

The Village at Laguna Hills

Attachment d

UVSP Allowable Residential Units Report (KAMG)



Residential Unit Cap

City of Laguna Hills (“City”) Urban Village Specific Plan (“UVSP”)

DISCUSSION:

The City of Laguna Hills Urban Village Specific Plan area is subject to regulatory controls in the City’s 2009 General Plan, the UVSP, and the City’s Municipal Code. Certain provisions of the General Plan and the UVSP reference an anticipated 200 units of multi-family residential housing within the specific plan area. This Memorandum evaluates the significance of references to 200 units of multi-family housing within the General Plan and UVSP for purposes of evaluating discretionary approvals for projects located within the plan area. In summary, multi-family residential use is permitted in the UVSP without a unit-based cap and is instead subject to a density-based limitation and the UVSP’s overall “trip budget” cap intended to ensure consistency with traffic level-of-service (“LOS”) controls.

The City adopted the UVSP in 2002 to encompass an approximately 240-acre area bounded by Paseo de Valencia on the north and west, Los Alisos Boulevard to the south, and Interstate 5 on the east.¹ The UVSP includes a series of goals that are collectively intended to transform the plan area into a village-like “downtown core.”²

¹ UVSP Section I, p. 1.

² UVSP Section I, p. 3. The UVSP’s “main goals” are to:

- Encourage and facilitate new uses in the area;
- Create new pathways and add landscaping to existing sidewalks to create a pedestrian-friendly environment;
- Create an identity for the use area through the use of entry features, area wayfinding signs, consistent landscaping and street furniture;
- Facilitate private investments in the development of desirable and planned activity nodes;
- Take full commercial and market advantage of the Urban Village’s central location in the Saddleback Valley;
- Increase the employment opportunities, tax revenues and ensure the long-term viability of the Urban Village; and
- Provide the framework for a public/private partnership to implement the goals of the specific plan.

The UVSP effectively establishes zoning controls for properties within the plan area.³

The UVSP provides for maximum flexibility of uses within the plan area, subject to an overall vehicle trip cap for all uses intended to ensure minimum LOS at area intersections.⁴ Development intensity within the UVSP is regulated based on remaining vehicle trip capacity within the UVSP as opposed to land use type or project size. As such, applicants for any new or expanded project within the plan area must prepare a traffic study to document that project-generated A.M. and P.M. peaks hour trips will not exceed the capacity of the UVSP's circulation network (i.e., trip budget caps).⁵

The General Plan notes that the 2002 UVSP identified 200 residential units as a future development scenario within the UVSP, but did not describe that development capacity as a land use control. Rather, the 200 residential units are described along with 375,000 square feet of commercial use and 518,000 square feet of office use in terms of estimated development "capacity."⁶ Accordingly, while the General Plan clearly identified residential unit maximums for other areas within the City, it did not do so with respect to the UVSP area.⁷ Instead, the General Plan identified the UVSP as an "area for housing opportunities" and required an amendment to the UVSP to establish a *minimum* residential density of 30-units per acre.⁸ The General Plan notes that the UVSP area is underutilized for housing and that housing is allowed subject only to a site development permit.⁹ The only reference to a control on the maximum number of residential dwelling units within the UVSP, other than the trip budget cap, is a 50-unit per- acre density maximum.¹⁰ Importantly, under a header labeled "Potential UVSP Housing Development Summary," the General Plan states that the "maximum units" allowed within the UVSP area is "determined by trip limits."¹¹

The UVSP's trip budget capacity reflects additional development capacity identified in the General Plan. The General Plan described the UVSP as a "future study area" targeted for revitalization in the future.¹² As part of its analysis of the specific plan area and its circulation network, the General Plan identified additional development capacity within the UVSP equivalent to 117,000 square feet of retail use beyond what was anticipated when the UVSP was approved in 2002.¹³ The City amended the UVSP in 2011 to incorporate this additional development capacity as required by the General Plan Implementation Program.

³ Laguna Hills Municipal Code, Section 9-24.010.

⁴ UVSP, Section II, p. 4; Section V, p. 35 ("At the time that the General Plan was updated in July 2009, the Urban Village area could accommodate 1,243 additional AM peak hour trips, and 2,272 PM peak hour trips.")

⁵ UVSP, Section V, pp. 35-36.

⁶ General Plan, p. LU-29, Table LU-3.

⁷ By way of example, compare General Plan Table LU-2 with the description of "up to 600 Maximum Dwelling Units" for Via Lomas at p. LU-22 -23.

⁸ General Plan, p. H-48.

⁹ General Plan, p. H-71.

¹⁰ General Plan, p. H-51.

¹¹ General Plan, p. H-88.

¹² General Plan, p. LU-26, Figure LU-13.

¹³ General Plan, p. LU-28, Figure LU-2.

As stated above, multi-family residential use is permitted within the UVSP.¹⁴ Any project that includes residential must do so at a minimum density of 30-units per acre and is subject to a maximum of 50-units per acre, subject to available trip budget capacity.¹⁵ The UVSP includes a “Conceptual Land Use Plan” that does not, in any way, function as a limit on development. As stated in Section III of the UVSP: “the Land Use Plan is conceptual in nature and shows where new development might occur...the diagrams are schematic in nature and not meant to be a precise plan.”¹⁶ Accordingly, while the Conceptual Land Use Plan was devised as a concept for what could be developed based on a trip budget capacity, the UVSP expressly acknowledges that “the Specific Plan includes provisions for flexibility in the development options...as long as the trip budgets are not exceeded.”¹⁷ As with the General Plan, the UVSP does not describe the 200 residential unit component of the “Conceptual Land Use Plan” as a restriction on residential development.

The City has never interpreted the reference to 200 residential units in the UVSP’s Conceptual Land Use Plan as a constraint on development. In 2012, the City approved a Development Agreement and related entitlements for the Oakbrook Village Project authorizing 489 residential units. In 2016, the City approved the Five Lagunas Project, which includes as many as 988 residential units. For both projects, the City approved Precise Plans subject to a finding that the relevant plan – including the residential use – was consistent with the General Plan and applicable development standards.¹⁸ These projects were evaluated for consistency with minimum and maximum density and the UVSP trip budget cap, as required by the UVSP. Thus, the 200 residential units in the UVSP’s Conceptual Land Use Plan did not prevent the City from adopting the required General Plan and UVSP consistency findings.

As with the Oakbrook Village and Five Lagunas projects, any future project within the UVSP that includes multi-family residential must be evaluated for consistency with the UVSP’s development standards. These standards include the minimum residential density of 30 units per acre and a maximum of 50 units per acre, and a determination, based on a traffic study, that the project will not exceed available UVSP trip budget capacity. The fact that the City has already authorized residential use in excess of the 200 units described in the UVSP’s Conceptual Land Use Plan does not preclude future approvals of mixed commercial and residential projects within the specific plan area.

Documents reviewed:

2009 Laguna Hills General Plan

¹⁴ UVSP, Section V, p. 33, Table 1.

¹⁵ UVSP, Section V, p. 37, Table 2.

¹⁶ UVSP, Section III, p. 8 (emphasis added).

¹⁷ UVSP, Section V, p. 35.

¹⁸ See Laguna Hills Municipal Code, Section 9-92.080(B).

2009 Laguna Hills Program Environmental Impact Report on the General Plan

2009-2014 Laguna Hills Housing Element

Urban Village Specific Plan, adopted November 26, 2002, CC. Ord. No. 2002-8

Amendments to the Urban Village Specific Plan, April 26, 2011, Ord. No. 2011-3

Five Laguna's City Council/Planning Agency Staff Report, March 22, 2016

Five Laguna's Approval, March 22, 2016, Reso. No. PA 2016-03-22-1

Oakbrook Development City Council/Planning Agency Staff Report, November 13, 2002 Reso PA-2002-11-13-1 and Development Agreement Ord. 2012-4

Merlone Geier Partners Application for The Village at Laguna Hills, Submittal August 28, 2020