



## CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

December 7, 2023  
Agenda Item No. 3

**SUBJECT:** Sage Hill Middle School (PA2022-0277)  
▪ Major Site Development Review  
▪ Minor Use Permit  
▪ Traffic Study

**SITE LOCATION:** 20402 Newport Coast Drive

**APPLICANT:** Sage Hill School

**OWNER:** Sage Hill School

**PLANNER:** Jenny Tran, Assistant Planner  
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### **PROJECT SUMMARY**

Sage Hill School requests approval of a major site development review, minor use permit, and traffic study to construct a new three-story, 38,658-square-foot middle school (i.e., grades 7-8) and gymnasium building on the northern portion of the existing campus and to increase student enrollment from 600 to 750 students to accommodate the new middle school. The proposed structure would exceed the remaining 20,166 square feet authorized by the original Use Permit; therefore, the request includes an amendment to increase the total floor area on-site by 18,492 square feet for a total of 160,392 square feet. The proposed middle school and gymnasium building includes eight classrooms, a café, offices, storage rooms, outdoor learning areas, and approximately 824 bleacher seats within the gymnasium. The proposed project also includes nighttime lighting and landscaping improvements for the existing baseball field as well as landscaping improvements around new construction. Lastly, the project includes improvements to Newport Coast Drive to extend the existing left turn lane at the intersection of Newport Coast Drive and the Coyote Canyon Landfill Renewable Energy Facility (REF) to improve queuing capacity. No changes are proposed to the existing high school facilities (i.e., grades 9-12), which will continue to be regulated by Use Permit No. PA97-0173 approved by the County of Orange prior to the City annexing the Newport Coast Area in 2000.

### **RECOMMENDATION**

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) and under Section

15314 under Class 14 (Minor Additions to Schools) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and

- 3) Adopt Resolution No. PC2023-042 approving a Major Site Development Review, Minor Use Permit, and Traffic Study (Attachment No. PC 1).

### VICINITY MAP



### GENERAL PLAN



### ZONING



LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	PI (Private Institutions)	PI (Private Institutions)	Sage Hill High School
NORTH	OS (Open Space)	OS (Open Space)	Vacant
SOUTH	OS	OS	Vacant, closed landfill, Coyote Canyon Renewable Energy Fac
EAST	City of Irvine	City of Irvine	Residential and State Route 73 (SR-73)
WEST	OS	OS	Vacant, closed landfill

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## **INTRODUCTION**

### **Project Setting**

As identified in the preceding Vicinity Map, the project site is a 28.41-acre parcel on the outskirts of Newport Coast adjacent to State Route 73 and the City of Irvine. It is developed with a private high school (Sage Hill School) that began development in the late 1990s and opened in 2000. To the west of the high school, across Newport Coast Drive, is vacant land that was once the Coyote Canyon Landfill that operated from 1963 until it was closed in 1990. Currently, this area remains undeveloped. To the south of the high school is a portion of the closed landfill and the Coyote Canyon Landfill Renewable Energy Facility (REF) where future development of a renewable energy facility related to the closed landfill is being considered.

Sage Hill School is predominantly surrounded by land that is designated as Open Space intended to maintain and protect the community's natural open space resources and to maintain and protect landscaped open space areas located within residential and nonresidential development, where no further development is allowed.

### **Background and Use Permit History**

Prior to late 2000, the property was in unincorporated territory under the jurisdiction of the County of Orange. The County of Orange Planning Commission approved Use Permit No. PA97-0173 on November 3, 1998, to establish a private high school (Sage Hill School) for grades 9 through 12. The approved use permit allowed for several structures that totaled 141,900 square feet and student enrollment up to 600 students. The project site was within the A-1 (General Agricultural) Zone that allowed for a maximum building height of 35-feet. Along with the Use Permit, a Zone Change, ZC 97-07 (Ordinance No. 98-19) was approved to rezone the property to the A1/65 (General Agricultural/65 Feet Building Height) zone to allow for an increased building height of 65 feet. The high school was expected to be built out in phases over an estimated period of five years. The use permit included Negative Declaration No. PA970173 to satisfy California Environmental Act (CEQA) requirements.

On September 26, 2000, the property was annexed to the City of Newport Beach and the school opened for the 2000-2001 school year. Several Staff Approvals evaluating consistency with planned construction and the original use permit have been approved by the City since 2007 allowing for the gradual buildout of the school:

- On March 27, 2007, the Planning Director approved Planning Director's Use Permit No. UP2007-002 to allow the installation of permanent stadium lights to replace the existing temporary stadium lights that illuminated the stadium nighttime activities. Two lights at 70 feet tall were proposed on the east side of

the stadium and two lights at 80 feet tall were proposed on the west side of the stadium.

- On November 21, 2007, the Planning Director approved Staff Approval No. SA2007-017 to allow the addition of an Arts Center to an existing building. The Staff Approval reallocated 6,298 square feet that was intended for a Mini-Gym/Fitness/Facilities building to the Arts Center that was allocated 24,472 square feet for a total of 30,770 square feet. The total square footage for the campus was found to be in substantial conformance with the 141,900 square feet approved in Use Permit No. PA97-0173.
- On July 31, 2008, the Planning Director approved Staff Approval No. SA2008-004 to allow the installation of two relocatable trailer/structures for temporary facilities during the construction of permanent school facilities. The temporary facilities housed construction project related activities and classroom activities that were displaced by the construction project approved in Staff Approval No. SA2007-017.
- On June 22, 2015, the Community Development Director approved Staff Approval No. SA2015-006 to allow for a revised location for a tennis complex and aquatics center. Additionally, the school proposed to expand the grades offered from 9 through 12 to kindergarten through 12. No increase in student enrollment was proposed but the faculty staff increased from 75 to 99 staff. Although the expansion to offer additional grade levels was approved, Sage Hill is currently only a high school.
- On November 9, 2017, the Community Development Director approved Staff Approval No. SA2017-010 to allow a 1,434-square-foot addition to the existing school library resulting in a floor area of 15,606 square feet. The addition to the library brought the total square footage of the campus to 121,734 square feet that was still below the maximum allowed by the County-issued Use Permit.

As part of the City's response to the COVID-19 Pandemic, on September 16, 2020, the Community Development Director approved Emergency Temporary Use Permit No. UP2020-153 to allow a temporary outdoor sports court within the parking lot.

On October 15, 2021, the Community Development Director approved Staff Approval No. SA2021-004 to allow the existing temporary outdoor sports court to be made permanent in the school's parking lot. While the sports court removed 42 parking spaces, adequate parking for the school is provided.

#### Project Description

The applicant requests approval of a major site development review, minor use permit, and traffic study to allow the following:

- To increase student enrollment from 600 to 750 students;
- To construct a new three-story, 38,658-square-foot middle school (i.e., grades 7-8) and gymnasium building on the northern portion of the existing campus;
- To increase the total square footage allowed for the campus from 141,900 square feet to 160,392 square feet;
- To include nighttime lighting and landscaping improvements for the existing baseball field as well as landscaping improvements for the new school and gymnasium building;
- To improve Newport Coast Drive by extending the existing left turn lane at the intersection of Newport Coast Drive and the Coyote Canyon Landfill Renewable Energy Facility (REF).

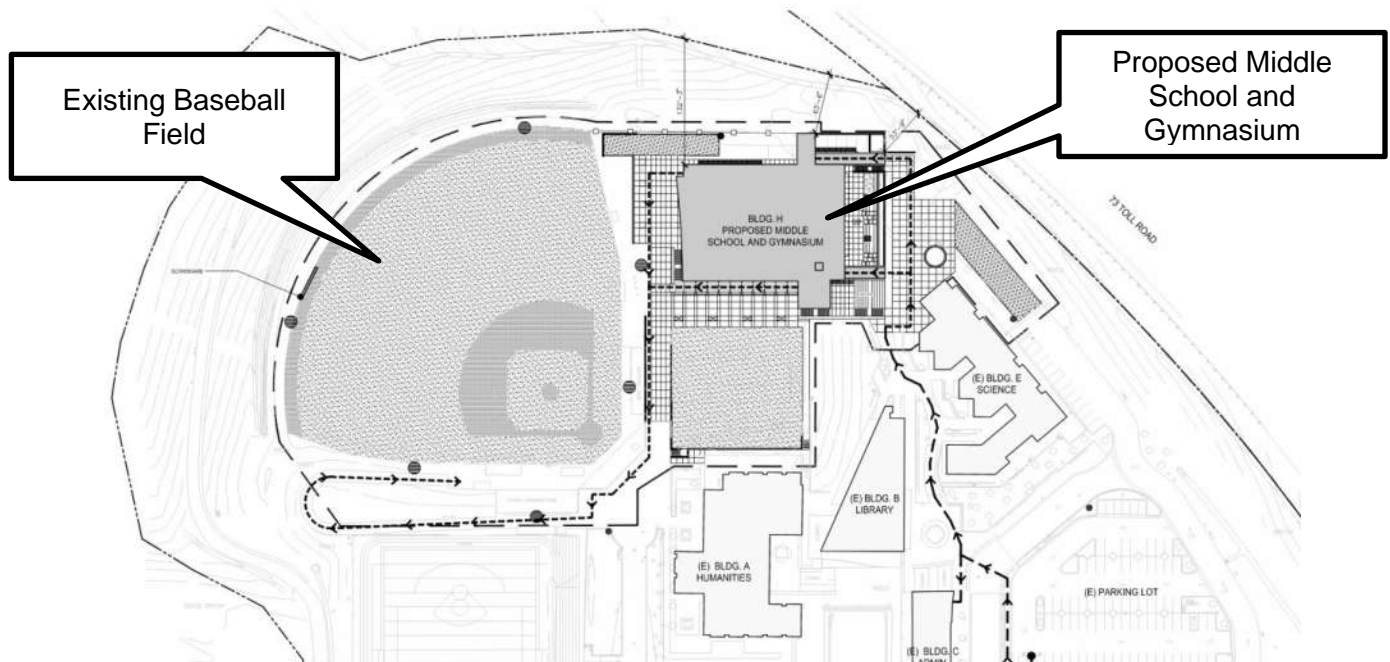


Figure 1 – Partial Site Plan showing the area of proposed expansion

Figure 1 above shows the location of the proposed middle school and gymnasium on the northern portion of the campus as well as the existing baseball field where new nighttime lighting is proposed. The applicant is not proposing any changes to the existing high school facilities (i.e., grades 9 through 12) which will continue to be regulated by Use Permit No. PA97-0173. The middle school facilities and gymnasium will be regulated concurrently with this minor use permit, should it be approved.

Table 2 below summarizes the square footage of existing and proposed development for the site.

<b>Table 2 – Development Summary</b>				
	<b>Phase I (PA97-0173)</b>	<b>Phase II (SA2007-017)</b>	<b>Phase III (SA2015-006)</b>	<b>Phase IV (Proposed Project)</b>
Buildings A, B, C, D	74,313 SF	74,313 SF	74,313 SF	74,313 SF
Library Remodel (Building B)	-	-	-	1,434 SF
Math/Science Center	-	12,689 SF	12,689 SF	12,689 SF
Art Center	-	30,181 SF	30,181 SF	30,181 SF
Mini- Gym/Fitness/Facilities	-	-	-	-
Aquatics Center	-	-	3,087 SF	3,087 SF
Guardhouse	-	-	30 SF	30 SF
Proposed Middle School and Gymnasium	-	-	-	38,658 SF
Total Development Summary	74,313 SF	117,183 SF	120,300 SF	160,392 SF
Maximum Allowed SF	141,900 SF	141,900 SF	141,900 SF	160,392 SF

## **DISCUSSION**

### *General Plan*

The property is categorized as Private Institutions (PI) by the General Plan Land Use Element, which is intended to provide for privately owned facilities that serve the public, including places for religious assembly, private schools, health care, cultural institutions, museums, yacht clubs, congregate homes, and comparable facilities. The Project includes the construction of a new middle school and gymnasium at an existing private high school campus, Sage Hill School. The private school is allowed with approval of a minor use permit. The following Land Use Policies support the project:

- Land Use Policy LU 6.1.1 (Adequate Community Supporting Uses) of the Land Use Element of the General Plan is intended to accommodate schools, government administrative and operational facilities, fire stations and police facilities, religious facilities, schools, cultural facilities, museums, interpretive centers, and hospitals to serve the needs of Newport Beach's residents and businesses. Residents are served by a variety of middle school programs and facilities by the Newport Mesa Unified School District and private schools, and

the Project will provide an additional private middle school institution to serve residents within the City and region.

- Land Use Policy LU 6.1.3 (Architecture and Planning that Complements Adjoining Uses) of the Land Use Element of the General Plan is intended to ensure the City's public buildings, sites, and infrastructure are designed to be compatible in scale, mass, character, and architecture with the district or neighborhood in which they are located, following the design and development policies for private uses specified by this Plan. Although the project is a private institution, it will implement designs for the proposed building that match the architectural design of the existing high school and the height of the adjacent science building.

Figure S4 of the General Plan Safety Element identifies the area as being subject to increase wildfire risks due to the location and the type and condition of vegetation, topography, weather, and structure density that potentially increases the possibility of wildland fires. In those areas identified as susceptible to wildland fire, the Fire Department enforces locally developed regulations which reduce the amount and continuity of fuel (vegetation) available, firewood storage, debris clearing, proximity of vegetation to structures and other measures aimed at "Hazard Reduction."

The applicant has submitted a Fuel Modification Plan to the Fire Department which is aimed at reducing fire encroachment into structures from adjacent vegetation. A condition of approval has been included to obtain final approval of the Fuel Modification Plan from the Fire Department and to implement the plan through design, construction and ongoing maintenance.

### *Zoning Code*

The property is in the Private Institutions (PI) Zoning District which is intended to provide for areas appropriate for privately owned facilities that serve the public, including places for assembly/meeting facilities, congregate care homes, cultural institutions, health care facilities, marinas, museums, private schools, yacht clubs, and comparable facilities. The project includes the construction of a new middle school and gymnasium at an existing private high school campus, Sage Hill School. The private school is allowed with approval of a minor use permit.

### *Height*

Prior to annexation of the property into the City, the County of Orange approved Zone Change No. ZC 97-07 (Ordinance No. 98-19), on December 15, 1998, to rezone the Property from the "A1 (General Agricultural)" District to the "A1/65 (General Agricultural/65 Feet Building Height)" District. The Zone Change increased the allowed

height of the proposed buildings from 35 feet to 65 feet and Use Permit PA97-0173 allowed structures accordingly.

The City zoned the school property Government, Educational, and Institutional Facilities District (GEIF) upon annexation in 2000. The maximum allowed height was 32 feet by right and up to 50 feet through a Use Permit. In 2010, the property was rezoned Private Institutions (PI) as part of the City's comprehensive update of the Zoning Code after the 2006 General Plan Update. The PI Zoning District of the NBMC has a maximum building height of 32 feet for a flat roof and 37 feet for a sloped roof for properties outside of the Shoreline Height Limitation Zone. The height of the proposed structure is approximately 55 feet.

In both previous rezone cases, it was not the intent of the City to reduce existing or proposed building heights or to make existing buildings legal nonconforming. The height authorized by the County's Zone Change was inadvertently excluded during the annexation process and subsequent rezone to PI. In Staff's view, the maximum building height for the Property is 65 feet as established by County of Orange Zone Change No. ZC 97-07 and County Use Permit No. PA97-0173. Applying the lower height limit of the PI zone would be contrary to the vested rights established by Use Permit No. PA97-0173. A condition of approval has been included to restrict the maximum building height to be 65 feet. Additionally, no changes to the original County Use Permit No. PA97-0173 that authorized the development is proposed.

The property has a maximum floor area to land ratio (FAR) of 0.50. The property is approximately 1,237,588 square feet (28.41 acres), and the project consists of 160,392 square feet of gross floor area, including the existing high school. Therefore, the Project has a proposed FAR of 0.13, which complies with the maximum 0.50 FAR limit.

The minimum setbacks required for the Property are established by the minor use permit. The setbacks for the proposed structure will be consistent with the approved plans as part of this Use Permit. The proposed middle school and gymnasium structure is not proximate to any adjacent development except for existing school buildings and State Route 73. The proposed plans provide adequate access for the Fire Department and it provides for wildfire risk mitigation.

### *Parking*

Section 20.40.040 (Off-Street Parking Spaces Required) of the NBMC requires parking spaces for schools, public and private, to be determined by use permit. At the time the original Use Permit No. PA97-0173 was approved by the County of Orange for Sage Hill School, the parking rate required pursuant to the County of Orange Zoning Code Section 7-9-145 was one parking space for each member of the faculty and each employee, plus one space for every six full-time students regularly enrolled. Based on student count and administration personnel at the time of approval, the required parking spaces was 161. The current County of Orange Zoning Code Section 7-9-70.6, would

require slightly fewer parking spaces: one parking space for each full-time equivalent faculty and staff, plus one for each eight full-time equivalent students regularly enrolled. Further, using the County of Orange Zoning Code as a reference, the required parking rate for a middle school is two parking spaces for each classroom plus loading and unloading space for student drop-off and school buses.

The expected number of faculty/staff for the expanded school campus is 113. The required parking will range depending on how many of the 750 students are enrolled in high school. However, the maximum required parking spaces if all 750 students are enrolled in high school is 254 parking spaces and the campus provides 466 parking spaces which more than exceeds the required parking using the County Code as a guide. Additionally, the existing surface parking lot and driveways provides areas for student drop-off/pick-up and school buses as required. Parking at the school has not been a historic issue and the increase staff and enrollment with the proposed middle school shouldn't significantly increase routine parking demands beyond the ability of the existing supply.

<b>Table 2 – Parking Requirement</b>		
	<b>Parking Rate<sup>1</sup></b>	<b>Required</b>
High School	1 per 6 students	125
Middle School	2 per classroom	16
Faculty/Staff	1 per faculty/staff	113
<b>Total Required</b>		<b>254</b>
<b>Total Provided</b>		<b>466</b>

#### *Major Site Development Review Findings*

In accordance with Section 20.52.080(F) (Site Development Reviews – Findings and Decision) of the NBMC, the Planning Commission must also make the following findings for approval of a Major Site Development Review:

1. *The proposed development is allowed within the subject zoning district;*
2. *The proposed development is in compliance with all of the following applicable criteria;*
  - i. *Compliance with this section, the General Plan, Title 20 (Planning and Zoning) of the NBMC, any applicable specific plan, and other applicable criteria and policies related to the use or structure;*
  - ii. *The efficient arrangement of structures on the site and the harmonious relationship of the structures to one another and to other adjacent*

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<sup>1</sup> Parking pursuant to County of Orange Zoning Code Section 7-9-145 and Section 7-9-70.6

*developments; and whether the relationship is based on standards of good design;*

- iii. The compatibility in terms of bulk, scale, and aesthetic treatment of structures on site and adjacent developments and public areas;*
  - iv. The adequacy, efficiency, and safety of pedestrian and vehicular access, including drive aisles, driveways, and parking and loading spaces;*
  - v. The adequacy and efficiency of landscaping and open space areas and the use of water efficient plant and irrigation materials; and*
  - vi. The protection of significant views from public right(s)-of-way and compliance with Section 20.30.100 (Public View Protection) of the NBMC.*
- 3. Not detrimental to the harmonious and orderly growth of the City, nor endangers, jeopardizes, or otherwise constitutes a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed development.*

Staff believes that facts to support the findings exist to approve the site development review and are discussed in detail in the attached draft resolution (Attachment No. PC 1). The proposed structure will be designed to match the façade and material of the existing high school. Additionally, the location of the school is relatively isolated where it is not expected to visually impact residential neighborhoods. The school is most visible from the SR-73 on-ramp and Figure 2 below shows the existing high school and a rendering of the proposed middle school/gymnasium building. The design of the building includes finishing that matches the material and muted color of the existing structures. The design incorporates a flat roof and matches the height of the adjacent buildings. Additional renderings are provided in Attachment No. PC 3 showing views from several angles where there are little to no visual impacts from the proposed structure.



Figure 2 – Site photos and rendering of the existing and future conditions as seen from the SR-73 on-ramp

#### *Minor Use Permit Review Findings*

In accordance with Section 20.52.020(F) (Use Permit, Required Findings) of the NBMC, the Planning Commission must also make the following findings for approval of a Minor Use Permit:

- 1. The use is consistent with the General Plan and any specific plan;*
- 2. The use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning Code and Municipal Code;*
- 3. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity;*
- 4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities;*
- 5. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise*

*constitute a hazard to the public convenience, health, interest, safety, or general welfare or persons residing or working in the neighborhood of the proposed used.*

Staff believes that facts to support the findings exist to approve the minor use permit and are discussed in detail in the attached draft resolution (Attachment No. PC 1). The project is consisted with the purpose and intent of the Private Institutions (PI) General Plan Land Use as well as the development standards of the Private Institutions (PI) Zoning District and previous County of Orange entitlements including building height.

The closest facility is the Coyote Canyon REF approximately 1,200 feet south of the Property, which is a closed landfill. Additionally, the closest residential neighborhood is approximately 700 feet across State Highway 73. The Property is generally remote, and the Project is compatible with the allowed uses within the vicinity and is also designed to be compatible with the existing high school on the same campus.

#### *Traffic Study*

In accordance with Section 15.40.030(A) (Traffic Phasing Ordinance – Standards for Approval – Findings – Exemptions) of the NBMC, the Planning Commission must also make the following findings for approval of a Traffic Study:

1. *That a traffic study for the project has been prepared in compliance with the NBMC Chapter 15.40 (Traffic Phasing Ordinance) and Appendix A;*
2. *That, based on the weight of the evidence in the administrative record, including the traffic study, one of the findings for approval in subsection 15.40.030(B) can be made:*
  - i. *Construction of the project will be completed within 60 months of project approval in accordance with Section 15.40.030(B)(1) of the NBMC.*
  - ii. *Additionally, the project will neither cause nor make worse an unsatisfactory level of traffic service at any impacted intersection in accordance with Section 15.40.030(B)(1)(a) of the NBMC.*
3. *That the project proponent has agreed to make or fund the improvements, or make the contributions, that are necessary to make the findings for approval and to comply with all conditions of approval.*

A traffic study, titled “Traffic Impact Analysis – Sage Hill School Expansion Project” dated October 2023 (Traffic Impact Analysis), which is attached as Exhibit “B” of the draft resolution (Attachment No. PC 1) was prepared by LSA under the supervision of the City Traffic Engineer in compliance with Chapter 15.40 (Traffic Phasing Ordinance) and Appendix A (Administrative Procedures for Implementing the Traffic Phasing Ordinance) of the NBMC.

The Traffic Impact Analysis included nine study intersections that were analyzed for potential impacts based on the City's Intersection Capacity Utilization ("ICU") methodology, which is expressed in terms of level of service ("LOS"). Utilizing these methodologies, the Traffic Impact Analysis determined that the proposed Project could be implemented without adversely affecting the nine study intersections and the addition of traffic would not create LOS impacts.

Because the project will neither cause an unsatisfactory LOS nor make worse an unsatisfactory LOS at any impacted intersection, no improvements or mitigation are necessary.

Additionally, the project is exempt from CEQA pursuant to Section 15301 under Class 1 (Existing Facilities) and under Section 15314 under Class 14 (Minor Additions to Schools) and, therefore no Vehicle Miles Traveled analysis is required.

#### *Queuing Analysis*

A Queuing Analysis was prepared by Gibson Transportation Consulting, Inc. dated September 27, 2023, at the request of the Public Works Department (Attachment No. PC 4) due to concerns the enlarged campus could create vehicle access issues with pickup and drop off. The analysis examined both the driveway located on the Property and the storage capacity of the southbound left-turn lane (SBL) at the intersection of Newport Coast Drive and the Coyote Canyon REF. This intersection is used for u-turn movements as left turns from the southbound Newport Coast Drive to the main school driveway are not permitted given the proximity to the State Route 73.

The analysis observed drop-off/pick-up periods between 7 a.m. to 10 a.m. and between 2 p.m. to 5 p.m. on three separate days. Based on the existing student enrollment, the peak queueing for vehicles in the driveway was 29 vehicles. The future conditions based on maximum student enrollment is projected to be 40 vehicles queued in the driveway. The report concluded that the existing driveway has a storage capacity of approximately 80 vehicles which is sufficient for future conditions.

The analysis also examined the SBL within the same observation periods and an average of 18.2 vehicles were queued in the SBL. With the increase in student enrollment, an average 25.2 vehicles will use the SBL. The existing SBL has a storage capacity of six vehicles and it is insufficient for current and future conditions. Figure 3 below shows the existing and future conditions of the SBL based on the worst-case scenario with maximum enrollment.



*Figure 3 – Existing and Future SBL Conditions*

Further, the hours for the high school will begin at 8 a.m. and conclude at 3 p.m., while the middle school will begin at 8:30 a.m. and conclude at 3:30 p.m. The staggered start and end times for the high school and middle school is intended to lessen the impact of vehicular demand with the increased enrollment. The analysis also concluded that the Public Works Department will review and adjust the signal timing at the intersections to improve SBL operational efficiency to further limit the impacts on the SBL queueing.

Given the staggered starts and signal timing adjustments, the SBL would not be able to accommodate the increase in vehicular demand and queueing anticipated, changes to the left-turn lane capacity in Newport Coast Drive was examined. The engineers believe

the median can be modified to extend the SBL by 400 feet for a total length of approximately 550 feet to safely accommodate the average queue. The existing landscaping in the median will be lost and the City's entry sign will need to be repositioned. Condition of Approval No. 41 has been included to ensure that improvements will be completed to increase the storage capacity of the SBL all at the applicant's expense.

### *Landscaping and Lighting*

A Biological Resources Update and Potential Effects Associated with Fuel Modification Plan technical memorandum was prepared by Glenn Lukos Associates, Inc. dated November 8, 2023 (Attachment No. PC 5) to address potential impacts of the project. The memorandum states that the removal of vegetation associated with the Fuel Modification Plan shall be conducted outside of avian breeding season (generally February – July), or a pre-removal survey should be conducted to confirm the absence of nesting birds. Additionally, the memorandum indicated that the trees on site represent potential roosting habitat for western mastiff bats and removal of suitable trees should be conducted outside of the maternity roosting season (June – August). The project is conditioned to comply with the recommendations of the memorandum to avoid potential biological impacts.

The biological assessment concluded that the Fuel Modification Zone (FMZ) was originally landscaped, even noting that this is a transition planting between the Natural Communities Conservation Plan (NCCP) zone and the campus, including some ornamental plants. None of the species in these two zones comprised any coastal sage scrub. The FMZ planting will not include any Cal-IPC listed plants.

A photometric analysis was provided and determined that the nighttime lighting proposed for the baseball field will not result in light spillage that would result in significant impacts on the coastal sage scrub within the NCCP boundaries. The light spillage for the areas adjacent to the NCCP area is 0.1-foot candles or less, which is the threshold where no significant impacts would occur.

### Summary and Alternatives

In conclusion, the proposed project is consistent with the City's goals and objectives of the General Plan. The middle school will provide an additional private middle school institution to serve residents within the City and region as well as provide an institution to assist students in transitioning into the high school located on the same campus. Staff believes the findings for approval can be made to support the proposed project and the facts in support of the required findings are presented in the draft Resolution (Attachment No. PC 1). The following alternatives are available to the Planning Commission should it feel the facts are not in evidence of support for the project application:

1. The Planning Commission may suggest specific project modifications or operational changes that are necessary to alleviate concerns. If the changes are substantial, the item should be continued to a future meeting to allow redesign of the project; or
2. If the Planning Commission does not believe the facts in support of findings can be made, the Planning Commission may deny the application request.

### Environmental Review

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) and under Section 15314 under Class 14 (Minor Additions to Schools) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 because it has no potential to have a significant effect on the environment.

Class 1 exempts projects involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Specifically, 15301(c) exempts work on existing highways and streets, sidewalks, gutters, bicycle, and pedestrian trails, and similar facilities. The proposed project includes the extension of an existing left turn pocket on Newport Coast Drive that would not result in the expansion of the existing roadway, nor would it create additional automobile lanes.

Class 14 exempts projects within existing school grounds where the addition does not increase the original student capacity by more than 25 percent or ten classrooms, whichever is less. The maximum approved student capacity is 600 students, and the project is requesting to increase the capacity by 150 students, which is a 25 percent increase. The project requests to add an additional eight classrooms for the middle school which is less than the ten classrooms allowed in this exemption.

The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

There are no unusual circumstances at the proposed project site that would result in a significant effect on the environment. Specifically, there will be no impacts to biological resources resulting from construction of the new building, fuel modification improvements, or nighttime baseball field lighting. A Biological Resources Update and Potential Effects Associated with Fuel Modification Plan technical memorandum was prepared by Glen Lukos Associates, dated November 8, 2023, that evaluated potential

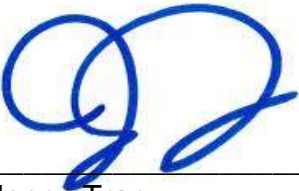
biological impacts related to the proposed project and the fuel modification area. The biological assessment concluded that the Fuel Modification Zone (FMZ) was originally landscaped, even noting that this is a transition planting between the Natural Communities Conservation Plan (NCCP) zone and the campus, including some ornamental plants. None of the species in these two zones comprised any coastal sage scrub. The FMZ planting will not include any Cal-IPC listed plants. This fuel modification area has always been a maintained landscaped zone and the FMZ plantings will not include any invasives that would have the potential to change the coastal sage scrub conditions adjacent to the toll road. The Biological Report also states that the proposed baseball field lighting would not result in impacts to the adjacent NCCP areas. Therefore, the project does not include any unusual circumstances that would result in a significant effect on the environment.

### Public Notice

Notice of this hearing was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant, and posted on the subject property at least 10 days before the scheduled meeting, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the city website.

Prepared by:

Submitted by:



Jenny Tran  
Assistant Planner



Jim Campbell  
Deputy Community Development Director

LAW/jt

### ATTACHMENTS

- PC 1 Draft Resolution with Findings and Conditions
- PC 2 Applicant's Project Description
- PC 3 Site Photos and Renderings
- PC 4 Queueing Analysis
- PC 5 Biological Resources Update and Potential Effects Associated with Fuel Modification Plan Memorandum
- PC 6 Project Plans

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