

5. Environmental Analysis

5.14 RECREATION

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for implementation of the Laguna Niguel City Center Mixed Use Project (proposed project) to impact public parks and recreational facilities.

5.14.1 Environmental Setting

5.14.1.1 REGULATORY BACKGROUND

State

Quimby Act of 1975

The Quimby Act of 1975 (California Government Code Section 66477) requires the dedication of land and/or fees for public park and recreational purposes as a condition for approval of a tentative map or parcel map. The act establishes procedures that can be used by local jurisdictions to provide neighborhood and community parks and recreational facilities and services for new residential subdivisions. It allows cities and counties to require up to five acres of park for every 1,000 residents.

California Public Park Preservation Act

The primary instrument for protecting and preserving parkland is California's Public Park Preservation Act of 1971 (Public Resources Code). Under the act, cities and counties may not acquire any real property that is in use as a public park for any nonpark use unless compensation, land, or both are provided to replace the parkland acquired. This ensures no net loss of parkland and facilities.

Local

Laguna Niguel General Plan - Open Space/Parks/Conservation Element

The following goals and policies of the Open Space/Parks/Conservation Element are related to parks and recreational facilities and apply to the proposed project.

- **Goal 2:** A system of public and private park and recreation facilities achieved in cooperation with private community associations.
 - **Policy 2.1.** Provide park and recreational facilities that meet the needs of senior citizens, young adults, children, disabled individuals and families.
 - **Policy 2.2.** Plan for new high-quality recreation facilities and programs.
 - **Policy 2.3.** Facilitate cooperative use of recreational facilities and programs.
 - **Policy 2.4.** Continue effective park and recreation area maintenance programs.

5. Environmental Analysis

RECREATION

Laguna Niguel Municipal Code

The Laguna Niguel Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed projects. The following provisions from the Municipal Code address park and recreational facilities:

- **Section 9-1-45.3 (Landscaping and Open Area).** The project includes a zone change to Mixed Use Town Center (MU-TC), which would allow for a mix of uses including multifamily development on the project site. This section applies to the MU-TC zone. All projects in the MU-TC district requires interior landscaping equal to at least 5 percent of the buildable project area. "Buildable project area" means the horizontal area within the boundaries of a development project; less slope areas with a ratio of 2:1 or steeper; and less perimeter rights-of-way and easements and areas set aside for public schools, parks, and other public uses. Within the MU-TC district, an additional 10 percent of the buildable project area shall be devoted to landscaping and 300 square feet of active and/or passive recreation areas shall be provided per dwelling unit.
- **Section 9-1-508 (Use of fees).** All park fees paid and interest accrued from such fees to the City shall be used to acquire and develop new parks or rehabilitate existing parks or recreational facilities to serve the subdivision, and shall be deposited in a special account reserved for such purposes.
- **Section 9-1-520 (Applicability).** Any person who proposes to divide real property for the purpose of creating a residential subdivision or a parcel map for residential use shall pay a park fee or provide parkland.
- **Section 9-1-522 (Amount of park land required).** This section details the amount of park land required by residential subdivision projects. Depending on the density of the residential development, applicants are required to provide parkland, payment of park fees, or a combination of both.

When the requirements of this article are complied with solely on the basis of providing park land, the amount of land to be provided shall be computed by multiplying the number of proposed dwelling units by the park land acres per dwelling unit in accordance with the appropriate density classification in the following table [Table 5.14-1]:

Table 5.14-1 Required Parkland for Residential Projects

Dwelling Units per Gross Acre	Persons per Dwelling Unit	Park Land Acres per Dwelling Unit
Up to 6.5	3.21	0.0096
6.6 to 15.5	2.59	0.0078
15.6 to 25.5	1.99	0.0060
25.6 and up	1.88	0.0056

Source: City of Laguna Niguel Municipal Code Section 9-1-522.

- **Section 9-1-523 (Amount of park fees required).** The required park fees are calculated by multiplying the number of proposed dwelling units by the park land acres per dwelling unit shown in Table 5.14-1 and

5. Environmental Analysis

RECREATION

multiplying the resultant acreage amount by the representative land value of the land being developed per acre.

- **Section 9-1-524 (Amount of park land and park fees combined).** When parkland requirements are met with a combination of both the provision of parkland and the payment of park fee, the amount of the park fee shall be computed by determining the required amount of park land in accordance with the provisions of Section 9-1-522 and subtracting the amount of park land actually provided. The remainder shall be converted to a fee in accordance with the provisions of Section 9-1-523.

5.14.1.2 EXISTING CONDITIONS

The Laguna Niguel Parks and Recreation Department owns and maintains 433 acres of parkland in Laguna Niguel (Giglio 2019). In addition to providing parkland, the Department offers programs and recreational activities, including an aquatics program, skate park, youth and adult sports, senior activities, youth and teen programs, special events and contracted programs, rental facilities, and trails.

City Parks

The City parks in Table 5.14-2 are within a one-mile radius of the project site and would likely serve future residents of the proposed project.

Table 5.14-2 Parks Serving the Project Site

Park and Location	Acreage	Amenities
Niguel Woods Park 29883 White Otter Lane	2	1 tot lot with slide; 2 regular swings; 1 small sandy play area; 3 park benches; turf area w/soccer backstop
Crown Valley Community Park 29571 Crown Valley Parkway	31	1 pool (with diving boards); 1 fit pool; 1 spray ground; 30 picnic tables; 7 barbeques; 1 softball field; 3 group sites; 2 soccer fields; 3 sets of restrooms; 1 bike trail; 2 playgrounds; 1 outdoor amphitheater; 338 parking spaces; Niguel Botanical Preserve (18 acres); 9 community rental spaces/rooms
La Hermosa Park 24462 La Hermosa Avenue	0.5	1 playground; 1 picnic table; 1 barbecue
Clipper Cove Park 29325 Clipper Way	4.7	1 large shelter; 3 picnic tables; 2 tot lots with slides; 1 large sand area; 2 baby swings; 2 regular swings; 4 park benches
Seminole Park 30802 Seminole Place	2.2	1 tot lot with sand; 2 baby swings; 2 picnic tables; 2 benches; 1 large turf area

Source: Giglio 2019.

The Crown Valley Community Park is home to the Crown Valley Community Pool, the Laguna Niguel Labyrinth and Niguel Botanical Preserve, and the Laguna Niguel Family YMCA. Youth and teen programs, recreation classes, and special events are offered at the community park year-round. Recent renovations of the

5. Environmental Analysis

RECREATION

Crown Valley Community Park include the addition of two new playgrounds, a spray ground, and amphitheater renovations (Laguna Niguel 2019a).

City Trails

The City offers approximately 80 miles of scenic trails, many of which connect to City parks and open space areas. The closest main trail to the project site is the Salt Creek Trail, which is north and south of the project site and connects two large coastal canyons that encompass four major public parks—the Crown Valley Community Park and Laguna Niguel Regional Park in the Sulphur Creek Canyon to the north and the Chapparosa Community Park and Salt Creek Regional Park in the Salt Creek Canyon to the south. The Salt Creek Trail is the longest trail segment in the City and includes equestrian trails and Class I bikeways (Laguna Niguel 2019b).

Laguna Niguel Regional Park

Laguna Niguel Regional Park is owned and maintained by the County of Orange and is outside of the one-mile radius of the project. However, it is in the City and would provide additional park and recreational opportunities. The regional park is at 28241 La Paz Road and encompasses 227 acres, including a 44-acre lake at its center. Recreational amenities include lake fishing, picnic areas, shelters and barbecues/fire rings, amphitheater, bicycle and hiking trails, horseshoe pits, pickleball courts, playground/tot lot, radio controlled glider area, restrooms, scenic overlook, tables, tennis courts, and volleyball courts (OC Parks 2019).

Facility Funding

According to Section 9-1-523 of the Municipal Code, if dedicated parkland is not feasible, in-lieu park fees are required. The required park fees are calculated by multiplying the number of proposed dwelling units by the required park land acres per dwelling unit and multiplying the resulting acreage by the estimated land value per acre. All paid park fees and interest accrued from such fees must be used to acquire and develop new parks or rehabilitate existing parks or recreational facilities to serve the subdivision, and they shall be deposited in a special account reserved for such purposes.

Additional park funding is provided through the City's general funds; facility rentals; and registration fees for classes, activities, and camps.

5.14.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines and the City's CEQA Manual, a project would normally have a significant effect on the environment if the project:

- R-1 Would 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.
- R-2 Includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

5. Environmental Analysis RECREATION

5.14.3 Plans, Programs, and Policies

RR REC-1 The proposed project will be required to comply with the provisions of Section 9-1-45.3, Landscaping and open area; Section 9-1-508, Use of fees; Section 9-1-520, Applicability; Section 9-1-522, Amount of park land required; and Section 9-1-523, Amount of park fees required, of the Laguna Niguel Municipal Code.

5.14.4 Environmental Impacts

5.14.4.1 METHODOLOGY

PlaceWorks staff submitted service information requests and a corresponding service questionnaire to the Laguna Niguel Parks and Recreation Department (P&RD) on December 16, 2019, to document the current park and recreational facilities in the area and assess and identify potential impacts created by the proposed project. A response from PRD was received on December 19, 2019 and is contained in Appendix K to this DEIR.

5.14.4.2 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.14-1: The proposed project would increase the use of existing neighborhood and regional parks or other recreational facilities but would not cause substantial physical deterioration of the facilities. [Threshold R-1]

The project proposes 275 multifamily residential dwelling units. The City's Municipal Code has two parkland provisions applicable to the proposed project—the local park code and the common open area requirement (MU-TC district). The project's consistency with each of these two requirements is analyzed separately below. By complying with these two requirements, the project would provide additional public and private recreation facilities. While the increase in population associated with the project would likely use existing recreation facilities, by providing active and passive recreation facilities on the project site, the new residents would not solely need to rely on existing recreation facilities, thus not causing substantial deterioration of the existing facilities.

Local Park Code Requirement

The local park code in Section 9-1-522 of the Municipal Code specifies parkland requirements for all development projects pursuant to the Quimby Act.

The Residential Village component of the proposed project is approximately nine acres and includes the development of 275 dwelling units at approximately 31 dwelling units per acre (du/acre). Based on the parkland requirement table in Section 9-1-522 (reproduced as Table 5.14-1), residential development at this density would require 0.0056 parkland acre per dwelling unit. Thus, the proposed project would be required to provide 1.54 acres of parkland.

5. Environmental Analysis

RECREATION

Extensive landscaping and common gathering areas would be developed throughout the project site. The Town Green at the main entrance to the Retail Village Core would have a central open space plaza area that would be linked by landscaped paseos, which would feature mature shade trees, outdoor lighting, soft seating areas, gardens and water features, event/performance space, and other programmable space. The one-story retail buildings would open to the Town Green area. The proposed project requires a Site Development Permit which would include a detailed review for compliance with the required parkland. If it is determined that the project does not meet the required parkland acreages, in-lieu park fees would be required. Park fees are to be calculated according to Section 9-1-523 of the City's Municipal Code. The park fee amount is computed by multiplying the number of proposed dwelling units (275 units) by the park land acres per dwelling unit shown in Table 5.11-1 (0.0056 acres per dwelling unit) and by multiplying the resultant acreage (1.54 parkland acres) by the representative land value of the land being developed per acre. Representative land values shall be determined by adoption of a resolution by the City Council. Fees must be paid prior to issuance of building permits or at such time as otherwise provided by resolution of the City Council. Payment of the park fees represents the project's fair share impacts on existing parks and recreational facilities and would ensure impacts are less than significant.

MU-TC Zone Open Space/Recreation Requirement

The project would comply with the open space and landscaping requirements of Municipal Code Section 9-1-45.3. Compliance with these requirements would be reviewed and approved as part of the Site Development Permit approval process. Part (c) 4 of this section (applicable to all development projects) requires interior landscaping equal to at least 5 percent of the buildable project area. At least half that amount shall be located in parking areas and the remainder in other interior portions of the project such as next to buildings.

With the zone change proposed as part of the project, Section 9-1-45.3 (d) outlines additional landscape and open space requirements unique to the Mixed-Use Town Center (MU-TC) zoning district. This provision requires an additional 10% of the buildable project area to be improved with landscaping and requires active and or passive recreation at a minimum of 300 square feet per residential unit. This usable open space may be common space accessible to more than one (1) dwelling unit or may be private space for the exclusive use of individual units. The proposed code outlines specific requirements for:

- Private Outdoor Living Area
- Common Active and/or Passive Recreation Area
- Recreation Facilities
- Outdoor passive Leisure Space.

As described in Chapter 3.0, *Project Description*, amenities included in the residential areas would comply with the open space, landscaping and recreation requirements. The Residential 1 (200 apartments) area would include a fitness center with outdoor workout space, a resort pool and space, cabanas, a bike repair shop and pet space. Ground level units facing the commercial area would have expanded patios. The 75 apartments in the Residential 2 area would also be amenitized with open space and recreation areas. Some of the units would have private rooftop decks. A private lounge adjacent to a resort style pool and space, outdoor dining, cabanas and a fire pit are also planned. Furthermore, the commercial portions of the project include numerous common

5. Environmental Analysis

RECREATION

areas that provide amenities such as fire pits, shade structures, and/or soft seating, all of which contribute toward the passive recreation requirement.

Level of Significance Before Mitigation: Less than significant impact.

Impact 5.14-2: The proposed project includes recreational facilities and would not require the construction or expansion of additional recreational facilities which might have an adverse physical effect on the environment. [Threshold R-2]

According to the correspondence with the P&RD, the City is currently meeting its parkland standard of three acres per 1,000 residents and would continue to meet the parkland standard with the additional residents associated with the proposed project. The P&RD does not require the proposed project to construct new or expanded off-site parks. The proposed project would be required to comply with RR REC-1, including Municipal Code Section 9-1-522 and Section 9-1-523, which would require that the proposed project provide parkland and/or pay park fees.

The proposed project would not require the construction of new or expanded off-site parks or other recreation facilities because the proposed project includes active and passive recreation facilities to serve the new resident. Since no off-site recreation facilities require construction or expansion, potential impacts to the environment would be less than significant.

Level of Significance Before Mitigation: Less than significant impact.

5.14.5 Cumulative Impacts

Cumulative projects in Laguna Niguel, identified in Table 4-1, could lead to increased demand for parks and recreational space. However, similar to the proposed project, these cumulative projects would also be subject to Sections 9-1-522 and 9-1-523 of the Municipal Code, which require dedicated parkland or the payment of in-lieu park fees, depending on the proposed dwelling units and densities. Therefore, the proposed project, in conjunction with cumulative projects, would not result in cumulatively significant impacts to parks and recreational uses because existing requirements for parkland dedication and/or funding are in place that afford the City the ability to maintain recreational resources commensurate with population.

5.14.6 Level of Significance Before Mitigation

Impacts 5.14-1 and 5.14-2 would be less than significant.

5.14.7 Mitigation Measures

No mitigation measures are required.

5.14.8 Level of Significance After Mitigation

Impacts 5.14-1 and 5.14-2 would be less than significant prior to mitigation.

5. Environmental Analysis

RECREATION

5.14.9 References

Giglio, Alison (director). 2019, December 19. Questionnaire Response. City of Laguna Niguel Parks and Recreation Department.

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<https://www.cityoflagunaniguel.org/Facilities/Facility/Details/Crown-Valley-Park-6>.

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