

5. *Environmental Analysis*

5.1 *AESTHETICS*

This section of the DSEIR describes the impacts of the Modified Project on existing land form and aesthetic characteristics, as compared to the Approved Project. The information in this section is based on the Certified EIR, field reconnaissance, review of the Proposed Project Site and aerial photographs, topographical mapping, and tract maps.

5.1.1 *Environmental Setting*

Visual Setting

Scenic Features

The Certified EIR discussed the visual setting associated with the general location of the originally approved 3,625 dwelling units and approximately 6.5 million square feet of non-residential development adjacent to various arterial highways and state and federal highways. None of these roadways are designated County or State scenic highways; although Sand Canyon Avenue is designated as a highway with rural/natural character. The City's General Plan also designates I-5 as an urban character Scenic Highway.

Generally, views of the former military base are from the surrounding highways. From these highways, a variety of land uses, structures, and facilities of differing ages, sizes, and architectural styles may be viewed. Though agricultural areas are adjacent to and within the base, the predominant features are associated with the military use of the former MCAS El Toro, including runways, aprons, hangars, warehouses, barracks housing, recreational facilities, golf course, single-family housing, offices, and commercial structures. However, since preparation of the Certified EIR, 1,114 pre-existing buildings, structures, and ancillary facilities have been demolished, and a portion of the pre-existing runway has been removed.

The City of Lake Forest and the James A. Musick Branch Jail are to the southeast of the Proposed Project Site; Irvine Spectrum abuts the eastern and southern boundaries; and existing and developing residential developments are to the north and west. Further to the south are the residential areas of the Cities of Laguna Woods and Laguna Hills. These communities are at higher elevations and therefore have panoramic views of the Proposed Project Site. However, because residences with views of the Proposed Project Site are at least two miles from the property, those residences are not impacted by existing light sources on the Proposed Project Site.

Landform

The Certified EIR described the topography of the Proposed Project Site as nearly flat and gently sloping down to the west to southwest with elevations ranging from 450 feet above mean sea level (msl) to 200 feet above msl. Planning Area 30 is at the southeast margin of the Tustin plain with elevations ranging from about 260 to 300 feet above msl. Planning Area 51 includes some slopes of the Santa Ana foothills which reach elevations of about 750 feet above msl.

5. Environmental Analysis

AESTHETICS

Light Sources

Parts of the Proposed Project Site are vacant land containing no light sources. Most of the developed area onsite is vacant and likewise does not contain light sources. There are a few buildings onsite with existing uses that have outdoor nighttime parking area and security lighting. Additionally, nighttime light sources associated with the Orange County Great Park Balloon Preview Park also exist.

Regulatory Setting

Local regulations, plans, and guidelines that are potentially applicable to the Modified Project are summarized below.

City of Irvine Municipal Code and Zoning Ordinance

The City of Irvine Municipal Code and Zoning Ordinance identify land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed development projects. The following provisions from the City's Municipal Code and Zoning Ordinance help minimize aesthetics and light and glare impacts associated with new development projects and are relevant to the Modified Project.

- **Irvine Municipal Code, Title 5 (Planning), Division 9 (Building Regulations), Chapter 5 (Uniform Security Code).** The Uniform Security Code is designed, in part, to limit light and glare to the extent feasible while providing sufficient light in a safe manner. Section 5-9-517 (Special Nonresidential Building Provisions) of Chapter 5 discusses standards and requirements for lighting and glare in the City, including heights of lighting fixtures; design, installation, and maintenance of lighting fixtures; standards for new development of multifamily and non-residential development; lighting for parking areas; and sign illumination.
- **Irvine Zoning Ordinance, Chapter 3-16 (Lighting).** As required by Chapter 3-16 of the City's Zoning Ordinance, outdoor lighting is required to be designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare. The level of lighting on the site shall comply with the requirements of the City's Uniform Security Code (Irvine Municipal Code, Title 5, Division 9, Chapter 5).
- **Irvine Zoning Ordinance, Chapter 3-17 (Landscaping).** This chapter of the Zoning Ordinance outlines the minimum site landscaping and maintenance requirements. This chapter also outlines the screening and landscaping requirements for parking areas and parking structures.
- **Irvine Zoning Ordinance, Chapter 3-37 (Zoning District Land Use Regulations and Development Standards).** This chapter of the Zoning Ordinance outlines the regulations and development standards that are applicable to land uses proposed throughout the various planning areas of the City, including setbacks, building heights, landscaping, and maximum building intensity (IBC only).
- **Irvine Zoning Ordinance, Division 7 (Signs).** The intent of this division of the Zoning Ordinance, also known as the Sign Ordinance, is to promote and protect the public health, safety and welfare by regulating existing and proposed signs of all types within the City. This division outlines the standards and regulations that apply to the design and installation of signage, including quantity, location, dimensions, lighting, etc.

5.1.2 Thresholds of Significance

Based on Appendix G of the CEQA Guidelines, the City has determined that a project would normally have a significant effect on the environment if the project would:

- AE-1 Have a substantial adverse effect on a scenic vista?
- AE-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- AE-3 Substantially degrade the existing visual character or quality of the site and its surroundings?
- AE-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Chapter 8, *Impacts Found Not to Be Significant*, substantiates that the following impacts would be less than significant: AE-1 and AE-2. These impacts will not be addressed in the following analysis.

5.1.3 The Approved Project

Visual Character Impacts

The Certified EIR concluded that after compliance with the City's Zoning Ordinance, including City approval of architectural plans, landscape plans, and signage for each development to ensure new development is consistent with the City's Land Use Element, Circulation Element design policies, Zoning Ordinance, and the City's Landscape Ordinance and Guideline Manual, impacts to the visual character of the Proposed Project Site and its surroundings due to the originally approved 3,625 dwelling units and approximately 6.5 million square feet of non-residential development would be less than significant.

Light and Glare Impacts

Mitigation Measure A-1 in the Certified EIR requires the City Community Development Department to review lighting plans and signage plans for new development to ensure that there will be minimal light intrusion and spillover into adjacent residential areas. Mitigation Measure A-2 in the Certified EIR requires the Director of Community Development to ensure that mirrored and highly reflective surfaces are discouraged or, where proposed, are accompanied by a design-level glare impact analysis that demonstrates no adverse visual impairment to motorists or other visual nuisance occurs. Light and glare impacts from the Approved Project were determined to be less than significant after implementation of mitigation.

5.1.4 Environmental Impacts of the Modified Project

The Modified Project would locate the Approved Project's 3,625 dwelling units that were previously generally located, would locate the already approved 1,269 State-granted density bonus units that were not previously generally located, and would make certain changes to the location of the Approved Project's non-residential square footage. The overall approved density maximums of the 3,625 dwelling units and 1,269 density bonus units would remain the same, and the intensity of non-residential square footage would remain the same.

5. Environmental Analysis

AESTHETICS

Existing Plans, Programs, and Policies

The following measures are existing plans, programs, or policies (“PPPs”) that apply to the Modified Project and that will help to reduce and avoid potential impacts related to aesthetics and light and glare:

- PPP 1-1 Prior to the issuance of building permits, the applicant shall demonstrate they have met the Irvine Uniform Security Code requirements for lighting by providing the below listed items for a complete review by the Police department. Failure to provide a complete lighting package will result in the delay of satisfaction of this condition (City Standard Condition 3.6).
- a. Electrical plan showing light fixture locations, type of light fixture, height of light fixture, and point-by-point photometric lighting analysis overlaid on the landscape plan with a tree legend. The photometric plan should only show those fixtures used to meet the Irvine Uniform Security Code requirements.
 - b. Corresponding fixture cut-sheets (specifications) of those lights used to meet the Irvine Uniform Security Code.
 - c. Site plan demonstrating that landscaping shall not be planted so as to obscure required light levels.
 - d. Site plans that are full-scale and legible.

Project Design Features

There are no project design features of the Modified Project that help to reduce and avoid potential impacts related to aesthetics and light and glare.

The following impact analysis addresses impacts that the Initial Study disclosed were potentially significant impacts. The applicable potential impacts are identified in brackets after the impact statement.

IMPACT 5.1-1 DEVELOPMENT PURSUANT TO THE MODIFIED PROJECT WOULD CHANGE, BUT NOT SUBSTANTIALLY DEGRADE, THE VISUAL CHARACTER OF THE PROPOSED PROJECT SITE COMPARED TO LAND USES PROPOSED IN THE APPROVED PROJECT [IMPACT AE-3].

The overall aesthetic impact of the Modified Project would be similar to the impact of the Approved Project. The Proposed Project Site would be developed with a mix of open space and recreational land uses as well as mostly low-density residential, transit-oriented development and research and development land uses. The land encompassed by the proposed vesting tentative tract maps is within the Proposed Project Site, such that the development proposed by the Modified Project is located on land that was previously analyzed and approved for development in the Certified EIR. The Modified Project calls for the location of certain previously approved residential units from Districts 5 and 6 to Districts 1 North, 1 South, 4, 7 and 8, areas previously approved for development; the potential impacts of that development were discussed within the Certified EIR.

Location of Density Bonus Units

The Modified Project would include 4,894 residential units, including 1,269 density bonus units granted pursuant to State law, but not previously located as part of the Approved Project. However, location of those density bonus units by the Modified Project would not change development standards for the Proposed Project Site, including maximum permitted densities (residential units per acre) or maximum building height. The Modified Project would consist of the development of 4,894 dwelling units on approximately 508 net acres (9.6 du/acre).

Location of Proposed Land Uses

All of the residential units that would be developed pursuant to the Modified Project would be located in Districts 1, 4, 7, and 8, all of which are in Planning Area 51 and are in the northwestern and northern part of the Proposed Project Site. By contrast, residential units approved in the Approved Project would have been spread across much of the Proposed Project Site, in both Planning Areas 51 and 30. The Modified Project also proposes a concomitant shifting of non-residential land uses from those Districts where residences would now be concentrated to other parts of the Proposed Project Site. As noted, all of the areas where residential and non-residential development are proposed to occur under the Modified Project were approved for development as part of the Approved Project, and the potential impact of development over a broad range of locations on the Proposed Project Site was studied in the Certified EIR. The range of permitted land uses, and the permitted density, would also not exceed permitted land uses and density approved as part of the Approved Project.

Additionally, the visual impact of developing residential versus non-residential would be similar, as both land use would involve the development of single- and multi-story building and structures, as well as other hardscape and landscape elements. Furthermore, the development of residential and non-residential land uses would be required to adhere to the land use regulations and standards outlined in Chapter 37 (Zoning District Land Use Regulations and Development Standards) of the Irvine Zoning Ordinance. This chapter of the Zoning Ordinance outlines the regulations and development standards that are applicable to land uses proposed throughout the various planning areas of the City, including setbacks, building heights, and landscaping. Landscaping of both residential and non-residential land uses would also be required to adhere to the landscaping and maintenance requirements outlined in Chapter 3-17 (Landscaping) of the Irvine Zoning Ordinance.

Golf Course Overlay

District 5 is in the eastern part of the Proposed Project Site, and is bisected from north to south into two sections by the approved wildlife corridor. The proposed zoning for the western part of District 5 (roughly 365 acres) under the Modified Project is 8.1 Trails and Transit Oriented Development District (“TTOD”), which allows golf course as a conditional use. Proposed permitted land uses in District 5 thus include a mix of non-residential land uses as well as a golf course. It is currently unknown whether a golf course will be developed on the western part of District 5. Thus, there are two scenarios for development of the western portion of District 5 pursuant to the Modified Project: one in which that entire western part of District 5 is developed with a mix of non-residential land uses, and the second in which some of the western portion of District 5 is developed with a golf course, and the remainder is developed with non-residential land uses. In either scenario the range of permitted land uses, and the permitted density, would not exceed permitted land uses and density approved as part of the Approved Project. Currently permitted uses for the western portion of

5. Environmental Analysis

AESTHETICS

District 5, as studied in the Certified EIR, are 1,100 residential dwelling units, which would entail greater light and glare and landform disturbance as compared to the Modified Project.

The area of District 5 located to the east of the wildlife corridor is zoned under the Approved Project as 1.5 Recreation. The requirement to build a golf course on this site was removed as part of the Amended and Restated Development Agreement approved in 2009 under Addendum No.5 to the Certified EIR. The site could be used for a golf course or for any other land use allowed within the 1.5 zoning category, which include commercial recreation, agriculture, and parks.

The Modified Project would rezone this eastern area of District 5 as 8.1 TTOD, which would permit a wide variety of uses, including golf course and recreational uses. Therefore, this eastern area could be developed under the Modified Project with the same uses as approved under the Approved Project or with non-residential uses. However, development of non-residential uses would not cause a substantial visual impact as they would be consistent with the low-density and height limitations of the other development areas of the Modified Project, which were considered in the Certified EIR. In addition, the light and glare would be mitigated by adherence to the regulatory requirements outlined in City's Municipal Code and Zoning Ordinance, the PPPs, and the mitigation measures identified in the Certified EIR, which are reproduced at the end of this Section. Further, the spreading of the same amount of non-residential uses over a greater area than contemplated in the Approved Project would necessitate either clustered development areas with large areas of open space between or buildings with substantial green areas or landscaped areas. Accordingly, the potential conversion of golf course areas to non-residential development would not be a significant impact.

Thus, in either scenario, development of District 5 would not result in a substantial new aesthetic impact beyond the impacts identified in the Certified EIR.

Comparison to Certified EIR

Impacts on the visual character of the Proposed Project Site and its surroundings were determined to be less than significant assuming compliance with existing City ordinances and policies. The net incremental impact of the Modified Project on the visual character of the Proposed Project Site and its surroundings would be less than significant, and the overall impact is similar to that analyzed in the Certified EIR.

Mitigation Program and Net Impact

No additional mitigation measures are introduced here in this DSEIR as net impacts on visual character would be less than significant.

IMPACT 5.1-2 DEVELOPMENT PURSUANT TO THE MODIFIED PROJECT MAY INCREASE SOURCES OF LIGHT AND GLARE COMPARED TO LAND USES PROPOSED IN THE APPROVED PROJECT [IMPACT AE-4].

Location of Proposed Land Uses

The Modified Project would concentrate all 4,894 residential units into five Districts in the northwestern and northern parts of the Proposed Project Site, and would shift some proposed non-residential land uses from those five Districts to other parts of the Proposed Project Site. Outdoor nighttime lighting in residential areas is generally limited to security lighting and street lighting; by contrast, outdoor lighting on non-residential land uses usually includes lighting building faces for advertising/visibility purposes, parking lot lighting, and

5. Environmental Analysis

AESTHETICS

signage lighting. Detached single-family residences are generally built of low-glare materials; in contrast, non-residential structures developed pursuant to the Modified Project may include exterior surfaces that would generate substantial glare. Therefore, implementation of the Modified Project would shift potential impacts of nighttime lighting in non-residential land uses somewhat away from the five Districts where residential units would be concentrated. The Modified Project would involve an increase in residential density on parts of the Proposed Project Site, authorized by both State law and the City's Zoning Ordinance.

However, the land uses of the Modified Project would not introduce new or substantially greater light sources than those proposed for the land uses of the Approved Project. As with the Approved Project, implementation of the land uses associated with the Modified Project would also be required to adhere to the provision of the Uniform Security Code (Chapter 5 of the Irvine Municipal Code) and Chapter 3-16 (Lighting) of the City's Zoning Ordinance. The Uniform Security Code outlines standards and requirements for lighting and glare in the City, including heights of lighting fixtures; design, installation, and maintenance of lighting fixtures; standards for new development of multifamily and nonresidential development; lighting for parking areas; and sign illumination. As required by Chapter 3-16 of the City's Zoning Ordinance, outdoor lighting is required to be designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare.

Additionally, development associated with the Modified Project would be required to implement the light and glare mitigation measures of the Certified EIR, which are reproduced at the end of this Section. For example, as outlined in Mitigation Measure A1, prior to issuance of grading permits, lighting plans and signage plans for new development shall be reviewed by the Community Development Department to ensure that there will be minimal light intrusion and spillover into adjacent residential areas. Also, as outlined in Mitigation Measure A-2, prior to the issuance of grading permits, and during the master plan review process for future development in the project area, the Director of Community Development shall ensure that mirrored and highly reflective surfaces are discouraged or, where proposed, shall be accompanied by a design-level glare impact analysis that demonstrates no adverse visual impairment to motorists or other visual nuisance occurs.

Furthermore, lighting of signage associated with non-residential land uses would be required to adhere to the provisions of the City's Sign Ordinance, which outlines the standards and regulations that apply to the design and installation of signage, including quantity, location, dimensions, lighting, etc.

Therefore, the impact of nighttime lighting and glare would not be substantially greater than those identified in the Certified EIR.

Golf Course Overlay

As noted above, District 5 is in the eastern part of the Proposed Project Site, and is bisected from north to south into two sections by the approved wildlife corridor. Under the Certified EIR, District 5 was analyzed as and designated for the development of a golf course.

The proposed zoning for the western part of District 5 (roughly 365 acres) under the Modified Project is 8.1 TTOD, which allows golf course as a conditional use. Proposed permitted land uses in District 5 thus include a mix of non-residential land uses as well as a golf course. It is currently unknown whether a golf course will be developed on the western part of District 5. Thus, there are two scenarios for development of the western portion of District 5 pursuant to the Modified Project: one in which that entire western part of District 5 is developed with a mix of non-residential land uses, and the second in which some of the western portion of District 5 is developed with a golf course, and the remainder is developed with non-residential land uses. In

5. Environmental Analysis

AESTHETICS

either scenario the range of permitted land uses, and the permitted density, would not exceed permitted land uses and density approved as part of the Approved Project. Currently permitted uses for the western portion of Districts 5 and 7, as studied in the Certified EIR, are 1,100 residential dwelling units, which would entail greater light and glare disturbance as compared to the Modified Project.

The Modified Project would rezone the eastern area of District 5 (east of the wildlife corridor) as 8.1 TTOD, which would permit a wide variety of uses, including golf course and recreational uses. Therefore, this eastern area could be developed under the Modified Project with the same uses as approved under the Approved Project or with non-residential uses.

Non-residential and recreational uses of the Modified Project would most likely operate until 9 or 10 pm, and thus would involve substantial nighttime lighting; in comparison, golf courses generally do not operate at night. However, the Modified Project would not introduce land uses other than those already approved in the Certified EIR. Additionally, as noted above, as with the Approved Project, implementation of the land uses associated with the Modified Project would be required to adhere to the provisions of the Uniform Security Code (Chapter 5 of the Irvine Municipal Code) and Chapter 3-16 (Lighting) of the City's Zoning Ordinance, and would be required to implement the light and glare mitigation measures of the Certified EIR, which are reproduced at the end of this section. Furthermore, lighting of signage associated with non-residential land use would be required to adhere to the provisions of the City's Sign Ordinance, which outlines the standards and regulations that apply to the design and installation of signage, including quantity, location, dimensions, lighting, etc.

Therefore, in either development scenario in District 5, light and glare impacts would not be substantially greater than those identified in the Certified EIR.

Comparison to Certified EIR

Light and glare impacts on the visual character of the Proposed Project Site and its surroundings were determined to be less than significant after implementation of Mitigation Measures A-1 and A-2 from the Certified EIR. The net incremental impact of the Modified Project on light and glare of the site and its surroundings would be less than significant, and the overall impact is similar to that analyzed in the Certified EIR.

Mitigation Program and Net Impact

No additional mitigation measures are introduced in this DSEIR as net light and glare impacts would be less than significant with the mitigation measures identified in the Certified EIR.

5.1.5 Cumulative Impacts

Intensification of various land uses under the Modified Project, in conjunction with other cumulative development in accordance with the City's General Plan buildout, could cause areawide aesthetic and light and glare impacts. Some cumulative developments would develop vacant land with urban land uses, while others would redevelop or re-use developed sites. Cumulative developments will result in urbanizing some of the vacant land in the area, and changes to the intensity and/or type of development on some currently developed land.

5. Environmental Analysis

AESTHETICS

Aesthetic and light and glare impacts of the development of parts of the Proposed Project Site were analyzed in the Certified EIR and this DSEIR. As with the Approved Project, the Modified Project would also create a cohesive community of residential and other support uses, in turn contributing to the development of a high quality, master-planned urban neighborhood. Additionally, as with the Modified Project, future cumulative development projects would be subject to compliance with the local and regional plans, programs and policies reviewed in this section, in order to ensure orderly urban development. Net incremental impacts of the Modified Project in combination with impacts of cumulative development in accordance with the City's General Plan would not result in substantial cumulative impacts concerning visual character or light and glare.

5.1.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, mitigation measures and PPPs, the following impacts would be less than significant: 5.1-1 and 5.1-2.

5.1.7 Mitigation Measures

Applicable Mitigation Measures from the Certified EIR

Each mitigation measure specified in the Certified EIR is set forth below. This DSEIR proposes that Mitigation Measures A-1 and A-2 from the Certified EIR be modified for the Modified Project as set forth below; deletions from the original mitigation measures are identified in ~~strikeout text~~ and underlined text is used to signify new additions. As part of this DSEIR, minor revisions to the following Mitigation Measures are being proposed to make them consistent with the adopted conditions of approval for the Approved Project. The proposed changes do not result in any new significant impacts.

- A-1. Prior to issuance of building grading permits, lighting plans and signage plans for residential or non-residential development shall be reviewed by the Community Development Department to ensure that minimal light intrusion and spillover into adjacent residential areas occurs.
- A-2. Prior to the issuance of building grading permits for residential and non-residential development, and during the master plan review process for future development in the project area, the Director of Community Development shall ensure that mirrored and highly reflective surfaces are discouraged or, where proposed, shall be accompanied by a design-level glare impact analysis that demonstrates no adverse visual impairment to motorists or other visual nuisance occurs.

Additional Mitigation Measures for the Modified Project

No additional mitigation measures are required because the mitigation measures identified in the Certified EIR will reduce aesthetic impacts to a level of less than significant.

5.1.8 Level of Significance After Mitigation

With implementation of the existing regulations, PPPs and mitigation measures outlined above, potential impacts associated with aesthetics and light and glare would be reduced to a level that is less than significant. Therefore, no significant impacts relating to aesthetics and light and glare have been identified.

5. Environmental Analysis

AESTHETICS

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