale and balance to a building. The lines of the many types of brick bonds are examples of how material can be placed in a pattern to create texture. The natural texture of rough wood shingles exhibit texture by the nature of the material and by the pattern in which the shingles are placed.

Pediment

A triangular piece of wall above the entablature, which fills in and supports the sloping roof.

Pier

A stout column or pillar.

Appendix A Glossary of Terms (Continued)

Pilaster

A column attached to a wall or pier.

Pitch

The slope of a roof expressed in terms of ration of height to span.

Porch

A covered entrance or semi-enclosed space projecting from the façade of a building; may be open sided or screened.

Portal

A doorway or entrance.

Porte Cochere

Carriage porch large enough to let a vehicle pass through.

Portico

A large porch, usually with a pedimented roof supported by columns.

Primary Building Façade

The particular façade of a building which faces the street to which the address of the building pertains.

Proportion

Proportion deals with the ratio of dimension between elements. Proportion can describe height to height ratios, width to width ratios, as well as ratios of massing. Landscaping can be used to establish a consistent rhythm along a streetscape which will disguise the lack of proportion in building size and placement.

Purlin

A horizontal structural member parallel to the ridge, supporting the rafters; can extend out from the gable.

Quoins

Heavy blocks, generally of stone (or simulated in wood), used at the corner of a building to reinforce masonry walls.

Recycling, Adaptive Reuse

The reuse of older structures that would have otherwise been demolished, often involving extensive restoration or rehabilitation of the interior and/or exterior to accommodate the new use.

Rafter

A sloping structural member of the roof that extends from the ridge to the eaves and is used to support the roof deck, shingles or other roof coverings.

Appendix A Glossary of Terms (Continued)

Rehabilitation, Renovation

The modification of or changes to an existing building in order to extend its useful life or utility through repairs or alterations, while preserving the features of the building that contribute to its architectural, cultural or historical character.

Relief

Carving raised above a background plane, as in base relief.

Remodeling

Any change or alteration to a building which substantially alters its original state.

Reveal

The vertical side section of a doorway or window frame.

Ridge

The highest line of a roof when sloping planes intersect.

Rustication

A method of forming stonework with recessed joints and smooth or roughly textured block faces.

Rhythm

The regular or harmonious recurrence of lines, shapes, forms, element or color, usually within a proportional system.

Sash

The part of the window frame in which the glass is set.

Section

A representation of a building, divided into 2 parts by a vertical plane so as to exhibit the construction of the building.

Scale

Scale is the measurement of the relationship of one object to another object. The scale of a building can be described in terms of its relationship to a human being. All components of a building also have a relationship to each other and to the building as a whole, which is the "scale" of the components. Generally, the scale of the building components also relate to the scale of the entire building. The relationship of a building, or portions of a building, to a human being is called its relationship to "human scale." The spectrum of relationships to humans scale ranges from intimate to monumental.

Setback

The minimum horizontal distance between the lot or property line and the nearest front, side, or rear line of the building (as the case may be), including terraces or any covered projection thereof, excluding steps.

Appendix A Glossary of Terms (Continued)

Shake

Split wood shingles.

Shed Roof

A sloping, single-planed roof as seen on a lean-to.

Siding

The finished covering on the exterior of a frame building (with the exception of masonry); the term cladding is often used to describe any exterior wall covering, including masonry.

Sill

The exterior horizontal member on which a window frame sits.

Slate

Thinly laminated rock, split for roofing, paving, etc.

Soffit

The finished underside of an eave.

Street Wall

The edges created by building and landscaping that enclose the street and create space..

Stringcourse

A narrow horizontal band extending across the façade of a building and in some instances encircling such decorative features as pillars or engaged columns; may be flush or projecting, and flat, molded, or richly carved.

Stucco

An exterior finish, usually textured, composed of Portland cement, lime, and sand, which are mixed with water.

Surface Materials

Can be used to create a texture for a building – from the roughness of stone or a ribbed metal screen to the smoothness of marble or glass. Some materials, such as wood, may be either rough (such as wood shingles or resawn lumber) or smooth (such as clapboard siding).

Sustainability

Using a resource so that the resource is not depleted or permanently damaged

Appendix A Glossary of Terms (Continued)

Symmetry

The balanced arrangements of equivalent elements about a common axis.

Terra-cotta

Earth colored baked clay products formed into molds and used ornamentally; also referred to as a roof tile color.

Texture

Texture refers to variations in the exterior façade and may be described in terms of roughness of the surface material, the patterns inherent in the material or the patterns in which the material is placed. Texture and lack of texture influence the mass, scale, and rhythm of a building. Texture also can add intimate scale to large buildings by the use of small detailed patterns, such as brick masonry.

Transom

The horizontal division or cross-bar in a window; a window opening above a door.

Truss

A structure composed of a combination of members, usually in some triangular arrangement so as to constitute a rigid framework.

Turret

A little tower often at the corner of a building.

Veranda

A roofed porch sometimes stretching on two sides of a building.

Vertical

Being in a position or direction perpendicular to the plane of the horizon; upright; plumb.

