

SILVERADO-MODJESKA SPECIFIC PLAN

The Silverado-Modjeska Specific Plan is a policy document for the defined areas of Modjeska Canyon, Williams Canyon, Silverado Canyon, Baker Canyon, and Black Star Canyon. Although not a part of the Orange County General Plan, the specific plan clarifies, interprets and details many general plan policies with specific reference to the conditions of the Silverado-Modjeska area.

The Silverado-Modjeska Specific Plan is composed of this text and a separate land use map.

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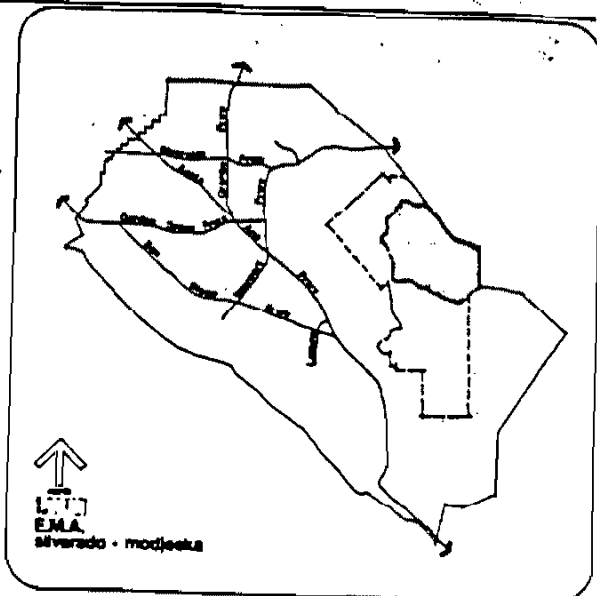
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During 1974 citizens of the Foothill Corridor organized a committee and secured the services of a private consultant to prepare a plan for the area. The result was the Foothill Corridor Policy Plan which was subsequently accepted by the Board of Supervisors for the purpose of interim planning and development guidance.



Recognizing the citizens' need for further county assistance, the Environmental Management Agency proposed a Silverado-Modjeska planning study, composed of three of eleven planning areas identified in the Foothill Corridor Policy Plan. The purpose of the program was to ensure the preservation of the rural environment and lifestyle of the area while providing for reasonable development.

In 1977, EMA conducted numerous environmental, social and economic studies. Interested citizens formed the Silverado-Modjeska community planning committee to assist the county. EMA planners and consultants met more than 75 times with the community planning committee and interested citizens, conducted questionnaire surveys and held five public meetings.



The result of all these efforts was the Silverado-Modjeska Community Plan and Environmental Impact Report, an information document as well as a planning guide. This Specific Plan is based upon the majority of findings and recommendations in the Community Plan Report. It is a policy document for the defined areas of Modjeska Canyon, Williams Canyon, Silverado Canyon, Baker Canyon, and Black Star Canyon. Although not a part of the Orange County General Plan, the specific plan clarifies, interprets and details many general plan policies with specific reference to the conditions of the Silverado-Modjeska area.

The Silverado-Modjeska Specific Plan was originally adopted by the Orange County Board of Supervisors on August 31, 1977. Amendments to this plan have subsequently been approved by the Board of Supervisors. For information regarding these amendments see Specific Plan Amendments section, starting on page 9.

LAND USE

Land Use Concept

Modjeska Canyon and Silverado Canyon are devoted primarily to residential use. Williams Canyon is designated for residential uses which are compatible with possible sand and gravel extraction. Concentration of development in canyon bottoms is emphasized in order to take advantage of better access and fire protection relative to the steep hillsides and narrow ridgelines. Existing residential densities in Silverado and Modjeska Canyons are recognized but further development is allowed at significantly lower densities to mitigate sewer and flood hazard problems. Baker Canyon and Black Star contain both recreation and residential uses which have been specifically allocated on the basis of topography, existing uses and proposed regional parks.

In calculating densities or lot sizes allowable under this plan, gross acreage should be used; all references to acreage in this text mean gross acres. In the developed portion of Silverado and Modjeska Canyons where existing densities exceed 1 du/ac, the creation of any new lots is not allowed. The Specific Plan Land Use Map indicates these existing higher density areas for purposes of comparison and not as a guide to the creation of lot sizes.

Population projections based on this plan shall not be construed to be population ceilings for the Silverado-Modjeska area.

General Development Guidelines

It is the intent of the county to promote subdivision and construction that will least disturb natural contours and vegetation. All cut and fill banks shall be finished to harmonize with the existing topography. Abrupt changes of graded areas are to be avoided, rounding all edges into the natural topography and planting with appropriate vegetation. In no event will any development be allowed to proceed if the tentative plans submitted indicate high cut and fill banks that will destroy the beauty and integrity of the natural terrain and vegetation.

The following guidelines shall apply to all residential and recreational development in the Silverado-Modjeska area. Only in cases where the public safety and welfare are issues, and/or where site conditions dictate a design which better fits the goals and policies of the Specific Plan will one or more of these development guidelines be exempted.

1. Building pads and their access to a public street shall be located and designed in a manner which preserves the natural landscape.
 - a. For any grading activity, the vertical height of any cut shall not exceed 10 feet, and the vertical height of any fill shall not exceed 10 feet. For graded roads the vertical height of any cut and/or fill shall not exceed 10 feet wherever feasible.
 - b. Landscape screening will obscure grading scars from view of any public road.

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- c. No grading will occur on slopes exceeding 45 percent except for fuelbreaks and community-wide emergency access routes.
2. All lots shall be so designed that surface drainage from the lot will be drained directly to its own street frontage, approved natural water course, or improved easement with a minimum of control devices.
3. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Ordinance and Building Codes and in providing access to buildings on such lots from an approved street.
4. No structure will obscure that natural skyline as seen from existing public roads when the distance from the road to the structure is less than 3000 feet. From the viewer's perspective on the road, the skyline shall be defined as the division between the highest landforms and the sky.
5. The building pad shall be restricted to the area needed for dwellings and necessary adjuncts to the living area required for the enjoyment of the property provided that such adjuncts are in keeping with the rural aspects of the Specific Plan.

Planned Developments

The purpose of planned developments in the Silverado-Modjeska area will be to reduce development problems in hillside areas and to preserve areas of natural scenic beauty through the encouragement of integrated planning, imaginative design and unified development control.

Variations in the minimum lot sizes associated with any land use designation for the purpose of planned developments should be encouraged for any lands in the Silverado-Modjeska area when:

1. the parcel is designated for Rural or Low Density residential uses;
2. it can be demonstrated that clustering can take place in canyon bottoms and areas under 45 percent slope without massive grading;
3. it can be demonstrated that steep terrain and ridgelines will be preserved as natural, private open space;
4. there is no overall population increase in the development parcel due to changes in lot sizes; and
5. it can be demonstrated that septic tanks are feasible.

Rural Residential

Within the Rural Residential category, the Specific Plan Land Use Map specifies maximum densities of 1 du per 30,20,10,4 and 2 acres for specified geographical sub-areas. Maximum densities identified within the Rural Residential category will be allowed only when it can be demonstrated that the proposed locations of dwelling units and their access are feasible under the

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policies and guidelines of this plan as well as existing ordinances. Given the topographical constraints, it is assumed that parcels larger than the designated maximum will be appropriate in many areas.

Floodplain

The floodplain identified on the Specific Plan Land Use Map coincides with the established hundred year floodplain. Certain portions of this area are designated for Recreation and certain portions for Rural Residential uses. That portion of the floodplain which lies in the Rural Residential category is designated for a maximum density of 1 dwelling unit per 4 acres by this Specific Plan.

Low Density Residential

One dwelling unit per acre is the highest density to be allowed for new development in areas which have relatively flat terrain and ready access to the existing road network and services.

Existing Low to Medium Density Residential Villages

Existing residential areas with densities ranging from two to four dwelling units per acre are intended to recognize the existing pattern of development in Silverado and Modjeska Canyons. Lot splits, divisions of land and subdivision will not be allowed in these areas. The amalgamation of small undeveloped lots into more suitable building sites is encouraged.

Recreation

Uses within the Recreation category are limited to those which emphasize outdoor activities, such as recreation vehicle parks, camping, picnicking, hiking, equestrian centers and stables, wildlife sanctuaries, wilderness parks and commercial structures directly associated with on-site recreation activities. Mobile-home parks, off-highway vehicles and motorcycle parks are prohibited. Recreational development in this category is intended to utilize and protect the existing natural environment. The intensity of recreation use, based on the number and type of structures and maximum users per day, will be regulated in accordance with site conditions, accessibility, fire hazard and compatibility with adjacent land uses.

Conservation

Historical and paleontological sites and watersheds which have been singled out for special treatment in the Conservation Element of this plan have been placed in a conservation category.

Neighborhood Commercial

Commercial facilities in Silverado and Modjeska are limited to existing sites and shall not be allowed in any residential category in this plan. Expansion of these sites or the location of new sites in other canyon areas may be considered in amending this plan under the following guidelines:

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1. The facility must be intended primarily to serve the adjacent residential neighborhood.
2. The circulation and access needs can be met adequately.
3. The need for the facility can be adequately demonstrated.
4. Neighborhood commercial use will not cause undue impacts on neighboring properties.
5. No more than one neighborhood commercial area consisting of contiguously zoned parcels will be approved for each canyon area.

Planned Community Opportunities

Three areas are identified for possible "Planned Communities" at higher densities than those on the Specific Plan Land Use Map:

Holtz Ranch - Medium Density (3.5-5.0 du/ac)
Irvine Mesa - Medium Density (3.5-5.0 du/ac)
World Vision Property - Medium-Low Density (2.0-3.5 du/ac)

These higher density ranges apply to the designated development areas within each identified parcel and will take affect only if all of the following conditions are met:

1. Each identified parcel must be planned and zoned as a whole unit; "Planned Community" zoning must be applied to the entire parcel.
2. The development area for each parcel is limited to the major contiguous area under 30 percent slope; the remaining lands must remain in permanent, private open space.
3. Development proposals must include specific implementation techniques of all applicable policies and guidelines in this Specific Plan.
4. The following requirements must be met before the area is removed from Reserve Area status in the General Plan. These requirements are in addition to other information which is required to document compliance with the criteria for Reserve Area removal.
 - a. A waste water disposal plan which has been approved by regulating county agencies and the Santiago County Water district.
 - b. Correspondence from the Santiago County Water District confirming the availability of adequate water supplies for residential and fire protection purposes.
 - c. Evidence that the traffic generation of the proposed project will not cause the design capacity of Silverado Canyon Road to be exceeded when the canyon is fully developed.
5. Site plan review is required with reference to the guidelines in the Scenic Highway Element of this plan.

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6. Because it is under several different ownerships, Condition No. 1 may not be possible for Irvine Mesa. A Planned Community for a portion of the Mesa may be considered if it can be demonstrated that proposed densities are compatible with surrounding areas.

Williams Canyon

Ultimately, Williams Canyon is to be devoted to the residential uses identified on the Land Use Map. However, the extraction of sand and gravel resources has immediate priority, and residential development will not be allowed to preclude the viability of sand and gravel extraction. This priority is dependent upon the existence of the (5.1) Natural Resource designation for the Grady property in the LUE of the General Plan and may be subject to change. (See Board of Supervisors Minute Order of August 31, 1977.)

Until gravel extraction in Williams Canyon is de-prioritized, the owners of the property facing Santiago Canyon Road adjacent to Williams Canyon Road (World Vision) will have to demonstrate mitigation measures against truck and passenger traffic in their "R" removal application and subsequent development plans. Also, other development plans in Williams Canyon must address potential truck traffic and vehicle traffic in their environmental documentation.

CONSERVATION

Silverado Canyon Paleontological Sites

As either public or private land, the following guidelines will be applied to the two identified Conservation areas in Silverado Canyon:

1. The sites should be considered for public acquisition either before or as a part of any development proposal, the application for construction or division of land on the property,
2. No grading or other development excavation should be made on the sites,
3. Pedestrian access along and through the Silverado Creek streambed and from the narrows northward to the southern Silverado site should not be restricted.
4. Future measures taken to preserve the sites should also provide the means for supervised and controlled examination and collection to avoid indiscriminate and wasteful use of the resource,
5. The sites should be protected and retained in a natural state or stabilized in their present state until such time as more specific recommendations as to their management and disposition can be made to the Board of Supervisors by the Cultural/Scientific Resources Advisory Committee.

Black Star Canyon Archaeological Site

As either public or private land, the following guidelines will be applied to the Indian Village site in Black Star Canyon:

1. No grading or other development excavation should be made on the site.
2. The ultimate use of the site should be for an educational interpretive center which will permit the retention of the site in as natural a setting as possible to represent prehistoric living conditions.
3. The site should be open to the interested public wishing to visit and experience this landmark site.
4. Prior to any proposed use of the site, a thorough scientific investigation should be made to identify all outstanding features and make recommendations as to the most appropriate design and management of an interpretive center facility.
5. The site should be protected and retained in a natural state or stabilized in its present state until such time as more specific recommendations as to its management and final disposition can be made to the Board of Supervisors by the Cultural/Scientific Resources Advisory Committee.

Tree Preservation

Trees exceeding five inches in diameter will be preserved or replaced in conjunction with any grading or construction activity. In situations where development necessitates tree removal, the county may require tree planting (appropriate species of any size) and maintenance (watering as necessary) on the subject property or public right of way on a one-for-one basis.

Stream Preservation

The natural character of all watercourses and areas subject to flooding including riparian vegetation, will be preserved. If development takes place within these areas the location of structures must minimize the need for channelization (i.e., walls, berms, fill, etc.).

SAFETY

Flooding Areas

Within the residential areas of Silverado and Modjeska Canyons, tentative tracts and tentative parcel maps which propose structures in areas subject to known flooding will be denied.

Ridgeline Setbacks

For development on mesas, ridgelines and hilltops, appropriate setbacks from steep slopes are a preferred mitigation measure for fire hazard.

Geologic Hazards

Hazards attributable to landsliding and expansive soil can be reduced by a combination of measures involving geologic investigations, engineering practices and effective enforcement of grading ordinances. However, the cost of these measures can be high in both dollar value and the deleterious effect upon the landscape and environment. Land divisions and developments should be designed to minimize these particular costs. The following guidelines will become operable for zone changes, tentative parcel maps, tentative tract maps, public works construction or building permit.

1. Any public or private development proposal made within the planning area should be accompanied with sufficient information which can identify existing hazards, including faults, landslides and fire.
2. The information should be presented in detail adequate to enable the reviewing agency to make determination of the level of risk for the type of development proposed.
3. The information should encompass the geographic area of the proposal and, if necessary, the surrounding area if such area has relative impact with regards to hazards.
4. The information should include a map(s) showing precise location of all hazards with regard to the proposal.
5. The information should contain a description of the methods used in preparation of the map data.
6. The information should contain the methodology and all evidence for any conclusions presented.
7. For areas which have been identified as having hazard potential in Guideline No. 3, the developer/subdivider should demonstrate the feasibility of mitigation measures to the satisfaction of County agencies.

Fire Protection

The area covered by this specific plan is located in the High and Extreme Fire Hazard Severity Classification according to the Safety Element of the General Plan. Proposed development will be required to achieve an acceptable level of risk for exposure to flammable vegetation. Specific concerns include:

1. Street standards (width, grades, length of deadends, number of dwelling units served, and roadside clearance).
2. Access to watershed areas.
3. Water supply (quantity, reliability and fire hydrant distribution).
4. Fuel modification.
5. Fire retardant roofs.

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Project initiators should obtain a copy of the "Fire Protection Planning Task Force Report" from E.M.A. Regulation. This report delineates performance criteria for determining an acceptable level of risk for fire protection.

OPEN SPACE

Cleveland National Forest

Most of the Silverado-Modjeska area is in federal ownership as part of the Cleveland National Forest and will remain as permanent, undeveloped open space because of its steep topography.

Regional Parks

Acquisition of lands for regional parks designated by the Master Plan of Regional Parks will provide managed open space. Park development will utilize and emphasize the existing natural environment and enable public use to be controlled in order to preserve and protect natural amenities. The large, undeveloped floodplain in Santiago Canyon is designated for those recreational uses which will preserve the essential character of the existing landscape without any major flood control devices.

CIRCULATION

Rural Road Character

Curbs, gutters, sidewalks and street lights shall not be allowed unless necessary for safety purposes.

Rural Street Standards

Wherever possible, the developments in the study area should meet the adopted criteria for the application of rural streets, and the streets therein should be constructed in accordance with the appropriate rural street standards.

Modifications of Standards

Consideration should be given to modification of streets standards when opportunities to preserve trees and the natural terrain in canyon bottoms are present. However, standards which ensure emergency vehicle access and are necessary to implement fuel breaks (especially in steep hillside areas) will not be modified.

SCENIC HIGHWAY

Commercial Restrictions

Neighborhood Commercial sites will not be allowed within the scenic highway corridor.

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Site Plan Review

Site Plan Review will be required for all residential subdivisions within the defined scenic highway corridor, Holtz Ranch and Irvine Mesa with respect to the provisions of this specific plan and to the following guidelines:

1. Development should be set back from the roadway in a manner which allows the setback area to be used for screening development from the roadway without obscuring the skyline of distant hills and ridgelines. Screening techniques should include earth berms, tree planting and other natural landscaping.
2. There are to be no paved sidewalks along public roads.
3. Colors, materials and finishes contrasting with the existing environment must be minimized.
4. All signs should be subject to the conditions of the SR zoning ordinance.
5. Parking lot roadway, walkway and security lighting fixtures are not to project above the roof line of any building and are to be shielded in a manner which minimizes their reflection onto adjacent property and public roads.
6. Removal of trees from the Modjeska Olive Grove should be minimized.

NOISE

Development along Santiago Canyon road should be designed to account for projected noise levels from the ultimate right-of-way in order to minimize the necessity for future sound attenuation measures.

HOUSING

Characteristics such as steep topography, geologic problems, lack of sewers, public transportation and local employment inhibit the opportunities for low-moderate income housing. Silverado-Modjeska contains no significant pockets of poor or minority residents.

SPECIFIC PLAN AMENDMENTS

Specific Plan Amendments, including changes in density categories, may be proposed by property owner(s) subject to procedures established by Government Code Section 65507. The amendment request shall include supporting materials which define the following:

1. Conditions relating to the subject property which are different from those existing at the time of Specific Plan adoption.
2. Uniqueness of the subject property that was not evident at the scale of study for the Specific Plan.

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3. Relationship and impact of the proposed amendment on the entire canyon system in which the subject property is located with particular emphasis on public facilities and possible cumulative impacts if other similar properties were so amended.

AMENDMENTS TO PLAN

The following amendments to the Silverado-Modjeska Specific Plan were approved by the Board of Supervisors since the formulation of the Silverado-Modjeska Specific Plan.

1st Amendment - September 21, 1981

By Resolution No. 81-1321, Amendment No. 1 was passed on September 21, 1981. A 33.6-acre parcel located in Silverado Canyon, approximately three miles east of Santiago Canyon Road, was redesignated from Rural Residential 1 dwelling unit per 30 acres (1 DU/30 AC) to, Rural Residential, 1 DU/10 AC and 1 DU/20 AC. The applicant was Henry Brown.

2nd Amendment - August 11, 1982

By Resolution No. 82-1223, Amendment No. 2 was passed on August 11, 1982. The affected area is a 156-acre parcel located within a portion of Baker and Hall Canyons, situated between Black Star and Ladd Canyons. The intersection of Silverado Canyon Road and Santiago Canyon Road is 2.5 miles to the Southwest. The change reclassified 110 acres designated Rural Residential, 1 DU/20 AC and 46 acres designated Recreational to:

31 acres designated Rural Residential, 1 DU/10 AC,
51 acres designated Rural Residential, 1 DU/4 AC,
45 acres of conservation, and
29 acres of Recreation.

The applicant was Marvin Crocker for the Baker Creek Ranch.

3rd Amendment - February 1, 1984

By Resolution No. 84-149, Amendment No. 3, was passed on February 1, 1984. The 12-acre parcel is located in Silverado Canyon, approximately one mile east of Santiago Canyon Road. The amendment redesignated a 2-acre area from Rural Residential, 1 DU/10 AC to Low Density Residential, 1 DU/1 AC. The other land use designations on the site remained unchanged. The applicant was Hannis/Collar.

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4th Amendment - August 21, 1985

By Resolution No. 85-1229, Amendment No. 4 was passed on August 21, 1985. A 20.62-acre parcel located in Silverado Canyon, approximately five miles from the intersection of Silverado Canyon Road and Santiago Canyon Road, was redesignated from Rural Residential-30-acre minimum lot size (RR 30) to Rural Residential 4-acre minimum lot size (RR 4) and Rural Residential 10-acre minimum lot size (RR 10). The applicant was YMCA of Orange County.

5th Amendment - October 23, 1985

By Resolution No. 85-1535, Amendment No. 5 was passed on October 23, 1985. A 9.87 acre parcel located in Silverado Canyon, approximately four miles easterly of Santiago Canyon Road, was redesignated from Rural Residential - 10 acre minimum lot size (RR 10) to RR 10 and Rural Residential - 4 acre minimum lot size (RR 4). The applicant was Larry Ward.

The Land Use Map dated October 23, 1985, reflects these changes.