



Donald P. Wagner  
Mayor/Chairman

Lynn Schott  
Mayor Pro Tem/Vice Chairwoman

Melissa Fox  
Councilmember/Boardmember

Jeffrey Lalloway  
Councilmember/Boardmember

Christina Shea  
Councilmember/Boardmember

# AGENDA

## CITY COUNCIL REGULAR MEETING AND REGULAR JOINT MEETING WITH THE CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY

January 10, 2017

4:00 PM

City Council Chamber  
One Civic Center Plaza  
Irvine, CA 92606

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**Speaker's Card/Request to Speak:** If you would like to address the City Council / Successor Agency on a scheduled agenda item – including a Consent Calendar item, Business item, a Public Hearing item, or Public Comments – please complete the [Request to Speak Form](#). The card is at the table at the entrance to the City Council Chamber. Please identify on the card your name and the item on which you would like to speak and return to the City Clerk / Agency Secretary. The [Request to Speak Form](#) assists the Mayor / Chair in ensuring that all persons wishing to address the City Council / Successor Agency are recognized. It also ensures the accurate identification of meeting participants in the City Council / Successor Agency minutes. Your name will be called at the time the matter is heard by the City Council / Successor Agency. City policy is to limit public testimony to up to three minutes per speaker depending on relevant circumstances (unless the time limit is extended by the Mayor / Chair), which includes the presentation of electronic or audio visual information. Speakers may not yield their time to other persons.

**Please take notice that** the order of scheduled agenda items below and/or the time they are actually heard, considered and decided may be modified by the Mayor / Chair or the City Council / Successor Agency Board during the course of the meeting, so please stay alert.

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### CALL TO ORDER

### ROLL CALL

Scan this QR code for an electronic copy of the  
City Council and Successor Agency Agenda  
and staff reports.



**1. CLOSED SESSION**

- 1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9, subdivision (d)(1): one case - USS Cal Builders v. City of Irvine, Orange County Superior Court Case No. 30-2015-00824147-CU-BC-CJC**
- 1.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Pursuant to Government Code Section 54956.9, subdivision (d)(1)**

**RECONVENE TO THE CITY COUNCIL MEETING**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**2. PRESENTATIONS**

- 2.1 Proclaim January 13, 2017 as "Korean American Day"**
- 2.2 Proclaim January 16, 2017 as "Dr. Martin Luther King, Jr. Day"**

**CITY MANAGER'S REPORT**

**ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

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Announcements, Committee Reports and Council/Agency Comments are for the purpose of presenting brief comments or reports, are subject to California Government Code Section 54954.2 of the Brown Act and are limited to 15 minutes per meeting.

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**ADDITIONS AND DELETIONS**

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Additions to the agenda are limited by California Government Code Section 54954.2 of the Brown Act and for those items that arise after the posting of the Agenda and must be acted upon prior to the next City Council meeting.

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**CONVENE TO THE REGULAR JOINT MEETING**

**3. CONSENT CALENDAR - CITY COUNCIL**

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All matters listed under Consent Calendar are considered by the City Manager to be routine and enacted by one roll call vote. There will be no discussion of these items unless members of the City Council request specific items to be removed from the Consent Calendar for separate discussion. Any member of the public may address the Council on items on the Consent Calendar. See information for Speaker's Card/Request to Speak on first page.

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### **3.1 MINUTES**

#### **ACTION:**

1. Approve the minutes of a special meeting of the Irvine City Council held on November 29, 2016.
2. Approve the minutes of a regular meeting of the Irvine City Council held on December 13, 2016.

### **3.2 WARRANT AND WIRE TRANSFER RESOLUTION**

#### **ACTION:**

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

### **3.3 NOTICE OF REVIEW FOR TRACT MAPS IN GREAT PARK NEIGHBORHOODS (HERITAGE HILLS) AND IRVINE BUSINESS COMPLEX**

#### **ACTION:**

Receive and file.

## **4. CONSENT CALENDAR - SUCCESSOR AGENCY**

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All matters listed under Consent Calendar are considered by the Executive Director to be routine and enacted by one roll call vote. There will be no discussion of these items unless members of the Agency request specific items to be removed from the Consent Calendar for separate discussion. Any member of the public may address the Agency on items on the Consent Calendar. See information for Speaker's Card/Request to Speak on first page.

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### **4.1 MINUTES**

#### **ACTION:**

Approve the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on October 25, 2016.

### **4.2 WARRANT AND WIRE TRANSFER RESOLUTION – CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY**

#### **ACTION:**

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

## **PUBLIC COMMENT - SUCCESSOR AGENCY (LIMITED TO 3 MINUTES PER SPEAKER)**

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Any member of the public may address the Successor Agency on items within the Successor Agency's subject matter jurisdiction but which are not listed on this agenda during Public Comments; however, no action may be taken on matters that are not part of the posted agenda. See information for Speaker's Card/Request to Speak on the first page.

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## **ADJOURNMENT - REGULAR JOINT MEETING**

## **RECONVENE TO THE CITY COUNCIL MEETING**

### **5. PUBLIC HEARINGS**

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Public Hearings are scheduled for a time certain of 4:00 p.m., unless noticed otherwise, or as soon thereafter as possible. Those wishing to address the City Council during the Public Hearing are requested to complete a form and provide it to the City Clerk prior to the hearing.  
Notice: Public Hearings listed for continuance will be continued as noted and posting of this agenda serves as notice of continuance. Any matter not noted for continuance will be posted separately.

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#### **5.1 APPEAL OF SUBDIVISION COMMITTEE'S RECOMMENDATION TO APPROVE VESTING TENTATIVE TRACT MAPS IN NEIGHBORHOOD 3 OF PLANNING AREA 1 (ORCHARD HILLS)**

##### **ACTION:**

1. Receive staff report.
2. Open public hearing; receive public input.
3. Close public hearing.
4. City Council comments and questions.
5. Deny the appeal, without prejudice, and remand the applications to the Planning Commission, subject to further review and for action:

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DENYING AN APPEAL OF THE SUBDIVISION COMMITTEE'S RECOMMENDATION TO THE PLANNING COMMISSION TO APPROVE VESTING TENTATIVE TRACT MAPS 18009 THROUGH 18014, 18016 AND 18019 FOR NEIGHBORHOOD 3 OF PLANNING AREA 1 (ORCHARD HILLS), WITHOUT PREJUDICE, AND REMANDING TO THE PLANNING COMMISSION VESTING TENTATIVE TRACT MAPS 18009 THROUGH 18014, 18016, AND 18019, FOR PLANNING COMMISSION REVIEW AND ACTION

## **6. COUNCIL BUSINESS**

### **6.1 APPROVAL OF APPOINTMENTS OF CITY COUNCIL REPRESENTATIVES TO CITY ADVISORY COMMITTEES AND GOVERNMENTAL AGENCIES**

#### **ACTION:**

1. Appoint City Council delegates and alternates to outside governmental agencies on which the City has representation for the 2017 calendar year.
2. Appoint City Council representatives and approve staff appointments to various City of Irvine advisory Commissions, Committees and Task Forces for the 2017 calendar year.
3. Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS
4. Adopt Fair Political Practices Commission Public Official Appointment Form 806 and direct the City Clerk to post an amended form to the City website to report any change in appointments to the governmental agencies providing stipends as determined by the City Council.

### **6.2 CONSIDERATION OF MAYOR WAGNER'S REQUEST FOR DISCUSSION OF ENHANCED TRAFFIC MANAGEMENT MATTERS**

#### **ACTION:**

City Council discussion and direction.

**PUBLIC COMMENT-CITY COUNCIL - Public comments will be heard at approximately 6:30 p.m. or prior to adjournment, whichever occurs earlier.**

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Any member of the public may address the City Council on items within the City Council's subject matter jurisdiction but which are not listed on this agenda during Public Comments; however, no action may be taken on matters that are not part of the posted agenda. See information for Speaker's Card/Request to Speak on the first page.

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## **ADJOURNMENT-CITY COUNCIL**

### **NOTICE TO THE PUBLIC**

#### **LIVE BROADCASTING AND REBROADCASTING**

Regular City Council and Successor Agency meetings are broadcast live every 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month at 4 p.m. and are replayed on Tuesdays at 4 p.m. (in weeks in which there is not a live City Council and/or Successor Agency meeting), Sundays at 11 a.m., Wednesdays at 7 p.m., and Thursdays at 10 a.m. until the next City Council / Successor Agency meeting. All broadcasts can be viewed on Cox Communications Local Access Channel 30 and U-Verse Channel 99. City Council meetings are also

available via live webcast and at any time for replaying through the City's ICTV webpage at [cityofirvine.org/ictv](http://cityofirvine.org/ictv). For more information, please contact the City Clerk's office at (949) 724-6205.

### **ADJOURNMENT**

At 11:00 p.m., the City Council / Successor Agency will determine which of the remaining agenda items can be considered and acted upon prior to 12:00 midnight and will continue all other items on which additional time is required until a future City Council / Successor Agency meeting. All meetings are scheduled to terminate at 12:00 midnight.

### **STAFF REPORTS**

As a general rule, staff reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda. Copies of these materials are on file with the City Clerk and are available for public inspection and copying once the agenda is publicly posted, (at least 72 hours prior to a regular City Council / Successor Agency meeting). Staff reports can also be downloaded from the City's website at [cityofirvine.org](http://cityofirvine.org) beginning the Friday prior to the scheduled City Council / Successor Agency meeting on Tuesday.

In addition, meetings can be viewed live at the time posted on the agenda and related staff reports can be opened and viewed simultaneously along with the streaming of the meeting. To view the meeting, go to [cityofirvine.org/ictv](http://cityofirvine.org/ictv).

If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact City Clerk staff at (949)724-6205.

### **SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA**

Any supplemental writings or documents distributed to a majority of the City Council / Successor Agency regarding any item on this agenda after the posting of the agenda will be available for public review in the City Clerk's Office, One Civic Center Plaza, Irvine, California, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact City Clerk staff at (949)724-6205.

### **SUBMITTAL OF INFORMATION BY MEMBERS OF THE PUBLIC FOR DISSEMINATION OR PRESENTATION AT PUBLIC MEETINGS**

#### **Media Types and Guidelines**

#### **1. Written Materials/Handouts:**

Any member of the public who desires to submit documentation in hard copy form may do so prior to the meeting or at the time he/she addresses the City Council / Successor Agency. Please provide 15 copies of the information to be submitted and file with the City Clerk at the time of arrival to the meeting. This information will be disseminated to the City Council / Successor Agency Board at the time testimony is given.

#### **2. Large Displays/Maps/Renderings:**

Any member of the public who desires to display freestanding large displays or renderings in conjunction with their public testimony is asked to notify the City Clerk's Office at (949)724-6205 no later than 12:00 noon on the day of the scheduled meeting so that an easel can be made available, if necessary.

#### **3. Electronic Documents/Audio-Visuals:**

Any member of the public who desires to display information electronically in conjunction with their public testimony is asked to submit the information to the Public Information Office (PIO) no later than

12:00 noon on the day of the scheduled meeting. To facilitate your request contact the PIO Office at (949)724-6253 or the City Clerk's Office at (949)724-6205.

Information must be provided on CD, DVD, or VHS; or, emailed by 12:00 noon on the day of the scheduled meeting to [pio@ci.irvine.ca.us](mailto:pio@ci.irvine.ca.us). Members of the public will be asked to provide their name, identify the meeting and the agenda item to be addressed, and a day time phone number.

The PIO office will notify the person submitting the information as soon as possible prior to the meeting if the information cannot be accessed or if the version provided is incompatible with the City's system. Every effort will be made by City staff to facilitate the presentation.

### **CITY SERVICES TO FACILITATE ACCESS TO PUBLIC MEETINGS**

It is the intention of the City of Irvine to comply with the Americans With Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Irvine will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (949)724-6205.

Assisted listening devices are available at the meeting for individuals with hearing impairments. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35. 104 ADA Title II)

### **CHALLENGING CITY DECISIONS**

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90<sup>th</sup> day following the date on which such decision becomes final. Any lawsuit or legal challenge that is not filed within this 90-day period will be barred.

If a person wishes to challenge the nature of the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Irvine, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

### **COMMUNICATION AND ELECTRONIC DEVICES**

To minimize distractions, please be sure all personal communication and electronic devices are turned off or on silent mode.

### **MEETING SCHEDULE**

Regular meetings of the City Council / Successor Agency are held on the second and fourth Tuesdays of each month at 4:00 p.m. Study Sessions and/or Closed Sessions are periodically held prior to the start of the regular meeting. Agendas are available at the following locations:

- City Clerk's Office
- Police Department
- City's web page at [www.ci.irvine.ca.us](http://www.ci.irvine.ca.us)

I hereby certify that the agenda for the City Council / Successor Agency meeting was posted in accordance with law in the posting book located in the Public Safety Lobby of City Hall, One Civic Center Plaza, Irvine, California on January 5, 2017 by 8:00 p.m. as well as on the City's web page.



Molly McLaughlin, CMC  
City Clerk / Successor Agency Secretary

**CLOSED SESSION**

**1.1-1.2**

# PRESENTATIONS


2.1-2.2



## REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:** JANUARY 10, 2017

**TITLE:** PRESENTATIONS

  
City Clerk

**RECOMMENDED ACTION:**

1. Proclaim January 13, 2017 as "Korean American Day"
2. Proclaim January 16, 2017 as "Dr. Martin Luther King, Jr. Day"

CITY OF IRVINE

# Proclamation

## KOREAN AMERICAN DAY JANUARY 13, 2017

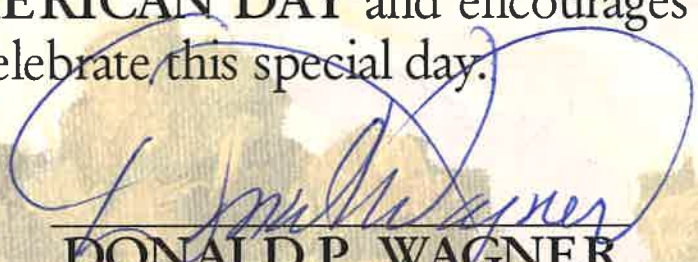
WHEREAS, on January 13, 1903, 102 pioneer Korean immigrants arrived in the United States, initiating the first chapter of Korean immigration to America; and

WHEREAS, Korean Americans, like other groups of immigrants that came to the United States before them, have settled and thrived in the United States through strong family ties, community support, and hard work; and

WHEREAS, the Centennial Committees of Korean Immigration and Korean Americans have designated January 13<sup>th</sup> of each year as "Korean American Day" to commemorate the first step of the long and prosperous journey of Korean Americans in the United States; and

WHEREAS, the City Council of the City of Irvine took official action on January 8, 2008 to approve the recognition of the Federal declaration of Korean American Day on January 13<sup>th</sup> of each year.

NOW, THEREFORE, the City Council of the City of Irvine **DOES HEREBY PROCLAIM** January 13, 2017 as **KOREAN AMERICAN DAY** and encourages all residents to recognize and celebrate this special day.

  
DONALD P. WAGNER  
MAYOR OF THE CITY OF IRVINE  
JANUARY 10, 2017



 CITY OF IRVINE 

# *Proclamation*

## DR. MARTIN LUTHER KING, JR. DAY JANUARY 16, 2017

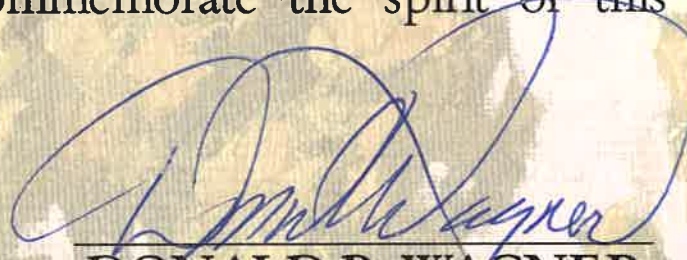
WHEREAS, January 16, 2017 commemorates the 31<sup>st</sup> anniversary of the observance of Dr. Martin Luther King, Jr. Day, a Federal Holiday which was signed into legislation in 1983 and first observed in 1986; and

WHEREAS, on August 23, 1994 Congress passed the King Holiday and Service Act of 1994 which for the first time combined a national holiday with a national day of service; and

WHEREAS, Dr. King's faith, courage and leadership helped the nation move closer to the ideals of what America was founded upon and continues to inspire Americans; and

WHEREAS, Dr. King's legacy is recognized on this day and Americans are encouraged to volunteer in civic and community programs to honor the pioneering civil rights worker.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY PROCLAIM January 16, 2017 as DR. MARTIN LUTHER KING, JR. DAY and encourages all residents to participate in civic, community and service projects to commemorate the spirit of this national day of service.



DONALD P. WAGNER  
MAYOR OF THE CITY OF IRVINE  
JANUARY 10, 2017



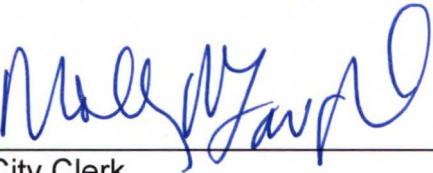
3.1



## REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: JANUARY 10, 2017

TITLE: MINUTES



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City Clerk

RECOMMENDED ACTION:

- 1) Approve the minutes of a special meeting of the Irvine City Council held on November 29, 2016.
- 2) Approve the minutes of a regular meeting of the Irvine City Council held on December 13, 2016.



## **MINUTES**

### **CITY COUNCIL SPECIAL MEETING**

**November 29, 2016**

**4:00 PM**

**City Council Chamber**

**One Civic Center Plaza**

**Irvine, CA 92606**

#### **CALL TO ORDER**

The special meeting of the Irvine City Council was called to order at 4:01 p.m. on November 29, 2016 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Choi presiding.

#### **ROLL CALL**

Present:	5	Councilmember:	Beth Krom
		Councilmember:	Jeffrey Lalloway
		Councilmember	Lynn Schott*
		Councilmember:	Christina Shea
		Mayor:	Steven Choi

\*Councilmember Schott arrived at 4:06 p.m.

#### **PLEDGE OF ALLEGIANCE**

Mayor Choi led the Pledge of Allegiance.

## 1. COUNCIL BUSINESS

### 1.1 ***CONFIRM RESIGNATION FROM APPOINTED POSITION OF MAYOR PRO TEMPORE BY CITY COUNCIL MEMBER LYNN SCHOTT; RESCIND PRIOR APPOINTMENT OF CITY COUNCIL MEMBER LYNN SCHOTT AS MAYOR PRO TEMPORE; DESIGNATE COUNCIL MEMBER(S) TO ACT ON CITY'S BEHALF DURING THE PERIOD OF MAYORAL VACANCY BETWEEN DECEMBER 4, 2016 AND DECEMBER 13, 2016***

Sean Joyce, City Manager, noted that Irvine Municipal Code (Code) Section 1-2-123 called for the Mayor Pro Tempore to succeed in the event of an unscheduled vacancy for the office of Mayor; and to avoid any concern should this provision apply in that instance through actions not of her own doing as the Code might suggest, Councilmember Schott resigned her position as Mayor Pro Tempore. He further noted the action required by the City Council to designate Councilmember(s) to act on the City's behalf as required by the City's Municipal Code and based on Mayor Choi's upcoming resignation.

Alan Meyerson, Irvine resident, questioned the need for a special meeting and concerns raised by another Councilmember regarding the Mayor Pro Tempore's role when a mayoral vacancy existed. He further spoke in support of Councilmember Schott as Mayor Pro Tempore while continuing to fulfill her remaining two years as a Councilmember.

City Council discussion included: Mayor Choi's transition to California State Assemblyman and resulting mayoral vacancy; clarified the Mayor Pro Tempore's role when a mayoral vacancy occurs; whether the confirmation of Councilmember Schott's resignation by the City Council was required and consequences, if any, of not doing so; whether rescinding Councilmember Schott's prior appointment as Mayor Pro Tempore would undo all time previously served; questioned the length of time between the resignation date and date submitted to the City Council; suggested potential options during the mayoral vacancy period; noted a request made by a Councilmember for a comprehensive legal understanding of the Municipal Code with respect to a mayoral vacancy, and whether the Mayor Pro Tempore would forfeit their remaining term as Councilmember if required to assume the mayoral position; and suggested bifurcating the motions to segregate the designation of Councilmember(s) to act on the City's behalf during the mayoral vacancy.

Jeff Melching, City Attorney, noted that confirmation or acceptance of Councilmember Schott's resignation as Mayor Pro Tempore by the City Council was not necessary for the resignation to be effective; reiterated that Councilmember Schott had the ability to resign under the California Government Code; however, he suggested that doing so would provide for a clean record. City Attorney Melching also clarified that rescission of Councilmember Schott's

appointment as Mayor Pro Tempore would become effective upon City Council action and would not be retroactive.

**ACTION: Moved by Councilmember Shea, seconded by Mayor Choi, and unanimously carried to:**

- 1) Confirm and accept the resignation of City Councilmember Lynn Schott as Mayor Pro Tempore.
- 2) Rescind the appointment of City Councilmember Lynn Schott as Mayor Pro Tempore.

Additional City Council discussion included: noting that a similar mayoral vacancy had not occurred in the past, and the assumption that the Mayor Pro Tempore would assume the mayoral role during the vacancy period without forfeiting their remaining term; suggested tightening up the language in the Municipal Code to avoid any potential challenges in the future; noted that the role of the Mayor Pro Tempore was a ceremonial role appointed by the City Council; referenced recent postings on social media by another Councilmember regarding legal interpretation of the City's Municipal Code; reiterated the City Attorney's interpretation that the Mayor Pro Tempore was not required to become Mayor; noted that the letter of resignation should have been distributed to the City Council upon submittal; whether the City Attorney's legal opinion of the Municipal Code could be made public; and noted that any required forfeiture of Councilmember Schott's term based on the upcoming mayoral vacancy would be contrary to the will of the voters.

Councilmember Schott noted the submittal of her resignation letter to City Hall dated November 22, 2016; and further noted that her resignation as Mayor Pro Tempore was in the interest of protecting public trust in the event that being compelled to assume the Mayoral seat could result in a forfeiture of her remaining term.

City Attorney Melching reiterated that although the City could appoint a Mayor Pro Tempore, the Mayor Pro Tempore would not become Mayor, but rather, only fulfill the functions of the Mayor during the vacancy, and that the City Council would have to declare a vacancy before a new Mayor could be appointed. He also noted that the "Temporary Mayor" position as reflected in the Code could only exist if there was no Mayor or Mayor Pro Tempore; and making his legal opinion public would require agendaizing the item at a future meeting.

**ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Schott, to:**

Designate Councilmember Lynn Schott to fulfill the responsibilities of Mayor from December 5, 2016 until the election is certified on December 13.

**ACTION: A substitute motion was made by Councilmember Shea, seconded by Mayor Choi, to:**

Designate Councilmember Beth Krom to fulfill the responsibilities of Mayor from December 5, 2016 until the election is certified on December 13.

**The motion carried as follows\*:**

AYES: 4 COUNCILMEMBERS: Lalloway, Schott, Shea and Choi

NOES: 1 COUNCILMEMBERS: Krom

ABSENT: 0 COUNCILMEMBERS: None

\* The substitute motion carried and takes precedence over the main motion; therefore, a vote was not taken on the main motion.

**PUBLIC COMMENTS**

Alan Meyerson, Irvine resident, expressed his appreciation to Councilmember Krom for her years of service to the community.

**ADJOURNMENT**

**Moved by Councilmember Lalloway, seconded by Councilmember Schott, and unanimously carried to adjourn the special City Council meeting at 5:05 p.m.**

\_\_\_\_\_  
MAYOR OF THE CITY OF IRVINE

\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

\_\_\_\_\_  
December 13, 2016



# **MINUTES**

## **CITY COUNCIL REGULAR MEETING**

**December 13, 2016  
4:00 PM  
City Council Chamber  
One Civic Center Plaza  
Irvine, CA 92606**

### **CALL TO ORDER**

The regular meeting of the Irvine City Council was called to order at 4:05 p.m. on December 13, 2016 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Councilmember Krom presiding.

### **ROLL CALL**

Present:	4	Councilmember:	Beth Krom
		Councilmember:	Jeffrey Lalloway
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Lynn Schott

Councilmember Krom noted that she was acting as presiding officer due to the recent resignation of Mayor Choi.

### **1. COUNCIL BUSINESS**

#### **1.1 CERTIFY RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016**

Molly McLaughlin, City Clerk, presented the staff report and was available for questions.

City Council discussion included: congratulating Mayor-elect Wagner and Councilmembers-elect Fox and Shea; and expressed appreciation to City Clerk staff for their support during the election cycle.

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Schott, and unanimously carried to:**

- 1) Receive and file the Certificate of Results for the General Municipal Election held on November 8, 2016 for City Councilmember and Mayoral candidates.
- 2) Adopt RESOLUTION NO. 16-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

## **ADDITIONS AND DELETIONS**

There were no Additions or Deletions to the agenda.

## **2. CONSENT CALENDAR**

**ACTION: Moved by Councilmember Shea, seconded by Councilmember Lalloway, and unanimously carried to approve Consent Calendar Item Nos. 2.1 through 2.12. Councilmember Krom abstained on Item No. 2.3.**

### **2.1 MINUTES**

**ACTION:**

Approved the minutes of a regular meeting of the Irvine City Council held on November 22, 2016.

### **2.2 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 16-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

### **2.3 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T**

**ACTION:**

Adopt RESOLUTION NO. 16-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS OF AT&T AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Councilmember Krom abstained.

**2.4 TREASURER'S REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2016**

**ACTION:**

Received and filed the Treasurer's Report for the quarter ended September 30, 2016.

**2.5 CITY OF IRVINE INVESTMENT POLICY FOR CALENDAR YEAR 2017**

**ACTION:**

Adopted RESOLUTION NO. 16-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ADOPTING THE CITY'S ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2017

**2.6 RESOLUTION CONTINUING SUPPLEMENTAL MILITARY LEAVE BENEFITS FOR CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY**

**ACTION:**

Adopted RESOLUTION NO. 16-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CONTINUING TEMPORARY SUPPLEMENTAL MILITARY BENEFITS, EFFECTIVE JANUARY 1, 2017, FOR FULL-TIME CITY EMPLOYEES CALLED INTO ACTIVE MILITARY DUTY

**2.7 ADOPTION OF AMENDMENTS TO CITY OF IRVINE CONFLICT OF INTEREST CODE AND ADOPT THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY'S 2016 BIENNIAL NOTICE**

**ACTION:**

- 1) Adopted RESOLUTION NO. 16-97 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING THE CITY'S CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED EMPLOYEES
- 2) Adopted the City of Irvine as Successor Agency to the Dissolved Irvine Redevelopment Agency's 2016 Biennial Notice.

**2.8 QUITCLAIM OF ACCESS AND UTILITY EASEMENTS IN GREAT PARK NEIGHBORHOODS (PLANNING AREA 51)**

**ACTION:**

Authorized the Mayor to execute nine quitclaim deeds relinquishing easements on private property no longer needed for public access and utility purposes.

**2.9 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR FREEWAY TRAIL LIGHTING IMPROVEMENTS FROM SAN DIEGO CREEK TO CULVER DRIVE**

**ACTION:**

- 1) Approved the plans, specifications and contract documents for Freeway Trail Lighting Improvements, Capital Improvement Project 341302.
- 2) Approved the Engineer's Estimate, Construction Contingency and Project Funding Summary.
- 3) Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures.

**2.10 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN IRVINE BUSINESS COMPLEX**

**ACTION:**

Received and filed.

**2.11 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR HARVARD COMMUNITY PARK FACILITY IMPROVEMENTS**

**ACTION:**

- 1) Approved the plans, specifications and contract documents for the Harvard Community Park Facility Improvements, Capital Improvement Project 361702.
- 2) Approved the Engineer's Estimate, Construction Contingency and Project Funding Summary.
- 3) Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures.

**2.12 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS**

**ACTION:**

- 1) Approved Councilmember Shea's request for Community Partnership Fund Grant nomination to The Raise Foundation in the amount of \$500 in support of program costs.
- 2) Authorized the City Manager to prepare and sign the funding agreement listed in Action 1.

**CITY MANAGER'S REPORT**

There was no report.

## **ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Councilmember Krom made the following announcements:

- The 2017 Irvine Animal Care Center calendar is on sale to celebrate the adoptable pets as well as to provide proceeds for the Center, which features photos from the City's "Make Your Pet a Star" contest and commemorates the Center's 35<sup>th</sup> Anniversary. The \$15 calendar supports programs such as the Third Chance for Pets, which transfers animals from overcrowded shelters elsewhere to the Center, giving them a better chance for adoption. Calendars are available at the Center and online at [cityofirvine.org](http://cityofirvine.org).
- "Balance" is an ongoing exhibition that studies the relationship between nature and humanity. Visitors will gain an appreciation of installation art and sculptural work from a number of American artists. The exhibition is free and continues through February 19. The Great Park Gallery at the Palm Court Arts Complex is open from noon to 4 p.m. Thursdays and Fridays, and from 10 a.m. to 4 p.m. Saturdays and Sundays. Visitors can enter the Orange County Great Park off Sand Canyon Avenue at either Marine Way or Great Park Boulevard. For information, visit [ocgp.org](http://ocgp.org) or call 949-724-6880.

## **PUBLIC COMMENTS**

Courtney Santos, Irvine resident, congratulated Mayor-elect Wagner and Councilmembers-elect Fox and Shea on a successful election, and spoke in support of sanctuary cities.

## **RECESS**

Councilmember Krom recessed the City Council meeting at 4:19 p.m.

## **RECONVENE**

Mayor-elect Donald P. Wagner reconvened the City Council meeting at 5 p.m. Councilmember Krom was not present.

## **PLEDGE OF ALLEGIANCE - IRVINE POLICE COLOR GUARD**

Police Chief Hamel introduced the Irvine Police Color Guard and led the Pledge of Allegiance.

## **INVOCATION**

Mayor-elect Wagner invited Father John Janze representing St. Thomas More Catholic Parish in Irvine to provide the invocation.

## **MUSICAL PRESENTATION**

Mayor-elect Wagner introduced the Chamber Singers from Woodbridge High School, who performed the National Anthem and “Carol of the Bells.”

## **ADMINISTRATION OF OATH OF OFFICE FOR THE NEWLY ELECTED MAYOR AND CITY COUNCILMEMBERS**

Jim Silva, former California Assemblyman, administered the ceremonial Oath of Office to Mayor-elect Donald P. Wagner and Councilmember-elect Christina L. Shea and presented them with Certificates of Election.

John Chiang, California State Treasurer, administered the ceremonial Oath of Office to Councilmember-elect Melissa Fox and presented her with a Certificate of Election.

## **CITY COUNCIL COMMENTS**

Mayor Wagner and Councilmembers Fox and Shea congratulated each other on their respective elections and thanked family, friends, and the community for their support. Councilmembers Lalloway and Schott also congratulated the newly elected Mayor and Councilmembers on their successful elections.

## **CITY COUNCIL REORGANIZATION - SELECTION OF MAYOR PRO TEMPORE**

Mayor Wagner opened the floor for nominations for the selection of Mayor Pro Tempore and nominated Councilmember Lynn Schott. There were no additional nominations.

**ACTION: Moved by Mayor Wagner, seconded by Councilmember Lalloway, and unanimously carried to close nominations and selected Councilmember Lynn Schott to serve as Mayor Pro Tempore for the ensuing year.**

## **ADJOURNMENT TO RECEPTION**

**Moved by Councilmember Shea, seconded by Councilmember Lalloway, and unanimously carried to adjourn the meeting at 5:57 p.m. to a reception in the Main Lobby.**

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MAYOR OF THE CITY OF IRVINE

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January 10, 2017

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CITY CLERK OF THE CITY OF IRVINE

3.2



## REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:** JANUARY 10, 2017

**TITLE:** WARRANT AND WIRE TRANSFER RESOLUTION

Director of Financial Services

City Manager

### RECOMMENDED ACTION

Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

### EXECUTIVE SUMMARY

A detailed register of claims, the Register of Warrants and Wire Transfers, are submitted to the City Council for review and authorization on a weekly basis. Approval of the attached resolution ratifies the disbursement of funds for the period of December 7, 2016 through January 3, 2017 in accordance with Section 2-7-211 of the Irvine Municipal Code.

**ATTACHMENT**      Warrant and Wire Transfer Resolution

CITY COUNCIL RESOLUTION NO. 17-\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND  
DEMANDS AND SPECIFYING THE FUNDS OUT OF  
WHICH THE SAME ARE TO BE PAID

(SEE ATTACHED)

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular  
meeting held on the 10<sup>th</sup> day of January 2017.

\_\_\_\_\_  
MAYOR OF THE CITY OF IRVINE

ATTEST:

\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS  
CITY OF IRVINE         )

I, MOLLY MCLAUGHLIN, City Clerk of the City of Irvine, HEREBY DO CERTIFY  
that the foregoing resolution was duly adopted at a regular meeting of the City Council  
of the City of Irvine, held on the 10<sup>th</sup> day of January 2017.

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

12/7/2016 through 12/13/2016

**REGISTER OF DEMANDS AND WARRANTS**

<b>Fund</b>	<b>Fund Description</b>	<b>Amount</b>
001	GENERAL FUND	686,274.63
004	PAYROLL CLEARING FUND	49,293.15
005	DEVELOPMENT SERVICES FUND	105,117.23
024	BUILDING & SAFETY FUND	-112.04
027	DEVELOPMENT ENGINEERING FUND	22,167.75
114	HOME GRANT	860.00
119	LIGHTING, LANDSCAPE & PARK MNT	108,182.49
128	OFFICE ON AGING PROGRAMS FUND	3,410.19
155	COMMUNITY SERVICES PROGRAMS	3,659.00
180	ORANGE COUNTY GREAT PARK	45,995.85
250	CAPITAL IMPROV PROJ FUND - CIR	113,948.14
260	CAPITAL IMPROV PROJ-NON CIRC	196,975.18
286	GREAT PARK DEVELOPMENT FUND	50,041.25
570	INSURANCE FUND	107,597.85
574	FLEET SERVICES FUND	16,893.20
578	TELEPHONE,MAIL,DUPLIC SRV FUND	7,269.89
580	CIVIC CENTER MAINT & OPERAT'NS	69,844.40
744	CFD 2013-3 GREAT PARK	594.00
	<b>GRAND TOTAL</b>	<b>1,588,012.16</b>

12/14/2016 through 12/20/2016

## REGISTER OF DEMANDS AND WARRANTS

Fund	Fund Description	Amount
001	GENERAL FUND	415,035.15
004	PAYROLL CLEARING FUND	2,153,046.57
005	DEVELOPMENT SERVICES FUND	13,449.00
010	INFRASTRUCTURE & REHABILITAT'N	92,445.00
024	BUILDING & SAFETY FUND	161,959.25
027	DEVELOPMENT ENGINEERING FUND	28,071.25
111	GAS TAX FUND	18,366.30
113	FEES & EXACTIONS FUND	5,864.40
119	LIGHTING, LANDSCAPE & PARK MNT	289,511.82
126	SENIOR SERVICES FUND	363.18
128	OFFICE ON AGING PROGRAMS FUND	2,052.07
149	SPECIAL PROGRAM GRANTS	5,390.25
155	COMMUNITY SERVICES PROGRAMS	1,541.20
180	ORANGE COUNTY GREAT PARK	61,400.94
204	CFD 2013-3 GREAT PARK	57,272.47
214	AD 93-14 IRVINE SPECTRUM 6	1,378.00
219	AD 04-20 PORTOLA SPRINGS	1,484.00
220	AD 05-21 ORCHARD HILLS	3,074.00
250	CAPITAL IMPROV PROJ FUND - CIR	39,780.81
260	CAPITAL IMPROV PROJ-NON CIRC	78,467.14
271	IRVINE BUSINESS COMPLEX	51,708.00
286	GREAT PARK DEVELOPMENT FUND	12,815.19
501	INVENTORY	27,500.36
570	INSURANCE FUND	268,287.64
574	FLEET SERVICES FUND	91,165.10
578	TELEPHONE,MAIL,DUPLIC SRV FUND	59,373.42
579	STRATEGIC TECHNOLOGY PLAN FUND	80,243.44
580	CIVIC CENTER MAINT & OPERAT'NS	14,683.10
717	RAD 04-20 PORTOLA SPR VAR RT A	31,691.57
718	RAD 05-21 ORCHARD HLS VAR RT	11,414.22
719	REASSESSMENT 85-7A VARIABLE RT	8,808.69
776	AD93-14 SPECT 6N/SPECT 7	27,062.07
<b>GRAND TOTAL</b>		<b>4,114,705.60</b>

12/21/2016 through 12/27/2016

## REGISTER OF DEMANDS AND WARRANTS

Fund	Fund Description	Amount
001	GENERAL FUND	487,458.18
004	PAYROLL CLEARING FUND	37,429.90
005	DEVELOPMENT SERVICES FUND	110,088.50
009	REVENUE CLEARING FUND	3,100.00
010	INFRASTRUCTURE & REHABILITAT'N	10,155.00
024	BUILDING & SAFETY FUND	83,380.95
027	DEVELOPMENT ENGINEERING FUND	2,268.00
111	GAS TAX FUND	5,766.51
114	HOME GRANT	130.00
119	LIGHTING, LANDSCAPE & PARK MNT	307,353.28
125	COMM DEVELOP BLOCK GRANT FUND	1,384.07
126	SENIOR SERVICES FUND	627.09
128	OFFICE ON AGING PROGRAMS FUND	2,096.91
132	SLURRY SEAL SUR CHG FUND	15,631.00
180	ORANGE COUNTY GREAT PARK	233,343.42
250	CAPITAL IMPROV PROJ FUND - CIR	405,152.16
260	CAPITAL IMPROV PROJ-NON CIRC	24,515.71
501	INVENTORY	732.76
570	INSURANCE FUND	29,681.90
574	FLEET SERVICES FUND	31,986.13
578	TELEPHONE,MAIL,DUPLIC SRV FUND	27,052.62
579	STRATEGIC TECHNOLOGY PLAN FUND	56,638.50
580	CIVIC CENTER MAINT & OPERAT'NS	35,409.45
744	CFD 2013-3 GREAT PARK	3,816.00
781	INTERAGENCY CUSTODIAL FUND	8,427.25
<b>GRAND TOTAL</b>		<b>1,923,625.29</b>

12/28/2016 through 1/3/2017

## REGISTER OF DEMANDS AND WARRANTS

Fund	Fund Description	Amount
001	GENERAL FUND	403,335.82
004	PAYROLL CLEARING FUND	936,913.50
005	DEVELOPMENT SERVICES FUND	61,470.00
010	INFRASTRUCTURE & REHABILITAT'N	62,898.00
024	BUILDING & SAFETY FUND	38,372.06
119	LIGHTING, LANDSCAPE & PARK MNT	83,786.71
126	SENIOR SERVICES FUND	163.68
128	OFFICE ON AGING PROGRAMS FUND	12,672.76
151	ASSET FORFEITURE JUSTICE DEPT	32,800.00
180	ORANGE COUNTY GREAT PARK	76,560.19
260	CAPITAL IMPROV PROJ-NON CIRC	447,703.24
271	IRVINE BUSINESS COMPLEX	58,097.00
286	GREAT PARK DEVELOPMENT FUND	20,491.11
570	INSURANCE FUND	30,611.74
574	FLEET SERVICES FUND	1,421.10
579	STRATEGIC TECHNOLOGY PLAN FUND	696.00
714	REASSESSMENT 12-1 FIXED RATE	3,933,163.00
716	RAD 13-1 FIXED RATE	2,004,472.24
717	RAD 04-20 PORTOLA SPR VAR RT A	119,974.17
718	RAD 05-21 ORCHARD HLS VAR RT	76,229.28
719	REASSESSMENT 85-7A VARIABLE RT	80,967.71
721	AD00-18 SHADY CNYN&TURLT ROCK	20,876.55
723	AD03-19 WOODBURY SER B VAR RT	54,616.12
726	AD10-23 SERIES B FR LAGUNA ALT	372,951.60
730	11-24 FIXED RT CYPRESS VILLAGE	470,097.81
731	AD07-22 GROUP 4 FIXED RATE	588,857.91
732	RAD 04-20 GROUP 3 FIXED RATE	212,927.13
735	AD03-19 WOODBURY SER A VAR RT	47,607.57
744	CFD 2013-3 GREAT PARK	2,618,242.99
745	CFD 2005-2R COLUMBUS GROVE SP	334,963.12
746	CFD 2004-1 CENTRAL PARK	226,132.11
760	AD87-8 ICD/BAKE PKWY DEBT SVC	34,287.77
767	AD94-15 WESTPARK II SERIES A	7,166.77
771	AD97-16 NORTHWEST IRVINE VARI	60,628.82
772	RAD 15-1 FIXED RATE	1,921,487.00
773	RAD 15-2 FIXED RATE	984,337.66
774	AD94-13 VARIABLE RT-OAKCREEK	39,099.91
775	AD97-17 LOWER PETERS CYN EAST	77,432.86
776	AD93-14 SPECT 6N/SPECT 7	128,152.52
777	RAD 05-21 G1 FIXED RATE	1,655,372.13
778	RAD 04-20 G4 FIXED RATE	359,347.73

12/28/2016 through 1/3/2017

**REGISTER OF DEMANDS AND WARRANTS**

<b>Fund</b>	<b>Fund Description</b>	<b>Amount</b>
	<b>GRAND TOTAL</b>	<b>18,697,385.39</b>

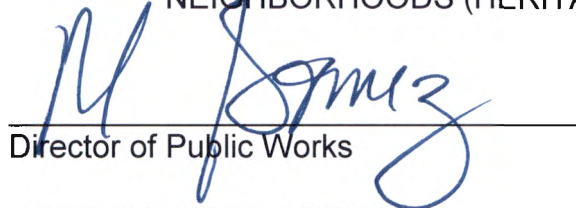
3.3

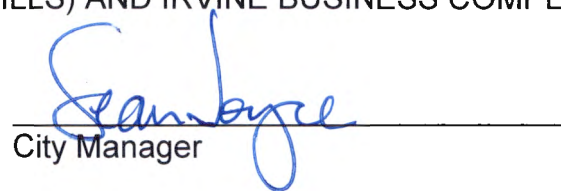


## REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:** JANUARY 10, 2017

**TITLE:** NOTICE OF REVIEW FOR TRACT MAPS IN GREAT PARK NEIGHBORHOODS (HERITAGE HILLS) AND IRVINE BUSINESS COMPLEX

  
\_\_\_\_\_  
Director of Public Works

  
\_\_\_\_\_  
City Manager

### RECOMMENDED ACTION

Receive and file.

### EXECUTIVE SUMMARY

City of Irvine Ordinance No. 07-12 delegates authority to the City Engineer for approval of final tract maps and requires notice to the City Council following receipt of such maps for review and again prior to approval/disapproval by the City Engineer. The subject notice to the City Council is provided in accordance with Ordinance No. 07-12, notifying the City Council of two final tract maps under review by staff. Maps covering property referenced in this staff report are located in the Great Park Neighborhoods and Irvine Business Complex, and are available for public review in the Public Works Department.

Tract Map No. 17202 (Great Park Neighborhoods – Heritage Hills) is located near Irvine Boulevard and Merit as shown in Attachment 2. The map for this property contains the subdivision of a 10.13 acre parcel into six lots. One lot is proposed for water quality basin purposes with the remaining lots proposed for landscape purposes. The Heritage Hills development project is consistent with the Orange County Great Park Final Environmental Impact Report approved by the City Council in May 2003 that considered area-wide impacts associated with the ultimate build out for residential units within the corresponding planning area.

Tract Map No. 17942 (Irvine Business Complex) is located near Gillette Avenue and Main Street as shown in Attachment 3. The map for this property contains the subdivision of a 6.01 acre parcel into two lots. The property is proposed for development of 137 three-story townhouse-style units with surface visitor parking and three private neighborhood parks. This development project is consistent with the Irvine Business Complex Environmental Impact Report approved by the City Council in July 2010 that considered area-wide impacts associated with the ultimate build out for residential units in the Irvine Business Complex.

### COMMISSION/BOARD/COMMITTEE RECOMMENDATION

Prior to City Engineer approval of a final tract map, the Planning Commission reviews and approves the corresponding tentative tract map based on consistency with the City's General Plan, Subdivision Ordinance and Zoning Code. The tentative maps

referenced in this staff report have been approved by the Planning Commission as follows:

On August 18, 2011, the Planning Commission approved the underlying tentative map for Tract Map No. 17202 (Great Park Neighborhoods – Heritage Hills) by a vote of 5-0, with all members present.

On February 18, 2016, the Planning Commission approved the underlying tentative map for Tract Map No. 17942 (Irvine Business Complex) by a vote of 5-0, with all members present.

## ANALYSIS

The approval of tract maps is a multi-step process that assures development is reflective and compliant with the City's General Plan and with respective provisions of the City's development standards. City of Irvine Ordinance No. 07-12 authorizes the City Engineer to approve final tract maps if they substantially conform to the approved underlying tentative map and all applicable conditions of approval have been satisfied. The ordinance further requires staff to notify the City Council upon receipt of such maps for review and prior to approval/disapproval of a final tract map by the City Engineer. In addition, the State Subdivision Map Act requires the approval of final maps if the City Engineer has found that the final map substantially conforms to the underlying tentative map.

The tract maps listed below have been received and are under review for consistency with applicable City standards and corresponding Planning Commission tentative tract map conditions of approval.

Submitted by	Tract Map No.	No. of Lots	Location	Status
Heritage Hills Irvine, LLC	17202	6-lot map	Irvine Boulevard and Merit (Great Park Neighborhoods- Heritage Hills)	Under Review
GL Gillette Holdings VII, LLC	17942	2-lot map	Gillette Avenue and Main Street (Irvine Business Complex)	Under Review

## ALTERNATIVES CONSIDERED

An alternative to this notification was not considered. Pursuant to the State Subdivision Map Act and City of Irvine Ordinance No. 07-12, when approval authority of tract maps is delegated to the City Engineer, notification to the City Council of receipt and approval of such maps is required.

## **FINANCIAL IMPACT**

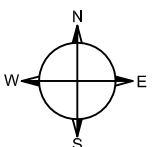
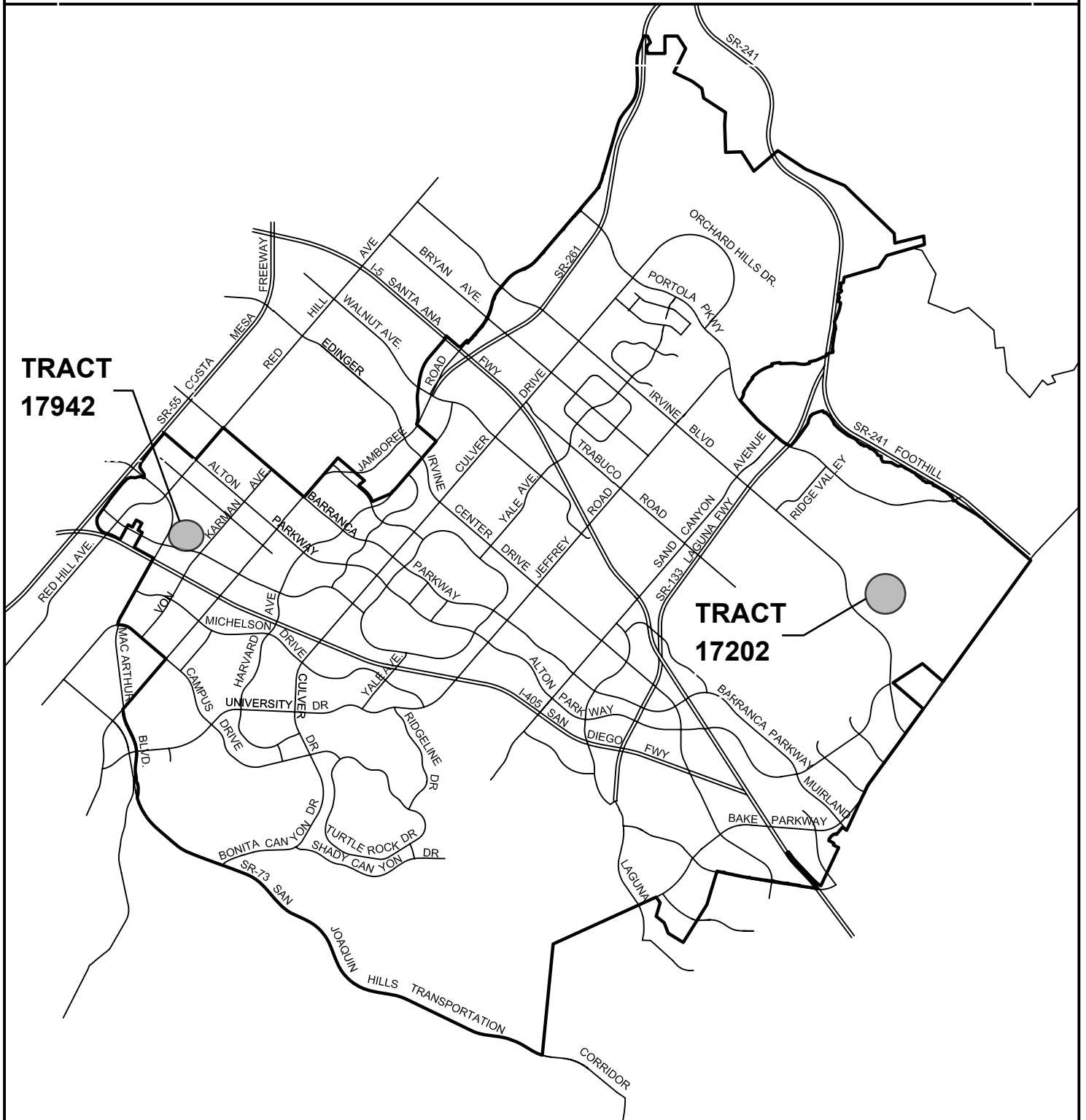
The administrative cost to the City for reviewing the maps is offset by developer fees paid by the applicant submitting the maps.

**REPORT PREPARED BY**                      Stacy DeLong, Associate Engineer

## **ATTACHMENTS**

1.      Vicinity Map
2.      Site Map – Tract 17202 (Great Park Neighborhoods-Heritage Hills)
3.      Site Map – Tract 17942 (Irvine Business Complex)

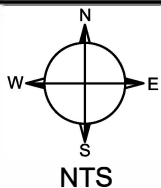
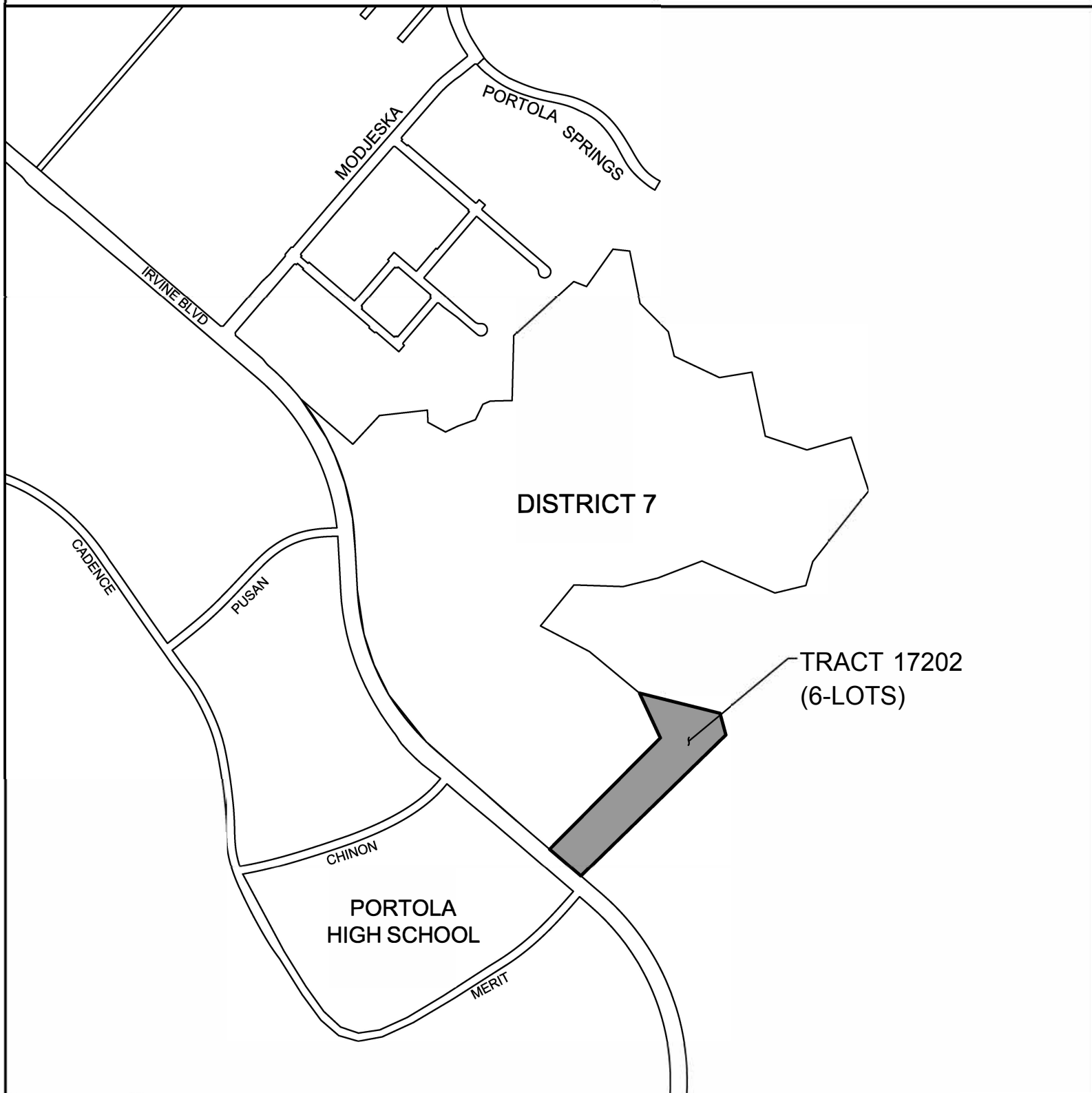
# FINAL TRACT MAP Nos. 17202 AND 17942



## VICINITY MAP



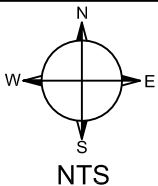
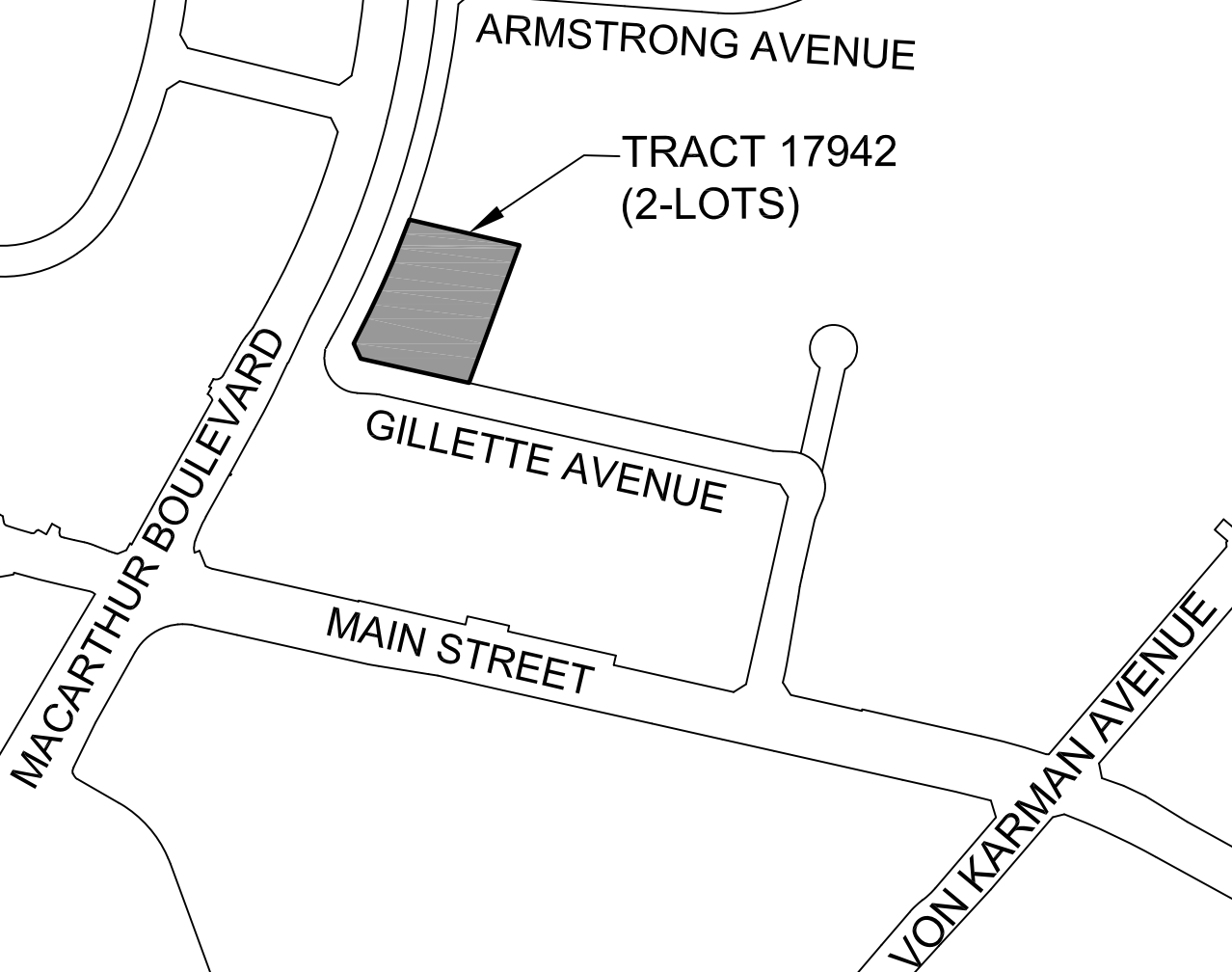
# FINAL TRACT MAP No. 17202



## SITE MAP



# FINAL TRACT MAP No. 17942



## SITE MAP



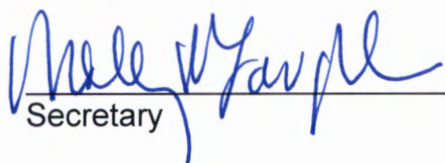
**4.1**



# REQUEST FOR CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ACTION

MEETING DATE: JANUARY 10, 2017

TITLE: MINUTES

  
Secretary

RECOMMENDED ACTION:

Approve the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on October 25, 2016.



Steven Choi  
Mayor/Chairman

Lynn Schott  
Mayor Pro Tempore/Vice Chairwoman

Beth Krom  
Councilmember/Boardmember

Jeffrey Lalloway  
Councilmember/Boardmember

Christina Shea  
Councilmember/Boardmember

**MINUTES**

**CITY COUNCIL  
REGULAR MEETING  
AND  
REGULAR JOINT MEETING  
WITH THE CITY OF IRVINE AS  
SUCCESSOR AGENCY TO THE  
DISSOLVED IRVINE  
REDEVELOPMENT AGENCY**

**October 25, 2016**

**4:00 PM**

**City Council Chamber**

**One Civic Center Plaza**

**Irvine, CA 92606**

**CALL TO ORDER**

The regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency was called to order at 4:30 p.m. on October 25, 2016 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor/Chairman Choi presiding.

**ROLL CALL**

Present:	5	Councilmember/Boardmember:	Beth Krom
		Councilmember/Boardmember:	Jeffrey Lalloway
		Councilmember/Boardmember:	Christina Shea
		Mayor Pro Tempore/Vice Chairwoman:	Lynn Schott
		Mayor/Chairman:	Steven Choi

## **1. CLOSED SESSION**

City Attorney Melching announced the following Closed Session items:

### **1.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Pursuant to Government Code section 54956.9, subdivision (1) - one case: *Biddle vs. City of Irvine, Orange County Superior Court Case No. 30-2015-00803631***

There were no requests to speak to the Closed Session item.

## **RECESS**

Mayor Choi convened the City Council meeting to Closed Session at 4:31 p.m.

## **RECONVENE TO THE CITY COUNCIL MEETING**

Mayor Choi reconvened the regular City Council meeting at 5:09 p.m. City Attorney Melching, on behalf of the City Council, announced that there was no reportable action taken in Closed Session.

## **PLEDGE OF ALLEGIANCE**

Mayor Choi led the Pledge of Allegiance.

## **INVOCATION**

Mayor Choi invited Pastor Jason Aguilar, representing the Cloud Church in Irvine, to provide the Invocation.

## **MUSICAL PRESENTATION**

Mayor Choi introduced Mariana Albert, Mater Dei High School student, and Cynthia Faisst, Founder and Director of the Suzuki Violin Program in Irvine, who performed the "National Anthem."

## **2. PRESENTATIONS**

### **2.1 *Irvine Global Village Sponsor Recognition***

Mayor Choi introduced the sponsors of the Irvine Global Village Festival and presented them with Certificates of Recognition for their support; and also presented a short video highlighting the event.

## **2.2 *Transportation Corridor Agency Presentation***

This presentation was agendized at the request of Councilmember Shea as the City's representative to the Transportation Corridor Agency (TCA) Board of Directors. Mayor Choi introduced Mike Kraman, Chief Executive Officer of the Transportation Corridor Agency (TCA), who provided an update on TCA programs and operations.

City Council discussion included: questioning whether the TCA could provide residents in North Irvine free access to State Route 261 from Jamboree to Portola in an effort to reduce traffic congestion on Jamboree at Interstate 5; whether the grace period to pay tolls for those without transponders could be increased from five to 30 days; and noted that contractual legal agreements could prevent the TCA from arbitrarily reducing or eliminating toll fees.

## **2.3 *Harvest Pack Event Presentation***

Mayor Choi noted that both he and Councilmember Shea participated in the Harvest Pack Event at the Church of Jesus Christ of Latter-day Saints on August 27, 2016, and introduced Christopher Yost, Director of Public Affairs with the Church of Jesus Christ of Latter-day Saints, who provided additional information about how the event benefitted needy families locally and worldwide.

## **CITY MANAGER'S REPORT**

City Manager Joyce introduced Grace Leung, Assistant City Manager, and Kristin Griffith, Acting Director of Administrative Services.

## **ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS**

Councilmember Shea noted her attendance at a recent event by FivePoint Communities and Live Nation formally announcing the development of an interim amphitheater on land adjacent to the Orange County Great Park; and presented a brief news clip highlighting the event.

Councilmember Krom announced the recent passing of Clara Lin, active member of the Irvine Evergreen Chinese Senior Association, and asked that the meeting be adjourned in her memory.

Mayor Choi made the following announcements:

- The City of Irvine Voting Center at the Civic Center will offer early voting options, including weekend voting, to all Orange County residents beginning Sunday, October 30 through Friday, November 4 from 8 a.m. - 5 p.m., and Saturday, November 5 through Monday, November 7 from 7 a.m. - 8 p.m. Services include in-person early voting, drive-thru ballot drop-off, replacement ballots and full-service voter assistance. The Civic Center will also serve as a polling location on Election Day, November 8, from 7 a.m. - 8 p.m. For information, call the City of Irvine Election Hotline at 949-724-6159 or visit [ocvote.com](http://ocvote.com).
- The City of Irvine's 45<sup>th</sup> Anniversary will be celebrated at 7 p.m. on Wednesday, November 9 at the Civic Center. The special night includes an opening reception for the 45<sup>th</sup> Anniversary Photo Contest, followed by a showcase of films from five Irvine high schools produced by student filmmakers. The event is free, no RSVP needed. For information, visit [cityofirvine.org](http://cityofirvine.org).
- The Irvine Fine Arts Center will host its 34<sup>th</sup> annual Holiday Faire on Friday, November 4 from 5-9 p.m., and Saturday, November 5 from 9 a.m. - 4 p.m. Orange County artists will showcase handmade gifts for purchase, including holiday decorations, hand-blown glass, jewelry and more. Admission is \$2 per person; children 12 and younger are free. For information, call 949-724-6880 or visit [irvinefinearts.org](http://irvinefinearts.org).

## ADDITIONS AND DELETIONS

There were no additions or deletions to the agenda.

## CONVENE TO THE REGULAR JOINT MEETING

Mayor/Chairman Choi convened to the regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency at 6:18 p.m.

### 3. CONSENT CALENDAR - CITY COUNCIL

**ACTION:** Moved by Councilmember/Boardmember Lalloway, seconded by Councilmember/Boardmember Shea, and unanimously carried to approve City Council Consent Calendar Item Nos. 3.1 through 3.12, and Successor Agency Consent Calendar Item Nos. 4.1 and 4.2, with the exception of City Council Consent Calendar Item No. 3.10, which was removed for separate discussion. Councilmember Krom abstained on City Council Consent Calendar Item No. 3.4.

**3.1 MINUTES**

**ACTION:**

Approved the minutes of a special meeting of the Irvine City Council held on October 10, 2016.

**3.2 PROCLAMATIONS**

**ACTION:**

Proclaimed November 17, 2016 as "World Pancreatic Cancer Day."

**3.3 WARRANT AND WIRE TRANSFER RESOLUTION**

**ACTION:**

Adopted RESOLUTION NO. 16-81 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

**3.4 WARRANT AND WIRE TRANSFER RESOLUTION - AT&T**

**ACTION:**

Adopted RESOLUTION NO. 16-82 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS OF AT&T AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Councilmember Krom abstained.

**3.5 LETTER AGREEMENT WITH HERITAGE FIELDS EL TORO, LLC DOCUMENTING 688-ACRE BOUNDARY ADJUSTMENT**

**ACTION:**

Approved and authorized the Mayor to execute a Letter Agreement between the City of Irvine and Heritage Fields El Toro, LLC documenting the boundary modification for the 688-acre Great Park Improvement Area previously approved by the City Council.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 5-0.

**3.6 ORANGE COUNTY GREAT PARK SPORTS COMPLEX FIELD ALLOCATION AND FEE POLICY**

**ACTION:**

Adopted RESOLUTION NO. 16-83 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, TO ADOPT THE ORANGE COUNTY GREAT PARK SPORTS COMPLEX FIELD ALLOCATION AND FEE POLICY

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 5-0.

**3.7 CONTRACT AWARD FOR LANDSCAPE MAINTENANCE OF PARKS AND ATHLETIC FIELDS**

**ACTION:**

Approved and authorized the Mayor to execute a five-year service contract with Merchants Landscape Services, Inc., the lowest responsive and responsible bidder, for an annual not-to-exceed amount of \$5,250,630 for landscape maintenance of City parks and athletic fields.

**3.8 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR PASEO WESTPARK/WARNER TRAFFIC SIGNAL REHABILITATION**

**ACTION:**

1. Approved the plans, specifications and contract documents for the improvement of the traffic signal at Paseo Westpark/Warner, Capital Improvement Project 331501.
2. Approved the Engineer's Estimate, Construction Contingency and Project Funding Summary.
3. Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures.

**3.9 APPROVAL OF PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR YALE AVENUE PAVEMENT REHABILITATION FROM IRVINE CENTER DRIVE TO ROOSEVELT**

**ACTION:**

- 1) Approved the plans, specifications and contract documents for the Yale Avenue Pavement Rehabilitation, Capital Improvement Project 311506.
- 2) Approved the Engineer's Estimate, Construction Contingency and Project Funding Summary.
- 3) Authorized staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder, in accordance with the City's purchasing policies and procedures.

**3.10 ACCEPTANCE OF PARTIAL GRANT FUNDING FOR THE JEFFREY OPEN SPACE TRAIL I-5 BICYCLE AND PEDESTRIAN BRIDGE PROJECT FROM THE BICYCLE CORRIDOR IMPROVEMENT GRANT PROGRAM**

This item was removed at the request of Courtney Santos, Irvine resident, who spoke in support of the proposed bicycle and pedestrian bridge project as part of the Jeffrey Open Space Trail.

There was no City Council discussion.

**ACTION: Moved by Mayor Pro Tempore Schott, seconded by Councilmember Lalloway, and unanimously carried to:**

- 1) Authorize the Director of Public Works to revise and resubmit the City's grant application to the Orange County Transportation Authority to reflect a request for grant funds in the amount of \$488,000 from the 2016 Bicycle Corridor Improvement Program for final design of the Jeffrey Open Space Trail I-5 Bicycle and Pedestrian Bridge Project.
- 2) Adopt RESOLUTION NO. 16-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, APPROVING THE SUBMITTAL OF A REVISED GRANT APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE BICYCLE CORRIDOR IMPROVEMENT PROGRAM

**3.11 SECOND READING AND ADOPTION OF ORDINANCE NO. 16-08  
AMENDING THE MUNICIPAL CODE PERTAINING TO ELECTRICAL  
SERVICE AND METERING FOR CITY PARK PROPERTY**

**ACTION:**

Read by title only, second reading and adoption of ORDINANCE NO. 16-08 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AMENDING TITLE 6, DIVISION 4, CHAPTER 5 OF THE IRVINE MUNICIPAL CODE RELATING TO ELECTRICAL SERVICE AND METERING FOR CITY PARK PROPERTY

(Unless otherwise directed by a Member of the City Council, the vote at second reading will reflect the same vote as at first reading. However, if a Councilmember was absent at first reading, his or her vote cast at second reading will be reflected. If a Councilmember is not present at the second reading/adoption, the vote will be reflected as absent.)

Approved 5-0.

**3.12 COMMUNITY PARTNERSHIP FUND GRANT NOMINATIONS**

**ACTION:**

- 1) Approved Mayor Choi's request for Community Partnership Fund Grant nomination to Home on the Green Pastures in the amount of \$1,000 in support of program costs.
- 2) Authorized the City Manager to prepare and sign the funding agreement listed in Action 1.

**4. CONSENT CALENDAR - SUCCESSOR AGENCY**

**4.1 MINUTES**

**ACTION:**

Approved the minutes of a regular joint meeting of the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency with the Irvine City Council held on September 27, 2016.

**4.2 ADOPTION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE OF THE FORMER IRVINE REDEVELOPMENT AGENCY AND THE ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY, FOR JULY 1, 2017 THROUGH JUNE 30, 2018**

**ACTION:**

1. Adopted the Recognized Obligation Payment Schedule of the former Irvine Redevelopment Agency for July 1, 2017 through June 30, 2018, and authorize revisions to the reporting format, if needed to comply with potential form changes by the State of California Department of Finance.
2. Adopted the administrative budget for the Successor Agency for July 1, 2017 through June 30, 2018.

**PUBLIC COMMENT - SUCCESSOR AGENCY**

There were no public comments.

**ADJOURNMENT – REGULAR JOINT MEETING**

**Moved by Councilmember/Boardmember Shea, seconded by Councilmember/Boardmember Lalloway, and unanimously carried to adjourn the regular joint meeting with the Successor Agency at 6:24 p.m.**

\_\_\_\_\_  
CHAIRMAN, SUCCESSOR AGENCY

\_\_\_\_\_  
SECRETARY, SUCCESSOR AGENCY

\_\_\_\_\_  
January 10, 2017

4.2



# REQUEST FOR CITY OF IRVINE AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ACTION

**MEETING DATE:** JANUARY 10, 2017

**TITLE:** WARRANT AND WIRE TRANSFER RESOLUTION – CITY  
COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED  
IRVINE REDEVELOPMENT AGENCY

Director of Financial Services

City Manager

## RECOMMENDED ACTION

Adopt – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

## EXECUTIVE SUMMARY

On December 29, 2011, the California Supreme Court upheld Assembly Bill x1 26 (the Dissolution Act) and directed that all redevelopment agencies in the state be dissolved effective February 1, 2012. On January 10, 2012, the City Council elected to become the Successor Agency to the Irvine Redevelopment Agency. As the Successor Agency, the City will wind down the affairs of the former redevelopment agency, including the payment of invoices for services related to the dissolution.

The attached Register of Warrants and Wire Transfers contain payments totaling \$1,512 for legal services and \$3,079.95 to City of Irvine for administrative costs. The payments will be released on Wednesday, January 11, 2017.

**ATTACHMENT** Resolution

SUCCESSOR AGENCY RESOLUTION NO. 17-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY ALLOWING CERTAIN CLAIMS AND DEMANDS OF THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE DISSOLVED IRVINE REDEVELOPMENT AGENCY AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

(SEE ATTACHED)

PASSED AND ADOPTED by the City Council of the City of Irvine, as Successor Agency to the dissolved Irvine Redevelopment Agency, at a regular meeting held on the 10<sup>th</sup> day of January 2017.

\_\_\_\_\_  
CHAIR, SUCCESSOR AGENCY

ATTEST:

\_\_\_\_\_  
SECRETARY, SUCCESSOR AGENCY

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS  
CITY OF IRVINE            )

I, MOLLY MCLAUGHLIN, Secretary to the Successor Agency, HEREBY DO CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Irvine, as Successor Agency to the dissolved Irvine Redevelopment Agency, held on the 10<sup>th</sup> day of January 2017.

AYES:       0   BOARDMEMBERS:  
NOES:       0   BOARDMEMBERS:  
ABSENT:     0   BOARDMEMBERS:

\_\_\_\_\_  
SECRETARY, SUCCESSOR AGENCY

SUCCESSOR AGENCY 17-

**ATTACHMENT**

12/7/2016 through 12/27/2016

**City of Irvine as Successor Agency to the Irvine Redevelopment Agency  
Register of Warrants and Wire Transfers**

<b>Fund</b>	<b>Fund Description</b>	<b>Amount</b>
791	REDEVELOPMENT OBLIGTN RET	4,591.95
	<b>GRAND TOTAL</b>	<b>4,591.95</b>

**5.1**




# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:** JANUARY 10, 2017

**TITLE:** APPEAL OF SUBDIVISION COMMITTEE'S RECOMMENDATION TO APPROVE VESTING TENTATIVE TRACT MAPS IN NEIGHBORHOOD 3 OF PLANNING AREA 1 (ORCHARD HILLS)

  
Director of Community Development

  
City Manager

## RECOMMENDED ACTION

1. Receive staff report.
2. Open public hearing; receive public input.
3. Close public hearing.
4. City Council comments and questions.
5. Deny the appeal, without prejudice, and remand the applications to the Planning Commission, subject to further review and for action:

Adopt RESOLUTION 17-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DENYING AN APPEAL OF THE SUBDIVISION COMMITTEE'S RECOMMENDATION TO THE PLANNING COMMISSION TO APPROVE VESTING TENTATIVE TRACT MAPS 18009 THROUGH 18014, 18016 AND 18019 FOR NEIGHBORHOOD 3 OF PLANNING AREA 1 (ORCHARD HILLS), WITHOUT PREJUDICE, AND REMANDING TO THE PLANNING COMMISSION VESTING TENTATIVE TRACT MAPS 18009 THROUGH 18014, 18016, AND 18019, FOR PLANNING COMMISSION REVIEW AND ACTION

## EXECUTIVE SUMMARY

A timely appeal of the Subdivision Committee's December 14, 2016 recommendation to the Planning Commission to approve eight vesting tentative tract maps ("Subdivision Maps") in Neighborhood 3 of Planning Area 1 was filed on December 15, 2016.

The appeal (Attachment 1) expresses concern that Southern California Edison's ("SCE") Santiago Substation has reached capacity and is unable to accommodate the energy demands of new development. The appellant also requests a study of electrical energy consumption and an update to the City's Energy Element of the General Plan.

For reasons discussed below, staff recommends that the City Council deny the appeal, without prejudice, and remand to the Planning Commission, with the Subdivision

Committee's recommendation of approval, the applications for Vesting Tentative Tract Maps ("VTTM") 18009-18014, 18016 and 18019, which will be subject to review and final action (*i.e.*, approval, conditional approval or denial) by the Planning Commission.

## COMMISSION/BOARD/COMMITTEE RECOMMENDATION

On December 14, 2016, the Subdivision Committee voted unanimously, with all members present, to recommend Planning Commission approval of eight VTTMs (18009-18014, 18016 and 18019, and hereinafter referred to as the "Subdivision Maps") for Neighborhood 3 of Planning Area 1 (Orchard Hills).

## ANALYSIS

### Project Description

The Irvine Company submitted eight Subdivision Maps for the future development of 734 residential units on 105.13 acres in the Neighborhood 3 of Planning Area 1, Orchard Hills. Following is a summary of the proposed Subdivision Maps:

VTTM #	Net Acres	No. Lots	No. Units	Product Type
18009	16.91	25	149	Detached condominium
18010	12.00	85	85	Single-family detached
18011	12.17	25	95	Detached condominium
18012	15.48	30	123	Detached condominium
18013	12.35	75	75	Single-family detached
18014	9.7	60	60	Single-family detached
18016	18.1	96	96	Single-family detached
18019	8.3	51	51	Single-family detached
<b>Total</b>	<b>105.13</b>	<b>447</b>	<b>734</b>	

With the addition of the 734 units, the total number of approved units in Planning Area 1, Orchard Hills, will increase to 3,443 homes and is within the approved residential cap of 4,088 units for the planning area. As discussed in the Subdivision Committee Staff Report for the Subdivision Maps (Attachment 2), incorporated herein by this reference, the proposed maps are consistent with the Irvine Subdivision Ordinance, General Plan, and the applicable provisions of the Zoning Ordinance.

At its December 14, 2016 meeting, the Subdivision Committee unanimously recommended, with all members present, that the Planning Commission approve the eight Subdivision Maps. These maps are consistent with and implement the Planning Commission's February 4, 2016 master entitlement approvals for Neighborhood 3.

### Procedure of Appeal

Section 5-5-110 of the Municipal Code allows the subdivider, a member of the City Council, or any interested person adversely affected by any action by the Subdivision Committee to appeal said action to the City Council. The City Council must hear the appeal at a regular meeting within 30 days of the appeal's filing.

The Subdivision Committee is charged with conducting a technical and factual review of tentative tract map applications to determine whether the findings for such maps can be made in an affirmative manner. The Subdivision Committee consists of one representative from each of the following City divisions: Engineering Services, Planning and Development, Transportation Services, Building and Safety, and Community Services. Under the City's Subdivision Ordinance, the Subdivision Committee's duty with respect to tentative tract maps is to act in an advisory capacity to the Planning Commission (Irvine Municipal Code § 5-5-103(A), (B)(2)(b)). Accordingly, the authority to approve tentative tract maps is vested in the Planning Commission—not the Subdivision Committee.

As noted above, the Subdivision Committee recommended approval to the Planning Commission of the Subdivision Maps on December 14, 2016. On December 15, 2016, the City Clerk's Office received an appeal of the Subdivision Committee's December 14, 2016 recommendation regarding Subdivision Maps. The appeal states that SCE has indicated that the Santiago Substation is at or near capacity. As a result, the appeal concludes that it is irresponsible for the City to continue approving any development projects at this time.

Accordingly, this appeal hearing is to consider the Subdivision Committee's recommendation to the Planning Commission that it approve the Subdivision Maps and to conclude whether such a recommendation should be upheld. Pursuant to the City's Subdivision Ordinance, the Subdivision Maps will proceed to the Planning Commission along with the City Council's action on the appeal. The Planning Commission will then consider the Subdivision Maps and determine whether to approve, conditionally approve, or deny them. (See Irvine Municipal Code § 5-5-103(B)(2)(b) & 3(a)). Once the Planning Commission makes a determination as to the Subdivision Maps, that decision (*i.e.*, approval, conditional approval or denial) will be final, unless appealed to the City Council consistent with the appeal procedures set forth in the City's Municipal Code.

### Orchard Hills History and Background

In mid-2005, the City of Irvine certified an Environmental Impact Report ("EIR"), and approved a General Plan Amendment and Zone Change, for Planning Areas 1 and 2, and a Portion of Planning Area 9, which supports the development of Orchard Hills. The EIR also analyzed a new substation and the installation of three new 66,000 volt (66Kv) electric circuits. During this time, SCE was involved in the process. SCE offered a letter

dated April 25, 2005 concurring with the EIR's analysis. The letter indicates that the project is located within SCE's service territory and that the electrical loads of the project are within the parameters of projected load growth that SCE is planning to meet for this area. The letter further indicates that SCE's plans for new distribution resources, as well as a new substation at Portola Parkway and Jeffrey Road, will provide the necessary power and power grid structure required to support the proposed development in Orchard Hills and the surrounding Northern Sphere project area.

Master entitlements for Orchard Hills were approved by the City in late 2005. These entitlements included a hillside master plan, a master landscape and trails plan, master subdivision map, and park plan. Development applications for the Orchard Hills Retail Center and an apartment community soon followed. Builder-level subdivision maps, residential master plans, and park designs have continued to the present day.

Construction in Orchard Hills has been ongoing for a decade. Mass grading, infrastructure installation, precise grading, the construction of a public elementary school, water quality basin and the Las Lomas Substation have all been completed. Residential construction in Neighborhood 1 has seen significant progress while development of Neighborhood 2 is nearly complete.

More recently, in February 2016, the Planning Commission unanimously approved VTTM 16530, with all members present. VTTM 16530 was processed as the Master Tentative Tract Map ("A" Level Map) for Neighborhood 3 of Planning Area 1 (Orchard Hills). It subdivided approximately 364.14 gross acres into eight numbered lots for future development of 626 single-family detached and 374 condominium units and 73 lettered lots for common purposes like private streets, landscaping and open space. The mass grading and construction of backbone infrastructure for Neighborhood 3 is now underway.

The subject applications have been filed to further subdivide the eight numbered lots into builder lots for development purposes. These applications propose 447 lots for the development of 734 of the 1,000 previously approved units for this area.

#### Analysis of Appeal

Staff reviewed the appellant's basis of appeal and is not persuaded that the recommendation to the Planning Commission that it approve the Subdivision Maps should be over-turned. As discussed above, residential development within Orchard Hills was evaluated in conjunction with the EIR for Planning Areas 1, 2 and a portion of 9 (SCH No. 2004041080) – including the provision of utilities/electric service (Attachment 3). Specifically, regarding electric service, the EIR concluded that long range flow studies, future distribution substation size and location, and distribution circuit plans will accommodate the project's energy needs. It further concluded that, given the anticipated energy and demand created by this project at buildout, there will be sufficient transmission capability to serve the area load for the project and that, during

construction and at buildout, the distribution infrastructure will be adequate to deliver the load to the project site. Finally, the EIR indicated that SCE continually updates a regional Distribution Substation Plan that forecasts load increases to assure that there will be proper infrastructure in place for new development projects. The EIR concluded that the project will not materially impact the ability of SCE to serve the new and existing loads.

In addition, SCE was involved in the review of development plans for the Northern Sphere, which included the areas of these eight Subdivision Maps. SCE has indicated its ability to provide service to these areas (Attachment 4). Specifically, SCE determined that an additional substation at Portola Parkway and Jeffrey Road was necessary to provide the power and power grid necessary to support the proposed development in Orchard Hills and elsewhere in North Irvine. However, even prior to the construction of that new substation (the Las Lomas substation, which has been constructed), SCE had indicated there was sufficient circuit capacity to serve the project area once the infrastructure for the development was installed. SCE has not informed the City of any change in this information.

The statement submitted by the appellant for this appeal provides that the Subdivision Maps have been appealed because SCE has indicated that the Santiago Substation is at or nearing capacity. The appeal statement further indicates that, because nearly the entire City derives its power from the Santiago Substation, the City should not "approv[e] any further development projects until a New Master Plan review of electrical energy consumption is developed." However, the appeal documents do not allege or otherwise provide any information indicating that the appellant's statements with respect to the Santiago Substation are necessarily related to the Subdivision Maps for the Orchard Hills developments, nor do they include evidence that SCE's prior statements to the City relating to its ability to provide service to this area have changed.

Staff recommends upholding the Subdivision Committee's recommendation to the Planning Commission that it approve the Subdivision Maps, without prejudice (*i.e.*, there has been no final decision on these applications) due to the lack of evidence related directly to the applications at issue on this appeal, and given that SCE has indicated to the City its ability to provide service to the Orchard Hills development with no information provided to the contrary. Should the City Council pursue this approach, the Subdivision Maps would be remanded to the Planning Commission for its consideration and decision (*i.e.*, approval, conditional approval or denial).

As noted above, in considering this appeal, the City Council's scope is narrow and focused on whether the appeal should be denied or sustained, and thereby whether the Subdivision Committee's recommendation to the Planning Commission on the Subdivision Maps should be upheld or overturned. If an appeal is filed following the Planning Commission's action on the Subdivision Maps, the City Council would then be the final decision-making body.

### Public Outreach

Public hearing notices were published in the Orange County Register on December 22, 2016, posted at City-designated locations, and mailed to all property owners, occupants, homeowner's associations and other interested parties within 500 feet of the project site on December 22, 2016. In addition to the December 15, 2016 appeal, staff received a letter from Christopher Garrett of Latham & Watkins, representing the Irvine Company (Attachment 5). The letter asks the City Council to "dismiss" the appeal and return the Subdivision Maps to the Planning Commission.

### **ENVIRONMENTAL REVIEW**

As set forth in the Staff Report for the Subdivision Committee, pursuant to Section 15168 of the State of California Environmental Quality Act (CEQA) Guidelines, this project is within the scope of the project covered by the previously certified EIR prepared for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change (State Clearinghouse No. 2004041080), which serves as the EIR for these proposed projects. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project, with no new mitigation measures required. A copy of the Environmental Evaluation based on the EIR is attached (Attachment 6).

### **ALTERNATIVES**

As an alternative to the recommended action, the City Council could choose to sustain the appeal and allow the applications to proceed to the Planning Commission for action with a recommendation of denial.

### **FINANCIAL IMPACT**

The City's Strategic Business Plan accounts for the overall development of the Northern Sphere area, which includes Planning Area 1, consistent with the City's General Plan.

**REPORT PREPARED BY** Tim Gehrich, Deputy Director of Community Development  
Stephen Higa, Principal Planner  
Bill Rodrigues, Senior Planner

### **ATTACHMENTS**

- Attachment 1. Appeal
- Attachment 2. Subdivision Committee Staff Report with attachments, including the signed final resolutions
- Attachment 3. EIR Analysis of Energy and Communications

- Attachment 4. SCE Communication
- Attachment 5. Letter from Christopher Garrett of Latham & Watkins, dated January 4, 2017
- Attachment 6. Environmental Evaluation
- Attachment 7. City Council Resolution No. 17-XX denying an appeal, without prejudice, and remanding to the Planning Commission Vesting Tentative Tract Maps 18009-18014, 18016, and 18019 for Planning Commission review and action

cc: Barry Curtis, Manager of Planning Services  
Terri Moss, Irvine Pacific ([tmoss@irvinepacific.com](mailto:tmoss@irvinepacific.com))  
Jamie Yoshida, Irvine Company ([jyoshida@irvinecompany.com](mailto:jyoshida@irvinecompany.com))  
Jeff Davis, Irvine, Company ([jsdavis@irvinecompany.com](mailto:jsdavis@irvinecompany.com))  
Scott Wilson, Wilson Mikami ([swilson@wilsonmikami.com](mailto:swilson@wilsonmikami.com))  
Trevor Lottes, Kapstone  
Rajat Knurana, Appellant ([veenarajat@yahoo.com](mailto:veenarajat@yahoo.com))

Files: 00674560-PTT  
00674566-PTT  
00680841-PTT  
00674570-PTT  
00674581-PTT  
00674591-PTT  
00674601-PTT  
00674596-PTT



CITY CLERK'S OFFICE

RECEIVED  
CITY OF IRVINE  
CITY CLERK'S OFFICE

2016 DEC REQUEST FOR APPEAL

This form must be completed when appealing a decision of the Director of Community Development, the Zoning Administrator or the Planning Commission. A request to appeal a decision of the Director of Community Development and/or the Zoning Administrator shall be appealed to the Planning Commission. An appeal based on a decision of the Planning Commission shall be appealed to the City Council.

Complete and return this form to the City Clerk's Office located on the third floor of City Hall during regular business hours. All appeals shall be filed in accordance with Irvine Zoning Code Section 2-5-1 et al and within 15 calendar days of the date of the decision.

**REQUESTOR INFORMATION**

NAME		E-MAIL	
RAJAT KHURANA		veenarajat@yahoo.com	
ADDRESS		PHONE	
11 MORRO BAY, IRVINE, CA-92602		714 612 4857	
CITY	STATE	ZIP	FAX
IRVINE	CA	92602	714 844 9091

**APPELLANT TYPE**I am a(n): ☒ APPLICANT ☐ PLANNING COMMISSIONER ☐ MEMBER OF THE CITY COUNCIL ☐ OTHER

NOTE: An appeal filed by anyone other than members of the City Council, Planning Commission, or the project applicant shall include an initial deposit in the amount of \$245.00. Any charges in excess of the initial deposit will be billed to the requestor on a monthly basis as required by City Council Resolution.

**APPEAL**

DECISION BEING APPEALED	DATE OF DECISION	CASE# (If applicable)
APPROVAL OF RESOLUTION	12/14/16	
16-996, 16-997, 16-998, 16-999, 16-100, 16-1000, 16-1001, 16-1002, 16-1003		
SPECIFIC ACTION OR RELIEF SOUGHT BY THE APPLICANT		
OVERTURN SUBDIVISION COMMITTEE OF ORCHID HILLS PROJECT SINCE SANTIAGO SUBSTATION IS AT CAPACITY. SEE ATTACHED.		
REASONS WHY THE ACTION TAKEN BY CITY APPROVAL BODY SHOULD BE MODIFIED OR REVERSED		
SEE ATTACHED.		

Signature: Rajat Khurana DATE: 12/15/16

RECEIVED BY:

CITY CLERK OR DESIGNEE

DATE

CC: City Clerk, Community Development, Applicant

FORM 10-42 REV 04/11

ATTACHMENT 1

CITY OF IRVINE SUBDIVISION COMMITTEE DECEMBER 14, 2016

I object to the Subdivision Committee approval of Vesting Tentative Tract Maps 18009 through 18014, 18016 and 18019 located in Neighborhood 3 of Orchard Hills.

These tentative maps will allow for the development of 734 new residential dwelling units. Southern California Edison (SCE) has repeatedly stated that the Santiago Substation is at capacity. Santiago is the master A substation that feeds all of the B substations that provide all of the electricity to Irvine, Laguna Hills, Laguna Niguel, Laguna Beach, Corona del Mar, and parts of Newport Beach. As early as 2003, SCE was representing Santiago would soon be out of power. In 2013, SCE claimed in its 2015 General Rate Case (GRC) that Santiago would exceed its 220/66kv capacity in 2013. In its 2018 GRC, SCE represented that Santiago could not be expanded further after 2019. SCE admitted in the same GRC that Santiago's loss of capacity was due to development in Irvine.

Since nearly the entire City of Irvine as well as surrounding communities derives power from Santiago, it is irresponsible for the City to continue approving any more development projects until a new Master Plan review of electrical energy consumption is developed. The City must also review and update the Energy Element of the City's General Plan to address the utilization of smart grid technology and upcoming government regulation.

For these reasons, as a concerned Irvine business owner, I recommend denial of RESOLUTIONS 16-996, 16-997, 16-998, 16-999, 19-100, 16-1001, 16-1002, and 16-1003.

Name:

Signature:

Address:



# REQUEST FOR SUBDIVISION COMMITTEE ACTION

**MEETING DATE:** DECEMBER 14, 2016

**TITLE:** VESTING TENTATIVE TRACT MAPS 18009 THROUGH 18014, 18016 AND 18019 LOCATED IN NEIGHBORHOOD 3 OF ORCHARD HILLS (PLANNING AREA 1)

  
Principal Planner

**RECOMMENDED ACTION:**

1. Open public meeting; receive public input; Committee comments and questions.
2. Close public meeting.
3. Adopt RESOLUTION NO. 16-996 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18009 (FILE NO. 00674560-PTT) TO CREATE 25 NUMBERED LOTS FOR DETACHED CONDOMINIUM RESIDENTIAL DEVELOPMENT AND 38 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 16.91 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
4. Adopt RESOLUTION NO. 16-997 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18010 (FILE NO. 00674566-PTT) TO CREATE 86 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 20 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 14.75 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
5. Adopt RESOLUTION NO. 16-998 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18011 (FILE NO. 00680841-PTT) TO CREATE 25 NUMBERED LOTS FOR DETACHED CONDOMINIUM RESIDENTIAL DEVELOPMENT AND 36 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 12.17 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
6. Adopt RESOLUTION NO. 16-999 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18012 (FILE NO. 00674570-PTT) TO CREATE 30 NUMBERED LOTS FOR DETACHED CONDOMINIUM RESIDENTIAL DEVELOPMENT AND 46 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 15.60 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

7. Adopt RESOLUTION NO. 16-1000 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18013 (FILE NO. 00674581-PTT) TO CREATE 75 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 14 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 12.35 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
8. Adopt RESOLUTION NO. 16-1001 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18014 (FILE NO. 00674591-PTT) TO CREATE 60 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 15 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 9.7 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
9. Adopt RESOLUTION NO. 16-1002 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18016 (FILE NO. 00674601-PTT) TO CREATE 96 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 29 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 18.1 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
10. Adopt RESOLUTION NO. 16-1003 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18019 (FILE NO. 00674596-PTT) TO CREATE 51 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 11 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 8.3 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

## **EXECUTIVE SUMMARY**

Irvine Company Community Development (ICCD) has submitted applications for eight Vesting Tentative Tract Maps (VTTMs) to create 447 lots for the development of 734 residential units on approximately 97 acres in Neighborhood 3 of Orchard Hills (Planning Area 1) (SC Attachment 1). These maps implement a portion of the entitlements approved by the Planning Commission on February 4, 2016 for the development of up to 1,000 residential units in Neighborhood 3.

Staff has reviewed the proposed VTTMs and has determined they comply with all applicable requirements of the Subdivision Ordinance, Subdivision Manual, and the Zoning Ordinance (SC Attachment 2). Therefore, staff recommends the Subdivision Committee recommend Planning Commission approval of the requested maps subject to

the findings, conditions of approval, and mitigation measures contained in the attached project resolutions (SC Attachments 12-19).

## COMMISSION/ADVISORY BOARD/COMMITTEE RECOMMENDATION

None.

## ANALYSIS

### History and Background

In February 2016, the Planning Commission, unanimously, with all members present, approved Vesting Tentative Tract Map (VTTM) 16530. VTTM 16530 was processed as the Master Tentative Tract Map ("A" Level Map) for Neighborhood 3 of Planning Area 1 (Orchard Hills). It subdivided approximately 364.14 gross acres into 8 numbered lots for future development of 626 single-family detached and 374 condominium units and 73 lettered lots for common purposes like private streets, landscaping and open space.

The subject applications have been filed to further subdivide the eight numbered lots into builder lots for development purposes. These applications seek approval to create 447 lots for the development of 734 of the up to 1,000 units previously approved.

### Project Description

Wilson Mikami Corporation, on behalf of the Irvine Company, has submitted eight Vesting Tentative Tract Maps for the future development of 734 residential units on 105.13 acres in the Neighborhood 3 of PA 1, Orchard Hills. Following is a summary of the proposed maps:

VTTM #	Net Acres	Units	Product Type
18009	16.91	149	Detached condominium
18010	12.00	85	Single-family detached
18011	12.17	95	Detached condominium
18012	15.48	123	Detached condominium
18013	12.35	75	Single-family detached
18014	9.7	60	Single-family detached
18016	18.1	96	Single-family detached
18019	8.3	51	Single-family detached
<b>Total</b>	<b>105.13</b>	<b>734</b>	

With the addition of the 734 units, the total number of approved units in PA 1, Orchard Hills, will increase to 3,443, which is within the overall 4,088 dwelling unit cap. The proposed maps are consistent with the Irvine Subdivision Ordinance, General Plan and Zoning Ordinance, including all applicable development standards of the 2.2D, Low Density Residential zoning district. Below is a detailed discussion of the project's compliance with the General Plan and Zoning Ordinance.

Park dedication requirements for this project have been previously satisfied and are not included within the scope of these applications.

#### Tract 18009

VTTM 18009 is a roughly rectangular-shaped tract bounded by Ridge Gate to the north, VTTM 18010 and 18013 to the west, New Point to the south, and Orchard Hills Drive to the east. The tract will create 25 numbered lots for the development of 149 detached condominium units. Condominiums are primarily arranged in 6-unit clusters around a small private court. Each unit cluster occupies a single lot. Additionally, 38 lettered lots are provided. The lettered lots are comprised of 0.53 acres of landscaping, 3.35 acres of private streets and 1.67 acres of private courts. VTTM 18009 encompasses 16.91 acres overall (SC Attachment 3).

Vehicular access into the tract is provided via a private street, which connects with New Point to the south. Access throughout the tract is provided via private streets and the private courts that extend from the private streets. Visitor parking is provided along the private streets. Pedestrian access is provided by sidewalks that wrap around both sides of these streets.

#### Tract 18010

VTTM 18010 is a rectangular-shaped tract bounded by Ridge Gate to the north, VTTM 18011 and 18012 to the east, VTTM 18009 to the west and VTTM 18013 to the south. The tract will create 86 numbered lots for the development of 85 single-family detached units and one park. Additionally, 19 lettered lots are provided. The lettered lots are comprised of 0.87 acres of landscaping, 2.32 acres of private ways and 0.48 acres of private courts. VTTM 18010 encompasses 14.75 gross acres overall (SC Attachment 4).

Vehicular access into the tract is provided via Street F, which connects to Ridge Gate. Access throughout the tract is provided via private streets which extend from and includes Street H. Visitor parking is provided in parking stalls accessed from private ways and along the private streets. Pedestrian access is provided by sidewalks that wrap around both sides of these streets.

#### Tract 18011

VTTM 18011 is a triangular-shaped tract bounded by Ridge Gate to the north, open space to the east, VTTM 18012 to the south, and VTTM 18010 to the west. The tract will create 25 numbered lots for the development of 95 detached condominium units. Condominiums will be arranged around motorcourts with two to four buildings per lot. Additionally, 36 lettered lots are provided. The lettered lots are comprised of 0.44 acres of landscaping, 2.21 acres of private ways and 1.27 acres of private courts. VTTM 18011 encompasses 12.17 gross acres overall (SC Attachment 5).

The tract is accessed from Street F, which connects to Ridge Gate. Internally, three private streets (A, B and C) provide access to private courts from which individual units

are then accessed. Visitor parking is proposed along the private streets. Pedestrian access is provided by sidewalks that extend along both sides of the private streets.

#### Tract 18012

VTTM 18012 is a rectangular-shaped tract bounded by VTTM 18011 to the north, VTTM 18010 to the west, VTTM 18013 to the south, and New Point to the east. The tract will create 30 numbered lots for the development of 123 single-family detached condominium units. Four units typically occupy a single lot. Additionally, 46 lettered lots are provided. The lettered lots are comprised of 0.44 acres of landscaping, 5.62 acres of private streets and 1.49 acres of private courts. VTTM 18012 encompasses 15.49 gross acres overall (SC Attachment 6).

Vehicular access into the tract is provided via New Point, which connects with Orchard Hills Drive, and Street H, which connects to Ridge Gate. Access throughout the tract is provided via private streets and private courts which extend from Street F and New Point. Visitor parking is provided along the private streets. Pedestrian access is provided by sidewalks that wrap around both sides of these streets.

#### Tract 18013

VTTM 18013 is a rectangular-shaped tract bounded by VTTMs 18010 and 18012 to the north, New Point Road to the east and south, and VTTM 18009 to the west. The tract will create 75 numbered lots for the development of 75 detached single-family residences. Additionally, 14 lettered lots are proposed. The lettered lots are comprised of 0.42 acres of landscaping, a 1.07 acre private street, and 2.06 acres of private ways. VTTM 18013 encompasses 12.35 gross acres overall (SC Attachment 7).

Vehicular access to the tract is provided by Street F, which ultimately connects to Ridge Gate to the north. Internally, individual lots are accessed by two private loop roads. Visitor parking is provided along the tract's private streets and even extends out along a portion of Street F. Pedestrian access is provided by sidewalks that extend along both sides of the private street network.

#### Tract 18014

VTTM 18014 is located at the southernmost portion of Neighborhood 3 and is bounded by New Point to the north, Orchard Hills Drive to the west, and open space to the east and south. The tract will create 60 numbered lots for the development of single-family detached homes. Additionally, 15 lettered lots are provided. The lettered lots are comprised of 0.21 acres of landscaping, 0.21 acres of private courts and 2.72 acres of private ways. VTTM 18014 encompasses 9.7 gross acres overall (SC Attachment 8).

Vehicular access into the tract is provided via a private street that runs south off of New Point. Two additional private streets provide additional access throughout the tract, and all lots front directly onto private streets. Visitor parking is provided along the private

streets. Pedestrian access is provided by sidewalks that wrap around both sides of these streets.

#### Tract 18016

VTTM 18016 is an oblong-shaped tract bounded by Ridge Gate to the north and west, by New Point to the east, and by open space to the south. The tract will create 96 numbered lots for the development of 96 detached single-family homes. Additionally, 29 lettered lots are provided. The lettered lots consist of 0.76 acres of landscaping, 5.41 acres of private ways and 0.14 acres of private courts. VTTM 18016 covers an area of 18.1 gross acres (SC Attachment 9).

Vehicular access into the tract is provided by two private streets. Street A intersects with Ridge Gate and provides access to 55 of the 96 lots. The other, Street E, intersects with New Point and provides access to the remaining 41 lots. Internally, a series of private cul-de-sacs take access from these entry roads in order to access individual lots. Visitor parking is provided along the private streets. Pedestrian access is provided by sidewalks along both sides of all streets.

#### Tract 18019

VTTM 18019 is a triangular-shaped tract bounded by open space to the north, east, and south, and by New Point to the west. The tract will create 51 numbered lots for the development of 51 detached single-family homes. Additionally, 11 lettered lots are provided. The lettered lots are comprised of 0.18 acres of landscaping, 0.20 acres of private courts, and 2.46 acres of private streets. VTTM 18019 encompasses 8.30 gross acres overall (SC Attachment 10).

Vehicular access into the tract is taken from a single new private street intersecting with New Point. Internally, individual lots are served from a loop road system. Visitor parking is accommodated along the provided private streets. Pedestrian access is provided by sidewalks that extending along both sides of all internal streets.

#### *General Plan Compliance*

The underlying property is designated Low Density Residential in the City's Land Use Element of the General Plan. This designation allows for the development of attached and conventional detached housing and other appropriate uses, such as schools and parks, compatible with single-family neighborhoods. The Low Density designation allows development intensities between zero and five dwelling units per gross acre. All proposed tracts are for attached or detached residential development. Many of the individual tracts do have net densities that exceed five dwelling units per acre; however, Neighborhood 3 as a whole is 364.14 gross acres and the proposed tract maps will accommodate the future development of up to 1,000 dwelling units. The overall density is 2.75 dwelling units per gross acre. Therefore, the proposed tract maps comply with the City's General Plan for Low Density designation.

### *Zoning Ordinance Compliance*

The underlying property is designated 2.2D Low Density Residential in the City's Zoning Ordinance. The Low Density designation allows for a variety of land uses including single-family detached and/or attached residential units. The Low Density designation allows development intensities between zero and 6.5 dwelling units per net acre. The standards do allow individual project densities to exceed 6.5 dwelling units per net acre, provided that the overall density for the Planning Area does not exceed this density. The subject tract maps include the following densities:

- Tract 18009: 149 du over 16.91 net acres = 8.8 du/net acre
- Tract 18010: 85 du over 12.00 net acres = 7.1 du/net acre
- Tract 18011: 95 du over 12.17 net acres = 7.8 du/net acre
- Tract 18012: 123 du over 15.48 net acres = 7.9 du/net acre
- Tract 18013: 75 du over 12.35 net acres = 6.1 du/net acre
- Tract 18014: 60 du over 9.7 net acres = 6.2 du/net acre
- Tract 18016: 96 du over 18.1 net acres = 5.3 du/net acre
- Tract 18019: 51 du over 8.3 net acres = 6.1 du/net acre

Neighborhood 3 Average: 1,000 du over 364.14 net acres = 2.75 du/net acre

As such, all the proposed tract maps comply with the Zoning Ordinance. The net density across all of Planning Area 1, Neighborhood 3 will be 2.75 dwelling units per acre, which is below the maximum 6.5 dwelling units allowed per acre and, therefore, consistent with the Low Density zoning district.

### *Affordable Housing Compliance*

The Master Affordable Housing Program (MAHP) for the Northern Sphere sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A ("Planning Areas"). The most up-to-date version of the MAHP anticipates that the Northern Sphere will have a total of 19,578 dwelling units. This total results in a need to provide an additional 2,937 affordable units through new construction. Market rate units constructed in the MAHP Planning Areas are anticipated to fulfill the goal of 979 low-income and 979 moderate-income units. The remaining 979 very-low income units have been constructed inside and outside of the MAHP Planning Areas. To date, ICCD has built all of the units required to meet this obligation.

No affordable units are proposed in this project. The Irvine Company has the option to forgo affordable housing in certain development areas as the distribution of affordable units is considered on a Northern Sphere area-wide basis and is not counted within each individual planning area or project site. Therefore, these proposed tract maps comply with the MAHP requirement in the Northern Sphere.

### *Parks*

The Community Park requirement for Planning Area 1, Orchard Hills, is satisfied pursuant to the approved Community Parks Plan for Planning Areas 1 and 2 and the Northern Sphere (File No. 00321912-PPP as amended), which anticipated up to 4,310 units and a population of 11,315 residents for PA1. This park plan addressed the park needs for Planning Areas 1, 2, 5B, 6, 8A, 9A, 9B, 9C and established four community park sites, totaling approximately 118 acres of land to serve future community park needs. The Community Parks Plan is not affected by the scope of these applications.

Neighborhood Parks for Planning Area 1 (Orchard Hills) were designed and approved to include three public parks, a public trailhead and 10 private parks. Orchard Hills is separated into four districts. The Planning Commission approved the current version of the PA 1 Park Plan unanimously, with all Commissioners present, on February 4, 2016 (00634214-PPK). Neighborhood 3 includes two private parks. The two private neighborhood parks are 2.74 and 1.60 acres, respectively, and received park design approval from the Community Services Commission on November 2, 2016. All residents of Neighborhood 3 will have access to these private parks.

No further park dedication or improvements are required for these tract maps.

### *Traffic Study and Vehicular Access*

The Northern Sphere Environmental Impact Report (EIR) included a detailed traffic analysis with general assumptions, which results in a series of planned street improvements to accommodate traffic associated with this area.

A project-specific traffic study was prepared for the "A" Map (VTTM 16530) to assess the potential impacts of the project upon intersection and roadway levels of service for year 2017. The analysis identified the project's potential significant near-term traffic impacts. The project's long-range and area-wide traffic impacts are addressed through the project's participation in the North Irvine Transportation Mitigation (NITM) program. The analysis concluded that the proposed design of the on-site access intersections are adequate to accommodate the proposed project's traffic demand at build-out with the addition of a 310-foot right-turn lane from Orchard Hills Drive to New Point and the lengthening of the existing 250-foot northbound left-turn lane on Orchard Hills Drive and Wolf Trail to 370 feet.

For the "B" Maps proposed, no further traffic analysis was required as the total number of maximum units in PA 1 did not change. However, Public Works and Community Development transportation staff did review the proposed maps and determined that they conform to the approved traffic study for PA 1.

### *Public Outreach*

Public meeting notices were published in the Irvine World News on November 24, 2016, posted at City-designated locations, and mailed to all property owners, occupants,

homeowner's associations, and other interested parties within 500 feet of the project site on November 29, 2016. To date, no comments have been received.

## **ENVIRONMENTAL DETERMINATION**

Pursuant to Section 15168 of the State of California Environmental Quality Act (CEQA) Guidelines, this project is within the scope of the project covered by previously certified Program Environmental Impact Report (EIR) prepared for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change (State Clearinghouse No. 2004041080), which serves as the EIR for these proposed projects. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into the resolution approving the project. A copy of the Environmental Evaluation based on the EIR is attached (SC Attachment 11).

## **ALTERNATIVES CONSIDERED**

The proposed maps comply with the City of Irvine's Subdivision Ordinance, Zoning Code, and Irvine Subdivision Manual. Therefore, no alternatives to the proposed projects were considered.

## **FINANCIAL IMPACT**

Not applicable.

## **REPORT PREPARED BY**

Calvin Mingione, Associate Planner  
Katie Berg-Curtis, Senior Planner  
Bill Rodrigues, Senior Planner

## **ATTACHMENTS**

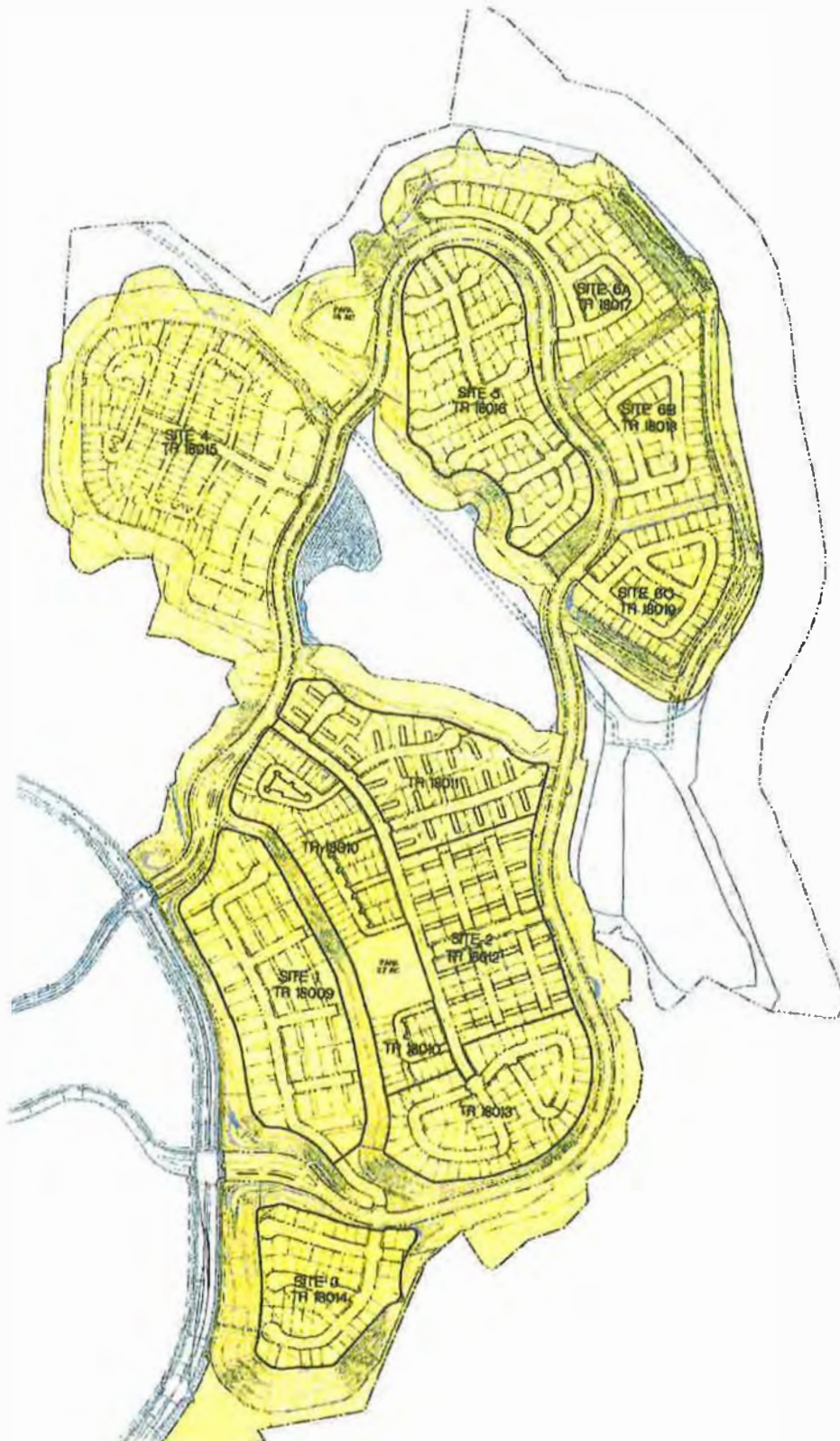
SC ATTACHMENT 1: Vicinity Map  
SC ATTACHMENT 2: Subdivision Committee Information Sheets  
SC ATTACHMENT 3: Tentative Tract Map 18009  
SC ATTACHMENT 4: Tentative Tract Map 18010  
SC ATTACHMENT 5: Tentative Tract Map 18011  
SC ATTACHMENT 6: Tentative Tract Map 18012  
SC ATTACHMENT 7: Tentative Tract Map 18013  
SC ATTACHMENT 8: Tentative Tract Map 18014  
SC ATTACHMENT 9: Tentative Tract Map 18016  
SC ATTACHMENT 10: Tentative Tract Map 18019  
SC ATTACHMENT 11: Environmental Evaluation  
SC ATTACHMENT 12: Subdivision Committee Resolution No. 16-996 recommending approval of Vesting Tentative Tract Map 18009 (File No. 00674560-PTT)

- SC ATTACHMENT 13: Subdivision Committee Resolution No. 16-997 recommending approval of Vesting Tentative Tract Map 18010 (File No. 00674566-PTT)
- SC ATTACHMENT 14: Subdivision Committee Resolution No. 16-998 recommending approval of Vesting Tentative Tract Map 18011 (File No. 00680841-PTT)
- SC ATTACHMENT 15: Subdivision Committee Resolution No. 16-999 recommending approval of Vesting Tentative Tract Map 18012 (File No. 00674570-PTT)
- SC ATTACHMENT 16: Subdivision Committee Resolution No. 16-1000 recommending approval of Vesting Tentative Tract Map 18013 (File No. 00674581-PTT)
- SC ATTACHMENT 17: Subdivision Committee Resolution No. 16-1001 recommending approval of Vesting Tentative Tract Map 18014 (File No. 00674591-PTT)
- SC ATTACHMENT 18: Subdivision Committee Resolution No. 16-1002 recommending approval of Vesting Tentative Tract Map 18016 (File No. 00674601-PTT)
- SC ATTACHMENT 19: Subdivision Committee Resolution No. 16-1003 recommending approval of Vesting Tentative Tract Map 18019 (File No. 00674596 -PTT)

ec: Terri Moss, Irvine Pacific ([tmoss@irvinepacific.com](mailto:tmoss@irvinepacific.com))  
Jamie Yoshida, Irvine Company ([jjoshida@irvinecompany.com](mailto:jjoshida@irvinecompany.com))  
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Stephen Higa, City of Irvine  
Trevor Lottes, Senior Planner

Files: 00674560-PTT  
00674566-PTT  
00680841-PTT  
00674570-PTT  
00674581-PTT  
00674591-PTT  
00674601-PTT  
00674596-PTT

## OVERALL VICINITY MAP



# VICINITY MAP – PA 1 NEIGHBORHOOD 3

## Tract 18009 and Master Plan



# VICINITY MAP – PA 1 NEIGHBORHOOD 3

## Tract 18010 and Master Plan



# VICINITY MAP – PA 1 NEIGHBORHOOD 3

## Tract 18011 and Master Plan



# VICINITY MAP – PA 1 NEIGHBORHOOD 3

## Tract 18012 and Master Plan





This aerial map displays the Big Sycamore area in Oklahoma. A large white outline delineates the project boundary. A yellow outline within this boundary marks the 'PROJECT LOCATION'. The map features a scale bar indicating 0 to 1,280 feet and a north arrow. An inset map in the bottom right corner shows the state of Oklahoma with a red dot indicating the project's location in the northeast corner. Various geographical features are labeled, including 'Big Sycamore', 'Well trail', 'Orchard Hills Dr', and 'MUSKOGEE'. The map also shows a large body of water on the right side and a residential area at the bottom.

# VICINITY MAP – PA 1 NEIGHBORHOOD 3

## Tract 18016 and Master Plan



# VICINITY MAP – PA 1 NEIGHBORHOOD 3

## Tract 18019 and Master Plan



## **SUBDIVISION COMMITTEE INFORMATION SHEET**

### **PLANNING AREA 1, NEIGHBORHOOD 3**

Meeting Date: December 15, 2016

Applicant: Irvine Community Development Company

Topography: Generally flat in a hillside setting

General Plan: Low Density Residential

Existing Zoning: 2.2D Low Density Residential

Existing Land Use: Vacant

### **VTTM 18009 (FILE NO. 00674560-PTT) & MASTER PLAN (FILE NO. 00674563-PMP)**

Staff Recommends: Approval of **Vesting Tentative Tract Map 18009** and associated **Master Plan** to create 25 numbered lots and 38 lettered lots and to allow for development of 149 detached single-family residences and accompanying landscape and private street lots.

Legal Description: Being portion of Block 82 of Irvine's subdivision as shown on a map thereof filed in Book 1, Page 88 of miscellaneous record maps, as shown on a records of Orange County, California.

Site Size: 16.91 gross/net acres

Location: This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the north, east and south, and existing single-family residential lies to the west.

### **ADJACENT ZONING / LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential	Future single-family residential (Tract 18010)
East:	2.2D Low Density Residential	Future single-family residential (Tract 18010)
South:	2.2D Low Density Residential	Future single-family residential (Tract 18014)
West:	2.2D Low Density Residential	Existing single-family residential (Tract 18727)

### **DEVELOPMENT STANDARDS**

	<u>Required/Allowed</u>	<u>Provided</u>
Density:	0-12.5 du/net acre	8.8 du/net acre
Min. Lot Size:	2,400 square feet	13,902 square feet

Max. Site Coverage:	Unlimited	N/A
<b>Setbacks</b>	<u>Required</u>	<u>Provided</u>
Local Street (from curb face)	15 feet	15 feet min.
Building to Building	6 feet	9 feet min.
Rear Yard	10 feet	13 feet min.
Side Yard	5 feet	9.4 feet min.
Garage Setback	8 feet max	5.7 feet
Max. Building Height:	35 feet	29 feet, 4 inches
Min. Landscaping Coverage:	30%	35%

### **Parking**

TOTAL:	403 spaces	403 spaces
Resident:	298 spaces	298 spaces
Visitor:	105 spaces	105 spaces*

\* Administrative relief requested to allow visitor parking stalls to exceed the maximum visitor stall distance of 250 feet.

### **VTTM 18010 (FILE NO. 00674566 -PTT) & MASTER PLAN (FILE NO. 00674603-PMP)**

Staff Recommends:	Approval of <b>Vesting Tentative Tract Map 18010</b> and associated <b>Master Plan</b> to create 86 numbered lots and 19 lettered lots and to allow for development of 85 detached single-family residences and accompanying landscape and private street lots.
Legal Description:	Being portion of Block 82 of Irvine's Subdivision as shown on a map thereof filed in Book 1, Page 88 of miscellaneous record maps, as shown on a record of Orange County, California.
Site Size:	14.7 gross acres / 12 net acres
Location:	This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the north, south, west and east.

### **ADJACENT ZONING / LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential	Future single-family residential (Tract 18011)
East:	2.2D Low Density Residential	Future single-family residential (Tract 18012)
South:	2.2D Low Density Residential	Future single-family residential (Tract 18013)
West:	2.2D Low Density Residential	Future single-family residential (Tract 18009)

### **DEVELOPMENT STANDARDS**

	<u>Allowed / Required</u>	<u>Provided</u>
Density:	0-12.5 du/net acre	7.1 du/net acre
Min. Lot Size:	2,400 square feet	3,688 square feet
Max. Site Coverage:	Unlimited	N/A

<b>Setbacks</b>	<u>Required</u>	<u>Provided</u>
Local Street (from curb face)	15 feet	23.5 feet min.
Rear	10 feet	6 feet min.*
Side	5 feet	5 feet min.
Building to Building	6 feet	10 feet min.
Garage	18 feet	18 feet min.
Max. Building Height:	35 feet	33 feet, 6 inches
Min. Landscaping Coverage:	30%	33%

#### **Parking**

TOTAL:	307 spaces	307 spaces
Resident:	170 spaces	170 spaces
Visitor:	137 spaces	137 spaces**

\*Alternative Setback Standards are proposed for rear yard setbacks.

\*\*Administrative relief requested to allow visitor parking stalls to exceed the maximum visitor stall distance of 100 feet.

#### **VTTM 18011 (FILE NO. 00680841-PTT) & MASTER PLAN (FILE NO. 00680845 -PMP)**

**Staff Recommends:** Approval of **Vesting Tentative Tract Map 18011** and associated **Master Plan** to create 25 numbered lots and 36 lettered lots to permit the development of 95 detached condominium single-family residences and accompanying landscape and public street lots.

**Legal Description:** Being portions of Blocks 81, 82 and 107 of Irvine's subdivision as shown on a map thereof filed in Book 1, Page 88 of miscellaneous record maps and Lot 36 and lettered lots LL, MM, NN, OO and PP of Tract No. 17004 as shown on a map filed in Book 891, Page 1 through 53, inclusive of miscellaneous maps, records of Orange County, California,

**Site Size:** 12.17 gross/net acres

**Location:** This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the north and south, open space preserve to the east and single-family residential and park to the west.

#### **ADJACENT ZONING / LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential	Future single-family residential (Tract 18015)
East:	1.3 Open Space	Open Space
South:	2.2D Low Density Residential	Future single-family residential (Tract 18012)
West:	2.2D Low Density Residential	Future single-family residential (Tract 18010)

### DEVELOPMENT STANDARDS

	<u>Allowed/Required</u>	<u>Provided</u>
Density:	0-12.5 du/net acre	7.8 du/net acre
Min. Lot Size:	2,400 square feet	12,348 square feet
Max. Site Coverage:	Unlimited	N/A
<b>Setbacks</b>	<u>Required</u>	<u>Provided</u>
Local Street (from curb face)	15 feet	16.4 feet min.
Rear	10 feet	10 feet min.
Side	5 feet	5 feet min.
Building to Building	6 feet	6.5 feet min.
Garage	18 feet max	4.2 feet min.
Max. Building Height:	35 feet	28 feet, 11 inches
Min. Landscaping Coverage:	30%	31%

### Parking

TOTAL:	257 spaces	257 spaces
Resident:	190 spaces	190 spaces
Visitor:	67 spaces	67 spaces*

\* Administrative relief requested to allow visitor parking stalls to exceed the maximum visitor stall distance of 250 feet.

### VTTM 18012 (FILE NO. 00674570 -PTT) & MASTER PLAN (FILE NO. 00674574-PMP)

Staff Recommends:	Approval of <b>Vesting Tentative Tract Map 18012</b> and associated <b>Master Plan</b> to create 30 numbered lots and 46 lettered lots to permit the development of 123 detached condominium single-family residences and accompanying landscape, public street and public court lots.
Legal Description:	Being a portion of Block 82 of Irvine's Subdivision as shown on a map thereof in Book 1, Page 88 of miscellaneous records maps, records of Orange County, California.
Site Size:	15.48 gross/net acres

Location: This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the north, south and west, and open space preserve to the east.

### ADJACENT ZONING / LAND USES

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential	Future single-family residential (Tract 18011)
East:	1.3 Open Space	Open Space
South:	2.2D Low Density Residential	Future single-family residential (Tract 18013)
West:	2.2D Low Density Residential	Future single-family residential (Tract 18009)

### DEVELOPMENT STANDARDS

	<u>Allowed/Required</u>	<u>Provided</u>
Density:	0-12.5 du/net acre	7.9 du/net acre
Min. Lot Size:	2,400 square feet	N/A
Max. Site Coverage:	Unlimited	N/A

<b>Setbacks</b>	<u>Required</u>	<u>Provided</u>
Local Street (from curb face)	15 feet	16.5 feet min.
Rear	10 feet	16.5 feet min.
Side	5 feet	5 feet min.
Building to Building	6 feet	6.5 feet min.
Garage	18 feet max	3.5 feet min.
Max. Building Height:	35 feet	27 feet, 1 inch
Min. Landscaping Coverage:	30%	32%

### Parking

TOTAL:	332 spaces	332 spaces
Resident:	246 spaces	246 spaces
Visitor:	86 spaces	86 spaces

### VTTM 18013 (FILE NO. 00674581-PTT) & MASTER PLAN (FILE NO. 00674583-PMP)

Staff Recommends: Approval of **Vesting Tentative Tract Map 18013** and associated **Master Plan** to create 75 numbered lots and 14 lettered lots to permit the development of 75 detached single-family residences and accompanying landscape, public street and public court lots.

Legal Description: Being a portion of Block 82 of Irvine's Subdivision as shown on a map thereof in Book 1, Page 88 of miscellaneous records maps, records of Orange County, California.

Site Size: 12.35 gross/net acres

Location: This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the north, south and west, and open space preserve to the east.

#### ADJACENT ZONING / LAND USES

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential 18010)	Future single-family residential (Tract 18012 & 18010)
East:	1.3 Open Space	Open Space
South:	2.2D Low Density Residential	Future single-family residential (Tract 18014)
West:	2.2D Low Density Residential	Future single-family residential (Tract 18009)

#### DEVELOPMENT STANDARDS

	<u>Allowed/Required</u>	<u>Provided</u>
Density:	0-6.5 du/net acre	6.1 du/net acre
Min. Lot Size:	3,000 square feet	3,734 square feet
Max. Site Coverage:	50%	50%

<b>Setbacks</b>	<u>Required</u>	<u>Provided</u>
Local Street (from curb face)	15 feet	6 feet min.
Rear	10 feet	6 feet min.*
Side	5 feet	3.5 feet min.**
Building to Building	6 feet	8.3 feet min.
Garage	18 feet max	3.5 feet min.
Max. Building Height:	35 feet	32 feet, 1 inch
Min. Landscaping Coverage:	30%	32%

\*Alternative Setback Standard of 6 feet requested for rear yard.

\*\*Alternative Setback Standard of 3.5 feet requested for side yard.

#### Parking

TOTAL:	225 spaces	225 spaces
Resident:	150 spaces	150 spaces
Visitor:	75 spaces	75 spaces

Staff Recommends: Approval of **Vesting Tentative Tract Map 18014** and associated **Master Plan** to create 60 numbered lots and 15 lettered lots to permit the development of 60 detached single-family residences and accompanying landscape, public street and public court lots.

Legal Description: Being a portion of Block 82 of Irvine's Subdivision as shown on a map thereof in Book 1, Page 88 of miscellaneous records maps, records of Orange County, California.

Site Size: 9.7 gross/net acres

Location: This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the north, existing single-family residential to the west, and open space preserve to the south and east.

#### **ADJACENT ZONING / LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential	Future single-family residential (Tract 18009)
East:	1.3 Open Space	Open Space
South:	1.3 Open Space	Open Space
West:	2.2D Low Density Residential	Existing single-family residential (Tract 18727)

#### **DEVELOPMENT STANDARDS**

	<u>Allowed/Required</u>	<u>Provided</u>
Density:	0-6.5 du/net acre	6.2 du/net acre
Min. Lot Size:	3,000 square feet	3,630 square feet
Max. Site Coverage:	50%	50%
<b>Setbacks</b>	<u>Required</u>	<u>Provided</u>
Local Street (from curb face)	15 feet	15 feet min.
Rear	10 feet	6 feet min.*
Side	5 feet	3.5 feet min.**
Building to Building	6 feet	7 feet min.
Garage	18 feet max	18 feet min.
Max. Building Height:	35 feet	32 feet, 1 inch
Min. Landscaping Coverage:	30%	32%

\*Alternative Setback Standard of 6 feet requested for rear yard.

\*\*Alternative Setback Standard of 3.5 feet requested for side yard.

## Parking

TOTAL:	180 spaces	180 spaces
Resident:	120 spaces	120 spaces
Visitor:	60 spaces	60 spaces*

\* Administrative relief requested to allow visitor parking stalls to exceed the maximum visitor stall distance of 100 feet.

### VTTM 18016 (FILE NO. 00674601 -PTT)

Staff Recommends:	Approval of <b>Vesting Tentative Tract Map 18016</b> to create 96 numbered lots and 29 lettered lots to permit the development of 96 detached single-family residences and accompanying landscape, public street and public court lots.
Legal Description:	Being a portion of Blocks 81, 82 and 107 of Irvine's Subdivision as shown on a map thereof in Book 1, Page 88 of miscellaneous records maps and Lot 38 and lettered lots LL, MM, NN, OO and PP of Tract No. 17004 as shown on a map filed in Book 891, Pages 1 through 53, inclusive of miscellaneous maps, records of Orange County, California.
Site Size:	18.1 gross/net acres
Location:	This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the south and east, open space preserve to the north and orchards to the west.

### ADJACENT ZONING / LAND USES

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	1.1 Exclusive Agriculture	Orchards
East:	2.2D Low Density Residential	Future single-family residential (Tract 18018)
South:	2.2D Low Density Residential	Future single-family residential (Tract 18019)
West:	1.3 Open Space	Open Space

### VTTM 18019 (FILE NO. 00674596-PTT)

Staff Recommends:	Approval of <b>Vesting Tentative Tract Map 18019</b> to create 51 numbered lots and 11 lettered lots to permit the development of 51 detached single-family residences and accompanying landscape, public street and public court lots.
Legal Description:	Being a portion of Block 82 of Irvine's Subdivision as shown on a map thereof in Book 1, Page 88 of miscellaneous records maps as shown on a records of Orange County, California.

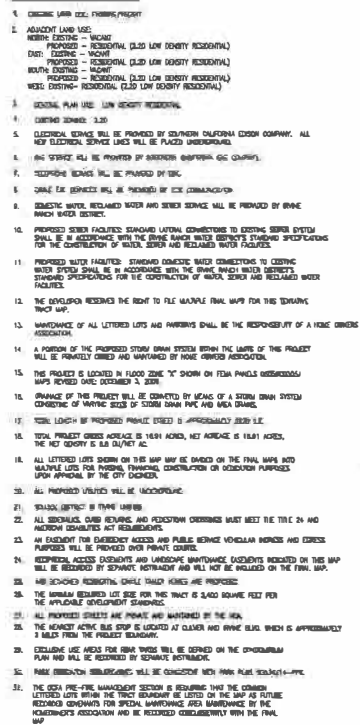
Site Size: 8.3 gross/net acres

Location: This tract is located east of Orchard Hills Drive and north of Portola Parkway in Neighborhood 3 of Planning Area 1. Future single-family residential development borders to the north, open space preserve to the north and east, and orchards to the west.

<b>ADJACENT ZONING / LAND USES</b>
------------------------------------

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential	Future single-family residential (Tract 18016)
East:	1.3 Open Space	Open Space
South:	1.3 Open Space	Open Space
West:	1.1 Exclusive Agriculture	Orchards

BEING A PORTION OF BLOCK 82 OF PINEY GLENCHURCH AS SHOWN ON A MAP  
THEREOF FILED IN BOOK 1, PAGE 88 OF MISCELLANEOUS RECORD MAPS, AS SHOWN  
ON A RECORDS OF ORANGE COUNTY, CALIFORNIA



TRACT BOUNDARY -----  
PROPOSED LOT No. (TM 18009) 5



VESTING TENTATIVE TRACT NO. 18009		0007
ORCHARD HILLS NEIGHBORHOOD 3		1
TITLE SHEET		4
FILE NO. 00674660-PPT		

# STATISTICAL SUMMARY

## NUMBERED LOTS

LOT NO.	NO. OF UNITS	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)
LOT 1	7	RESIDENTIAL	50,303	0.70
LOT 2	6	RESIDENTIAL	17,512	0.40
LOT 3	6	RESIDENTIAL	17,844	0.41
LOT 4	6	RESIDENTIAL	19,602	0.45
LOT 5	6	RESIDENTIAL	18,478	0.42
LOT 6	6	RESIDENTIAL	17,950	0.41
LOT 7	6	RESIDENTIAL	19,821	0.45
LOT 8	8	RESIDENTIAL	26,911	0.62
LOT 9	6	RESIDENTIAL	20,178	0.46
LOT 10	6	RESIDENTIAL	18,622	0.43
LOT 11	6	RESIDENTIAL	19,006	0.44
LOT 12	6	RESIDENTIAL	18,141	0.42
LOT 13	6	RESIDENTIAL	17,441	0.40
LOT 14	6	RESIDENTIAL	17,455	0.40
LOT 15	6	RESIDENTIAL	19,377	0.44
LOT 16	6	RESIDENTIAL	25,413	0.58
LOT 17	6	RESIDENTIAL	24,687	0.57
LOT 18	8	RESIDENTIAL	13,902	0.32
LOT 19	3	RESIDENTIAL	18,257	0.42
LOT 20	6	RESIDENTIAL	17,733	0.41
LOT 21	6	RESIDENTIAL	19,361	0.44
LOT 22	6	RESIDENTIAL	19,785	0.45
LOT 23	6	RESIDENTIAL	18,565	0.43
LOT 24	5	RESIDENTIAL	18,094	0.43
LOT 25	5	RESIDENTIAL	19,964	0.46
TOTAL	349		495,002	11.36

MIN. RESIDENTIAL LOT SIZE: 0.50 AC.  
MAX. RESIDENTIAL LOT SIZE: 0.70 AC.  
AVERAGE: 0.45 AC.

## LETTERED LOTS

LOT NO.	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)	OWNERSHIP AND MAINTENANCE RESPONSIBILITY
LOT 'A'	PRIVATE WAY	98,674	2.27	HQA
LOT 'B'	PRIVATE WAY	15,814	0.36	HQA
LOT 'C'	PRIVATE WAY	15,734	0.36	HQA
LOT 'D'	PRIVATE WAY	15,574	0.36	HQA
LOT 'E'	PRIVATE COURT	4,836	0.11	HQA
LOT 'F'	PRIVATE COURT	2,682	0.06	HQA
LOT 'G'	PRIVATE COURT	2,692	0.06	HQA
LOT 'H'	PRIVATE COURT	2,682	0.06	HQA
LOT 'I'	PRIVATE COURT	2,692	0.06	HQA
LOT 'J'	PRIVATE COURT	2,682	0.06	HQA
LOT 'K'	PRIVATE COURT	2,682	0.06	HQA
LOT 'L'	PRIVATE COURT	3,865	0.09	HQA
LOT 'M'	PRIVATE COURT	2,900	0.07	HQA
LOT 'N'	PRIVATE COURT	2,692	0.06	HQA
LOT 'O'	PRIVATE COURT	2,692	0.06	HQA
LOT 'P'	PRIVATE COURT	2,692	0.06	HQA
LOT 'Q'	PRIVATE COURT	2,692	0.06	HQA
LOT 'R'	PRIVATE COURT	2,682	0.06	HQA
LOT 'S'	PRIVATE COURT	2,733	0.06	HQA
LOT 'T'	PRIVATE COURT	3,170	0.07	HQA
LOT 'U'	PRIVATE COURT	3,139	0.07	HQA
LOT 'V'	PRIVATE COURT	2,143	0.05	HQA
LOT 'W'	PRIVATE COURT	2,971	0.07	HQA
LOT 'X'	PRIVATE COURT	2,971	0.07	HQA
LOT 'Y'	PRIVATE COURT	3,089	0.07	HQA
LOT 'Z'	PRIVATE COURT	3,074	0.07	HQA
LOT 'AA'	PRIVATE COURT	3,008	0.07	HQA
LOT 'BB'	PRIVATE COURT	2,978	0.07	HQA
LOT 'CC'	PRIVATE COURT	2,166	0.05	HQA
LOT 'DD'	LANDSCAPE LOT	1,613	0.04	HQA
LOT 'EE'	LANDSCAPE LOT	2,872	0.07	HQA
LOT 'FF'	LANDSCAPE LOT	2,871	0.07	HQA
LOT 'GG'	LANDSCAPE LOT	2,691	0.06	HQA
LOT 'HH'	LANDSCAPE LOT	3,394	0.08	HQA
LOT 'II'	LANDSCAPE LOT	1,802	0.04	HQA
LOT 'JJ'	LANDSCAPE LOT	1,921	0.04	HQA
LOT 'KK'	LANDSCAPE LOT	1,865	0.04	HQA
LOT 'LL'	LANDSCAPE LOT	4,162	0.10	HQA
TOTAL		341,542	5.55	

## UTILITY SUMMARY

STORM DRAIN		SEWER	
PRIVATE 18" S.D.	2,435 L.F.	8" S.D.	6,340 L.F.
PRIVATE 24" S.D.	810 L.F.		
PRIVATE 36" S.D.	145 L.F.		
DOMESTIC WATER		STREET	
8" D.W.	2,880 L.F.	PRIVATE LONDON A.D.D. L.F.	
4" D.W.	2,840 L.F.		

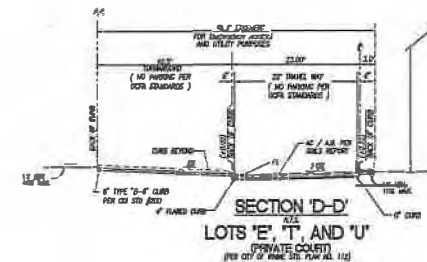
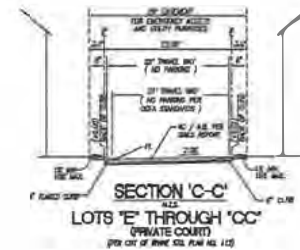
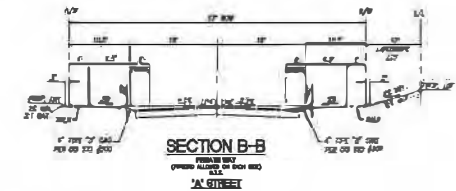
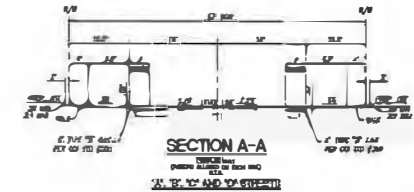
\* LOCATION INDICATED ALONG STREET FROM INTERSECTION TO SUBSTATIONARY SERVICE TIE  
\* TRUNK MAIN

## STREET SUMMARY

ST NAME	TYPE	LENGTH	AREA
A STREET	PRIVATE	2004 FT	2.27 AC
B STREET	PRIVATE	1008 FT	0.36 AC
C STREET	PRIVATE	1007 FT	0.36 AC
D STREET	PRIVATE	1007 FT	0.36 AC
E COURT	PRIVATE	1007 FT	0.11 AC
F COURT	PRIVATE	1007 FT	0.06 AC
G COURT	PRIVATE	1007 FT	0.06 AC
H COURT	PRIVATE	1007 FT	0.06 AC
I COURT	PRIVATE	1007 FT	0.06 AC
J COURT	PRIVATE	1007 FT	0.06 AC
K COURT	PRIVATE	1007 FT	0.06 AC
L COURT	PRIVATE	1007 FT	0.09 AC
M COURT	PRIVATE	1007 FT	0.07 AC
N COURT	PRIVATE	1007 FT	0.06 AC
O COURT	PRIVATE	1007 FT	0.06 AC
P COURT	PRIVATE	1007 FT	0.06 AC
Q COURT	PRIVATE	1007 FT	0.06 AC
R COURT	PRIVATE	1007 FT	0.06 AC
S COURT	PRIVATE	1007 FT	0.06 AC
T COURT	PRIVATE	1007 FT	0.07 AC
U COURT	PRIVATE	1007 FT	0.07 AC
V COURT	PRIVATE	1007 FT	0.05 AC
W COURT	PRIVATE	1007 FT	0.07 AC
X COURT	PRIVATE	1007 FT	0.07 AC
Y COURT	PRIVATE	1007 FT	0.07 AC
Z COURT	PRIVATE	1007 FT	0.07 AC
AA COURT	PRIVATE	1007 FT	0.07 AC
BB COURT	PRIVATE	1007 FT	0.07 AC
CC COURT	PRIVATE	1007 FT	0.05 AC
DD LANDSCAPE	PRIVATE	1007 FT	0.04 AC
EE LANDSCAPE	PRIVATE	1007 FT	0.07 AC
FF LANDSCAPE	PRIVATE	1007 FT	0.07 AC
GG LANDSCAPE	PRIVATE	1007 FT	0.06 AC
HH LANDSCAPE	PRIVATE	1007 FT	0.08 AC
II LANDSCAPE	PRIVATE	1007 FT	0.04 AC
JJ LANDSCAPE	PRIVATE	1007 FT	0.04 AC
KK LANDSCAPE	PRIVATE	1007 FT	0.04 AC
LL LANDSCAPE	PRIVATE	1007 FT	0.10 AC

## LAND USE SUMMARY

DESCRIPTION	TOTAL
LOTS 1 - 25	11.36 AC
LOTS 26 THROUGH 50 (PRIVATE WAY)	5.55 AC
LOTS 51 THROUGH 100 (PRIVATE COURT)	5.55 AC
LOTS 101 THROUGH 150 (LANDSCAPE)	5.55 AC
TOTAL NET/ORGANIC ACRES	16.01 AC



PREPARED BY: WILSON MIRA CORPORATION	CHECKED BY: J. M. MIRA CORPORATION	DESIGNED BY: J. M. MIRA CORPORATION	DRAWN BY: J. M. MIRA CORPORATION	VESTING TENTATIVE TRACT NO. 18009 ORCHARD HILLS NEIGHBORHOOD 3 TYPICAL SECTIONS/STATISTICAL SUMMARY FILE NO. 00874580-PPT	2 4
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STANDARD WATER LINE (1000)	
SHOWED SEWER LINE (1000)	
WATER MAIN LINE (1000)	
ADJUSTED WATER LINE (1000)	
SEWER MAIN LINE (1000)	
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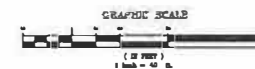
☒ EASEMENT TO SHED FOR STORAGE AND OTHER PURPOSES

☐ EASEMENT FOR EMERGENCY ACCESS PURPOSES TO THE CITY OF BRINE

☐ EASEMENT FOR PEDESTRIAN ACCESS PURPOSES TO THE CITY OF BRINE

MINUTES REQUIRED DOFA TURNING RIGID

MINUTES DOFA FIRE TRUCK TURNAROUND



1. What is the purpose of the study?

IRVINE COMPANY COMMUNITY DEVELOPMENT

VESTING TENTATIVE TRACT NO. 18009  
ORCHARD HILLS NEIGHBORHOOD 3  
SITE PLAN  
FILE NO. 00874560-PPT

3

# VESTING TENTATIVE TRACT MAP TRACT 18009

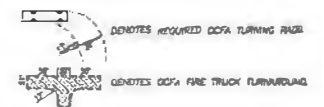


**LEGEND**

CONCRETE WALL LINE (PROP)	
OVERLAY TRAILER LANE (PROP)	
STORM DRAIN LANE (PROP)	
LANDSCAPE WATER LANE (EXIST)	
OVERLAY TRAILER LANE (EXIST)	
STORM DRAIN LANE (EXIST)	
PROPOSED DRAIN LANE	
LOT LINE	
PAVED DRIVEWAY	
CATCH BASIN (PROP)	
CATCH BASIN (EXIST)	
STREET LIGHT	
RETAINED WALL	
LIMITED USE AREA	
ENCLOSURE	
FACE OF CURB & GUTTER	
TRACT BOUNDARY	
EXISTING CENTERLINE	
PROPOSED CENTERLINE	
PROPOSED STREET NAME	

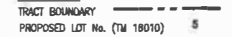
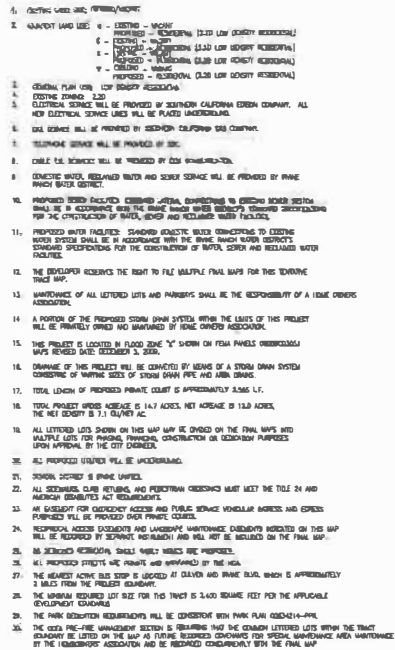
- EASEMENT NOTES**
- ① EASEMENT TO ROAD FOR SEWER AND WATER PURPOSES
  - ② EASEMENT FOR EMERGENCY ACCESS PURPOSES TO THE CITY OF IRVINE
  - ③ EASEMENT FOR RECREATION ACCESS PURPOSES TO THE CITY OF IRVINE

## OCFA ACCESS DETAILS



PREPARED BY WILSON MIKI CORPORATION 8 CORPORATE PARK, SUITE 100 IRVINE, CA 92614 (714) 440-4000	CHECKED BY IRVINE COMPANY   COMMUNITY DEVELOPMENT	VESTING TENTATIVE TRACT NO. 18009 ORCHARD HILLS NEIGHBORHOOD 3 <b>SITE PLAN</b> FILE NO. 00874580-PPT		SHEET <b>4</b> OF <b>4</b>
		PROJECT DATE: _____ DRAWN BY: _____		DATE: _____

BEING A PORTION OF BLOCK 82 OF HYMAN'S SUBDIVISION AS SHOWN ON A MAP THEREOF FILED IN BOOK 1, PAGE 88 OF MISCELLANEOUS RECORD MAPS, AS SHOWN ON A RECORD OF ORANGE COUNTY, CALIFORNIA


$$\frac{1}{4}$$

LOT NO	NO. OF UNITS	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)
LOT 1	1	RESIDENTIAL	4,169	0.10
LOT 2	1	RESIDENTIAL	4,179	0.10
LOT 3	1	RESIDENTIAL	4,173	0.09
LOT 4	1	RESIDENTIAL	3,998	0.09
LOT 5	1	RESIDENTIAL	3,998	0.09
LOT 6	1	RESIDENTIAL	4,000	0.09
LOT 7	1	RESIDENTIAL	4,174	0.10
LOT 8	1	RESIDENTIAL	3,815	0.09
LOT 9	1	RESIDENTIAL	3,716	0.09
LOT 10	1	RESIDENTIAL	4,191	0.10
LOT 11	1	RESIDENTIAL	4,314	0.10
LOT 12	1	RESIDENTIAL	4,035	0.09
LOT 13	1	RESIDENTIAL	4,295	0.10
LOT 14	1	RESIDENTIAL	4,339	0.10
LOT 15	1	RESIDENTIAL	4,156	0.10
LOT 16	1	RESIDENTIAL	4,174	0.10
LOT 17	1	RESIDENTIAL	4,568	0.10
LOT 18	1	RESIDENTIAL	4,405	0.10
LOT 19	1	RESIDENTIAL	4,480	0.10
LOT 20	1	RESIDENTIAL	4,899	0.11
LOT 21	1	RESIDENTIAL	5,594	0.13
LOT 22	1	RESIDENTIAL	4,317	0.10
LOT 23	1	RESIDENTIAL	4,125	0.09
LOT 24	1	RESIDENTIAL	4,135	0.10
LOT 25	1	RESIDENTIAL	4,006	0.09
LOT 26	1	RESIDENTIAL	3,993	0.09
LOT 27	1	RESIDENTIAL	4,386	0.10
LOT 28	1	RESIDENTIAL	4,855	0.11
LOT 29	1	RESIDENTIAL	5,510	0.13
LOT 30	1	RESIDENTIAL	4,959	0.11
LOT 31	1	RESIDENTIAL	4,033	0.09
LOT 32	1	RESIDENTIAL	3,809	0.09
LOT 33	1	RESIDENTIAL	3,763	0.09
LOT 34	1	RESIDENTIAL	3,743	0.09
LOT 35	1	RESIDENTIAL	4,426	0.10
LOT 36	1	RESIDENTIAL	4,354	0.10
LOT 37	1	RESIDENTIAL	6,106	0.14
LOT 38	1	RESIDENTIAL	4,301	0.10
LOT 39	1	RESIDENTIAL	4,534	0.10
LOT 40	1	RESIDENTIAL	4,090	0.09
LOT 41	1	RESIDENTIAL	4,061	0.09
LOT 42	1	RESIDENTIAL	4,050	0.09
LOT 43	1	RESIDENTIAL	4,038	0.09
LOT 44	1	RESIDENTIAL	4,040	0.09
LOT 45	1	RESIDENTIAL	4,057	0.09
LOT 46	1	RESIDENTIAL	4,061	0.09
LOT 47	1	RESIDENTIAL	4,068	0.09
LOT 48	1	RESIDENTIAL	4,075	0.09
LOT 49	1	RESIDENTIAL	4,195	0.10
LOT 50	1	RESIDENTIAL	3,811	0.09
LOT 51	1	RESIDENTIAL	3,827	0.09
LOT 52	1	RESIDENTIAL	3,845	0.09
LOT 53	1	RESIDENTIAL	4,083	0.09
LOT 54	1	RESIDENTIAL	4,046	0.09
LOT 55	1	RESIDENTIAL	4,704	0.11
LOT 56	1	RESIDENTIAL	4,672	0.11
LOT 57	1	RESIDENTIAL	4,584	0.11
LOT 58	1	RESIDENTIAL	4,172	0.10
LOT 59	1	RESIDENTIAL	3,686	0.08
LOT 60	1	RESIDENTIAL	3,885	0.09
LOT 61	1	RESIDENTIAL	3,830	0.09
LOT 62	1	RESIDENTIAL	4,146	0.10
LOT 63	1	RESIDENTIAL	5,780	0.13
LOT 64	1	RESIDENTIAL	4,284	0.10
LOT 65	1	RESIDENTIAL	4,184	0.10
LOT 66	1	RESIDENTIAL	4,381	0.10
LOT 67	1	RESIDENTIAL	4,007	0.09
LOT 68	1	RESIDENTIAL	3,985	0.09
LOT 69	1	RESIDENTIAL	3,978	0.09
LOT 70	1	RESIDENTIAL	3,979	0.09
LOT 71	1	RESIDENTIAL	4,209	0.10
LOT 72	1	RESIDENTIAL	4,104	0.10
LOT 73	1	RESIDENTIAL	4,200	0.10
LOT 74	1	RESIDENTIAL	4,833	0.11
LOT 75	1	RESIDENTIAL	3,954	0.09
LOT 76	1	RESIDENTIAL	3,867	0.09
LOT 77	1	RESIDENTIAL	3,861	0.09
LOT 78	1	RESIDENTIAL	3,859	0.09
LOT 79	1	RESIDENTIAL	4,001	0.09
LOT 80	1	RESIDENTIAL	4,244	0.10
LOT 81	1	RESIDENTIAL	4,232	0.10
LOT 82	1	RESIDENTIAL	5,531	0.13
LOT 83	1	RESIDENTIAL	4,291	0.10
LOT 84	1	RESIDENTIAL	4,213	0.10
LOT 85	1	RESIDENTIAL	4,461	0.10
LOT 86	1	SUBTOTAL	365,420	8

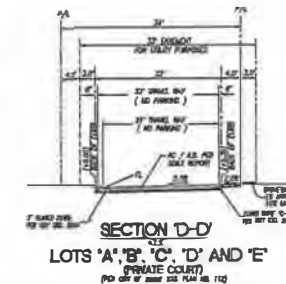
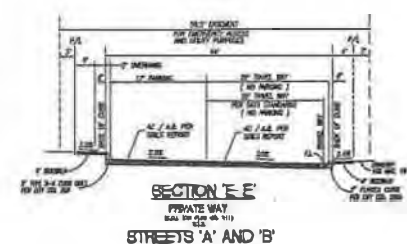
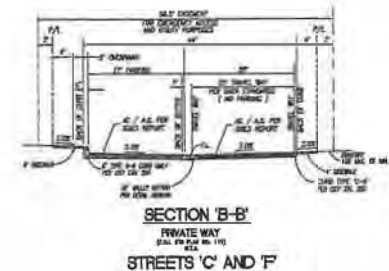
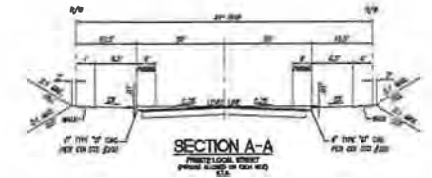
### LETTERED LOTS

LOT NO.	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)	OWNERSHIP AND MAINTENANCE RESPONSIBILITY
LOT 'A'	PRIVATE COURT	4,185	0.10	HGA
LOT 'B'	PRIVATE COURT	4,581	0.10	HGA
LOT 'C'	PRIVATE COURT	4,511	0.10	HGA
LOT 'D'	PRIVATE COURT	4,772	0.10	HGA
LOT 'E'	PRIVATE COURT	4,076	0.09	HGA
LOT 'F'	LANDSCAPE LOT	12,409	0.28	HGA
LOT 'G'	LANDSCAPE LOT	7,297	0.17	HGA
LOT 'H'	LANDSCAPE LOT	2,403	0.06	HGA
LOT 'I'	LANDSCAPE LOT	1,832	0.04	HDI
LOT 'J'	LANDSCAPE LOT	1,889	0.04	HGA
LOT 'K'	LANDSCAPE LOT	3,177	0.07	HGA
LOT 'L'	LANDSCAPE LOT	3,014	0.07	HGA
LOT 'M'	LANDSCAPE LOT	1,841	0.04	HGA
LOT 'N'	LANDSCAPE LOT	967	0.02	HGA
LOT 'O'	LANDSCAPE LOT	3,586	0.07	HGA
LOT 'P'	PRIVATE WAY	34,395	0.79	HGA
LOT 'Q'	PRIVATE WAY	36,443	0.84	HGA
LOT 'R'	PRIVATE WAY	6,995	0.16	HGA
LOT 'S'	PRIVATE WAY	23,206	0.53	HGA
	TOTAL	155,770	3.67	

<p><b>STORM DRAIN</b></p> <p>PRIVATE 18" DI 125 L.F.</p> <p>PRIVATE 12" DI 1,219 L.F.</p>	<p><b>SEWER</b></p> <p>8" 2,100 L.F.</p>
<p><b>DOMESTIC WATER</b></p> <p>8" 2,300 L.F.</p>	<p><b>STREET</b></p> <p>PRIVATE LENGTH 2,546 L.F.</p> <p>* LENGTH MEASURED ALONG STREET FROM INTERSECTION TO SUBSTATION WITHIN THE TRACT BOUNDARY</p>

DESCRIPTION	TOTAL
LINE 1 - 00	0.00
LINE 10 - REMARK 10 (MARKET CHARGE)	0.00
LINE 11 - REMARK 11 (DISCOUNT)	0.00
LINE 12 - 00	0.00
LINE 13 - 00	0.00
LINE 14 - 00	0.00
TOTAL	0.00

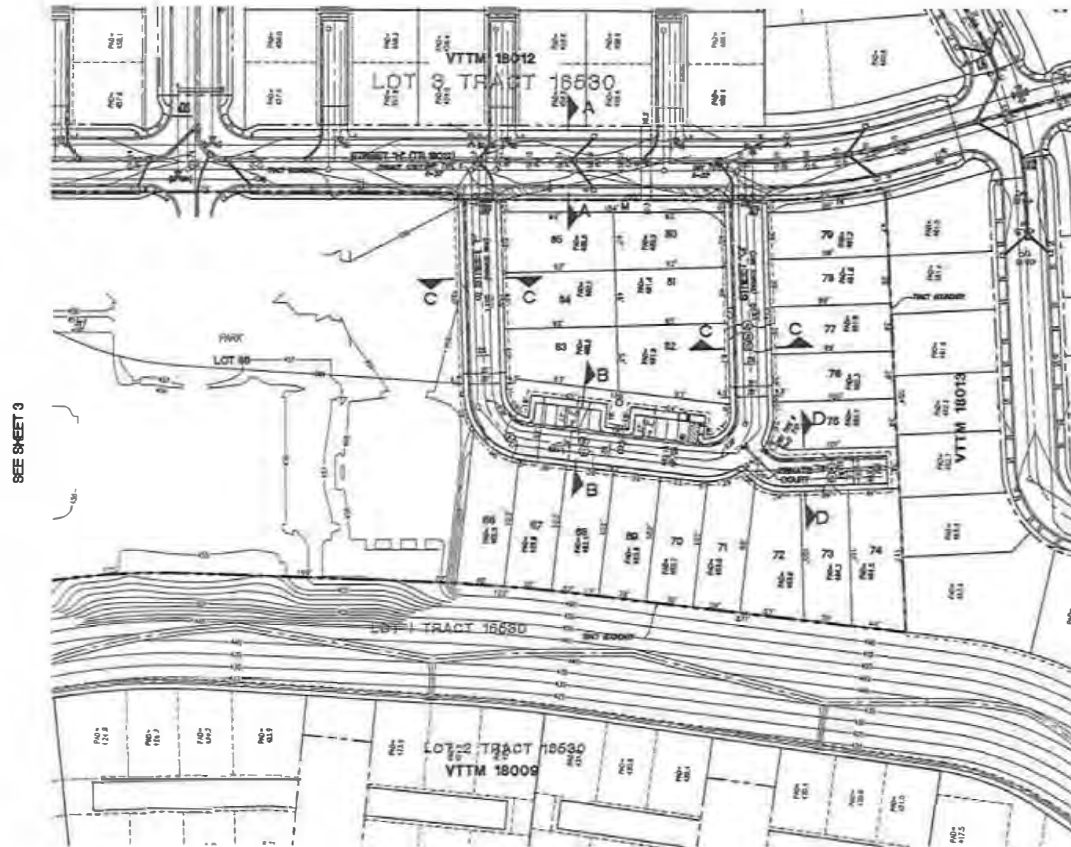
		TYPE	LENGTH	AREA
FRONT	Y	FRONT W/	24'	2.5 AC
FRONT	Y	FRONT W/	48'	0.43 AC
CRST	Y	FRONT W/	15'	0.29 AC
CRST	Y	FRONT W/	187'	2.18 AC
CRST	Y	FRONT W/	187'	2.15 AC
CRST	Y	FRONT W/	47'	0.26 AC
CRST	Y	FRONT W/	24'	2.11 AC



<p>APPROVED BY</p> <p> WILSON MEARNS CORPORATION</p> <p><i>[Signature]</i></p> <p>DATE: 6-15-88 1:00 PM - CDB</p>	<p>APPROVED BY</p> <p>IRVINE</p> <p>COMMUNITY DEVELOPMENT</p>	<p>VESTING TENTATIVE TRACT NO.18010 ORCHARD HILLS NEIGHBORHOOD 3</p> <p>TYPICAL SECTIONS/STATISTICAL SUMMARY</p> <p>FILE NO. 00674568-PTT</p>	<p>2</p> <p>4</p>
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# VESTING TENTATIVE TRACT MAP TRACT 18010

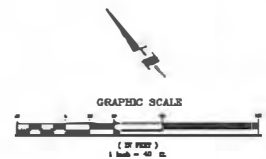


SEE SHEET 3

LEGEND	
VESTING WATER LINE (PROP)	---
SEWER LINE (PROP)	---
STORM DRAIN LINE (PROP)	---
VEHICLE WATER LINE (EXIST)	---
VEHICLE SEWER LINE (EXIST)	---
STORM DRAIN LINE (EXIST)	---
STREET CENTER LINE	---
LOT LINE	---
FREE HIGHWAY	---
CATCH BASIN (PROP)	○
CATCH BASIN (EXIST)	○
STREET LIGHT	○
RETAINING WALL	---
LIMITED USE AREA	---
EXISTING	---
FACE OF CURB & GUTTER	---
TRACT BOUNDARY	---
EXISTING CENTERLINE	---
PROPOSED CENTERLINE	---
PROPOSED STREET GRADE	---

## EASEMENT NOTES

- ① EASEMENT TO BE FOR ROAD AND WATER PURPOSES
- ② EASEMENT FOR EXISTING ACCESS PURPOSES TO THE CITY OF IRVINE
- ③ EASEMENT FOR EXISTING ACCESS PURPOSES TO THE CITY OF IRVINE



APPROVED BY	DATE
WILSON PIRANI CORPORATION	08/01/00
1 848-678-0300	

APPROVED BY	DATE
IRVINE COMPANY COMMUNITY DEVELOPMENT	08/01/00

APPROVED BY	DATE
IRVINE COMPANY COMMUNITY DEVELOPMENT	08/01/00

VESTING TENTATIVE TRACT NO. 18010	4
ORCHARD HILLS NEIGHBORHOOD 3	4
SITE PLAN	
FILE NO. 00674568-PTT	

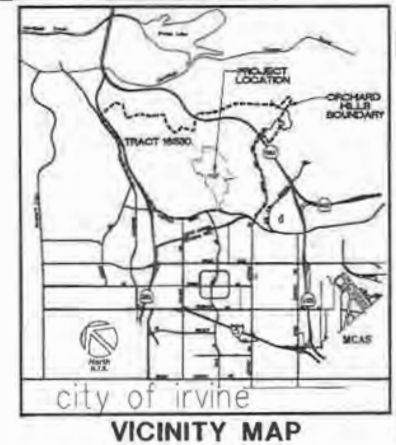


# VESTING TENTATIVE TRACT MAP TRACT 18011

FOR RESIDENTIAL CONDOMINIUM PURPOSES

LEGAL DESCRIPTION:

BEING PORTIONS OF LOT 400 OF TRACT 1/88, AS SHOWN ON A MAP RECORDED IN BOOK 1, PAGE 88 OF MISCELLANEOUS RECORDED MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.  
APN# 10404386



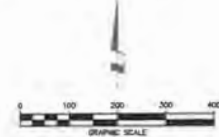
## GENERAL NOTES

1. EXISTING LAND USE: COMMERCIAL/INDUSTRIAL
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98. EXISTING LAND USE: COMMERCIAL/INDUSTRIAL
99. EXISTING LAND USE: COMMERCIAL/INDUSTRIAL
100. EXISTING LAND USE: COMMERCIAL/INDUSTRIAL



**SHEET LEGEND**  
TITLE SHEET / INDEX MAP 1  
TYPICAL SECTIONS / STATISTICAL SUMMARY 2  
TRACT 18011 SITE PLAN 3

**LEGEND**  
TRACT BOUNDARY  
PROPOSED LOT LINES (TRACT 18011) 5



RECORD OWNER AND BINDER  
IRVINE COMPANY COMMUNITY DEVELOPMENT  
A DIVISION OF IRVINE COMPANY  
5000 ORANGE BLVD., SUITE 200  
IRVINE, CA 92618-1400  
TEL: 949.451.1000  
FAX: 949.451.1001  
WWW.IRVINECOMPANY.COM

<p>APPROVED BY:</p> <p>WILSON HIGASHI CORPORATION</p> <p>DATE: 10/10/2011</p> <p>PROJECT NO: 10404386</p>	<p>DATE: 10/10/2011</p> <p>PROJECT NO: 10404386</p> <p>SCALE: 1" = 100'</p>	<p>IRVINE COMPANY COMMUNITY DEVELOPMENT</p>	<p>VESTING TENTATIVE TRACT NO.18011 ORCHARD HILLS NEIGHBORHOOD 3 TITLE SHEET FILE NO. 00880841-PIT</p>	<p>SHEET 1 OF 3</p>
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# STATISTICAL SUMMARY

## NUMBERED LOTS

LOT NO.	NO. OF UNITS	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)
LOT 1	1	RESIDENTIAL	10,000	0.23
LOT 2	1	RESIDENTIAL	10,000	0.23
LOT 3	1	RESIDENTIAL	10,000	0.23
LOT 4	1	RESIDENTIAL	10,000	0.23
LOT 5	1	RESIDENTIAL	10,000	0.23
LOT 6	1	RESIDENTIAL	10,000	0.23
LOT 7	1	RESIDENTIAL	10,000	0.23
LOT 8	1	RESIDENTIAL	10,000	0.23
LOT 9	1	RESIDENTIAL	10,000	0.23
LOT 10	1	RESIDENTIAL	10,000	0.23
LOT 11	1	RESIDENTIAL	10,000	0.23
LOT 12	1	RESIDENTIAL	10,000	0.23
LOT 13	1	RESIDENTIAL	10,000	0.23
LOT 14	1	RESIDENTIAL	10,000	0.23
LOT 15	1	RESIDENTIAL	10,000	0.23
LOT 16	1	RESIDENTIAL	10,000	0.23
LOT 17	1	RESIDENTIAL	10,000	0.23
LOT 18	1	RESIDENTIAL	10,000	0.23
LOT 19	1	RESIDENTIAL	10,000	0.23
LOT 20	1	RESIDENTIAL	10,000	0.23
LOT 21	1	RESIDENTIAL	10,000	0.23
LOT 22	1	RESIDENTIAL	10,000	0.23
LOT 23	1	RESIDENTIAL	10,000	0.23
LOT 24	1	RESIDENTIAL	10,000	0.23
LOT 25	1	RESIDENTIAL	10,000	0.23
LOT 26	1	RESIDENTIAL	10,000	0.23
LOT 27	1	RESIDENTIAL	10,000	0.23
LOT 28	1	RESIDENTIAL	10,000	0.23
LOT 29	1	RESIDENTIAL	10,000	0.23
LOT 30	1	RESIDENTIAL	10,000	0.23
LOT 31	1	RESIDENTIAL	10,000	0.23
LOT 32	1	RESIDENTIAL	10,000	0.23
LOT 33	1	RESIDENTIAL	10,000	0.23
LOT 34	1	RESIDENTIAL	10,000	0.23
LOT 35	1	RESIDENTIAL	10,000	0.23
LOT 36	1	RESIDENTIAL	10,000	0.23
LOT 37	1	RESIDENTIAL	10,000	0.23
LOT 38	1	RESIDENTIAL	10,000	0.23
LOT 39	1	RESIDENTIAL	10,000	0.23
LOT 40	1	RESIDENTIAL	10,000	0.23
LOT 41	1	RESIDENTIAL	10,000	0.23
LOT 42	1	RESIDENTIAL	10,000	0.23
LOT 43	1	RESIDENTIAL	10,000	0.23
LOT 44	1	RESIDENTIAL	10,000	0.23
LOT 45	1	RESIDENTIAL	10,000	0.23
LOT 46	1	RESIDENTIAL	10,000	0.23
LOT 47	1	RESIDENTIAL	10,000	0.23
LOT 48	1	RESIDENTIAL	10,000	0.23
LOT 49	1	RESIDENTIAL	10,000	0.23
LOT 50	1	RESIDENTIAL	10,000	0.23
LOT 51	1	RESIDENTIAL	10,000	0.23
LOT 52	1	RESIDENTIAL	10,000	0.23
LOT 53	1	RESIDENTIAL	10,000	0.23
LOT 54	1	RESIDENTIAL	10,000	0.23
LOT 55	1	RESIDENTIAL	10,000	0.23
LOT 56	1	RESIDENTIAL	10,000	0.23
LOT 57	1	RESIDENTIAL	10,000	0.23
LOT 58	1	RESIDENTIAL	10,000	0.23
LOT 59	1	RESIDENTIAL	10,000	0.23
LOT 60	1	RESIDENTIAL	10,000	0.23
LOT 61	1	RESIDENTIAL	10,000	0.23
LOT 62	1	RESIDENTIAL	10,000	0.23
LOT 63	1	RESIDENTIAL	10,000	0.23
LOT 64	1	RESIDENTIAL	10,000	0.23
LOT 65	1	RESIDENTIAL	10,000	0.23
LOT 66	1	RESIDENTIAL	10,000	0.23
LOT 67	1	RESIDENTIAL	10,000	0.23
LOT 68	1	RESIDENTIAL	10,000	0.23
LOT 69	1	RESIDENTIAL	10,000	0.23
LOT 70	1	RESIDENTIAL	10,000	0.23
LOT 71	1	RESIDENTIAL	10,000	0.23
LOT 72	1	RESIDENTIAL	10,000	0.23
LOT 73	1	RESIDENTIAL	10,000	0.23
LOT 74	1	RESIDENTIAL	10,000	0.23
LOT 75	1	RESIDENTIAL	10,000	0.23
LOT 76	1	RESIDENTIAL	10,000	0.23
LOT 77	1	RESIDENTIAL	10,000	0.23
LOT 78	1	RESIDENTIAL	10,000	0.23
LOT 79	1	RESIDENTIAL	10,000	0.23
LOT 80	1	RESIDENTIAL	10,000	0.23
LOT 81	1	RESIDENTIAL	10,000	0.23
LOT 82	1	RESIDENTIAL	10,000	0.23
LOT 83	1	RESIDENTIAL	10,000	0.23
LOT 84	1	RESIDENTIAL	10,000	0.23
LOT 85	1	RESIDENTIAL	10,000	0.23
LOT 86	1	RESIDENTIAL	10,000	0.23
LOT 87	1	RESIDENTIAL	10,000	0.23
LOT 88	1	RESIDENTIAL	10,000	0.23
LOT 89	1	RESIDENTIAL	10,000	0.23
LOT 90	1	RESIDENTIAL	10,000	0.23
LOT 91	1	RESIDENTIAL	10,000	0.23
LOT 92	1	RESIDENTIAL	10,000	0.23
LOT 93	1	RESIDENTIAL	10,000	0.23
LOT 94	1	RESIDENTIAL	10,000	0.23
LOT 95	1	RESIDENTIAL	10,000	0.23
LOT 96	1	RESIDENTIAL	10,000	0.23
LOT 97	1	RESIDENTIAL	10,000	0.23
LOT 98	1	RESIDENTIAL	10,000	0.23
LOT 99	1	RESIDENTIAL	10,000	0.23
LOT 100	1	RESIDENTIAL	10,000	0.23

MIN. RESIDENTIAL LOT SIZE: 0.23 AC.  
MAX. RESIDENTIAL LOT SIZE: 0.48 AC.  
MINIMUM: 0.33 AC.

## LETTERED LOTS

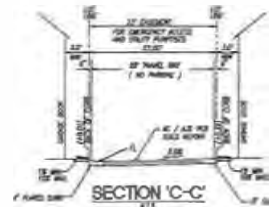
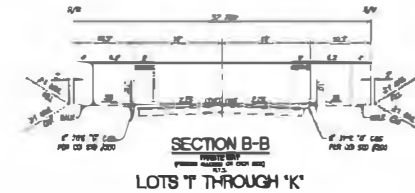
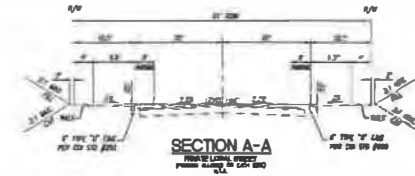
LOT NO.	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)	OWNERSHIP AND MAINTENANCE RESPONSIBILITY
LOT 101	RESIDENTIAL	10,000	0.23	OWN
LOT 102	RESIDENTIAL	10,000	0.23	OWN
LOT 103	RESIDENTIAL	10,000	0.23	OWN
LOT 104	RESIDENTIAL	10,000	0.23	OWN
LOT 105	RESIDENTIAL	10,000	0.23	OWN
LOT 106	RESIDENTIAL	10,000	0.23	OWN
LOT 107	RESIDENTIAL	10,000	0.23	OWN
LOT 108	RESIDENTIAL	10,000	0.23	OWN
LOT 109	RESIDENTIAL	10,000	0.23	OWN
LOT 110	RESIDENTIAL	10,000	0.23	OWN
LOT 111	RESIDENTIAL	10,000	0.23	OWN
LOT 112	RESIDENTIAL	10,000	0.23	OWN
LOT 113	RESIDENTIAL	10,000	0.23	OWN
LOT 114	RESIDENTIAL	10,000	0.23	OWN
LOT 115	RESIDENTIAL	10,000	0.23	OWN
LOT 116	RESIDENTIAL	10,000	0.23	OWN
LOT 117	RESIDENTIAL	10,000	0.23	OWN
LOT 118	RESIDENTIAL	10,000	0.23	OWN
LOT 119	RESIDENTIAL	10,000	0.23	OWN
LOT 120	RESIDENTIAL	10,000	0.23	OWN
LOT 121	RESIDENTIAL	10,000	0.23	OWN
LOT 122	RESIDENTIAL	10,000	0.23	OWN
LOT 123	RESIDENTIAL	10,000	0.23	OWN
LOT 124	RESIDENTIAL	10,000	0.23	OWN
LOT 125	RESIDENTIAL	10,000	0.23	OWN
LOT 126	RESIDENTIAL	10,000	0.23	OWN
LOT 127	RESIDENTIAL	10,000	0.23	OWN
LOT 128	RESIDENTIAL	10,000	0.23	OWN
LOT 129	RESIDENTIAL	10,000	0.23	OWN
LOT 130	RESIDENTIAL	10,000	0.23	OWN
LOT 131	RESIDENTIAL	10,000	0.23	OWN
LOT 132	RESIDENTIAL	10,000	0.23	OWN
LOT 133	RESIDENTIAL	10,000	0.23	OWN
LOT 134	RESIDENTIAL	10,000	0.23	OWN
LOT 135	RESIDENTIAL	10,000	0.23	OWN
LOT 136	RESIDENTIAL	10,000	0.23	OWN
LOT 137	RESIDENTIAL	10,000	0.23	OWN
LOT 138	RESIDENTIAL	10,000	0.23	OWN
LOT 139	RESIDENTIAL	10,000	0.23	OWN
LOT 140	RESIDENTIAL	10,000	0.23	OWN
LOT 141	RESIDENTIAL	10,000	0.23	OWN
LOT 142	RESIDENTIAL	10,000	0.23	OWN
LOT 143	RESIDENTIAL	10,000	0.23	OWN
LOT 144	RESIDENTIAL	10,000	0.23	OWN
LOT 145	RESIDENTIAL	10,000	0.23	OWN
LOT 146	RESIDENTIAL	10,000	0.23	OWN
LOT 147	RESIDENTIAL	10,000	0.23	OWN
LOT 148	RESIDENTIAL	10,000	0.23	OWN
LOT 149	RESIDENTIAL	10,000	0.23	OWN
LOT 150	RESIDENTIAL	10,000	0.23	OWN
LOT 151	RESIDENTIAL	10,000	0.23	OWN
LOT 152	RESIDENTIAL	10,000	0.23	OWN
LOT 153	RESIDENTIAL	10,000	0.23	OWN
LOT 154	RESIDENTIAL	10,000	0.23	OWN
LOT 155	RESIDENTIAL	10,000	0.23	OWN
LOT 156	RESIDENTIAL	10,000	0.23	OWN
LOT 157	RESIDENTIAL	10,000	0.23	OWN
LOT 158	RESIDENTIAL	10,000	0.23	OWN
LOT 159	RESIDENTIAL	10,000	0.23	OWN
LOT 160	RESIDENTIAL	10,000	0.23	OWN
LOT 161	RESIDENTIAL	10,000	0.23	OWN
LOT 162	RESIDENTIAL	10,000	0.23	OWN
LOT 163	RESIDENTIAL	10,000	0.23	OWN
LOT 164	RESIDENTIAL	10,000	0.23	OWN
LOT 165	RESIDENTIAL	10,000	0.23	OWN
LOT 166	RESIDENTIAL	10,000	0.23	OWN
LOT 167	RESIDENTIAL	10,000	0.23	OWN
LOT 168	RESIDENTIAL	10,000	0.23	OWN
LOT 169	RESIDENTIAL	10,000	0.23	OWN
LOT 170	RESIDENTIAL	10,000	0.23	OWN
LOT 171	RESIDENTIAL	10,000	0.23	OWN
LOT 172	RESIDENTIAL	10,000	0.23	OWN
LOT 173	RESIDENTIAL	10,000	0.23	OWN
LOT 174	RESIDENTIAL	10,000	0.23	OWN
LOT 175	RESIDENTIAL	10,000	0.23	OWN
LOT 176	RESIDENTIAL	10,000	0.23	OWN
LOT 177	RESIDENTIAL	10,000	0.23	OWN
LOT 178	RESIDENTIAL	10,000	0.23	OWN
LOT 179	RESIDENTIAL	10,000	0.23	OWN
LOT 180	RESIDENTIAL	10,000	0.23	OWN
LOT 181	RESIDENTIAL	10,000	0.23	OWN
LOT 182	RESIDENTIAL	10,000	0.23	OWN
LOT 183	RESIDENTIAL	10,000	0.23	OWN
LOT 184	RESIDENTIAL	10,000	0.23	OWN
LOT 185	RESIDENTIAL	10,000	0.23	OWN
LOT 186	RESIDENTIAL	10,000	0.23	OWN
LOT 187	RESIDENTIAL	10,000	0.23	OWN
LOT 188	RESIDENTIAL	10,000	0.23	OWN
LOT 189	RESIDENTIAL	10,000	0.23	OWN
LOT 190	RESIDENTIAL	10,000	0.23	OWN
LOT 191	RESIDENTIAL	10,000	0.23	OWN
LOT 192	RESIDENTIAL	10,000	0.23	OWN
LOT 193	RESIDENTIAL	10,000	0.23	OWN
LOT 194	RESIDENTIAL	10,000	0.23	OWN
LOT 195	RESIDENTIAL	10,000	0.23	OWN
LOT 196	RESIDENTIAL	10,000	0.23	OWN
LOT 197	RESIDENTIAL	10,000	0.23	OWN
LOT 198	RESIDENTIAL	10,000	0.23	OWN
LOT 199	RESIDENTIAL	10,000	0.23	OWN
LOT 200	RESIDENTIAL	10,000	0.23	OWN

## UTILITY SUMMARY

STORM DRAIN	SEWER
18" SD 24" SD	18" SD 24" SD
DOMESTIC WATER	STREET
18" DW 24" DW	18" DW 24" DW

## LAND USE SUMMARY

LAND USE	TOTAL
RESIDENTIAL	10,000
COMMERCIAL	10,000
INDUSTRIAL	10,000
RECREATION	10,000
OTHER	10,000
TOTAL	50,000



(PRIVATE COURT)  
FOR OFF & BURE. SEE PLAN NO. 112

LOTS 'L' THROUGH 'JJ'

PREPARED BY ILLINOIS HIGHWAY & CONSTRUCTION CORPORATION DATE: 10/1/10 BY: [Signature] CHECKED BY: [Signature]	IRVINE COMPANY COMMUNITY DEVELOPMENT	VESTING TENTATIVE TRACT NO. 18011 ORCHARD HILLS NEIGHBORHOOD 3 TYPICAL SECTIONS/STATISTICAL SUMMARY FILE NO. 008808A-PTT	2 3
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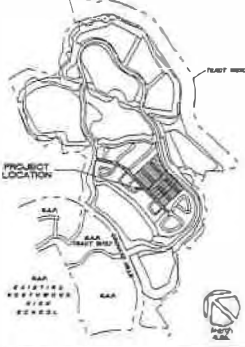
[illegible]

# VESTING TENTATIVE TRACT MAP TRACT 18012

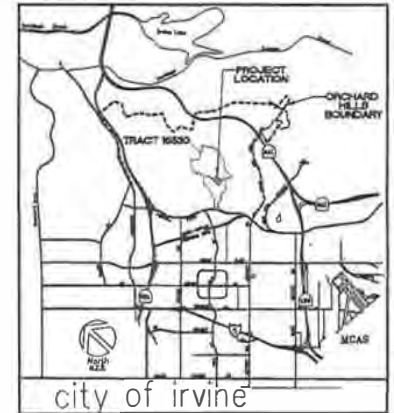
FOR RESIDENTIAL CONDOMINIUM PURPOSES

LEGAL DESCRIPTION:

BEING A PORTION OF BLOCK 62 OF PRIVATE HIGHWAY, AS SHOWN ON A MAP THEREOF FILED IN BOOK 1 PAGE 68 OF MICHAEL ANGELO RECORD MAPS, RECORD OF ORANGE COUNTY, CALIFORNIA  
APN# 10404366



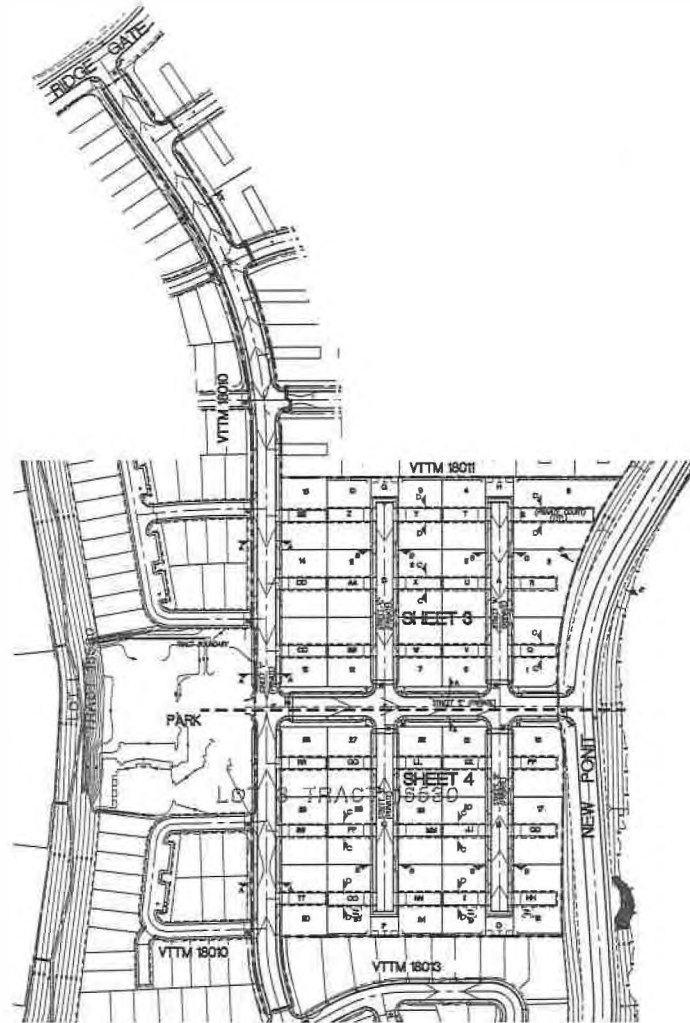
LOCATION MAP



city of irvine  
VICINITY ROADS

## GENERAL NOTES

1. EXISTING LAND USE: RESIDENTIAL.
2. ADJACENT LAND USE: RESIDENTIAL.
3. EXISTING LOT AREA: 1.00 ACRES.
4. EXISTING ZONING: LDR.
5. ELECTRICAL SERVICE WILL BE PROVIDED BY SOUTHERN CALIFORNIA Edison COMPANY. ALL NEW ELECTRICAL SERVICE LINES WILL BE PLACED UNDERGROUND.
6. GAS SERVICE WILL BE PROVIDED BY SOUTHERN CALIFORNIA GAS COMPANY.
7. TELEPHONE SERVICE WILL BE PROVIDED BY SBC.
8. WATER & SEWER SERVICE WILL BE PROVIDED BY CITY OF IRVINE.
9. DOMESTIC WATER RECLAIMED WATER AND SEWER SERVICE WILL BE PROVIDED BY IRVINE WATER DEPARTMENT.
10. PROPOSED SEWER FACILITIES: STANDARD LATERAL CONNECTIONS TO EXISTING SEWER SYSTEM SHALL BE IN ACCORDANCE WITH THE IRVINE WATER DEPARTMENT'S STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF SEWER, SEWER AND RECLAIMED WATER FACILITIES.
11. PROPOSED WATER FACILITIES: STANDARD DOMESTIC WATER CONNECTIONS TO EXISTING WATER SYSTEM SHALL BE IN ACCORDANCE WITH THE IRVINE WATER DEPARTMENT'S STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF WATER, SEWER AND RECLAIMED WATER FACILITIES.
12. THE DEVELOPER RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS FOR THIS TRACTING TRACT MAP.
13. MAINTENANCE OF ALL LETTERED LOTS WILL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
14. A PORTION OF THE PROPOSED STORM DRAIN SYSTEM WITHIN THE LIMITS OF THIS PROJECT WILL BE PROVIDED, OWNED AND MAINTAINED BY THE CITY OF IRVINE.
15. THIS PROJECT IS LOCATED IN FLOOD ZONE "X" SHOWN ON FEMA FLOOD PROGRESSIVE MAPS REVISION DATE: DECEMBER 1, 2006.
16. DRAINAGE OF THIS PROJECT WILL BE DRAINAGE BY MEANS OF A STORM DRAIN SYSTEM CONSISTING OF VARIOUS SIZES OF STORM DRAIN PIPE AND OPEN DRAINS.
17. TOTAL LENGTH OF PROPOSED PRIVATE STREET AND COURT ARE APPROXIMATELY 7,000 LF.
18. TOTAL PROJECT GROSS AREA IS 15.48 ACRES, NET AREA IS 15.48 ACRES, THE NET GROSS IS 7.4 ACRES AL.
19. ALL LETTERED LOTS SHOWN ON THIS MAP MAY BE DIVIDED ON THE FINAL MAPS INTO MULTIPLE LOTS FOR FINANCIAL, FINANCIAL, CONSTRUCTION OR SEPARATION PURPOSES UPON APPROVAL BY THE CITY OF IRVINE.
20. ALL PROPOSED VEHICLES WILL BE UNDERGROUND.
21. WETLAND DISTRICT IS IRVINE WETLANDS.
22. ALL SOCIETAL, OPEN WETLANDS, AND PEDESTRIAN CROSSINGS MUST MEET THE TITLE 24 AND AMERICAN DISABILITIES ACT REQUIREMENTS.
23. AN EASEMENT FOR EASEMENT ACCESS AND PUBLIC SERVICE VEHICLES PARKING AND CROSS PURPOSES WILL BE PROVIDED OVER PRIVATE COURTS.
24. RECREATIONAL ACCESS, EXISTENTS AND LANDSCAPE MAINTENANCE EXISTENTS LOCATED ON THIS MAP WILL BE MAINTAINED BY HOMEOWNERS ASSOCIATION AND WILL NOT BE INCLUDED ON THE FINAL MAP.
25. (1)25 RECREATIONAL SINGLE FAMILY RESIDENTIAL HOMES ARE PROPOSED.
26. ALL PROPOSED STREETS ARE PRIVATE AND MAINTAINED BY THE HOA.
27. THE NEAREST ACTIVE BUS STOP IS LOCATED AT ORCHARD HILLS DRIVE AND PORTOLA PARKWAY WHICH IS APPROXIMATELY 1,200 FT FROM THE PROJECT BOUNDARY.
28. EXCLUSIVE USE AREAS FOR BIKES SHALL BE TURNED ON THE CONTINGUOUS PLAN AND WILL BE MAINTAINED BY SEPARATE MAINTENANCE.
29. PROPOSED LAND USE: RESIDENTIAL CONDOMINIUM.
30. THE MINIMUM REQUIRED LOT SIZE FOR THIS TRACT IS 2,400 SQUARE FEET FOR THE APPLICABLE DEVELOPMENT STANDARDS.
31. PARK DEVELOPMENT REQUIREMENTS WILL BE CONSISTENT WITH PARK PLAN 0004214-PIN.

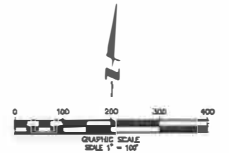


## SHEET LEGEND

- TITLE SHEET / INDEX MAP 1  
TYPICAL SECTIONS / STATISTICAL SUMMARY 2  
TRACT 18012 SITE PLAN 3-4

## LEGEND

- TRACT BOUNDARY ---  
PROPOSED LOT No. (TM 18012) 5



DATE	DESCRIPTION	APPROVED
10/10/11	PREPARED BY	WILSON WILSON
10/10/11	CHECKED BY	WILSON WILSON
10/10/11	DESIGNED BY	WILSON WILSON
10/10/11	PLANNED BY	WILSON WILSON
10/10/11	REVIEWED BY	WILSON WILSON
10/10/11	APPROVED BY	WILSON WILSON

PREPARED BY	WILSON WILSON CORPORATION
DATE	10/10/11
PROJECT NO.	10404366
PROJECT NAME	VESTING TENTATIVE TRACT NO. 18012

OWNER	IRVINE COMPANY COMMUNITY DEVELOPMENT
DATE	10/10/11
PROJECT NO.	10404366
PROJECT NAME	VESTING TENTATIVE TRACT NO. 18012

VESTING TENTATIVE TRACT NO. 18012	1
ORCHARD HILLS NEIGHBORHOOD 3	4
TITLE SHEET	
FILE NO. 00574570-PTT	

## STATISTICAL SUMMARY

## NUMBERED LOTS

LOT NO.	NO. OF UNITS	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)
LOT 1	4	RESIDENTIAL	13,179	0.30
LOT 2	4	RESIDENTIAL	14,400	0.33
LOT 3	2	RESIDENTIAL	12,864	0.29
LOT 4	4	RESIDENTIAL	13,337	0.31
LOT 5	4	RESIDENTIAL	16,891	0.38
LOT 6	4	RESIDENTIAL	16,620	0.38
LOT 7	4	RESIDENTIAL	16,421	0.38
LOT 8	4	RESIDENTIAL	16,421	0.38
LOT 9	4	RESIDENTIAL	16,421	0.38
LOT 10	4	RESIDENTIAL	16,421	0.38
LOT 11	4	RESIDENTIAL	16,421	0.38
LOT 12	4	RESIDENTIAL	16,421	0.38
LOT 13	4	RESIDENTIAL	16,421	0.38
LOT 14	4	RESIDENTIAL	16,421	0.38
LOT 15	4	RESIDENTIAL	16,421	0.38
LOT 16	4	RESIDENTIAL	16,421	0.38
LOT 17	4	RESIDENTIAL	16,421	0.38
LOT 18	4	RESIDENTIAL	16,421	0.38
LOT 19	4	RESIDENTIAL	16,421	0.38
LOT 20	4	RESIDENTIAL	16,421	0.38
LOT 21	4	RESIDENTIAL	16,421	0.38
LOT 22	4	RESIDENTIAL	16,421	0.38
LOT 23	4	RESIDENTIAL	16,421	0.38
LOT 24	4	RESIDENTIAL	16,421	0.38
LOT 25	4	RESIDENTIAL	16,421	0.38
LOT 26	4	RESIDENTIAL	16,421	0.38
LOT 27	4	RESIDENTIAL	16,421	0.38
LOT 28	4	RESIDENTIAL	16,421	0.38
LOT 29	4	RESIDENTIAL	16,421	0.38
LOT 30	4	RESIDENTIAL	16,421	0.38
LOT 31	4	RESIDENTIAL	16,421	0.38
LOT 32	4	RESIDENTIAL	16,421	0.38
LOT 33	4	RESIDENTIAL	16,421	0.38
LOT 34	4	RESIDENTIAL	16,421	0.38
LOT 35	4	RESIDENTIAL	16,421	0.38
LOT 36	4	RESIDENTIAL	16,421	0.38
LOT 37	4	RESIDENTIAL	16,421	0.38
LOT 38	4	RESIDENTIAL	16,421	0.38
LOT 39	4	RESIDENTIAL	16,421	0.38
LOT 40	4	RESIDENTIAL	16,421	0.38
LOT 41	4	RESIDENTIAL	16,421	0.38
LOT 42	4	RESIDENTIAL	16,421	0.38
LOT 43	4	RESIDENTIAL	16,421	0.38
LOT 44	4	RESIDENTIAL	16,421	0.38
LOT 45	4	RESIDENTIAL	16,421	0.38
LOT 46	4	RESIDENTIAL	16,421	0.38
LOT 47	4	RESIDENTIAL	16,421	0.38
LOT 48	4	RESIDENTIAL	16,421	0.38
LOT 49	4	RESIDENTIAL	16,421	0.38
LOT 50	4	RESIDENTIAL	16,421	0.38
LOT 51	4	RESIDENTIAL	16,421	0.38
LOT 52	4	RESIDENTIAL	16,421	0.38
LOT 53	4	RESIDENTIAL	16,421	0.38
LOT 54	4	RESIDENTIAL	16,421	0.38
LOT 55	4	RESIDENTIAL	16,421	0.38
LOT 56	4	RESIDENTIAL	16,421	0.38
LOT 57	4	RESIDENTIAL	16,421	0.38
LOT 58	4	RESIDENTIAL	16,421	0.38
LOT 59	4	RESIDENTIAL	16,421	0.38
LOT 60	4	RESIDENTIAL	16,421	0.38
LOT 61	4	RESIDENTIAL	16,421	0.38
LOT 62	4	RESIDENTIAL	16,421	0.38
LOT 63	4	RESIDENTIAL	16,421	0.38
LOT 64	4	RESIDENTIAL	16,421	0.38
LOT 65	4	RESIDENTIAL	16,421	0.38
LOT 66	4	RESIDENTIAL	16,421	0.38
LOT 67	4	RESIDENTIAL	16,421	0.38
LOT 68	4	RESIDENTIAL	16,421	0.38
LOT 69	4	RESIDENTIAL	16,421	0.38
LOT 70	4	RESIDENTIAL	16,421	0.38
LOT 71	4	RESIDENTIAL	16,421	0.38
LOT 72	4	RESIDENTIAL	16,421	0.38
LOT 73	4	RESIDENTIAL	16,421	0.38
LOT 74	4	RESIDENTIAL	16,421	0.38
LOT 75	4	RESIDENTIAL	16,421	0.38
LOT 76	4	RESIDENTIAL	16,421	0.38
LOT 77	4	RESIDENTIAL	16,421	0.38
LOT 78	4	RESIDENTIAL	16,421	0.38
LOT 79	4	RESIDENTIAL	16,421	0.38
LOT 80	4	RESIDENTIAL	16,421	0.38
LOT 81	4	RESIDENTIAL	16,421	0.38
LOT 82	4	RESIDENTIAL	16,421	0.38
LOT 83	4	RESIDENTIAL	16,421	0.38
LOT 84	4	RESIDENTIAL	16,421	0.38
LOT 85	4	RESIDENTIAL	16,421	0.38
LOT 86	4	RESIDENTIAL	16,421	0.38
LOT 87	4	RESIDENTIAL	16,421	0.38
LOT 88	4	RESIDENTIAL	16,421	0.38
LOT 89	4	RESIDENTIAL	16,421	0.38
LOT 90	4	RESIDENTIAL	16,421	0.38
LOT 91	4	RESIDENTIAL	16,421	0.38
LOT 92	4	RESIDENTIAL	16,421	0.38
LOT 93	4	RESIDENTIAL	16,421	0.38
LOT 94	4	RESIDENTIAL	16,421	0.38
LOT 95	4	RESIDENTIAL	16,421	0.38
LOT 96	4	RESIDENTIAL	16,421	0.38
LOT 97	4	RESIDENTIAL	16,421	0.38
LOT 98	4	RESIDENTIAL	16,421	0.38
LOT 99	4	RESIDENTIAL	16,421	0.38
LOT 100	4	RESIDENTIAL	16,421	0.38
TOTAL				
MAX. RESIDENTIAL LOT SIZE: 0.24 AC.			16,421	0.38
MAX. RESIDENTIAL LOT SIZE: 0.21 AC.			16,421	0.38
AVERAGE: 0.26 AC.			16,421	0.38

## LETTERED LOTS

LOT NO.	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)	OWNERSHIP AND MAINTENANCE RESPONSIBILITY
LOT 10	THREAT	2,430	0.05	MSD
LOT 11	THREAT	2,140	0.05	MSD
LOT 12	THREAT	2,430	0.05	MSD
LOT 13	THREAT	2,430	0.05	MSD
LOT 14	THREAT	2,430	0.05	MSD
LOT 15	THREAT	2,430	0.05	MSD
LOT 16	THREAT	2,430	0.05	MSD
LOT 17	THREAT	2,430	0.05	MSD
LOT 18	THREAT	2,430	0.05	MSD
LOT 19	THREAT	2,430	0.05	MSD
LOT 20	THREAT	2,430	0.05	MSD
LOT 21	THREAT	2,430	0.05	MSD
LOT 22	THREAT	2,430	0.05	MSD
LOT 23	THREAT	2,430	0.05	MSD
LOT 24	THREAT	2,430	0.05	MSD
LOT 25	THREAT	2,430	0.05	MSD
LOT 26	THREAT	2,430	0.05	MSD
LOT 27	THREAT	2,430	0.05	MSD
LOT 28	THREAT	2,430	0.05	MSD
LOT 29	THREAT	2,430	0.05	MSD
LOT 30	THREAT	2,430	0.05	MSD
LOT 31	THREAT	2,430	0.05	MSD
LOT 32	THREAT	2,430	0.05	MSD
LOT 33	THREAT	2,430	0.05	MSD
LOT 34	THREAT	2,430	0.05	MSD
LOT 35	THREAT	2,430	0.05	MSD
LOT 36	THREAT	2,430	0.05	MSD
LOT 37	THREAT	2,430	0.05	MSD
LOT 38	THREAT	2,430	0.05	MSD
LOT 39	THREAT	2,430	0.05	MSD
LOT 40	THREAT	2,430	0.05	MSD
LOT 41	THREAT	2,430	0.05	MSD
LOT 42	THREAT	2,430	0.05	MSD
LOT 43	THREAT	2,430	0.05	MSD
LOT 44	THREAT	2,430	0.05	MSD
LOT 45	THREAT	2,430	0.05	MSD
LOT 46	THREAT	2,430	0.05	MSD
LOT 47	THREAT	2,430	0.05	MSD
LOT 48	THREAT	2,430	0.05	MSD
LOT 49	THREAT	2,430	0.05	MSD
LOT 50	THREAT	2,430	0.05	MSD
LOT 51	THREAT	2,430	0.05	MSD
LOT 52	THREAT	2,430	0.05	MSD
LOT 53	THREAT	2,430	0.05	MSD
LOT 54	THREAT	2,430	0.05	MSD
LOT 55	THREAT	2,430	0.05	MSD
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LOT 57	THREAT	2,430	0.05	MSD
LOT 58	THREAT	2,430	0.05	MSD
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LOT 61	THREAT	2,430	0.05	MSD
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LOT 63	THREAT	2,430	0.05	MSD
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LOT 83	THREAT	2,430	0.05	MSD
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LOT 85	THREAT	2,430	0.05	MSD
LOT 86	THREAT	2,430	0.05	MSD
LOT 87	THREAT	2,430	0.05	MSD
LOT 88	THREAT	2,430	0.05	MSD
LOT 89	THREAT	2,430	0.05	MSD
LOT 90	THREAT	2,430	0.05	MSD
LOT 91	THREAT	2,430	0.05	MSD
LOT 92	THREAT	2,430	0.05	MSD
LOT 93	THREAT	2,430	0.05	MSD
LOT 94	THREAT	2,430	0.05	MSD
LOT 95	THREAT	2,430	0.05	MSD
LOT 96	THREAT	2,430	0.05	MSD
LOT 97	THREAT	2,430	0.05	MSD
LOT 98	THREAT	2,430	0.05	MSD
LOT 99	THREAT	2,430	0.05	MSD
LOT 100	THREAT	2,430	0.05	MSD

### STREET SUMMARY

ST	NAME	TYPE	LENGTH	AREA
1	SPRINT	NUMBER	100	100
2	SPRINT	NUMBER	100	100
3	SPRINT	NUMBER	100	100
4	SPRINT	NUMBER	100	100

### UTILITY SUMMARY

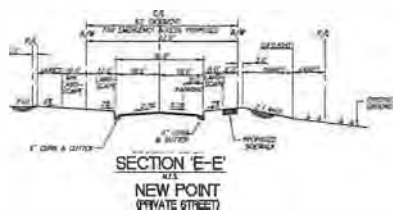
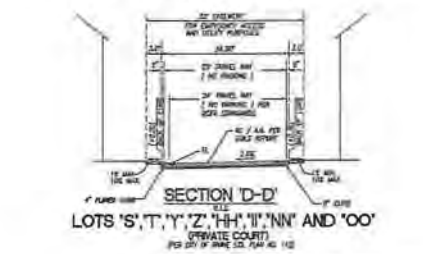
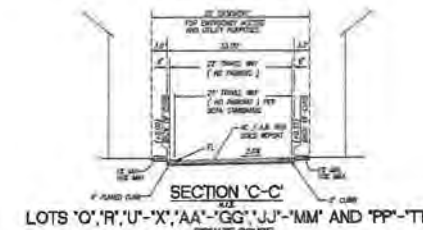
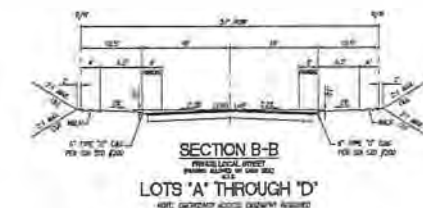
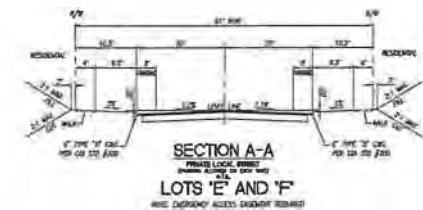
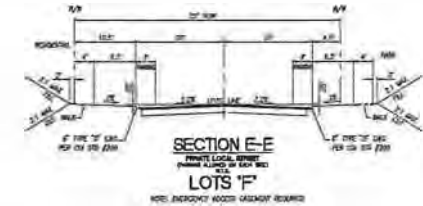
<b><u>STORM DRAIN</u></b>		<b><u>SEWER</u></b>	
18" SD	2,280 L.F.	8" 7,300 L.F.	
24" SD	1,020 L.F.		
30" SD	1,070 L.F.		
36" SD	\$70 L.F.		
42" SD	\$70 L.F.		
<b><u>DOMESTIC WATER</u></b>		<b><u>STREET</u></b>	
8" 7,500 L.F.		PRIVATE STREET 4,360 L.F.	
		PRIVATE COURT 3,480 L.F.	
		TOTAL: 7,840 L.F.	
		*LONGTERM FINANCED ACROSS STREET MOBILE UTILITIES TO SUBSTANTIAL DEGREE IN PROJECT LOCALITY	

## ABBREVIATIONS

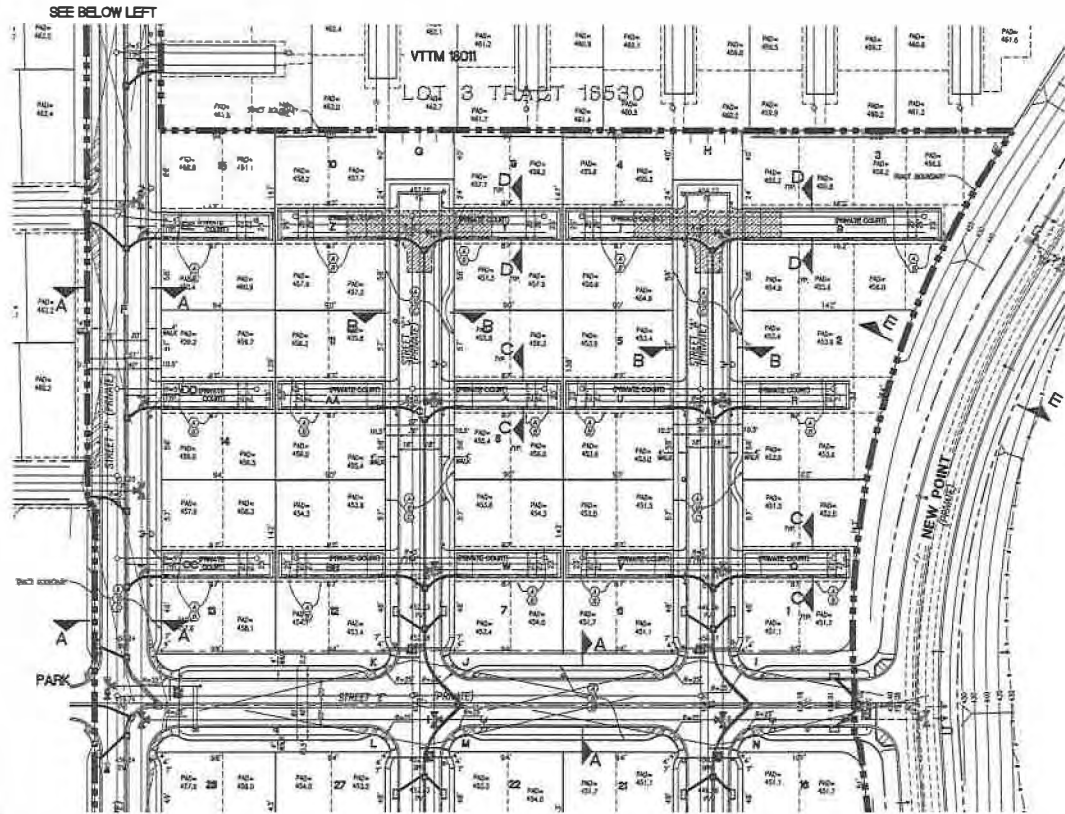
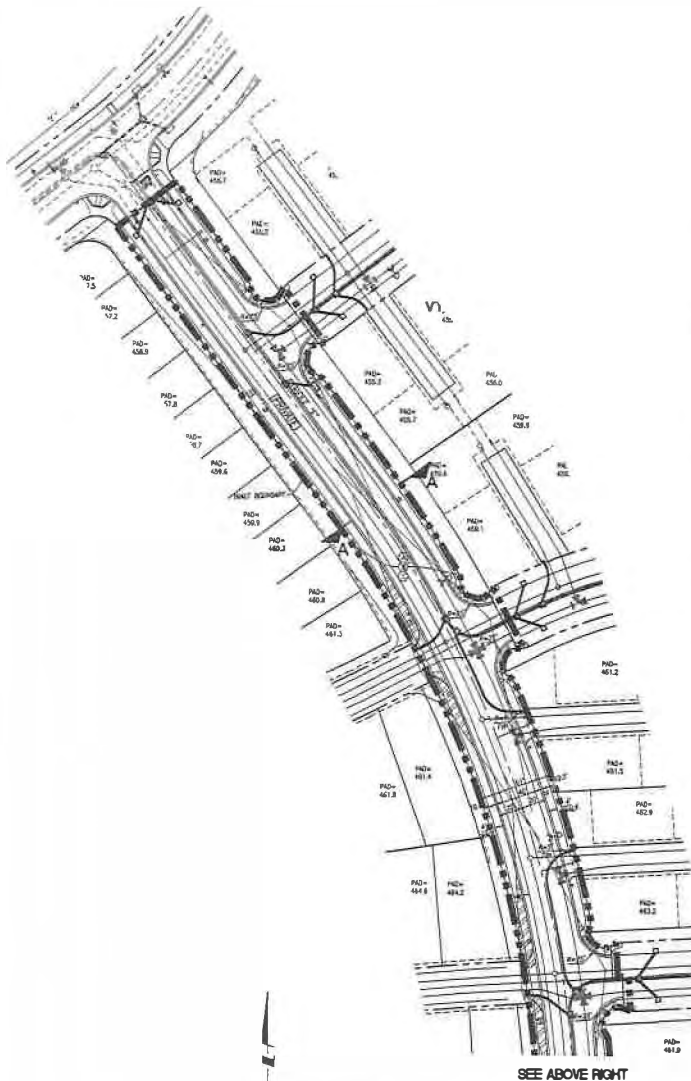
R/S	RIGHT-OF-WAY
LF	LINEAR FOOT
AC	ACRES
S.F.	SQUARE FEET
FF	FRESH FLOOR
FL	FLOORLINE
P/L	PROPERTY LINE
P.C.C.	PORTLAND CEMENT CONCRETE
AC/AB	ASPHALT CONCRETE / AGGREGATE BASE
M/W	MANHOLE
W/L	WALKWAY
C	STREET CENTER LINE

## LAND USE SUMMARY

DESCRIPTION	TOTAL
100% 1" x 8"	1.83 AC
100% 2" through 4" (mixed) (LOGS, STOPS)	1.62 AC
100% 2" through 4" (STOPS)	0.44 AC
100% 2" through 4" (mixed) (CUTS)	1.49 AC
TOTAL	15.48 AC



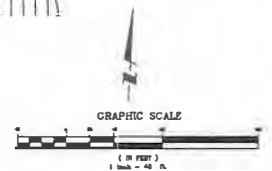
# VESTING TENTATIVE TRACT MAP TRACT 18012



- LEGEND**
- DOMESTIC WATER LINE (PROV)
  - SEWER LINE (PROV)
  - STORM DRAIN LINE (PROV)
  - DOMESTIC WATER LINE (EXIST)
  - SEWER LINE (EXIST)
  - STORM DRAIN LINE (EXIST)
  - STREET CENTER LINE
  - LOT LINE
  - LINE KEYWAY
  - CATCH BASIN (PROV)
  - CATCH BASIN (EXIST)
  - STREET LIGHT
  - RETAINING WALL
  - LIMITED USE AREA
  - DECKING
  - TRAIL OF CABLE & OUTLET
  - PAVED DRIVEWAY
  - EXISTING DRIVEWAY
  - PROPOSED DRIVEWAY
  - PROPOSED STREET GRAD

- EASEMENT NOTES**
- ① - EASEMENT TO BEAD FOR SEWER AND WATER PURPOSES
  - ② - EASEMENT FOR EASEMENT ACCESS PURPOSES TO THE CITY OF IRVINE
  - ③ - EASEMENT FOR PEDESTRIAN ACCESS PURPOSES TO THE CITY OF IRVINE

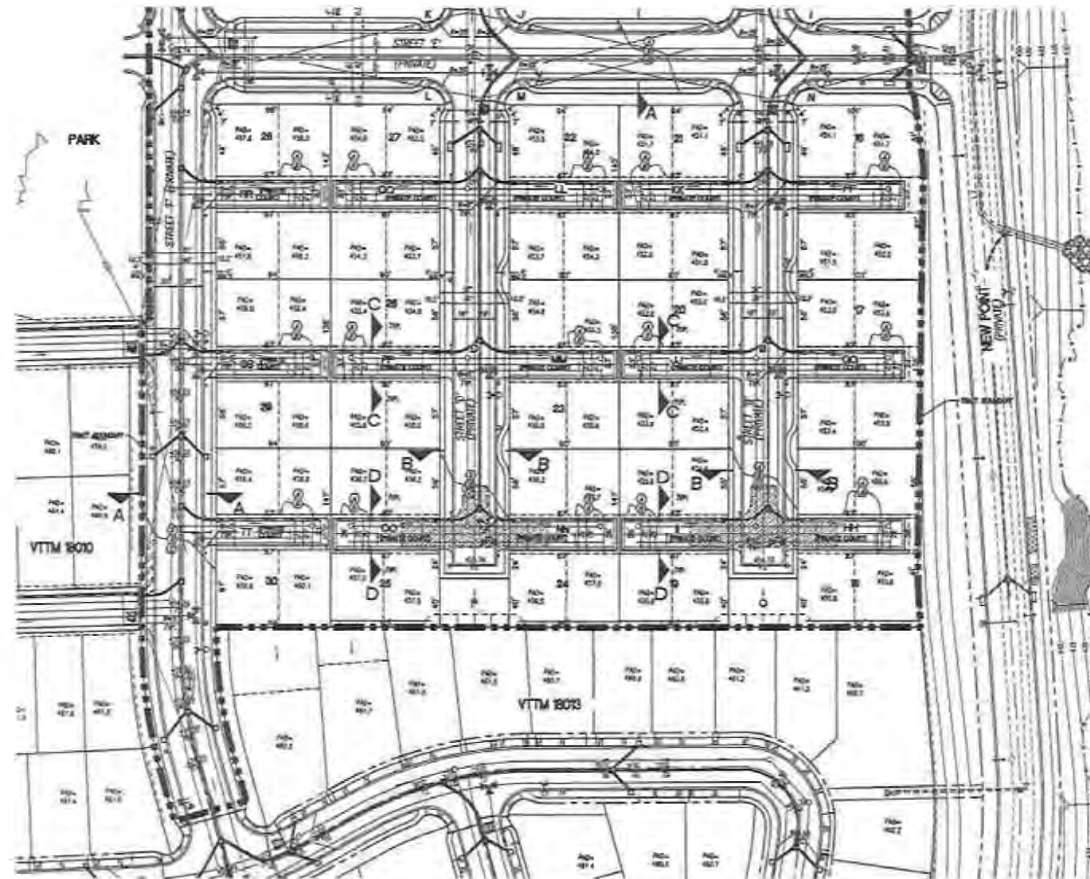
## OCCA ACCESS DETAILS



<p>APPROVED BY:</p> <p>WILSON NISAM CORPORATION</p> <p>8 CORPORATE PARK, SUITE 100 IRVINE, CA 92618 TEL: 949-271-0000</p>	<p>DESIGNED BY:</p> <p>IRVINE COMPANY COMMUNITY DEVELOPMENT</p>	<p>FILE NO. 00674570-PTT</p>	<p>VESTING TENTATIVE TRACT NO. 18012 ORCHARD HILLS NEIGHBORHOOD 3 SITE PLAN 3 4</p>
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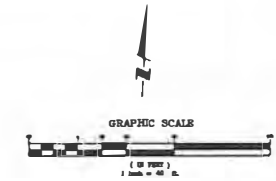
# VESTING TENTATIVE TRACT MAP TRACT 18012

SEE SHEET 3



- LEGEND**
- PROPOSED WATER LINE (PROV)
  - PROPOSED SEWER LINE (PROV)
  - STORM DRAIN LINE (PROV)
  - PROPOSED WATER LINE (BIO)
  - PROPOSED SEWER LINE (BIO)
  - STORM DRAIN LINE (BIO)
  - STREET COVER LINE
  - LOT LINE
  - PRE-EXISTING
  - WATCH DITCH (PROV)
  - CATCH BASIN (EXIST)
  - STREET LIGHT
  - RETAINING WALL
  - LIMITED USE AREA
  - EASEMENT
  - FACE OF CURB & GUTTER
  - TRACT BOUNDARY
  - EXISTING CORNER
  - PROPOSED CORNER
  - PROPOSED STREET CORNER

- EASEMENT NOTES**
- ① EASEMENT TO BRID THE STREET AND TRUCK PURPOSES
  - ② EASEMENT FOR EMERGENCY ACCESS PURPOSES TO THE CITY OF IRVINE
  - ③ EASEMENT FOR PEDESTRIAN ACCESS PURPOSES TO THE CITY OF IRVINE



PREPARED BY WILSON MICHAM CORPORATION 11111 WILSON MICHAM CORPORATION 11111 WILSON MICHAM CORPORATION 11111 WILSON MICHAM CORPORATION	CHECKED BY IRVINE COMPANY COMMUNITY DEVELOPMENT	VESTING TENTATIVE TRACT NO. 18012 ORCHARD HILLS NEIGHBORHOOD 3 SITE PLAN FILE NO. 00574570-PTT	SHEET 4 OF 4
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# VESTING TENTATIVE TRACT MAP TRACT 18013

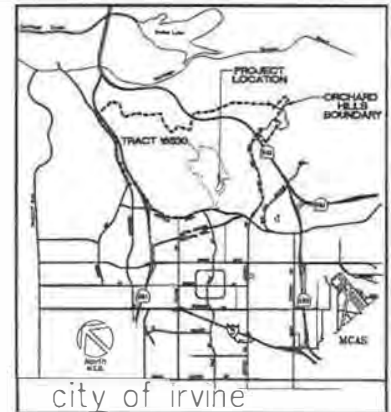
FOR RESIDENTIAL PURPOSES  
LEGAL DESCRIPTION

BEING A PORTION OF BLOCK 18 OF FRANKLIN DISPOSITION AS SHOWN ON A MAP  
THEREOF FILED IN BOOK 1 PAGE 18 OF UNRECORDED RECORD MAPS, AS SHOWN  
ON A RECORD OF ORANGE COUNTY, CALIFORNIA

APN# 10404366



LOCATION MAP



city of irvine  
VICINITY ROADS

## GENERAL NOTES

1. EXISTING LAND USE: RESIDENTIAL
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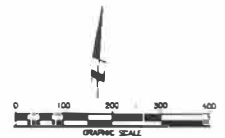


## SHEET LEGEND

- 1. TITLE SHEET / INDEX MAP
- 2. TYPICAL SECTIONS / STATISTICAL SUMMARY
- 3. TRACT 18013 SITE PLAN

## LEGEND

- TRACT BOUNDARY
- PROPOSED LOT MAP (TRACT 18013)



DATE	10/10/10
BY	WILSON MCMANUS CORPORATION
CHECKED BY	WILSON MCMANUS CORPORATION
APPROVED BY	WILSON MCMANUS CORPORATION

DATE	10/10/10
BY	WILSON MCMANUS CORPORATION
CHECKED BY	WILSON MCMANUS CORPORATION
APPROVED BY	WILSON MCMANUS CORPORATION

DATE	10/10/10
BY	WILSON MCMANUS CORPORATION
CHECKED BY	WILSON MCMANUS CORPORATION
APPROVED BY	WILSON MCMANUS CORPORATION

VESTING TENTATIVE TRACT NO. 18013	1
ORCHARD HILLS NEAR 600-000 3	3
TITLE SHEET	
FILE NO. 00574581-PTT	

SC ATTACHMENT 7

# STATISTICAL SUMMARY

## NUMBERED LOTS

LOT NO.	NO. OF UNITS	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)
LOT 1	1	RESIDENTIAL	3,000	0.07
LOT 2	1	RESIDENTIAL	3,000	0.07
LOT 3	1	RESIDENTIAL	3,000	0.07
LOT 4	1	RESIDENTIAL	3,000	0.07
LOT 5	1	RESIDENTIAL	3,000	0.07
LOT 6	1	RESIDENTIAL	3,000	0.07
LOT 7	1	RESIDENTIAL	3,000	0.07
LOT 8	1	RESIDENTIAL	3,000	0.07
LOT 9	1	RESIDENTIAL	3,000	0.07
LOT 10	1	RESIDENTIAL	3,000	0.07
LOT 11	1	RESIDENTIAL	3,000	0.07
LOT 12	1	RESIDENTIAL	3,000	0.07
LOT 13	1	RESIDENTIAL	3,000	0.07
LOT 14	1	RESIDENTIAL	3,000	0.07
LOT 15	1	RESIDENTIAL	3,000	0.07
LOT 16	1	RESIDENTIAL	3,000	0.07
LOT 17	1	RESIDENTIAL	3,000	0.07
LOT 18	1	RESIDENTIAL	3,000	0.07
LOT 19	1	RESIDENTIAL	3,000	0.07
LOT 20	1	RESIDENTIAL	3,000	0.07
LOT 21	1	RESIDENTIAL	3,000	0.07
LOT 22	1	RESIDENTIAL	3,000	0.07
LOT 23	1	RESIDENTIAL	3,000	0.07
LOT 24	1	RESIDENTIAL	3,000	0.07
LOT 25	1	RESIDENTIAL	3,000	0.07
LOT 26	1	RESIDENTIAL	3,000	0.07
LOT 27	1	RESIDENTIAL	3,000	0.07
LOT 28	1	RESIDENTIAL	3,000	0.07
LOT 29	1	RESIDENTIAL	3,000	0.07
LOT 30	1	RESIDENTIAL	3,000	0.07
LOT 31	1	RESIDENTIAL	3,000	0.07
LOT 32	1	RESIDENTIAL	3,000	0.07
LOT 33	1	RESIDENTIAL	3,000	0.07
LOT 34	1	RESIDENTIAL	3,000	0.07
LOT 35	1	RESIDENTIAL	3,000	0.07
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LOT 54	1	RESIDENTIAL	3,000	0.07
LOT 55	1	RESIDENTIAL	3,000	0.07
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LOT 71	1	RESIDENTIAL	3,000	0.07
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LOT 97	1	RESIDENTIAL	3,000	0.07
LOT 98	1	RESIDENTIAL	3,000	0.07
LOT 99	1	RESIDENTIAL	3,000	0.07
LOT 100	1	RESIDENTIAL	3,000	0.07

## LETTERED LOTS

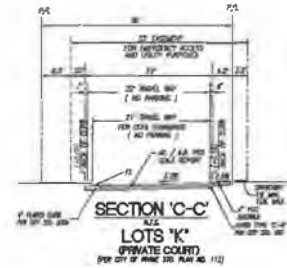
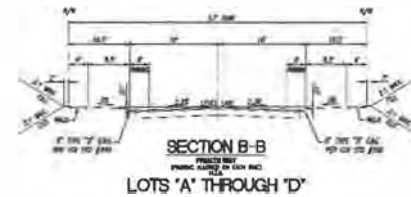
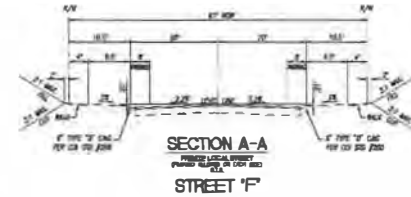
LOT NO.	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)	OWNERSHIP AND MAINTENANCE RESPONSIBILITY
LOT A	PRIVATE WAY	4,500	0.10	OWN
LOT B	PRIVATE WAY	12,000	0.28	OWN
LOT C	PRIVATE WAY	12,000	0.28	OWN
LOT D	PRIVATE WAY	12,000	0.28	OWN
LOT E	PRIVATE WAY	12,000	0.28	OWN
LOT F	PRIVATE WAY	12,000	0.28	OWN
LOT G	PRIVATE WAY	12,000	0.28	OWN
LOT H	PRIVATE WAY	12,000	0.28	OWN
LOT I	PRIVATE WAY	12,000	0.28	OWN
LOT J	PRIVATE WAY	12,000	0.28	OWN
LOT K	PRIVATE WAY	12,000	0.28	OWN
LOT L	PRIVATE WAY	12,000	0.28	OWN
LOT M	PRIVATE WAY	12,000	0.28	OWN
LOT N	PRIVATE WAY	12,000	0.28	OWN
LOT O	PRIVATE WAY	12,000	0.28	OWN
LOT P	PRIVATE WAY	12,000	0.28	OWN
LOT Q	PRIVATE WAY	12,000	0.28	OWN
LOT R	PRIVATE WAY	12,000	0.28	OWN
LOT S	PRIVATE WAY	12,000	0.28	OWN
LOT T	PRIVATE WAY	12,000	0.28	OWN
LOT U	PRIVATE WAY	12,000	0.28	OWN
LOT V	PRIVATE WAY	12,000	0.28	OWN
LOT W	PRIVATE WAY	12,000	0.28	OWN
LOT X	PRIVATE WAY	12,000	0.28	OWN
LOT Y	PRIVATE WAY	12,000	0.28	OWN
LOT Z	PRIVATE WAY	12,000	0.28	OWN
TOTAL		124,500	2.85	

## UTILITY SUMMARY

STORM DRAIN		SEWER	
1" ID	770 L.F.	8" ID	2,700 L.F.
2" ID	800 L.F.		
3" ID	20 L.F.		
DOMESTIC WATER		STREET	
1" ID	2,870 L.F.	PRIVATE STREET	2,400 L.F.
		PRIVATE COURT	200 L.F.

## LAND USE SUMMARY

DESCRIPTION	TOTAL
LOT A - PRIVATE WAY	0.10 AC
LOT B - PRIVATE WAY	0.28 AC
LOT C - PRIVATE WAY	0.28 AC
LOT D - PRIVATE WAY	0.28 AC
LOT E - PRIVATE WAY	0.28 AC
LOT F - PRIVATE WAY	0.28 AC
LOT G - PRIVATE WAY	0.28 AC
LOT H - PRIVATE WAY	0.28 AC
LOT I - PRIVATE WAY	0.28 AC
LOT J - PRIVATE WAY	0.28 AC
LOT K - PRIVATE WAY	0.28 AC
LOT L - PRIVATE WAY	0.28 AC
LOT M - PRIVATE WAY	0.28 AC
LOT N - PRIVATE WAY	0.28 AC
LOT O - PRIVATE WAY	0.28 AC
LOT P - PRIVATE WAY	0.28 AC
LOT Q - PRIVATE WAY	0.28 AC
LOT R - PRIVATE WAY	0.28 AC
LOT S - PRIVATE WAY	0.28 AC
LOT T - PRIVATE WAY	0.28 AC
LOT U - PRIVATE WAY	0.28 AC
LOT V - PRIVATE WAY	0.28 AC
LOT W - PRIVATE WAY	0.28 AC
LOT X - PRIVATE WAY	0.28 AC
LOT Y - PRIVATE WAY	0.28 AC
LOT Z - PRIVATE WAY	0.28 AC
TOTAL	12.35 AC



PREPARED BY  WILSON HSIEH CORPORATION 10000 WILSON DRIVE, SUITE 100 IRVINE, CA 92618 949-451-0000	CHECKED BY  IRVINE COMPANY   COMMUNITY DEVELOPMENT	VESTING TENTATIVE TRACT NO. 18013 ORCHARD HILLS NEIGHBORHOOD 3 TYPICAL SECTIONS/STATISTICAL SUMMARY FILE NO. 00574581-PTT	2 of 3
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# VESTING TENTATIVE TRACT MAP TRACT 18013



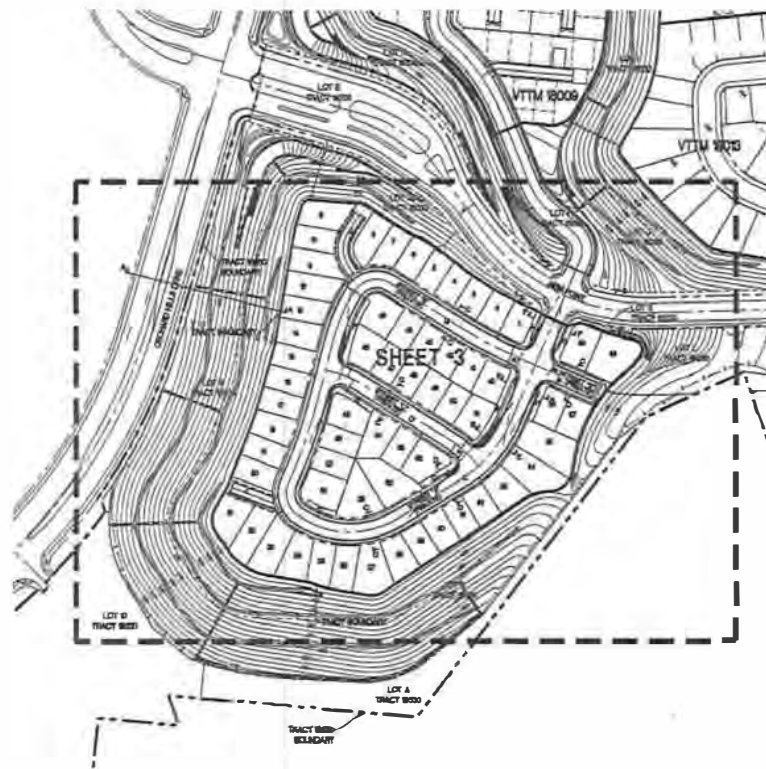
FOR RESIDENTIAL PURPOSES  
LEGAL DESCRIPTION:

BEING A PORTION OF BLOCKS 82 OF IRVINE'S SUBDIVISION AS SHOWN ON A MAP THEREOF FILED IN BOOK 1, PAGE 88 OF MISCELLANEOUS RECORD MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA



### GENERAL NOTES

- [illegible]

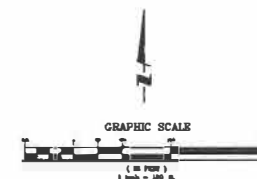


### SHEET LEGEND

TITLE SHEET / INDEX MAP  
TYPICAL SECTIONS / STATISTICAL SUMMARY  
TRACT 18014 SITE PLAN

### LEGEND

TRACT BOUNDARY \_\_\_\_\_  
PROPOSED LOT No. (TM 18014) 5



PREPARED BY:  WILSON MICHAEL & ASSOCIATES 8 CORPORATE PARK, SUITE 600 RAIN, CA 92680 T: 949-479-0380 		CHECKED BY:  IRVINE COMPANY   COMMUNITY DEVELOPMENT SINCE 1959		VESTING TENTATIVE TRACT NO. 18014 ORCHARD HILLS NEIGHBORHOOD 3 TITLE SHEET FILE NO. 00674591-PTT		SHEET 1 OF 3
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[illegible]

LOT NO.	NO. OF UNITS	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)
LOT 1	1	RESIDENTIAL	3,988	0.09
LOT 2	1	RESIDENTIAL	3,826	0.09
LOT 3	1	RESIDENTIAL	3,987	0.09
LOT 4	1	RESIDENTIAL	3,708	0.09
LOT 5	1	RESIDENTIAL	3,886	0.09
LOT 6	1	RESIDENTIAL	4,181	0.10
LOT 7	1	RESIDENTIAL	4,250	0.10
LOT 8	1	RESIDENTIAL	4,889	0.11
LOT 9	1	RESIDENTIAL	5,677	0.13
LOT 10	1	RESIDENTIAL	4,275	0.10
LOT 11	1	RESIDENTIAL	5,129	0.12
LOT 12	1	RESIDENTIAL	5,588	0.13
LOT 13	1	RESIDENTIAL	4,587	0.11
LOT 14	1	RESIDENTIAL	4,715	0.11
LOT 15	1	RESIDENTIAL	4,104	0.09
LOT 16	1	RESIDENTIAL	4,198	0.10
LOT 17	1	RESIDENTIAL	4,475	0.10
LOT 18	1	RESIDENTIAL	4,712	0.11
LOT 19	1	RESIDENTIAL	4,167	0.10
LOT 20	1	RESIDENTIAL	4,200	0.10
LOT 21	1	RESIDENTIAL	5,760	0.13
LOT 22	1	RESIDENTIAL	5,799	0.13
LOT 23	1	RESIDENTIAL	6,301	0.15
LOT 24	1	RESIDENTIAL	5,188	0.12
LOT 25	1	RESIDENTIAL	4,821	0.11
LOT 26	1	RESIDENTIAL	4,461	0.10
LOT 27	1	RESIDENTIAL	6,132	0.15
LOT 28	1	RESIDENTIAL	4,706	0.11
LOT 29	1	RESIDENTIAL	3,860	0.09
LOT 30	1	RESIDENTIAL	4,020	0.09
LOT 31	1	RESIDENTIAL	3,707	0.09
LOT 32	1	RESIDENTIAL	3,804	0.09
LOT 33	1	RESIDENTIAL	5,083	0.12
LOT 34	1	RESIDENTIAL	7,111	0.16
LOT 35	1	RESIDENTIAL	8,130	0.19
LOT 36	1	RESIDENTIAL	3,990	0.09
LOT 37	1	RESIDENTIAL	4,213	0.10
LOT 38	1	RESIDENTIAL	7,608	0.17
LOT 39	1	RESIDENTIAL	5,227	0.12
LOT 40	1	RESIDENTIAL	4,428	0.10
LOT 41	1	RESIDENTIAL	3,853	0.09
LOT 42	1	RESIDENTIAL	3,736	0.09
LOT 43	1	RESIDENTIAL	3,975	0.09
LOT 44	1	RESIDENTIAL	3,750	0.09
LOT 45	1	RESIDENTIAL	5,147	0.12
LOT 46	1	RESIDENTIAL	4,881	0.11
LOT 47	1	RESIDENTIAL	3,750	0.09
LOT 48	1	RESIDENTIAL	3,750	0.09
LOT 49	1	RESIDENTIAL	3,975	0.09
LOT 50	1	RESIDENTIAL	3,630	0.08
LOT 51	1	RESIDENTIAL	4,763	0.11
LOT 52	1	RESIDENTIAL	5,282	0.12
LOT 53	1	RESIDENTIAL	3,840	0.09
LOT 54	1	RESIDENTIAL	5,206	0.12
LOT 55	1	RESIDENTIAL	5,038	0.12
LOT 56	1	RESIDENTIAL	3,860	0.09
LOT 57	1	RESIDENTIAL	3,855	0.09
LOT 58	1	RESIDENTIAL	5,502	0.13
LOT 59	1	RESIDENTIAL	6,508	0.15
LOT 60	1	RESIDENTIAL	8,845	0.20
TOTAL			281,688	6.52

UNITS: RESIDENTIAL LOT SIZE: 3,500 SQ. FT. AC.  
 UNITS: RESIDENTIAL LOT SIZE: 3,500 SQ. FT. AC.  
 AVERAGE: 3,500 SQ. FT. AC.

LOT NO.	PROPOSED LAND USE	LOT AREA (SQUARE FEET)	LOT AREA (ACRES)	OWNERSHIP AND MAINTENANCE RESPONSIBILITY
LOT 'A'	LANDSCAPE LOT	870	0.02	HQA
LOT 'B'	LANDSCAPE LOT	1,927	0.04	HQA
LOT 'C'	LANDSCAPE LOT	993	0.02	HQA
LOT 'D'	LANDSCAPE LOT	648	0.01	HQA
LOT 'E'	LANDSCAPE LOT	958	0.02	HQA
LOT 'F'	LANDSCAPE LOT	1,466	0.03	HQA
LOT 'G'	LANDSCAPE LOT	943	0.02	HQA
LOT 'H'	LANDSCAPE LOT	914	0.02	HQA
LOT 'I'	LANDSCAPE LOT	560	0.01	HQA
LOT 'J'	PRIVATE COURT	5,496	0.13	HQA
LOT 'K'	PRIVATE COURT	3,634	0.08	HQA
LOT 'L'	PRIVATE WAY	75,828	1.74	HQA
LOT 'M'	PRIVATE WAY	21,736	0.50	HQA
LOT 'N'	PRIVATE WAY	5,547	0.13	HQA
LOT 'O'	PRIVATE WAY	15,478	0.36	HQA
TOTAL		137,938	3.29	

<p><b>STORM DRAIN</b></p> <p>PRIVATE 10" S.D. 540 L.F.          PRIVATE 36" S.D. 104 L.F.</p>	<p><b>SEWER</b></p> <p>1" 1,010 L.F.</p>
<p><b>DOMESTIC WATER</b></p> <p>1" 1,397 L.F.</p>	<p><b>STREET</b></p> <p>PRIVATE LENGTH 1,010 L.F.</p>

\* LOCUS MEASURED ALONG STREET FROM INTERSECTION WITH THE TRACT BOUNDARY

ST NAME	TYPE	LENGTH	AREA
A STREET (LOT 1)	PRIVATE	1348 FT	1.74 AC
B STREET (LOT 4)	PRIVATE	388 FT	0.50 AC
C STREET (LOT 4)	PRIVATE	112 FT	0.15 AC
C STREET (LOT 5)	PRIVATE	220 FT	0.29 AC
TOTALS WITHIN 220 FT OF SUBSTATION			
NEW ROAD	PRIVATE	847 FT	0.00
UNPAVED LOT 100A	PRIVATE	583 FT	0.00

DESCRIPTION	TOTAL
WEEK 1 - 80	8.02 AC
WEEK 9 THROUGH 10 (ADVANCED)	6.31 AC
WEEK 11 THROUGH 12 (PRIVATE EXERCISE)	6.31 AC
WEEK 13 THROUGH 14 (PRIVATE MEALS)	2.72 AC
TOTAL NET/CROSS ACHIEVE	6.66 AC

SECTION C-C

PIERCE & WENGER

J. E. AND C. S. RING

SECTION D-D  
PLAN VIEW OF THE BRIDGE

SECTION E-E  
BRIDGE NO. 1000  
PROJECT NO. 1000  
DATE 10/1/10  
BY J. B. BISHOP

[illegible]



# SC ATTACHMENT 9

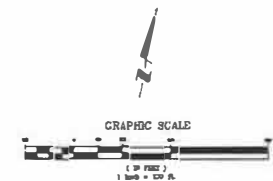
[illegible]

SEMI PORTIONS OF BLOCKS 88, 92, AND 127 OF PHASES RECORDED AS SHOWN ON A MAP THEREOF FILED IN BOOK 18, PAGE 28, OF MEADOWLANDS RECORD MAPS, AND LOT 38 AND LETTERED CORN LL, MM, NN, OQ, AND PP OF TRACTS RECORDED AS SHOWN ON A MAP FILED IN BOOK 88, PAGES 1 THROUGH 88, VOLUME 6 OF MEADOWLANDS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA



TITLE SHEET / INDEX MAP	1
TYPICAL SECTIONS/STATISTICAL SUMMARY	2
TRACT 18016 SITE PLAN	3-4

TRACT BOUNDARY  
PROPOSED LOT No. (TM 18018)

50

# STATISTICAL SUMMARY

## NUMBERED LOTS

LOT NO.	NO. OF UNITS	PROPOSED LAND USE	40% MIN. LOT AREA (AC) (1977)	LOT AREA (AC)
101-1	1	RESIDENTIAL	101.1	101.1
101-2	1	RESIDENTIAL	101.2	101.2
101-3	1	RESIDENTIAL	101.3	101.3
101-4	1	RESIDENTIAL	101.4	101.4
101-5	1	RESIDENTIAL	101.5	101.5
101-6	1	RESIDENTIAL	101.6	101.6
101-7	1	RESIDENTIAL	101.7	101.7
101-8	1	RESIDENTIAL	101.8	101.8
101-9	1	RESIDENTIAL	101.9	101.9
101-10	1	RESIDENTIAL	101.10	101.10
101-11	1	RESIDENTIAL	101.11	101.11
101-12	1	RESIDENTIAL	101.12	101.12
101-13	1	RESIDENTIAL	101.13	101.13
101-14	1	RESIDENTIAL	101.14	101.14
101-15	1	RESIDENTIAL	101.15	101.15
101-16	1	RESIDENTIAL	101.16	101.16
101-17	1	RESIDENTIAL	101.17	101.17
101-18	1	RESIDENTIAL	101.18	101.18
101-19	1	RESIDENTIAL	101.19	101.19
101-20	1	RESIDENTIAL	101.20	101.20
101-21	1	RESIDENTIAL	101.21	101.21
101-22	1	RESIDENTIAL	101.22	101.22
101-23	1	RESIDENTIAL	101.23	101.23
101-24	1	RESIDENTIAL	101.24	101.24
101-25	1	RESIDENTIAL	101.25	101.25
101-26	1	RESIDENTIAL	101.26	101.26
101-27	1	RESIDENTIAL	101.27	101.27
101-28	1	RESIDENTIAL	101.28	101.28
101-29	1	RESIDENTIAL	101.29	101.29
101-30	1	RESIDENTIAL	101.30	101.30
101-31	1	RESIDENTIAL	101.31	101.31
101-32	1	RESIDENTIAL	101.32	101.32
101-33	1	RESIDENTIAL	101.33	101.33
101-34	1	RESIDENTIAL	101.34	101.34
101-35	1	RESIDENTIAL	101.35	101.35
101-36	1	RESIDENTIAL	101.36	101.36
101-37	1	RESIDENTIAL	101.37	101.37
101-38	1	RESIDENTIAL	101.38	101.38
101-39	1	RESIDENTIAL	101.39	101.39
101-40	1	RESIDENTIAL	101.40	101.40
101-41	1	RESIDENTIAL	101.41	101.41
101-42	1	RESIDENTIAL	101.42	101.42
101-43	1	RESIDENTIAL	101.43	101.43
101-44	1	RESIDENTIAL	101.44	101.44
101-45	1	RESIDENTIAL	101.45	101.45
101-46	1	RESIDENTIAL	101.46	101.46
101-47	1	RESIDENTIAL	101.47	101.47
101-48	1	RESIDENTIAL	101.48	101.48
101-49	1	RESIDENTIAL	101.49	101.49
101-50	1	RESIDENTIAL	101.50	101.50
101-51	1	RESIDENTIAL	101.51	101.51
101-52	1	RESIDENTIAL	101.52	101.52
101-53	1	RESIDENTIAL	101.53	101.53
101-54	1	RESIDENTIAL	101.54	101.54
101-55	1	RESIDENTIAL	101.55	101.55
101-56	1	RESIDENTIAL	101.56	101.56
101-57	1	RESIDENTIAL	101.57	101.57
101-58	1	RESIDENTIAL	101.58	101.58
101-59	1	RESIDENTIAL	101.59	101.59
101-60	1	RESIDENTIAL	101.60	101.60
101-61	1	RESIDENTIAL	101.61	101.61
101-62	1	RESIDENTIAL	101.62	101.62
101-63	1	RESIDENTIAL	101.63	101.63
101-64	1	RESIDENTIAL	101.64	101.64
101-65	1	RESIDENTIAL	101.65	101.65
101-66	1	RESIDENTIAL	101.66	101.66
101-67	1	RESIDENTIAL	101.67	101.67
101-68	1	RESIDENTIAL	101.68	101.68
101-69	1	RESIDENTIAL	101.69	101.69
101-70	1	RESIDENTIAL	101.70	101.70
101-71	1	RESIDENTIAL	101.71	101.71
101-72	1	RESIDENTIAL	101.72	101.72
101-73	1	RESIDENTIAL	101.73	101.73
101-74	1	RESIDENTIAL	101.74	101.74
101-75	1	RESIDENTIAL	101.75	101.75
101-76	1	RESIDENTIAL	101.76	101.76
101-77	1	RESIDENTIAL	101.77	101.77
101-78	1	RESIDENTIAL	101.78	101.78
101-79	1	RESIDENTIAL	101.79	101.79
101-80	1	RESIDENTIAL	101.80	101.80
101-81	1	RESIDENTIAL	101.81	101.81
101-82	1	RESIDENTIAL	101.82	101.82
101-83	1	RESIDENTIAL	101.83	101.83
101-84	1	RESIDENTIAL	101.84	101.84
101-85	1	RESIDENTIAL	101.85	101.85
101-86	1	RESIDENTIAL	101.86	101.86
101-87	1	RESIDENTIAL	101.87	101.87
101-88	1	RESIDENTIAL	101.88	101.88
101-89	1	RESIDENTIAL	101.89	101.89
101-90	1	RESIDENTIAL	101.90	101.90
101-91	1	RESIDENTIAL	101.91	101.91
101-92	1	RESIDENTIAL	101.92	101.92
101-93	1	RESIDENTIAL	101.93	101.93
101-94	1	RESIDENTIAL	101.94	101.94
101-95	1	RESIDENTIAL	101.95	101.95
101-96	1	RESIDENTIAL	101.96	101.96
101-97	1	RESIDENTIAL	101.97	101.97
101-98	1	RESIDENTIAL	101.98	101.98
101-99	1	RESIDENTIAL	101.99	101.99
101-100	1	RESIDENTIAL	101.100	101.100

## ABBREVIATIONS

U/V	RIGHT-OF-WAY
U	UNDER
AC	ACRES
ST	STREET
FL	FLOOR
P/L	PROPERTY LINE
P/C	PERMANENT CONCRETE
AC/AL	ACRYLIC ALUMINUM
W/L	WALL
Q	STREET CENTER LINE

## LETTERED LOTS

LOT NO.	PROPOSED LAND USE	40% MIN. LOT AREA (AC) (1977)	LOT AREA (AC)	OWNERSHIP AND RESPONSIBILITY
101-101	RESIDENTIAL	101.101	101.101	101-101
101-102	RESIDENTIAL	101.102	101.102	101-102
101-103	RESIDENTIAL	101.103	101.103	101-103
101-104	RESIDENTIAL	101.104	101.104	101-104
101-105	RESIDENTIAL	101.105	101.105	101-105
101-106	RESIDENTIAL	101.106	101.106	101-106
101-107	RESIDENTIAL	101.107	101.107	101-107
101-108	RESIDENTIAL	101.108	101.108	101-108
101-109	RESIDENTIAL	101.109	101.109	101-109
101-110	RESIDENTIAL	101.110	101.110	101-110
101-111	RESIDENTIAL	101.111	101.111	101-111
101-112	RESIDENTIAL	101.112	101.112	101-112
101-113	RESIDENTIAL	101.113	101.113	101-113
101-114	RESIDENTIAL	101.114	101.114	101-114
101-115	RESIDENTIAL	101.115	101.115	101-115
101-116	RESIDENTIAL	101.116	101.116	101-116
101-117	RESIDENTIAL	101.117	101.117	101-117
101-118	RESIDENTIAL	101.118	101.118	101-118
101-119	RESIDENTIAL	101.119	101.119	101-119
101-120	RESIDENTIAL	101.120	101.120	101-120
101-121	RESIDENTIAL	101.121	101.121	101-121
101-122	RESIDENTIAL	101.122	101.122	101-122
101-123	RESIDENTIAL	101.123	101.123	101-123
101-124	RESIDENTIAL	101.124	101.124	101-124
101-125	RESIDENTIAL	101.125	101.125	101-125
101-126	RESIDENTIAL	101.126	101.126	101-126
101-127	RESIDENTIAL	101.127	101.127	101-127
101-128	RESIDENTIAL	101.128	101.128	101-128
101-129	RESIDENTIAL	101.129	101.129	101-129
101-130	RESIDENTIAL	101.130	101.130	101-130
101-131	RESIDENTIAL	101.131	101.131	101-131
101-132	RESIDENTIAL	101.132	101.132	101-132
101-133	RESIDENTIAL	101.133	101.133	101-133
101-134	RESIDENTIAL	101.134	101.134	101-134
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101-162	RESIDENTIAL	101.162	101.162	101-162
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101-165	RESIDENTIAL	101.165	101.165	101-165
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101-172	RESIDENTIAL	101.172	101.172	101-172
101-173	RESIDENTIAL	101.173	101.173	101-173
101-174	RESIDENTIAL	101.174	101.174	101-174
101-175	RESIDENTIAL	101.175	101.175	101-175
101-176	RESIDENTIAL	101.176	101.176	101-176
101-177	RESIDENTIAL	101.177	101.177	101-177
101-178	RESIDENTIAL	101.178	101.178	101-178
101-179	RESIDENTIAL	101.179	101.179	101-179
101-180	RESIDENTIAL	101.180	101.180	101-180
101-181	RESIDENTIAL	101.181	101.181	101-181
101-182	RESIDENTIAL	101.182	101.182	101-182
101-183	RESIDENTIAL	101.183	101.183	101-183
101-184	RESIDENTIAL	101.184	101.184	101-184
101-185	RESIDENTIAL	101.185	101.185	101-185
101-186	RESIDENTIAL	101.186	101.186	101-186
101-187	RESIDENTIAL	101.187	101.187	101-187
101-188	RESIDENTIAL	101.188	101.188	101-188
101-189	RESIDENTIAL	101.189	101.189	101-189
101-190	RESIDENTIAL	101.190	101.190	101-190
101-191	RESIDENTIAL	101.191	101.191	101-191
101-192	RESIDENTIAL	101.192	101.192	101-192
101-193	RESIDENTIAL	101.193	101.193	101-193
101-194	RESIDENTIAL	101.194	101.194	101-194
101-195	RESIDENTIAL	101.195	101.195	101-195
101-196	RESIDENTIAL	101.196	101.196	101-196
101-197	RESIDENTIAL	101.197	101.197	101-197
101-198	RESIDENTIAL	101.198	101.198	101-198
101-199	RESIDENTIAL	101.199	101.199	101-199
101-200	RESIDENTIAL	101.200	101.200	101-200

## LAND USE SUMMARY

DESCRIPTION	TOTAL
LOTS 1-100 (RESIDENTIAL)	10,000 AC
LOTS 101-200 (RESIDENTIAL)	10,000 AC
LOTS 201-300 (RESIDENTIAL)	10,000 AC
LOTS 301-400 (RESIDENTIAL)	10,000 AC
LOTS 401-500 (RESIDENTIAL)	10,000 AC
LOTS 501-600 (RESIDENTIAL)	10,000 AC
LOTS 601-700 (RESIDENTIAL)	10,000 AC
LOTS 701-800 (RESIDENTIAL)	10,000 AC
LOTS 801-900 (RESIDENTIAL)	10,000 AC
LOTS 901-1000 (RESIDENTIAL)	10,000 AC
TOTAL AREA	100,000 AC

# VESTING TENTATIVE TRACT MAP TRACT 18016

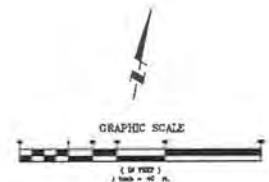


**LEGEND**

SHARED WATER LINE (PROP)	---
SHARED SEWER LINE (PROP)	---
STORM DRAIN LINE (PROP)	---
SHARED WATER LINE (EXIST)	---
SHARED SEWER LINE (EXIST)	---
STORM DRAIN LINE (EXIST)	---
STREET CENTER LINE	---
LOT LINE	---
FINA W/CHART	---
LOCH W/CHART	---
LOCH W/CHART	---
STREET LIGHT	---
RECURRING WALL	---
LANDING LUG AREA	---
EGGMENT	---
FACE OF CURB & CUTTER	---
TRACT BOUNDARY	---
EXISTING EASEMENT	---
PROPOSED EASEMENT	---
PROPOSED STREET SPACE	---

## EASEMENT NOTES

- ① EASEMENT TO BE FOR SEWER AND WATER PURPOSES
- ② EASEMENT FOR EGRESS ACCESS PROVIDED TO THE CITY OF IRVINE
- ③ EASEMENT FOR PEDESTRIAN ACCESS PURPOSES TO THE CITY OF IRVINE



SHEET NO. 4

APPROVED BY	WILSON NIKAH	DATE	10/10/2014
DESIGNED BY	WILSON NIKAH	DATE	10/10/2014
CHECKED BY	WILSON NIKAH	DATE	10/10/2014
DATE	10/10/2014	TIME	10:00 AM
PROJECT NO.	00574601-PTT	DATE	10/10/2014

APPROVED BY	WILSON NIKAH	DATE	10/10/2014
DESIGNED BY	WILSON NIKAH	DATE	10/10/2014
CHECKED BY	WILSON NIKAH	DATE	10/10/2014
DATE	10/10/2014	TIME	10:00 AM
PROJECT NO.	00574601-PTT	DATE	10/10/2014

APPROVED BY	WILSON NIKAH	DATE	10/10/2014
DESIGNED BY	WILSON NIKAH	DATE	10/10/2014
CHECKED BY	WILSON NIKAH	DATE	10/10/2014
DATE	10/10/2014	TIME	10:00 AM
PROJECT NO.	00574601-PTT	DATE	10/10/2014

VESTING TENTATIVE TRACT NO. 18016	3
ORCHARD HILLS NEIGHBORHOOD 3	4
SITE PLAN	
FILE NO. 00574601-PTT	

# VESTING TENTATIVE TRACT MAP TRACT 18016

SHEET NO. 3



**LEGEND**

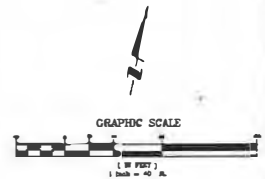
RAILROAD WATER LINE (P&P)	---
STORM WATER LINE (P&P)	---
SEWER WATER LINE (P&P)	---
DOMESTIC WATER LINE (E&S)	---
STORM WATER LINE (E&S)	---
STORM WATER LINE (E&S)	---
STREET CENTER LINE	---
LOT LINE	---
PAVE INTERIOR	---
DOCK ROAD (P&P)	---
DOCK ROAD (E&S)	---
STREET LIGHT	---
RECURRING WALL	---
UNDEVELOPED AREA	---
ORCHARD	---
TRAIL OR DRIVE OR ALLEY	---
TRACT BOUNDARY	---
EXISTING EASEMENT	---
PROPOSED EASEMENT	---
PROPOSED EASEMENT	---

**EASEMENT NOTES**

① - EASEMENT TO HILL FOR ROADS AND WATER PURPOSES

② - EASEMENT FOR CEMETERY ACCESS PURPOSES TO THE CITY OF IRVINE

③ - EASEMENT FOR PEDIESTRIAN ACCESS PURPOSES TO THE CITY OF IRVINE



1. TRACT MAP NO. 18016-PTT	2. PREPARED BY: WILSON MIREAM CORPORATION	3. CHECKED BY: WILSON MIREAM CORPORATION	4. DATE: 10/10/00
5. SCALE: 1" = 40'	6. SHEET NO. 3	7. TOTAL SHEETS: 4	8. PROJECT NO. 00574601-PTT

9. PREPARED BY: WILSON MIREAM CORPORATION	10. CHECKED BY: WILSON MIREAM CORPORATION	11. DATE: 10/10/00	12. SHEET NO. 3
13. SCALE: 1" = 40'	14. TOTAL SHEETS: 4	15. PROJECT NO. 00574601-PTT	16. TRACT MAP NO. 18016-PTT

17. PREPARED BY: WILSON MIREAM CORPORATION	18. CHECKED BY: WILSON MIREAM CORPORATION	19. DATE: 10/10/00	20. SHEET NO. 3
21. SCALE: 1" = 40'	22. TOTAL SHEETS: 4	23. PROJECT NO. 00574601-PTT	24. TRACT MAP NO. 18016-PTT

VESTING TENTATIVE TRACT NO. 18016	ORCHARD HILLS NEIGHBORHOOD 3	SITE PLAN	FILE NO. 00574601-PTT
4	4		

# VESTING TENTATIVE TRACT MAP TRACT 18019

FOR RESIDENTIAL PURPOSES  
LEGAL DESCRIPTION:

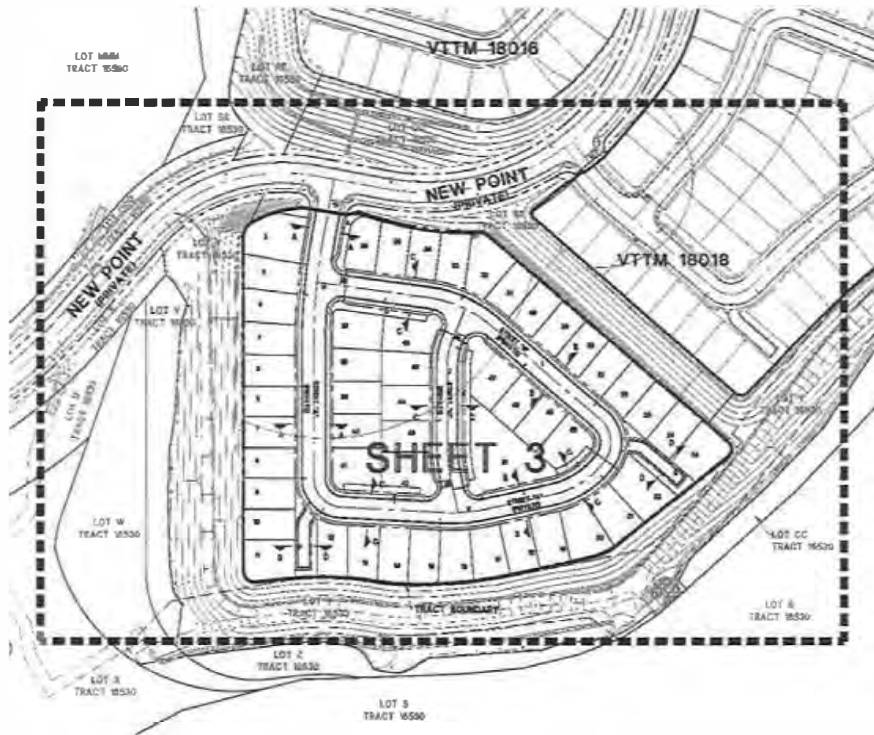
BEING A PORTION OF BLOCK 82 OF IRVINE'S SUBDIVISION AS SHOWN ON A MAP THEREOF FILED IN BOOK 1,  
PAGE 88 OF MISCELLANEOUS RECORD MAPS, AS SHOWN ON A RECORDS OF ORANGE COUNTY, CALIFORNIA



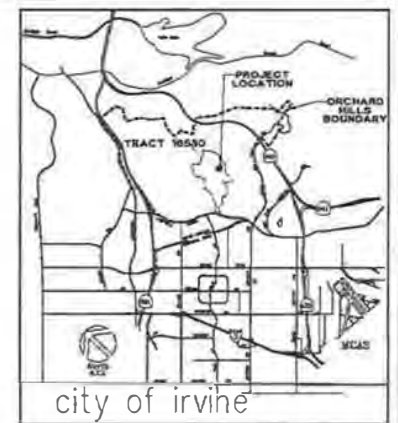
LOCATION MAP

## GENERAL NOTES

1. EXISTING LAND USE: LOW DENSITY RESIDENTIAL
2. ADJACENT LAND USE: N - RESIDENTIAL  
S - OPEN SPACE  
E - OPEN SPACE  
W - OPEN SPACE
3. GENERAL PLAN USE: LOW DENSITY RESIDENTIAL
4. EXISTING ZONING: R20
5. UTILITIES: SERVICES WILL BE PROVIDED BY SOUTHERN CALIFORNIA Edison COMPANY. ALL NEW ELECTRICAL SERVICE LINES SHALL BE PLACED UNDERGROUND.
6. GAS LINES: GAS LINES WILL BE PROVIDED BY SOUTHERN CALIFORNIA GAS COMPANY.
7. TELEPHONE SERVICE: WILL BE PROVIDED BY SBC.
8. CABLE TV SERVICE: WILL BE PROVIDED BY CABLE COMMISSIONERS.
9. DOMESTIC WATER, IRRIGATED WATER AND SEWER SERVICE WILL BE PROVIDED BY IRVINE WATER SERVICE.
10. PROPOSED SEWER FACILITIES: STANDARD LATERAL CONNECTIONS TO EXISTING SEWER SYSTEM SHALL BE IN ACCORDANCE WITH THE IRVINE WATER SERVICE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF WATER, SEWER AND RECLAIMED WATER FACILITIES.
11. PROPOSED WATER FACILITIES: STANDARD DOMESTIC WATER CONNECTIONS TO EXISTING WATER SYSTEM SHALL BE IN ACCORDANCE WITH THE IRVINE WATER SERVICE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF WATER, SEWER AND RECLAIMED WATER FACILITIES.
12. THE DEVELOPER RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS FOR THIS TRACT MAP.
13. MAINTENANCE OF ALL LOTTERED LOTS AND PARCELS SHALL BE THE RESPONSIBILITY OF A HOME OWNERS ASSOCIATION.
14. A PORTION OF THE PROPOSED TRACT MAP IS LOCATED WITHIN THE LIMITS OF THE PROJECT WILL BE PRIVATELY OWNED AND MAINTAINED BY HOME OWNERS ASSOCIATION.
15. THIS PROJECT IS LOCATED IN PLAZA ZONE "C" SHOWN ON TDA MAPS ORIGINALLY DATED DECEMBER 1, 2008.
16. DRAINAGE OF THIS PROJECT WILL BE CONDUCTED BY MEANS OF A STORM DRAIN SYSTEM CONSISTING OF VARIOUS SIZES OF STORM DRAIN PIPE AND AREA DRAINS.
17. TOTAL AREA OF PROPOSED PRIVATE STREETS IS 1.07 AC.
18. TOTAL PROJECT GROSS AREA IS 6.13 ACRES, NET AREA IS 6.13 ACRES, THIS NET AREA IS 6.13 ACRES, NET AREA IS 6.13 ACRES.
19. ALL LOTTERED LOTS SHOWN ON THIS MAP MAY BE DIVIDED ON THE FINAL MAPS INTO MULTIPLE LOTS FOR FUTURE FUTURE CONSTRUCTION OF RESIDENTIAL PURPOSES UPON APPROVAL BY THE CITY ENGINEER.
20. ALL PROPOSED LOTS SHALL BE UNDERGROUNDED.
21. STORM DRAINAGE IS PRIVATE SERVICE.
22. ALL SEWERAGE, GAS, WATER, AND PROPOSED DRAINAGE MUST MEET THE TITLE 24 AND AMERICAN STANDARDS FOR BUILDINGS.
23. ALL CONVEYANCE FOR EASEMENTS, RIGHTS AND PUBLIC SERVICE UTILITIES, RIGHTS AND EASEMENTS SHALL BE PROVIDED ON THE FINAL MAPS.
24. RECORDING, ACCESS, EASEMENTS AND PROPOSED MAINTENANCE, EASEMENTS, RIGHTS AND EASEMENTS SHALL BE PROVIDED BY SEPARATE INSTRUMENT AND WILL NOT BE INCLUDED ON THE FINAL MAP.
25. ALL PROPOSED LOTS SHALL BE PRIVATELY OWNED.
26. ALL PROPOSED LOTS SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE CITY.
27. THE NEAREST BUS STOP IS LOCATED AT ORANGE HILLS DRIVE AND PORTLAND AVENUE WHICH IS APPROXIMATELY 1,000 FT FROM THE PROJECT BOUNDARY.
28. OCTA PRE-FIRE MAINTENANCE SECTION REQUIRES THAT COUNCIL LOTTERED LOTS WITHIN THE TRACT BOUNDARY BE LISTED ON THE MAP AS FUTURE RECORDED CONVEYANCES FOR SPECIAL MAINTENANCE AREA MAINTENANCE BY THE HOMEOWNERS ASSOCIATION AND BE RECORDED CONCURRENTLY WITH THE MAP.



INDEX MAP



city of irvine

VICINITY MAP

## SHEET LEGEND

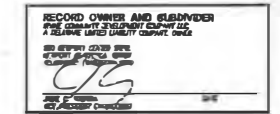
TITLE SHEET / INDEX MAP  
TYPICAL SECTIONS/STATISTICAL SUMMARY  
TRACT 18019 SITE PLAN

1  
2  
3

## LEGEND:

TRACT BOUNDARY  
PROPOSED LOT NO. (TM 18019)

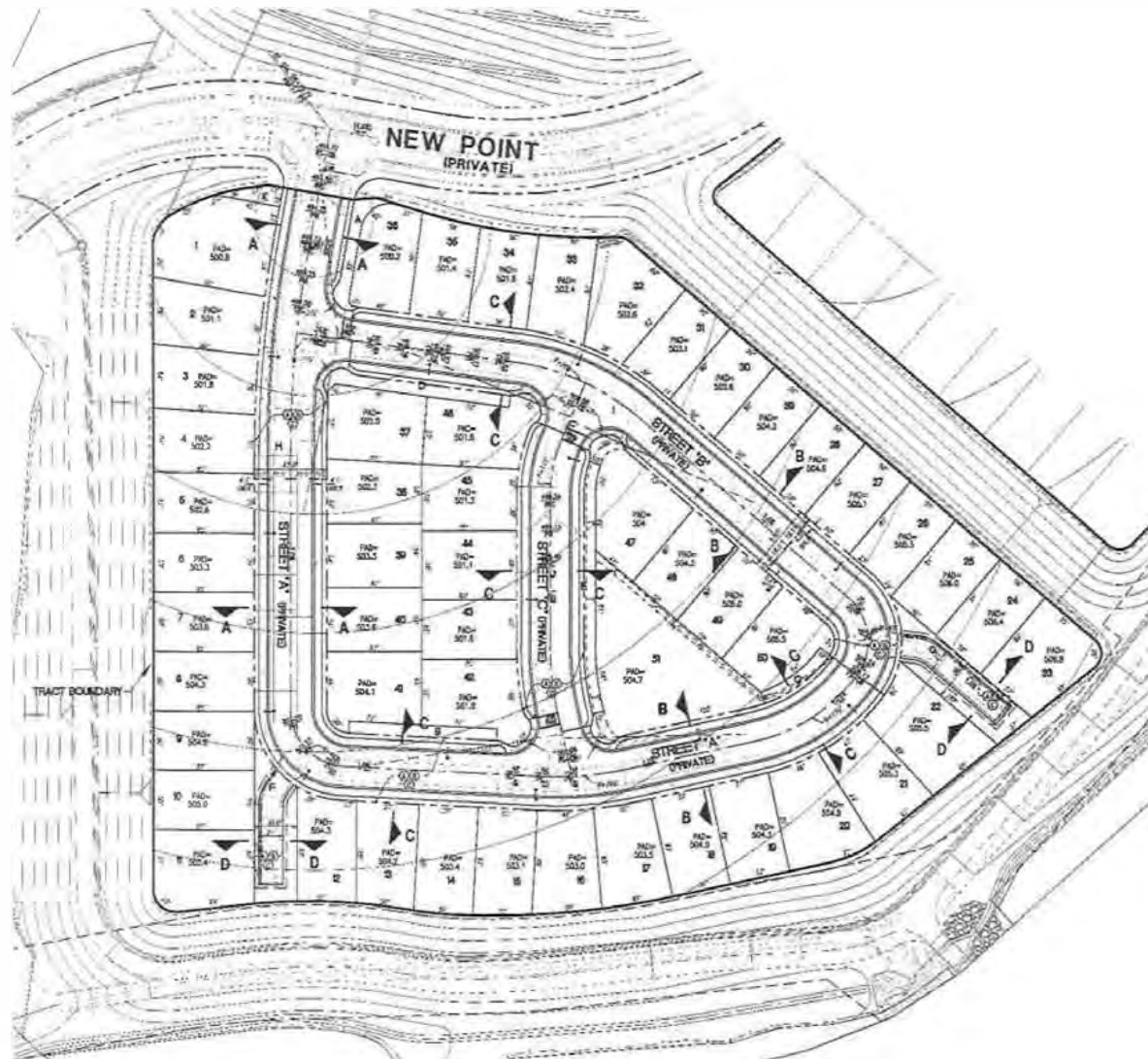
5



PREPARED BY: WILSON MCKINNEY CORPORATION 9 CORPORATE BLVD, SUITE 100 IRVINE, CA 92618 (949) 451-1000	CHECKED BY: IRVINE COMPANY COMMUNITY DEVELOPMENT	VESTING TENTATIVE TRACT NO. 18019 ORCHARD HILLS NEIGHBORHOOD 3 TITLE SHEET FILE NO. 00674596-PTT	1 3
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# VESTING TENTATIVE TRACT MAP TRACT 18019

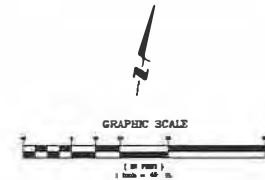


## LEGEND

CONCRETE WALK LINE (PROP)	---
SEWER WALK LINE (PROP)	---
STORM DRAIN LINE (PROP)	---
LANDSCAPE WALK LINE (PROP)	---
BOUNDARY WALK LINE (PROP)	---
STORM DRAIN LINE (EXIST)	---
STREET WALK LINE	---
LINE LINE	---
PAVE WALK	---
CATCH BASIN (PROP)	---
CATCH BASIN (EXIST)	---
SEWER LIGHT	---
BOUNDARY WALL	---
LANDSCAPE WALK AND	---
BOUNDARY	---
PAVE OF CURB & GUTTER	---
TRACT BOUNDARY	---
EXISTING CONTOUR	---
PROPOSED CONTOUR	---
PROPOSED WALK DRIVE	---

## EASEMENT NOTES

- ①- EASEMENT TO PAV FOR SEWER AND WALK PURPOSES
- ②- EASEMENT FOR EASEMENT ACCESS PURPOSES TO THE CITY OF IRVINE
- ③- EASEMENT FOR PEDESTRIAN ACCESS PURPOSES TO THE CITY OF IRVINE



PROJECT NO.	18019
DATE	10/1/15
BY	WILSON MIKAMI CORPORATION
CHECKED BY	WILSON MIKAMI CORPORATION
APPROVED BY	WILSON MIKAMI CORPORATION

PROJECT NO.	18019
DATE	10/1/15
BY	WILSON MIKAMI CORPORATION
CHECKED BY	WILSON MIKAMI CORPORATION
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PROJECT NO.	18019
DATE	10/1/15
BY	WILSON MIKAMI CORPORATION
CHECKED BY	WILSON MIKAMI CORPORATION
APPROVED BY	WILSON MIKAMI CORPORATION



**ENVIRONMENTAL EVALUATION FOR  
SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR  
(This is not an Initial Study)**

**PLANNING AREAS 1, 2, & 9B**

**SECTION I. PROJECT INFORMATION**

---

PROJECT TITLE AND NUMBER: Neighborhood 3 of Planning Area 1 (Orchard Hills) as follows:

Vesting Tentative Tract Map 18009 (File No. 00674560-PTT), 18010 (File No. 00674566-PTT), 18011 (File No. 00680841-PTT), 18012 (File No. 00674570-PTT), 18013 (File No. 00674581-PTT), 18014 (File No. 00674591-PTT), 18016 (File No. 00674601-PTT), 18019 (File No. 00674596-PTT)

Master Plan 18009 (File No. 00674563-PMP), 18010 (File No. 00674603-PMP), 18011 (File No. 00680845-PMP), 18012 (File No. 00674574-PMP), 18013 (File No. 00674583-PMP), 18014 (File No. 00674593-PMP)

---

PROGRAM EIR NAME: Planning Areas 1, 2, and 9B General Plan Amendment and Zone Change  
Final Environmental Impact Report

EIR CLEARINGHOUSE NUMBER: SCH# 2004041080

---

PROJECT APPLICANT: The Irvine Community Development Company

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PROJECT LOCATION (SPECIFIED): Planning Area 1 (formerly known as Planning Areas 1 and 2) is bounded by the Lomas de Santiago Ridge to the north, future Jeffrey Road to the east, the Eastern Transportation Corridor (SR-261) to the west, and Portola Parkway to the south. Specifically, Neighborhood 3 is located northeast of the Orchard Hills Drive around and within a newly proposed loop road, Ridge Gate (opposite of Big Sycamore to the south) and New Point (opposite of Wolf Trail to the south).

---

PROJECT LOCATION (CITY):  
Irvine

PROJECT LOCATION (COUNTY):  
Orange

---

**PROJECT DESCRIPTION:**

Vesting Tentative Tract Maps (VTTM) 18009, 18010, 18011, 18012, 18013, 18014, 18016 and 18019 will subdivide approximately 105.13 gross acres into 447 numbered lots for the future development of 734 residential units (367 single-family detached homes and 367 condominiums) and one 1.5-acre private neighborhood park lot, and 209 lettered lots for such common purposes as private streets, landscape, open space/mitigation sites, and fuel modification/special maintenance areas/roadside clearance.

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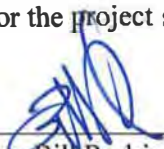
**GENERAL PLAN LAND USE DESIGNATION:**

The General Plan Designation for the project site is Low Density Residential and Agriculture.

ZONING DESIGNATION OF SITE:

The Zoning Designation for the project site is 2.2D Low Density Residential and 1.1 Exclusive Agricultural

PREPARED BY:

  
Name: Bill Rodrigues

Title: Senior Planner

DATE: December 2, 2016

APPROVED BY:

  
Stephen Higa, Principal Planner

DATE:

## SECTION II: PROGRAM EIR CHECKLIST

In accordance with Section 15168c of the CEQA Guidelines, the following checklist ensures that all project-related impacts have been addressed in the Program EIR. Mitigation measures identified in the Program EIR are listed for each project-related impact.

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
1. <b><u>AESTHETICS.</u></b> Will the proposal:				
A. Have a substantial adverse effect on a scenic vista?	Yes / <u>No</u>	X	91	
B. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	Yes / <u>No</u>	X		
C. Substantially degrade the existing visual character or quality of the site and its surroundings?	Yes / <u>No</u>	X	91, 95, 96	
D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	<u>Yes</u> / No	X	<u>92, 93, 94,</u> 97	
2. <b><u>AGRICULTURE.</u></b> Will the proposal:				
A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Yes / <u>No</u>	X	68, 69, 70, 71, 72, 73, 74	
B. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Yes / <u>No</u>	X		
C. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to Non-agricultural use?	Yes / <u>No</u>	X		

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
3. <b><u>AIR RESOURCES.</u></b> Will the proposal:				
A Conflict with or obstruct implementation of the applicable air quality plan?	Yes / <u>No</u> <u>X</u>			
B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<u>Yes</u> / No		X	SOC <u>11, 12, 13,</u> <u>14, 15, 16</u>
C. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<u>Yes</u> / No		X	SOC <u>11, 12, 13,</u> <u>14, 15, 16</u>
D Exposure of sensitive receptors to substantial pollutant concentrations?	Yes / <u>No</u>		X	SOC 11, 12, 13, 14, 15, 16
E. The creation of objectionable odors?	Yes / <u>No</u>		X	73
4. <b><u>BIOLOGICAL RESOURCES.</u></b> Will the proposal:				
A Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?	<u>Yes</u> / No		X	56, <u>75</u> , 76, 77, 78, 79, 80, <u>81</u> , 82, <u>83, 84, 85</u>
B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?	Yes / <u>No</u>		X	75, 76, 79, 80, 85

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
C. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Yes / <u>No</u>		X	85
D Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Yes / <u>No</u>	X		
E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Yes / <u>No</u>		X	2, 80
F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Yes / <u>No</u>		X	75, 76, 79, 80
5. <u>CULTURAL/SCIENTIFIC RESOURCES.</u> Will the proposal:				
A Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Yes / <u>No</u>		X	88
B Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<u>Yes</u> / No		X	87, 88, 89
C. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Yes / <u>No</u>		X	86
D Disturb any human remains, including those interred outside of formal cemeteries?	<u>Yes</u> / No		X	<u>90</u>

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
6. <b><u>GEOLOGY AND SOILS.</u></b> Will the proposal:				
A. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Yes / <u>No</u>	X		
ii. Strong seismic ground shaking?	<u>Yes</u> / No		X	35, 36, <u>37</u>
iii. Seismic-related ground failure, including liquefaction?	<u>Yes</u> / No		X	35, 36, <u>37</u> , 38, 39, 42
iv. Landslides?	<u>Yes</u> / No		X	34, <u>40</u>
B. Result in substantial soil erosion or loss of topsoil?	<u>Yes</u> / No		X	34, <u>37</u> , 38,39
C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<u>Yes</u> / No		X	34, 35, 36, <u>37</u> , 39, 40, 41, 43
D. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Yes / <u>No</u>		X	36, 37
E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Yes / <u>No</u>		X	44

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
7. <b><u>HAZARDS AND HAZARDOUS MATERIALS.</u></b> Will the proposal:				
A. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	Yes / <u>No</u>	<u>X</u>	73	
B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Yes / <u>No</u>	<u>X</u>	33, 73	
C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Yes / <u>No</u>	<u>X</u>	73	
D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<u>Yes</u> / No	<u>X</u>	29, 31, 32	
E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in a project area?	Yes / <u>No</u>	<u>X</u>		
F. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Yes / <u>No</u>	<u>X</u>		
G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Yes / <u>No</u>	<u>X</u>	30	
H. Expose people or structures to a significant risk of loss, injury or death involving wildfires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands?	Yes / <u>No</u>	<u>X</u>	30	

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
<b>8. <u>HYDROLOGY AND WATER QUALITY.</u> Would the project:</b>				
A. Violate any water quality standards or waste discharge requirements?				<u>55, 56, 57,</u> <u>58, 59, 60,</u> <u>61, 62, 63,</u> <u>64, 65, 66,</u> <u>67</u>
	<u>Yes / No</u>		X	
B. Substantially deplete groundwater supplies or substantially interfere with groundwater recharge such that there would be a net deficient in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?		X		
	<u>Yes / No</u>			
C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				<u>45, 48, 50,</u> <u>51, 52</u>
	<u>Yes / No</u>		X	
D. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?				<u>45, 48, 50,</u> <u>53</u>
	<u>Yes / No</u>		X	
E. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				<u>45, 48, 50,</u> <u>51,</u> <u>56, 58,</u> <u>59, 60, 61</u> <u>62 63, 64</u> <u>65, 66, 67</u>
	<u>Yes / No</u>		X	

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
F. Otherwise substantially degrade water quality?				55, 56, 57, 58, 59, 60, <u>61</u> , 62, 63, 64, 65, 66, 67
	Yes / No		X	
G. Place housing within a 100-year flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
	Yes / No		X	46, 47
H. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				
	Yes / No		X	46, 47
I. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				
	Yes / No		X	49, 54
J. Inundation by seiche, tsunami, or mudflow?				
	Yes / No		X	45, 48, 50, 52
9. <b><u>LAND USE</u></b> . Will the proposal:				
A. Physically divide an established community?		X		
B. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				
	Yes / No		X	1, 2, 3, 4
C. Conflict with any applicable habitat conservation plan or natural community conservation plan?		X		
10. <b><u>MINERAL RESOURCES</u></b> . Will the proposal:				
A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?		X		
	Yes / No	X		

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Yes / <u>No</u>	X		
11. <b><u>NOISE.</u></b> Would the project result in:				
A. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<u>Yes</u> / No		X	17, <u>18*</u> , <u>19</u> , 20, <u>21</u> , <u>22</u> , 23, 24, <u>25</u> , 26, 27, 28
B. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<u>Yes</u> / No		X	17, <u>18*</u> , 20, <u>22</u> , 23, 26, 27, 28
C. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Yes / <u>No</u>		X	24, 25, 26, 27, 28
D. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Yes / <u>No</u>		X	17, <u>18*</u> , 20, 23
E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Yes / <u>No</u>	X		
F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Yes / <u>No</u>	X		

\*Applicable to Tracts 18009 and 18014 only

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
12. <b>POPULATION AND HOUSING.</b> Will the proposal:				
A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	<u>Yes</u> / No	X		
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	Yes / <u>No</u>	X		
C. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Yes / <u>No</u>	X		
13. <b>PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
A. Fire protection?	<u>Yes</u> / No		X	98, <u>99</u> , 100, 101
B. Police protection?	Yes / <u>No</u>	X		
C. Schools?	Yes / <u>No</u>		X	102, 103
D. Parks?	Yes / <u>No</u>		X	104, 105, 106, 107, 108
E. Other public facilities?	<u>Yes</u> / No		X	109, <u>110</u>

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
14. <b><u>RECREATION.</u></b> Will the proposal:				
A. Would the project 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?	Yes / <u>No</u>		X	104, 105
B. Does the project include recreation facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Yes / <u>No</u>		X	106, 107, 108
15. <b><u>TRANSPORTATION/CIRCULATION.</u></b> Will the proposal:				
A. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trip, the volume to capacity ratio on road, or congestion at intersections)?	<u>Yes</u> / No		X	5, 6, <u>7</u> , 8, 9, 10
B. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	Yes / <u>No</u>		X	5, 6, 7, 8, 9, 10
C. Result in a change in air traffic patterns, including either an increase in traffic level or a change in location that results in substantial safety risks?	Yes / <u>No</u>	X		
D. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Yes / <u>No</u>	X		
E. Result in inadequate emergency access?	Yes / <u>No</u>	X		
F. Result in inadequate parking capacity?	Yes / <u>No</u>	X		

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
<b>6. UTILITIES, SERVICE SYSTEMS AND ENERGY.</b>				
Will the proposal:				
A. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Yes / <u>No</u>	<u>X</u>		
B. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Yes / <u>No</u>	<u>X</u>		
C. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<u>Yes</u> / No	<u>X</u>		
D. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<u>Yes</u> / No	<u>X</u>		109
E. Results in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<u>Yes</u> / No	<u>X</u>		
F. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<u>Yes</u> / No	<u>X</u>		110
G. Comply with federal, state, and local statutes and regulations related to solid waste?	<u>Yes</u> / No	<u>X</u>		
H. Result in wasteful use of fuel or energy?	Yes / <u>No</u>	<u>X</u>		
I. Abnormally increase demand for existing sources of energy, or require the development of new sources of energy?	Yes / <u>No</u>	<u>X</u>		

**SECTION III. APPLICABILITY OF CEQA GUIDELINES**  
**SECTIONS 15162 AND 15163**

	<b><u>YES</u></b>	<b><u>NO</u></b>
1. Subsequent changes are proposed in the project which will require important revisions of the EIR due to the involvement of new significant environmental impacts not considered in a EIR on the project.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, such as a substantial deterioration in the air quality where the project will be located, which will require important revisions in the EIR due to the involvement of new significant environmental impacts not covered in the EIR; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. New information of substantial importance to the project becomes available, and		
A. The information was not known and could not have been known at the time the EIR was certified as complete or was adopted, and	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. The new information shows any of the following:		
1. The project will have one or more significant effects not discussed previously in the EIR;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Significant effects previously examined will be substantially more severe than shown in the EIR;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Mitigation measures or alternatives which were not previously considered in the EIR would substantially lessen one or more significant effects on the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SECTION IV. FINDINGS**

	<b><u>YES</u></b>	<b><u>NO</u></b>
1. The project has effects that were not examined in the EIR; therefore, an Initial Study needs to be prepared leading to either an EIR or a Negative Declaration.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. The agency finds that pursuant to Section 15162, no new effects will occur or no new mitigation measures will be required. The agency can approve the project as being within the scope of the project covered by the EIR, and no new environmental document is required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**\*\*The list of "Assigned Mitigation Measures" include *Project Design Features* (PDF), *Existing Plans, Programs, and Policies* (PPP), and *Mitigation Measures*. Similar to Mitigation Measures, PDFs and PPPs are project requirements that reduce potential significant impacts of the project.**

**Project Name & File Numbers:**

Neighborhood 3 of Planning Area 1 (Orchard Hills) as follows:

Vesting Tentative Tract Map 18009 (File No. 00674560-PTT), 18010 (File No. 00674566-PTT), 18011 (File No. 00680841-PTT), 18012 (File No. 00674570-PTT), 18013 (File No. 00674581-PTT), 18014 (File No. 00674591-PTT), 18016 (File No. 00674601-PTT), 18019 (File No. 00674596-PTT)

Master Plan 18009 (File No. 00674563-PMP), 18010 (File No. 00674603-PMP), 18011 (File No. 00680845-PMP), 18012 (File No. 00674574-PMP), 18013 (File No. 00674583-PMP), 18014 (File No. 00674593-PMP)

Case Planner: Bill Rodrigues, AICP, Senior Planner

Date: December 2, 2016

**SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR  
PLANNING AREAS 1, 2, & 9B EIR (SCH# 2004041080)  
MITIGATION MEASURES**

<b>A</b>	-	Previously applied mitigation measures
<b>B</b>	-	Mitigation measures for this project
<b>C</b>	-	Code Requirement; measure need not be included as a condition on the project as a local, state or federal code or law implements the requirement
<b>S</b>	-	Mitigation Measures satisfied for entire Planning Area 1, 2, & 9B
<b>N/A</b>	-	Not applicable mitigation measures for this project
<b>PPP</b>	-	Plans, Programs, and Policies
<b>PDF</b>	-	Project Design Feature
<b>MM</b>	-	Mitigation Measures

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**LAND USE**

- S 1. (PPP) As part of the annexation application to LAFCO, a detailed plan as to how public services will be delivered to the Project area shall be prepared, which demonstrates the City's ability to provide public services, facilities, and utilities to serve the unincorporated portion of the project site upon annexation into the City, as required by Government Code Section 56653.
- C 2. (PPP) A permit shall be required to remove any significant tree on public or private land in Planning Area 1 (formerly Planning Areas 1 and 2). Prior to approval of a tree removal permit as required by Section 5-7-410 of the Municipal Code, the project applicant shall complete a comprehensive management plan through the City's Community Forests Program or equivalent to address phased removals and appropriate replacement.

- S 3. (PPP) This development includes land that encompasses or lies within an Open Space Implementation Action Program District as shown on the City's General Plan and Zoning Ordinance. Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit an irrevocable offer of dedication for the preservation open space lot and/or easement, as required by the City's Phased Dedication and Compensating Development Opportunities Program. A copy of the irrevocable offer shall be submitted to both the City Engineer and the Director of Community Development. The irrevocable offer of dedication for the preservation open space lot and/or easement shall be prepared to the satisfaction of the Director of Community Development, the City Engineer, and the City Attorney. The offer shall be recorded with filing of the final map. (Standard Condition 1.7)
- S 4. (MM) Prior to issuance of the grading permit for the substation, evidence shall be provided to the Director of Community Development that all new electric power transmission lines for 66 kV circuits extending from the electrical substation in Planning Area 1 (formerly Planning Areas 1 and 2) and extending along Jeffrey Road to the existing overhead lines at the OCTA Metrolink Right-of-Way shall be placed underground. The difference in cost between installing the overhead lines and the undergrounding of the lines shall be funded through an assessment district.

#### TRAFFIC AND CIRCULATION

- S 5. (PPP) The landowner or subsequent project applicant shall pay applicable fees per the North Irvine Transportation Mitigation (NITM) Program to provide its fair share funding towards improvements identified within such Program. The timing of payment of fees shall be per Article (b) of City Council Ordinance 03-20.
- C 6. (PPP) The landowner or subsequent Project applicant shall pay applicable Foothill/Eastern Major Thoroughfare and Bridge fees to provide its fair share funding of the Foothill/Eastern Transportation Corridor improvements
- B 7. (PPP) The landowner or subsequent Project applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.
- S 8. (MM) In conjunction with the submittal of any subdivision tentative maps, the landowner or subsequent project applicant shall prepare, subject to City approval, the required tentative tract map/tentative parcel map (TTM/TPM) traffic study per City Resolution No. 03-61. This traffic study will verify whether the intersection locations listed below, which have been identified as impacted in this EIR, are projected to be at an ICU of 0.91 or greater for the

Interim Year Analysis. For those intersections, which are projected to be 0.91 or greater in the TTM/TPM traffic study, the tentative tract map will be conditioned to construct the necessary improvements that have been identified in the traffic study (Appendix D). For those intersections which are not projected to be 0.91 or greater, the landowner or subsequent project applicant shall enter into an agreement with the City of Irvine to provide funding for the TTM/TPM's fair share allocation towards the full funding obligation of the Project to the future implementation of the necessary improvements as identified in this section or acceptable alternative improvements as determined by the jurisdiction in which the improvement is located so long as their cost will not exceed the cost of the improvements identified in this EIR. EIR Subsection 5.2.5.2 contains a more detailed description of the improvements and, in some cases, improvement options, specific to each of the intersections listed below. The following identifies the intersection reference number, intersection location, and applicable year (i.e., future scenario year(s) in which a significant impact is anticipated to occur). Mitigation for the intersections identified below applies to both Design Option A and Design Option B, unless otherwise noted.

- 16. Newport/Irvine - Post-2025
  - 34. Red Hill/Irvine (a) - 2010, 2025 and Post-2025 for Design Option A. 2010 and 2025 for Design Option B.
  - 93. Tustin Ranch/El Camino Real - 2010 and 2025 for Design Option A. 2025 for Design Option B.
  - 124. Jamboree/Portola - 2025 and Post 2025
  - 128. Jamboree/I-5 - 2025 for (Design Option A only)
  - 221. Culver/Bryan - 2010 for (Design Option B only)
  - 228. Culver/Barranca (c) - Post 2025 (only without partially funded NITM improvements)
  - 557. Ridge Valley/Irvine (c) - Post 2025 (only without partially funded NITM improvements)
- (a) The landowner or subsequent Project Applicant shall fund the unfunded portion of the improvements to the Red Hill/Irvine intersection after the obligations for this intersection have been met per the agreement of June 24, 1997 between the County of Orange and The Irvine Company.
  - (b) The landowner or subsequent Project Applicant shall fund the unfunded portion of the improvements to the Tustin Ranch/Irvine intersection after the obligations for this intersection have been met per the agreement of June 24, 1997 between the County of Orange and The Irvine Company.
  - (c) The landowner or subsequent Project Applicant shall fund the unfunded portion of the improvements after fair share NITM fees are applied to the improvement costs.

Should the East Orange GPA not be approved, the list of intersections above shall be modified consistent with Chapter 9 of the Traffic Study in Appendix D.

- S** 9. (MM) The need for the second eastbound left turn lane at the Culver/Warner intersection (in 2010 for Design Option B only) shall be verified with each TTM/TPM Interim Year traffic study as required in the NITM ordinance. Should this second eastbound left turn lane be needed based on this TTM/TPM traffic study (i.e. the projected ICU is 0.91 or greater) and such improvement is not implemented per the terms of the agreement of February 22, 2001 between the Cities of Tustin and Irvine, the landowner or subsequent Project applicant shall implement this improvement subject to a reimbursement agreement with the City of Irvine from fees collected from the City of Tustin pursuant to the agreement of February 22, 2001.
- S** 10. (MM) Prior to approval of the first tentative tract map, the landowner or subsequent Project Applicant shall enter into an agreement with the City to provide its fair share funding (which is \$300,000) towards improvements to the Jamboree/Barranca intersection. These improvements are needed for 2010 and Post-2025 impacts under Design Option A and for Post-2025 impacts under Design Option B.

#### AIR QUALITY

- B** 11. (PPP) Compliance with SCAQMD Rules 402 and 403: During construction of the Proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403; monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (see Appendix E of the DEIR).
- C** 12. (PPP) Comply with Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings: All buildings must comply with Title 24, Part 6. Reducing the need to heat or cool structures by improving thermal integrity will result in a reduced expenditure of energy and a reduction in pollutant emissions.

**B** 13. (MM) Construction Equipment Emissions Measures: Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

**B** 14. (MM) ROG Control Measures: Prior to issuance of the first building permit, the applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as HVLP (High Volume Low Pressure) sprayers and brushes/rollers where possible.

**B** 15. (MM) Implement Measures Recommended in SCAQMD's CEQA Handbook and the URBEMIS2002 Model: Prior to issuance of the first building permit, the applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 model:

- a. install low-emission water heaters when practical;
- b. use central water-heating systems when practical;
- c. use built-in, energy-efficient appliances; and
- d. ensure that sidewalks and pedestrian paths are installed throughout the project area.

**S** 16. (MM) Prior to approval of each tentative tract map, the landowner or subsequent project applicant shall submit to the Director of Community Development for approval, a plan showing pedestrian/bicycle trails that facilitate

connections to public facilities such as schools, parks, and regional trails, as well as between residential neighborhoods consistent with PDF-REC-1.

- Where possible, connect residential areas to public facilities, parks, regional trails and other residential neighborhoods with pedestrian/bicycle trails.
- Where possible, connect commercial areas to adjacent residential areas via bike/walking paths.
- Coordinate with OCTA and the City regarding the location of bus turnouts and bus routes within the project area.

## NOISE

C 17. (PPP) Control of Construction Hours: Construction activities occurring as part of the Project shall be subject to the limitations and requirements of Section 6-8-205(a) of the Irvine Municipal Code which states that construction activities and agricultural operations may occur between 7:00 a.m. and 7:00 p.m. Mondays through Fridays, and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities shall be permitted outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the Chief Building Official or his or her authorized representative. Trucks, vehicles, and equipment that are making or are involved with material deliveries, loading, or transfer of materials, equipment service, maintenance of any devices or appurtenances for or within any construction project in the City shall not be operated or driven on City streets outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the City. Any waiver granted shall take impact upon the community into consideration. No construction activity and agricultural operation will be permitted outside of these hours except in emergencies including maintenance work on the City rights-of-way that might be required.

B\* 18. (PPP) Construction-Related Noise Mitigation Plan: For development proposed adjacent to any developed/occupied uses, a construction-related noise mitigation plan shall be submitted to the Director of Community Development for review and approval prior to issuance of grading permits. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project, through the use of such methods as following: (1) temporary noise attenuation fences; (2) preferential location of equipment; and (3) use of current technology and noise suppression equipment.

\*Applicable to VTM 18009 & 18014 only

B 19. (PPP) Acoustical Report - Prior to the issuance of building permits for each structure or tenant improvement other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall show that the development will be sound attenuated against present and projected noise levels, including roadway, aircraft, helicopter and railroad, to meet City interior and exterior

noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). In order to demonstrate that all mitigation measures have been incorporated into the project, the report shall be accompanied by a list identifying the sheet(s) of the building plans that include the approved mitigation measures. (Standard Condition B.1)

C 20. (PDF) Blasting Plan Provisions Related to Noise and Vibration: In conjunction with development of the blasting plan required for a blasting permit from the Orange County Fire Authority, as indicated in PPP-PHS-5, the plan shall include provisions for the control of potential noise and vibration impacts associated blasting activities. Such provisions shall be based on the Blasting Guidance Manual issued in March 1987 by the U.S. Department of the Interior, Office of Surface Mining, Reclamation and Enforcement.

N/A 21. (PDF) Disclosure of Noise from Northwood High School: Each potential buyer of property within one-quarter mile of Northwood High School shall be provided with a notification that activities at the school may, from time to time, generate noticeable noise levels, including during nights and weekends on occasion. The notification should state that during such times residents may be exposed to noise that is annoying and/or intrusive.

B 22. (PDF) Disclosure of Agricultural Operations: Each potential buyer of property within one-quarter mile of designated Agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7:00 a.m. to 7:00 p.m. on weekdays and from 9:00 a.m. to 6:00 p.m. on Saturdays and prohibited on Sundays and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

C 23. (PDF) Control of Construction Hours: The project applicant shall not request a waiver for all noise generating construction activities within 500 feet of existing residential areas from the City of Irvine's adopted Noise Ordinance that excludes control of construction activities during the hours between 7 a.m. and 7 p.m. Monday through Friday 9 a.m. and 6 p.m. on Saturday and at no time on Sundays or national holidays. No construction activities will be permitted outside of these hours except in emergencies including maintenance work on the City right-of-ways that might be required.

N/A 24. (MM) Acoustical Study for Outdoor Noise Levels: Prior to the issuance of grading permits for any residential development along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard, and the western leg of PA 1 Loop a detailed acoustical analysis study shall be prepared by a qualified acoustical consultant and submitted to the City. This acoustical analysis report shall describe and quantify the noise sources impacting the area and the measures required to meet the 65 CNEL exterior residential noise standard. The final grading plans shall incorporate the noise barriers (wall, berm or combination wall/berm) required by the analysis and the property owner/developer shall install these barriers.

B 25. (MM) Indoor Noise Level Attenuation: Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard, and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

N/A 26. (MM) Acoustical Study for Indoor Noise Levels: Prior to issuance of building permits, a detailed acoustical study using architectural plans shall be prepared by a qualified acoustical consultant and submitted to the City for residential structures along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard, and the western leg of PA 1 Loop Road. This report shall describe and quantify the noise sources impacting the building(s), the amount of outdoor-to-indoor noise reduction provided by the design in the architectural plans, and any upgrades required to meet the City's interior noise standards (45 CNEL for residences). The measures described in the report shall be incorporated into the architectural plans for the buildings and implemented with building construction.

S 27. (MM) *The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.*

Prior to the issuance of the building permit for the 3,750th residence [in the Northern Sphere Area], or sooner if updated noise studies submitted with the updated traffic studies required to be submitted pursuant to Mitigation Measure 14.5 [of the Northern Sphere Final PEIR], demonstrate that the noise thresholds have been exceeded, a noise barrier shall be constructed on the west side of Jeffrey Road between Irvine Boulevard and Bryan Avenue that will reduce future worst-case with project noise levels to below 65 CNEL at existing residential areas. Prior to construction of the wall, a detailed study should be performed by a qualified acoustical consultant to determine the specific height and location of the noise barrier required to reduce future worst-case with project noise levels to below 65 CNEL. This study shall be submitted to and approved by the City prior to construction of the noise barrier.

[Note: The time and occupancy of the 3750th residence was identified as the point at which the noise increases due to the project will become substantial enough to require construction of the noise barrier based upon projected traffic volume increases between 2007 and 2025 and the number of residential units developed during this time period.]

- S** 28. (MM) Cumulative Off-Site Noise Impacts: The Irvine Company shall implement Mitigation Measure 10.4 required for the Northern Sphere Project Area project (City of Irvine. Final Environmental Impact Report for the Northern Sphere Area. SCH No. 2001051010. June 2002) prior to the issuance of the cumulative 3,750th residence from the PA1/PA2/PA9 GPA/ZC Project and the Northern Sphere Project. Mitigation Measure 10.4 calls for the completion of a detailed noise study for construction of a noise barrier on the west side of Jeffrey Road between Irvine Boulevard and Bryan Avenue. This will ensure that these homes will not experience future noise levels in excess of 65 CNEL and not be significantly impacted by cumulative traffic noise.

## **PUBLIC HEALTH AND SAFETY**

- B** 29. (PPP) If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

- S** 30. (PPP) The land owner or subsequent project applicant shall provide evidence to the Director of Community Development that subdivision maps and site-specific development projects within Planning Area 1 (formerly Planning Areas 1 and 2) have been submitted to OCFA for review to ensure compliance with the Orange County Fire Authority's "General Guidelines for Development Within & Exclusion from Very High Fire Severity Zones," "Guidelines for Fire Authority Emergency Access (Gates and Barriers)," "Guidelines for Fuel Modification Plans and Maintenance," and "Guidelines for Fire Apparatus Access Roads and Fire Lane Requirements."

- B** 31. (PPP) *The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.*

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

- B** 32. (PPP) If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

- C** 33. (PPP) In the event that blasting is necessary in order to fracture non-rippable rock, the property owner/developer shall obtain a blasting permit from the Orange County Fire Authority prior to the commencement of any blasting. Prior to the issuance of the blasting permit, a blasting plan shall be prepared by the property owner/developer and approved by the Orange County Fire Authority. Evidence of this approval shall be submitted to the City. The blasting plan shall be in accordance with but not be limited to the following:

- Pre-blast survey;

- Site and location of planned blasting and hours of operation (blasting to be conducted during the daylight hours only);
- Notification of blasting activities in accordance with applicable standards;
- Types and amounts of explosives;
- Warning system information;
- Methods of transportation and handling of explosives;
- Minimum acceptable weather conditions;
- Procedures for handling, setting, wiring and firing explosives;
- Procedures for clearing and controlling access to blast danger;
- Procedures for handling misfires and other unusual occurrences;
- Emergency action plan;
- Material safety data sheet for all explosives or other hazardous materials expected to be used; and
- Compliance with local, state and federal laws.

## GEOLOGY AND SEISMICITY

C 34. (PPP) Revegetation: Revegetation of cut and fill slopes shall be required in accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual.

C 35. (PPP) Grading Operations and Construction – Planning Area 1: All grading operations and construction will be conducted in conformance with the applicable City of Irvine Grading and Excavation Regulations and Grading Manual, the most recent version of the Uniform Building Code for Seismic Zone 4, and consistent with the recommendations included in the most current geotechnical reports for Planning Area 1 (formerly Planning Areas 1 and 2) prepared by the engineer of record.

N/A 36. (PPP) Grading Operations and Construction – Planning Area 9: All grading operations and construction will be conducted in conformance with the applicable City of Irvine Grading and Excavation Regulations and Grading Manual, the most recent version of the Uniform Building Code for Seismic Zone 4, and consistent with the recommendations included in geotechnical reports for Planning Area 9 entitled “Report of Geotechnical Feasibility Study for Planning Areas I-08A and I-09A, City of Irvine, California.” (Appendix H of the Northern Sphere Area Final PEIR)

B 37. (PPP) Geotechnical Reports: Detailed geotechnical investigation reports for each Rough Grading Plan shall be submitted to further evaluate faults, subsidence, slope stability, settlement, foundations, grading constraints, liquefaction potential, issues related to shallow groundwater and other soil engineering design conditions and provide site-specific recommendations to mitigate these issues/hazards. The geotechnical reports shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical

engineering and a Certified Engineering Geologist. The City of Irvine Geotechnical Engineer/Engineering Geologist shall review the rough grading plan to ensure conformance with recommendations contained in the reports.

- C 38. (PPP) Registered Civil Engineer: In accordance with the City of Irvine Grading Code and Manual, grading and earthwork shall be performed under the observation of a Registered Civil Engineer specializing in Geotechnical Engineering in order to achieve proper sub-grade preparation, selection of satisfactory fill materials, placement and compaction of structural fill, stability of finished slopes, design of buttress fills, subdrain installation and incorporation of data supplied by the engineering geologist.
- C 39. (PPP) Certified Engineering Geologist: In accordance with the City of Irvine Grading Code and Manual, grading and earthwork shall also be performed under the observation of a Certified Engineering Geologist to provide professional review and written approval of the adequacy of natural ground for receiving fills, the stability of cut slopes with respect to geological matters, and the need for subdrains or other groundwater drainage devices. The geologist shall geologically map the exposed earth units during grading to verify the anticipated conditions, and if different, provide findings to the geotechnical engineer for possible design modifications.
- B 40. (PPP) Slope Stability and Landslides: In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.
- C 41. (PPP) Oversize Rock: The oversize rock produced from the excavation of hard bedrock shall be placed in deeper fill areas in accordance with the grading and earthwork specifications presented in the geotechnical reports required by PPP-GS-3 and the City of Irvine Grading and Excavation Regulations and Grading Manual. Alternatively, this rock may be crushed.
- C 42. (PPP) Seismic Hazards: Potential seismic hazards related to liquefaction and earthquake induced landslides shall be evaluated and mitigated in accordance with the State of California Division of Mines and Geology, Seismic Hazard Mapping Act (Special Publication 117).
- C 43. (PPP) Well Abandonment: The abandoned exploratory oil well located in Planning Area 1 (formerly Planning Areas 1 and 2) shall be removed from the

upper 10 feet from finish grade and properly abandoned below this depth in accordance with current standards of the State of California Division of Oil, Gas, and Geothermal Resources [Public Resources Code, Division 3].

- C 44. (PPP) Septic Tanks, Leech Fields, and Seepage Pits: If encountered during grading, the abandonment of the septic tanks, leech field, and seepage pits shall be performed in accordance with Section 722 of the Uniform Plumbing code requirements. These structures shall be removed from the upper 10 feet from finish grade and disposed of offsite. The structures shall be properly abandoned below this depth.

## HYRDOLOGY AND WATER QUALITY

- N/A 45. (PPP) Storm Drain Facilities: Prior to release of a final map by the City, the landowner or subsequent project applicant shall construct, or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements in conformance with applicable City Standards and the City's Capital Improvement Policy: Storm drain facilities, including water quality basins, in accordance with the approved Drainage Concept Plan. (City of Irvine Standard Condition 1.1)

- N/A 46. (PPP) Federal Emergency Management Agency (FEMA): Prior to the issuance of precise grading permit for any lot or parcel wholly or partially located within the Special Flood Hazard Area (SFHA), the applicant shall furnish to the City Engineer documentation required by the Federal Emergency Management Agency (FEMA) for revision to the FIRM and Flood Insurance Study (FIS). The applicant shall pay all preliminary and subsequent fees as required by FEMA. (City of Irvine Standard Condition 2.4)

- N/A 47. (PPP) Special Flood Hazard Area: This Project includes land within a Special Flood Hazard Area (SFHA) subject to inundation according to the Flood Insurance Rate Map. Prior to the issuance of building permits on any lot or parcel located wholly or partially within the SFHA, a National Flood Insurance Program (NFIP) Elevation Certificate shall be submitted in accordance with the requirements of the NFIP and shall have been reviewed and approved by the City Engineer. The elevation certificate shall be on a FEMA form. If a nonresidential building is being floodproofed, then a FEMA Floodproofing Certificate must be completed and submitted in addition to the elevation certificate. (City of Irvine Standard Condition 3.3)

- B 48. (PPP) Hydrology and Hydraulics Report: Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The

final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

C 49. (PPP) Dam Inspection: Continued operation of the Rattlesnake Reservoir dam shall be subject to requirements of the State of California, Department of Water Resources, and Division of Safety of Dams (DSOD), which operates a dam facility inspection program.

S 50. (PDF) Retarding Basins: Two retarding basins are incorporated into the design of the Planning Area 1 site (formerly Planning Areas 1 and 2). Those basins include the existing Orchard Estates Retarding Basin and the planned Eastfoot Retarding Basin. The basins will reduce peak flows from residential areas upstream of the basins.

S 51. (PDF) Erosion Control at Rattlesnake Reservoir Inflow Point: In order to avoid substantial erosion occurring as stormwater runoff flows into Rattlesnake Reservoir, the design of the upstream outlet structure improvements proposed as part of the Project include provisions for energy dissipaters, which will reduce the velocity of flows into the Reservoir to non-erosive conditions.

S 52. (PDF) Debris Basins: The Project design includes provisions for the construction of four (4) debris basins located along the northern development boundary in Neighborhood 1 [see Figure 5.6-1A in this EIR]. Figures 3.3-1 and 3.3-3 in this EIR show the locations of the four debris basins. The basins will serve to capture natural debris (i.e., vegetation, rocks, sediments, etc.) within storm runoff that flows from the permanent open space areas located north of development. In so doing, this will minimize the potential for such debris to be carried into the downstream storm drain facilities, which could reduce the flow conveyance capacity of those facilities.

S 53. (PDF) Management of Flows in Transportation Corridor Watershed: In conjunction with the final hydrology analysis and design refinement, measures for the management of the development-related increase in 100-year peak flow within the Transportation Corridor Watershed shall be specified and incorporated to maintain a no-net-increase in 100-year peak flow discharge (relative to cubic feet per second - cfs - discharge), as compared to pre-development conditions. Such a measure(s) could include the diversion of flow to another adjacent watershed(s) having adequate capacity to accommodate the diverted flows, construction of a detention basin within the Transportation Corridor Watershed, or other feasible measure(s) that accomplishes the objective of no-net increase in 100-year peak flow discharge.

N/A 54. (MM) Permanent habitable structures shall not be allowed on development parcels determined to lie within the dam inundation zone of Rattlesnake

Reservoir, unless it can be demonstrated to the satisfaction of the Director of Community Development that appropriate measures and precautions are included in the development plans to avoid significant loss, injury, or death from dam inundation.

**B** 55. (PPP) Notice of Intent (NOI): This project will result in soil disturbance of one (1) or more acres of land that has not been addressed by an underlying subdivision map. Prior to the issuance of preliminary or precise grading permits, the landowner or subsequent project applicant shall provide the City Engineer with evidence that a NOI has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed. (City of Irvine Standard Condition 2.5)

**B** 56. (PPP) Water Quality Management Plan (WQMP): Prior to the issuance of precise grading permits, the applicant shall submit, and the Director of Community Development shall have approved, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff. (City of Irvine Standard Condition 2.10) More specifically, the WQMP shall, in accordance with the Drainage Area Master Plan (DAMP) and Local Implementation Plan (LIP), do the following:

- a. Describe the routine and special post-construction BMPs to be used at the proposed development site (including both structural and non-structural measures);
- b. Describe responsibility for the initial implementation and long-term maintenance of the BMPs;
- c. Provide narrative with the graphic materials as necessary to specify the locations of the structural BMPs; and
- d. Certify that the project proponent will seek to have the WQMP carried out by all future successors or assigns to the property. Detailed information about the process for identifying BMPs is included in the Water Quality Assessment Technical Appendix.

**N/A** 57. (PPP) Special Flood Hazard Area: This Project includes land within a Special Flood Hazard Area (SFHA) subject to inundation according to the Flood Insurance Rate Map. Prior to the issuance of building permits on any lot or parcel located wholly or partially within the SFHA, a National Flood Insurance Program (NFIP) Elevation Certificate shall be submitted in accordance with the requirements of the NFIP and shall have been reviewed and approved by the City Engineer. The elevation certificate shall be on a FEMA form. If a nonresidential building is being floodproofed, then a FEMA Floodproofing Certificate must be completed and submitted in addition to the elevation certificate. (City of Irvine Standard Condition 3.3)

C 58. (PPP) Storm Water Pollution Prevention Plan (SWPPP): Prior to the issuance of grading permits, the landowner or subsequent project applicant shall prepare a SWPPP that will –

- a. Require implementation of Best Management Practices (BMPs) designed with a goal of preventing a net increase in sediment load in storm water discharges relative to preconstruction levels;
- b. Prohibit during the construction period discharges of storm water or non-storm water at levels which would cause or contribute to an exceedance of applicable water quality standards contained in the Basin Plan;
- c. Discuss in detail the BMPs planned for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-storm water discharges;
- d. Describe post-construction BMPs for the project;
- e. Explain the maintenance program for the project's BMPs;
- f. During construction, require reporting of violations to the Regional Board; and
- g. List the parties responsible for SWPPP implementation and BMP maintenance during and after grading. The project proponent shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.

N/A 59. (PPP) Encroachment Permit: The landowner or subsequent project applicant shall obtain an encroachment permit for any construction activities that will result in runoff within Caltrans Right-of-Way. The landowner or subsequent project applicant must submit a copy of the SWPPP prior to construction. If a SWPPP is not required for the project, the landowner or subsequent project applicant shall prepare and submit a Water Pollution Management Program pursuant to Caltrans Standard Specifications and "Caltrans Storm Water Quality Handbook, Construction Contractors Guide and Specifications." All activities within Caltrans Right-of-Way must fully conform to the Caltrans Statewide NPDES Permit No. CAS000003 (Order No. 99-06-DWQ).

A 60. (PPP) BMP Operations and Maintenance: The nine water quality treatment basins proposed within Planning Area 1 (formerly Planning Areas 1 and 2) that serve as water quality BMPs are part of the San Diego Creek Watershed Natural Treatment System (SDCWNTS) being undertaken by Irvine Ranch Water District (IRWD). The operation and maintenance of SDCWNTS facilities, including the nine basins within the Project site, is expected to be the responsibility of IRWD [In the event that IRWD does not accept responsibility, homeowners associations for areas with such basins would take the responsibility] and shall be completed in accordance with the Operation and Maintenance procedures specified in the SDCWNTS Master Plan (June 2004).

As specified therein, operations and maintenance procedures have been identified relative to the following:

1. Routine Operation and Maintenance Activities
  - a. Site Inspection
  - b. Water Quality Testing
  - c. Water Level Control
  - d. Trash & Debris Removal
  - e. Pump/Valve Inspection, Adjustment & Maintenance
  - f. Irrigation System Inspection & Adjustment
  - g. Inlet/Outlet Inspection & Maintenance
  - h. Weir Installation & Removal
  - i. Minor Vegetation Maintenance and Snag Removal
  - j. Minor Sediment Removal
  - k. Integrated Pest/Plant Management
  - l. Mosquito Fish Stocking/Bti Application
  - m. Intermittent Flooding/Drying
2. Major Operation and Maintenance Activities
  - a. Structural Modifications
  - b. Pump/Valve Removal & Replacement
  - c. Major Vegetation Removal & Planting
  - d. Major Sediment Removal
3. Emergency Operation and Maintenance Activities
4. Episodic Basin/Habitat Reconfigurations
5. Spills of Hazardous Materials
6. Operations and Maintenance Minimization Measures

**B** 61. (PPP) De Minimis Permit: If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimis Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

**A** 62. (PDF) Site Design Best Management Practices (BMPs): The MS4 permit and implementation plans described in the DAMP/LIP and the City's model WQMP require the consideration and incorporation of site design BMPs to reduce runoff and create a hydrologically functional project that attempts to mimic the natural hydrologic regime. The following describes the site planning principles from the model WQMP that have been incorporated into the Planning Area 1 (formerly Planning Areas 1 and 2) design and to the design of the Project portion of PA 9, as appropriate.

*Minimize Impervious Area and Directly Connected Impervious Areas* – Impervious areas are minimized by incorporating landscaped areas over substantial portions of the Project area.

*Conserve Natural Areas* – Adequate areas to preserve the existing riparian areas, which are critical to stream health, are incorporated; Development is concentrated in the least environmentally sensitive portions when possible. Natural drainage systems are used to the maximum extent practicable.

*Design Practices* - Streets, sidewalks and parking lot aisles will be constructed to the minimum widths specified in the City Land Use Code and in compliance with the Americans with Disabilities Act, as well as safety requirements for fire and emergency equipment vehicle access, and other relevant regulations, and will also be subject to review and approval by the City Engineer; Landscaped buffer areas will be incorporated between sidewalks and streets with sidewalks in compliance with the City Land Use Code; Multiple NTS facilities will be constructed to increase opportunities for infiltration; Two detention facilities are incorporated into the Project (the existing Orchard Estates Basin, and the proposed Eastfoot Basin; The smallest site disturbance area practical will be delineated and flagged during construction to minimize soil compaction on the site and restricting temporary storage of construction equipment in these areas.

*Protect Slopes and Channels* – Slopes will be protected by minimizing erosion potential, particularly in areas with predominantly sandy soils, with vegetative cover, routing flows safely from or away from steep and/or sensitive slopes, and stabilizing disturbed slopes. Channels will be protected by controlling and treating flows in water quality basins prior to reaching existing natural drainage systems, stabilizing channel crossings, ensuring that increases in runoff velocity and frequency caused by the Project do not erode the channel through channel stabilization if necessary, and installing energy dissipaters, such as riprap, at the outlets of storm drains or conveyances.

- C 63. (PDF) Project Source Controls: The following pollutant source control management practices shall be implemented with the Project in accordance with the MS4 Permit and implementation. These source controls were selected based on the Project's land uses.

*Selection of Construction Materials:* Building material selected for rooftop construction shall not include copper or zinc. Drain

*Inlet Stenciling:* All storm drain inlets will be stenciled with “Drains to Creek” or comparable language to discourage dumping of pollutants into the storm drain system.

*Landscaping and Irrigation Controls:* Where feasible, plants with similar watering requirements shall be grouped in order to reduce excess irrigation runoff and promote surface filtration. Efficient irrigation systems to reduce irrigation runoff and conserve water will be used - such systems

will include computerized and/or radio telemetry that controls the amount of irrigation based on soil moisture or other indicators. Hillside landscaping will utilize deep-rooted drought tolerant plants to decrease erosion potential.

*Proper Storage and Application of Fertilizers and Pesticides:* Best management practices shall be implemented to minimize the application of fertilizers, pesticides, and other landscape management products in accordance with the County Pesticide and Fertilizer Management Guidelines, found in the County of Orange Drainage Area Management Plan (DAMP).

*Community Education Program:* A water quality education program shall be implemented through brochures or other materials distributed to homeowners at the time of initial sale or lease of property, and periodically by Home Owners Associations thereafter.

*Conservation Water Rates:* The Irvine Water Ranch District block rate structure shall be applied in order to encourage water conservation.

*Street/Parking Lot Sweeping Program:* A sweeping program shall be implemented to regularly sweep pavements in order to minimize the potential for pollutant loads from these areas in stormwater and dry weather flows. Private streets will be swept twice a month. Parking lots shall be swept weekly at a minimum, weather permitting.

*Activity Restrictions: Conditions, Covenants & Restrictions (CC&Rs)* will be prepared as necessary and will address surface water quality protection, or, alternatively, use restrictions will be developed through lease terms.

*Litter Control Program & Design of Trash Storage Areas:* The litter control program shall focus on litter control for common areas such as parks and active open space, and shall include the placement and emptying of trash receptacles, ensuring that trash bins are maintained in the closed position, and removing trash from parking areas and landscaping. In conjunction with the litter control program, trash storage areas will be designed prevent introduction of this pollutant into runoff by incorporating impervious surfaces for storage areas which prevent run-on from adjacent areas, no connection of trash drains to the storm drain system, and lids on all trash receptacles in addition to roofs or awnings to minimize direct precipitation.

*Project Design Features for Areas with Potential for Pollutant Sources:* Loadings docks for food service areas shall include grease traps and catch basin inserts with filter cloth to prevent appreciable amounts of biodegradable substances (i.e. food) from entering the storm drain. Trash

areas for food service facilities shall be covered, preventing rainfall from coming in contact with refuse from restaurants or any areas where food is served. Grease traps shall be inspected quarterly and cleaned as needed.

Any vehicle fueling areas (no hazardous waste storage will be present) shall meet the requirements of the MS4 and implementation plan requirements including, but not limited to, paved with Portland cement concrete, have an appropriate slope (2 percent - 4 percent) to prevent ponding, separate from the rest of the site by a grade break that prevents run-on of stormwater, an overhanging roof structure or canopy shall be provided and the cover's minimum dimensions must be equal to or greater than the area of the fuel dispensing area.

*Energy Dissipation Devices:* Energy dissipation structures shall be installed at the outlets of any new storm drains that enter unlined channels.

*Regular BMP Inspection and Maintenance:* The water quality treatment facilities and NTS facilities shall be inspected on a regular, scheduled basis as part of the San Diego Creek NTS Plan. The inspections will ensure that the facilities are operating properly, record observations, and initiate any maintenance activities that may be required. Site visits will require one person driving a single vehicle for BMP inspection, including walking the perimeter of the BMP. Maintenance activities that will be performed on a regularly scheduled basis include but are not limited to: trash/debris removal; vegetation removal/thinning; sediment removal; integrated pest/plant management; and intermittent flooding/drying.

- A** 64. (PDF) Treatment PDFs in the PAs 1 and 2 Site: Nine water quality basins shall be constructed in Planning Area 1 (formerly Planning Areas 1 and 2) site as part of the Project to provide treatment to stormwater runoff. All nine basins will be constructed as NTS facilities as described in the SDCNTSMP and will be maintained by IRWD. All but one of these basins shall be constructed with wetland vegetation. In addition to the nine water quality basins, two additional facilities will provide treatment to stormwater runoff from the Project site: the existing Orchard Estates Retarding Basin and the planned Eastfoot Retarding Basin. The new structural BMPs shall be constructed at the same time as the Project, and will provide treatment to flows (dry and wet weather) from the Project site. There will not be a period of time during which flows are discharged from the developed conditions of the Project without receiving treatment. The proposed Project will not need to rely on downstream NTS facilities in order to provide the necessary treatment of flows generated onsite.

The nine water quality basins built in the Project site shall accompany the facilities needed to direct drainage into the basins for treatment and shall be sized to capture a fraction of the predicted runoff (first flush) volume and retain the design volume for a period of approximately 36 hours. The water quality basins will provide for removal


of nutrients, heavy metals, some pesticides, and other pollutants bound to sediment along with pathogen reductions through exposure to sunlight (UV radiation). A conceptual sketch is shown in Section 5.7.2.3 in this EIR.

As appropriate, the proposed water quality basins shall contain both a water quality volume for treatment of stormwater runoff and NTS wetland vegetation to provide treatment of dry weather flows. A cross-section schematic of the combined water quality and NTS wetland vegetation basins is shown in Section 5.7.2.3 of this EIR.

The NST wetland vegetation portion of these basins shall have shallow water areas with emergent vegetation allowing for uptake of nutrients by aquatic vegetation. The nine water quality basins shall be owned by the PA 1 Homeowners Association (HOA), and, as noted above, will be maintained by IRWD as NTS facilities. Maintenance of the NTS basins by IRWD will include vector control (see PPP-SWQ-6). As documented in the San Diego Creek Watershed Natural Treatment System (NTS) Master Plan and associated EIR, both of which are incorporated by reference in this document, such water quality basins provide an effective means of managing the types of pollutants noted above.

Based on the above, the layout of the proposed stormwater treatment system will be such that stormwater runoff from a large portion (1,364 acres) of the treated areas of the PAs 1 and 2 site will be routed to and treated in one of the nine water quality basins that will be constructed as part of the project. Smaller areas of the Project site (714 acres) are routed to the Eastfoot and Orchard Estates Retarding Basins where the stormwater runoff will receive treatment. Areas not routed to water quality facilities or the existing Rattlesnake Reservoir (a terminal reservoir for water quality purposes) are entirely open space (87 acres) and avocado orchards (46 acres) and will be left in their existing condition and therefore do not require treatment under the MS4 permit and its implementation plans.

The majority of the agricultural area that are proposed to remain permanently shall receive treatment in the existing and planned flood control facilities and water quality basins. Treatment of agricultural runoff is not specifically required in the DAMP model WQMP, but providing treatment to the agricultural runoff will substantially improve the quality of stormwater flows from these areas compared to the existing conditions.

-  65. (PDF) Debris Basins: The Project design includes provisions for the construction of four (4) debris basins located along the northern development boundary in Neighborhood 1 [see Figure 5.6-1A in this EIR]. Figures 3.3-1 and 3.3-3 show the locations of the four debris basins. The basins will serve to capture natural debris (i.e., vegetation, rocks, sediments, etc.) within storm runoff that flows from the permanent open space areas located north of development. In so doing, this will reduce the potential for water quality impacts to downstream areas. The debris basins will be owned, operated, and maintained by the City of Irvine.

S 66. (PDF) Trash Control Devices: Trash control devices (racks, release nets, or a comparable control) shall be installed at the inlets to the water quality basins and retarding basins, and upstream of inlets to Rattlesnake Reservoir to provide water quality benefits (i.e., reduce trash loading to receiving water bodies), maintain visual aesthetics, and to assist with operation and maintenance activities. Cleaning of the trash control devices will occur as part of IRWD's maintenance of the water quality basins.

S 67. (PDF) *The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to the entire PA 9.*

Trabuco Retarding Basin to Treat PA 9 Flows: Construction of the following improvements to the existing Trabuco Retarding Basin shall commence prior to issuance of the first occupancy permit for any residence (except a model home) in Planning Area 9; the existing Trabuco Retarding Basin shall be modified to provide a water quality pool of approximately 76-acre feet which will at a minimum treat over a 24-hour period the column of runoff produced by a 24-hour, 85th percentile storm event (runoff from a 0.75 inch storm) from approximately 1523 acres (1277 acres in Planning Area 9 and 246 acres in Planning Area 5B), which constitutes approximately 40 percent of the development area; and, to treat low flows, the Trabuco Retarding Basin shall also include a natural water quality treatment BMP.

## AGRICULTURAL RESOURCES

A 68. (PPP) Open Space Preservation Programs: This development includes land that encompasses or lies within an Open Space Implementation Action Program District as shown on the City's General Plan and Zoning Ordinance. Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit an irrevocable offer of dedication for the preservation open space lot and/or easement, as required by the City's Phased Dedication and Compensating Development Opportunities Program. A copy of the irrevocable offer shall be submitted to both the City Engineer and the Director of Community Development. The irrevocable offer of dedication for the preservation open space lot and/or easement shall be prepared to the satisfaction of the Director of Community Development, the City Engineer, and the City Attorney. The offer shall be recorded with filing of the final map. (Standard Condition 1.7)

S 69. (PPP) Agricultural Legacy Program: The Project supports the intent of the City of Irvine General Plan Objective L-10, which provides for the development of an Agricultural Legacy Program to address on a citywide basis the loss of agricultural lands due to planned development throughout the City.

S 70. (PDF) The proposed zoning for Planning Area 1 (formerly Planning Areas 1 and 2) specifically redesignates 508 acres of existing avocado orchards as 1.1

Exclusive Agriculture, which is complementary to the purpose and intent of Objective L-10.

S 71. (MM) Prior to the issuance of the first building permit except model homes, the project applicant shall submit an amendment request to the Director of Community Development, for inclusion of the 508 acres of existing avocado orchards within Planning Area 1 (formerly Planning Areas 1 and 2) that are proposed to be zoned 1.1 Exclusive Agriculture into the City of Irvine's Agricultural Legacy Program.

S 72. (MM) Prior to the recordation of the first final map, the City of Irvine, in coordination with The Irvine Company, shall submit a request to the State of California Department of Conservation - Farmland Mapping and Monitoring Program (FMMP) of the Division of Land Resource Protection to remove the overlay designation of Land Committed to Nonagricultural Use for the 508 acres within Planning Area 1 (formerly Planning Areas 1 and 2) that are proposed to be designated 1.1 Exclusive Agriculture.

S 73. (MM) An Agricultural Operations Plan for Planning Area 1 (formerly Planning Areas 1 and 2) shall be submitted by the landowner or designee to the Director of Community Development for review and approval prior to the issuance of any building permits within Planning Area 1, with the exception of building permits for model homes. The Agricultural Operations Plan shall include, or specify comparable provisions for, the following:

1. *Irrigation:* The Plan shall provide standards and guidelines for irrigation systems and/or practices that meet the irrigation needs for the crop, but avoids any offsite irrigation runoff.

2. *Fertilization:* The Plan shall provide standards and guidelines for crop fertilization systems and/or practices that minimize, if not avoid, the need for spraying near developed areas.

3. *Pest Control:* The Plan shall provide standards and guidelines for pest control systems and/or practices that minimize, if not avoid, any spraying of pesticides near developed areas. The Plan shall specify that biological controls are to be the primary method of pest interdiction, and shall indicate that spraying of groves shall be performed only when it is apparent that pest infestation is at a threshold that will create economic damage to the crop/tree that cannot be effectively controlled biologically. The Plan shall also indicate that all applications for spraying to be submitted to the County of Orange Agricultural Commissioner in advance of the event and all chemical applications shall be performed under the supervision of a certified applicator with trained personnel that meet the County of Orange requirements.

4. *Tree Canopy Management:* The Plan shall provide standards and guidelines for tree canopy management that minimize, if not avoid, the need for hauling and off-site disposal of tree trimmings.

5. *Orchard Best Management Practices (BMPs)*: The Plan shall provide standards and guidelines for the development and implementation of Best Management Practices (BMPs) that reduce the creation of silts and erosion from orchard areas.

6. *Harvesting*: The Plan shall provide standards and guidelines to delineate the typical approach to, and typical timing and duration of, harvesting activities. The Plan shall provide measures to minimize, if not avoid, any impacts to nearby developed areas from noise and traffic, including truck/worker parking, associated with harvesting activities.

7. *Orchard Security*: The Plan shall provide standards and guidelines that address security consideration at the orchards. Such provisions shall address security fencing, signage, access, and patrolling of orchard areas.

8. *Wildfire Management Plan*: The Plan shall provide standards and guidelines for the development and maintenance of a wildfire management plan for orchard areas. Such provisions shall be coordinated with the preparation of fuel modification and other required fire protection plans relating to Planning Area 1 (formerly Planning Areas 1 and 2).

9. *Hours of Activity*: The Plan shall provide standards and guidelines specifying the normal days of the week and hours of the day for activities associated with operation of the orchards, and shall indicate the bases for allowable variations to that schedule.

10. *Public Noticing*: The Plan shall provide standards and guidelines for public noticing of agricultural activities occurring or planned to occur within orchard areas.

The above types of requirements to be addressed in the Agricultural Operations Plan are primarily oriented toward the continued cultivation of existing avocado orchards within Planning Area 1 (formerly Planning Areas 1 and 2). In the event the of a proposed change in the crop from that assumed and addressed in an approved Agricultural Operations Plan, the Plan shall be amended and resubmitted to the Director of Community Development for review and approval prior to the occurrence of the crop change. Additionally, it is possible that the Agricultural Operations Plan developed relative to avocado orchards may, from time to time, need to be amended to reflect changes in operations, new technology, and/or revised practices. Such amendments to the current plan would also need to be submitted to the Director of Community Development for review and approval.

- B** 74. (MM) Prior to issuance of building permits except model homes, the project applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational

brochure as part of the rental/lease agreements and as part of sales literature for the project.

## BIOLOGICAL RESOURCES

- B** 75. (PPP) The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall be identified with temporary fencing or

other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to

reduce accumulated dust on the leaves as recommended by the monitoring biologist.

S 76. (PPP) Adaptive Management Program – As set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), the Adaptive Management Program is being effectively implemented by the Nature Reserve of Orange County and the signatories to the NCCP/HCP Implementation Agreement. Adaptive management is a flexible, iterative approach to long-term management of biotic resources that is directed over time by the results of ongoing monitoring activities and other information. This approach involves managing coastal sage scrub and adjacent habitats in a manner designed to support a broad range of coastal sage scrub species over the long-term (County of Orange Environmental Management Agency 1995a). The Central-Coastal NCCP/HCP states, “that the following reserve system adaptive management elements are necessary to maintain the net long-term habitat value of the reserve system in accordance with the Central-Coastal NCCP/HCP:

1. monitoring and associated adaptive management of biological resources located within the Reserve system;
2. management carried out by means of short-term and long-term fire management programs within the Reserve system;
3. management of public access and recreational uses within the Reserve system;
4. management designed to minimize the impacts of ongoing operations/maintenance of uses within the reserve system that existed prior to approval of the NCCP/HCP;
5. assurance that permitted infrastructure uses proceed in a manner consistent with and provided for in the NCCP/HCP in order to minimize impacts of uses proposed to be allowed within the reserve system;
6. interim management of privately-owned lands for the above adaptive management elements purposes prior to transfer of legal title to permanent public and non-profit ownership within the reserve system;
7. restoration and enhancement measures within the Reserve to offset potential loss of net long-term habitat value due to development of coastal sage scrub habitat and covered non-coastal sage scrub habitat located outside the reserve system.”

The kinds of uses and activities permitted within the Reserve System will be carefully controlled to protect biological resources, particularly Covered Species and their habitat (i.e., coastal sage scrub) and native

grasslands. The Adaptive Management Program will not only protect target species and habitat from long-term impacts, but will also protect Non-Covered Species associated with Covered Habitats. Management activities within the Reserve include, but are not limited to the following: 1) habitat enhancement and restoration activities, including pest/invasive species control; 2) fire management; 3) trail and camping designations to prevent trampling of habitat and species; 4) grazing programs; 5) cowbird trapping and other vertebrate pest management (i.e., feral cats); 6) noxious weed control; and 7) restrictions on recreational use during avian breeding seasons. All potential edge effects due to the Planning Area 1 (formerly Planning Areas 1 and 2) development Project and associated improvements (i.e., portions of Jeffrey Road adjacent to Planning Area 1) will be controlled through implementation of the Adaptive Management Program.

- S 77. (PPP) In conjunction with submittal of the Master Trails and Landscaping Plan, the project applicant shall demonstrate that the plant palette of landscaping within 100 feet of the NCCP/HCP Reserve does not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council) in accordance with requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP).

These lists include, but are not limited to, invasive species such as pepper trees (*Schinus* species), tamarisk, pampas grass (*Cortaderia selloana*), fountain grass (*Pennisetum setaceum*), ice plant (*Mesembryanthemum* species), myoporum (*Myoporum laetum*), black locust (*Robinia pseudoacacia*), capeweed (*Arctotheca calendula*), tree of heaven (*Ailanthus altissima*), periwinkle (*Vinca major*), sweet alyssum (*Lobularia maritima*), English ivy (*Hedera helix*), French broom (*Genista monspessulana*), Scotch broom (*Cytisus scoparius*), and Spanish broom (*Spartium junceum*). The fuel modification zone shall include plants approved by the Orange County Fire Authority (OCFA).

- S 78. (PPP) Conditionally-Covered Species - Impacts to foothill (intermediate) mariposa lily individuals are addressed in the Central-Coastal NCCP/HCP as a Conditionally-Covered Species and impacts to more than 20 individuals shall comply within the mitigation requirements set forth in the NCCP/HCP Plan. As required by the Central-Coastal NCCP/HCP, the restoration program that includes Planning Area 1 (formerly Planning Areas 1 and 2), which addresses preservation as well as the salvage and translocation of foothill (intermediate) mariposa lily, was approved by the CDFG and USFWS on March 17, 2004 and is consistent with the NCCP/HCP Implementation Agreement. This mitigation plan also addresses mitigation for cumulative impacts to this species resulting from direct and indirect impacts in the Central Subregion. The project shall comply with the approved mitigation program for foothill (intermediate) mariposa lily, which is presented below:

Prior to issuance of a grading permit for Neighborhood 3 in Planning Area 1 (formerly Planning Areas 1 and 2), evidence shall be provided to the Director of Community Development that a translocation and monitoring plan for the relocation of 2,000 foothill (intermediate) mariposa lily bulbs has been reviewed and approved by The Nature Conservancy (TNC), USFWS, CDFG, and the Nature Reserve of Orange County (NROC). The receiver site shall be monitored for up to a seven-year period; the duration of monitoring will be determined through consultation with CDFG and the USFWS. The translocation and monitoring program for foothill (intermediate) mariposa lily shall include the following:

1. Selection and Mapping of Suitable Mitigation Sites - A minimum of three disjunct receiver sites will be selected within the NCCP/HCP Reserve System or the Irvine Ranch Land Reserve in the North Ranch Policy Area in coordination with the NROC and TNC to be approved by the USFWS and CDFG. Each receiver site will be mapped.
2. Demarcation of Bulbs - A biologist shall demarcate the 2,000 flowering individuals to be translocated in Planning Area 1 using flagging ribbon, lath and/or marking paint so that during bulb excavation the bulbs can be found.
3. Excavation of Bulbs - The demarcated bulbs shall be excavated by hand, using pick, shovels, and digging bars, or by mechanized means. A biologist will monitor the excavation. The excavated bulbs will be sorted, and in the process, the appropriate number of bulbs required for translocation from each site will be confirmed.
4. Salvage Topsoil - A sufficient amount of specified topsoil will be salvaged and moved to a stockpile site located near the receiver sites. A biological monitor will be present during salvaging and stockpiling activities.
5. Outplant Bulbs into Mitigation Areas - The excavated bulbs will be transplanted to the approved receiver sites either in individually drilled holes, in small plots or other appropriate outplanting methods (subject to agency approval). A permanent metal tag with a corresponding number to identify the bulbs will be installed next to the bulbs. The bulbs will be backfilled with native topsoil salvaged from the original population. Research data will be collected for each bulb, and the data collected will be subject to on-going research, which is vital to the adaptive management process. The location of the bulbs will be mapped using a Global Positioning System (GPS) unit.

6. Archeological Monitoring - A qualified archeologist shall survey the excavation and the receiver site to verify that cultural resources are not present in these locations.

7. Monitoring - The translocated populations will be monitored for up to seven consecutive years and inspected on four separate occasions during the blooming period of each year. The duration of monitoring will be determined through consultation with CDFG and the USFWS. During the monitoring of each mitigation site, data will be collected. Subject to agency approval, manipulative studies may be implemented including the following: clearing or thinning the vegetative cover in and around a population and monitoring the results over years to see if there is a response in the number of flowering individuals; and/or involving a more regular supplemental watering regime to mimic a favorable rainfall year.

8. Prepare Documentation - An as-built report that documents all of the activities and final outcome associated with the installation of bulbs in the mitigation areas will be prepared. An annual monitoring report will be provided to NROC, USFWS, CDFG and TNC for each of the seven consecutive years and will include raw data collected, analysis of data, and any trends. At the conclusion of the seventh monitoring year, a final mitigation report will be prepared that will include a compilation of data, statistical analysis, and any final conclusions regarding the translocation effort.

**B** 79. (PPP) This project will involve removal of native plant communities and wildlife habitat. Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity and/or other related construction activity, the applicant shall obtain written authorization from the appropriate Federal, State, and local agencies that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved prior to any grading activity. (Standard Condition 2.6.) [Note: As disturbance of Covered Habitats is covered under the NCCP/HCP (PPP-BIO-1), PPP-BIO-5 only applies to the removal of Non-Covered habitats.]

**S** 80. (PDF) The land use plan for Planning Area 1 (formerly Planning Areas 1 and 2) provides for the preservation of approximately 1,868 acres of open space onsite within the NCCP/HCP Reserve System, approximately 337 acres of adjacent open space north and east of Rattlesnake Reservoir, and the preservation of approximately 122 acres of interstitial eucalyptus woodland within the development areas. The preservation of the open space preserves the

overall habitat functions and values, and the preservation of the eucalyptus woodland, in addition to providing local habitat value, is designed to fully address for direct impacts to white-tailed kite (nesting and foraging habitat). The open space contains more suitable habitat than the development area and it is connected to larger, more suitable, contiguous habitat. Additionally, the open space design of the plan provides for the preservation of 2,500 individuals of many-stemmed dudleya within Planning Area 1 and contributes to the preservation of over 39,594 individuals in the Central Subregion NCCP/HCP Reserve System, which addresses potential cumulative impacts to many-stemmed dudleya that would result from the Project. Moreover, preservation of 37,000 acres of natural lands within the NCCP/HCP Reserve System, of which the project's open space area is an integral component, fully reduces or avoids the potential cumulative impacts to sensitive wildlife, including Non-Covered raptors and turkey vultures which could be affected by the Project. The sensitive wildlife that could be cumulatively impacted by the Project are primarily associated with scrub and grassland habitats, though it should be noted that though it should be noted that 93 percent of this habitat is being preserved in the NCCP/HCP Reserve. The 37,000 acres of land to be preserved within the Reserve System consists of a mosaic of scrub and grassland habitats, which serves to address cumulative impacts. The project design is consistent with the Central Subregion NCCP/HCP.

**B 81.** (PDF) All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by

adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Location and means by which access is obtained to dedicated public open space shall be controlled and managed by the City through fencing or other means as identified in a Master Trails Plan for Planning Area 1 (formerly Planning Areas 1 and 2) and consistent with NCCP adaptive management measures developed through participation in the Nature Reserve of Orange County.

**S** 82. (PDF) Location and means by which access is obtained to dedicated public open space shall be controlled and managed by the City through fencing or other means as identified in a Master Trails Plan for Planning Area 1 (formerly Planning Areas 1 and 2) and consistent with NCCP adaptive management measures developed through participation in the Nature Reserve of Orange County.

**B** 83. (PDF) To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

**B** 84. (MM) Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been

coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:

1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

**B** 85. (MM) Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community

Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)

b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.

c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.

d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:

1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.
2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site

walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.

2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.

3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:

i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

## PALEONTOLOGICAL RESOURCES

**A** 86. (MM) Prior to issuance of the first preliminary grading permit for Planning Area 1 (formerly Planning Areas 1 and 2), a scope of work shall be developed for preparation of a paleontological resources impact mitigation program (PRIMP). The PRIMP shall be compatible with the guidelines of the Society of Vertebrate Paleontologists. Prior to development of the PRIMP, a walkover survey of the area proposed for grading shall be conducted by a qualified paleontologist retained by the Landowner or subsequent project applicant to locate unidentified paleontological localities in Planning Area 1. Based on the potential of individual geologic formations and units to produce fossils and the results of the walkover survey, the PRIMP may recommend full to part-time monitoring within specific area. The PRIMP shall include, but not be limited by, the following:

a. Attendance at the pregrade conference by the qualified paleontological monitor.


b. Monitoring of excavation activities by a qualified paleontological monitor in areas identified in the PRIMP as likely to contain paleontological resources. The monitor should be equipped to salvage fossils and/or matrix samples as they are unearthed in order to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment in the area of the find in order to allow removal of abundant or large specimens.

c. Because the underlying sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix, these sediments shall occasionally, as based on the recommendations of the qualified paleontological monitor, be spot screened through one-eighth to one-twentieth-inch mesh screens to determine if microfossils exist. If microfossils are encountered, additional sediment samples (up to 6,000 pounds per horizon) shall be collected and processed through one-twentieth-inch mesh screens to recover additional fossils.

d. Preparation of recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils and the removal of surplus sediment from around larger specimens to reduce the volume of storage for the repository and the storage cost for the developer.

e. Identification and curation of specimens into a museum repository with permanent retrievable storage.

## CULTURAL RESOURCES

 87. (MM) Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or

deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

**B** 88. (MM) Prior to issuance of the first preliminary grading permit, and for any subsequent permit involving excavation to increased depth, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and that the consultant will be present during all grading and other significant ground disturbing activities. This consultant shall be selected from the roll of qualified archaeologists maintained by the County of Orange. Should any cultural resources be discovered, the monitor is authorized to stop all grading in the immediate area of the discovery, and shall make recommendations to the Director of Community Development on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be "historic resources" at that term is defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Director of Community Development. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in greenspace, parks or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Director of Community Development approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Director of Community Development where they would be afforded long term preservation to allow future scientific study.

**S** 89. (MM) Prior to the opening of the dedicated open space area for public use in Planning Area 1 (formerly Planning Areas 1 and 2), the City shall consult with an archaeologist to ensure that the plans for public access will not conflict with preservation and avoidance of any archaeological sites within the preservation area

**B** 90. (MM) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If

the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

2. Where the following conditions occur, the land owner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:

- a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
- b. The descendant identified fails to make a recommendation; or
- c. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

## AESTHETICS

S 91. (PPP) As required by Zoning Ordinance Section 5-4, the applicant shall demonstrate compliance with City of Irvine policies for hillside areas in the Lomas de Santiago Hills, which require that hillsides substantially maintain their natural character and environmental and aesthetic values.

B 92. (PPP) Prior to issuance of building permits, the applicant shall demonstrate through submittal of electrical engineer's photometric survey, prepared to the satisfaction of the Director of Community Development, that lighting requirements as set forth in the Irvine Security Code are met (Standard Condition 3.2).

C 93. (PPP) Any lighting of athletic fields and courts in Planning Area 1 (formerly Planning Areas 1 and 2), and the project portion of PA 9 shall conform with the City of Irvine Community Services Athletic Field Lighting Standards contained in the City of Irvine Park Standards Manual.

- B** 94. (PPP) Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.
- S** 95. (PDF) The land use plan for Planning Area 1 (formerly Planning Areas 1 and 2) provides for the preservation of the following:
- a. Onsite open space totaling 2,205 acres designated for preservation and to be offered for dedication for public ownership. This acreage includes land within the NCCP/HCP Reserve System [PPP-BIO-1], land within an Open Space Implementation Action Program District [PPP-LU-3], and approximately 80 additional acres to be offered for dedication to the City of Irvine as Implementation Districts B-1 and B-2. The area to be preserved includes the Lomas de Santiago Ridgeline and the steep hills and canyons leading to the ridgeline which are the most unique and visually significant feature of PAs 1 and 2.
  - b. A total of 508 acres located on hills interspersed throughout the development to be zoned 1.1 Exclusive Agriculture [PDF-AGR-1] and incorporated into the City's Agricultural Legacy Program [MM-AGR-1].
  - c. Approximately 122 acres of interstitial eucalyptus windrows to be preserved within the limits of development [PDF-BIO-1]. To the extent they are deemed healthy and pose no safety concerns or conflict with infrastructure improvements, the windrows shall be incorporated in median landscaping, landscaped setbacks, parks, trails, and areas adjacent to open space.
- S** 96. (PDF) Prior to issuance of grading permits for the electrical substation located in Planning Area 1 (formerly Planning Areas 1 and 2), Southern California Edison shall demonstrate through submittal of landscape plans, prepared to the satisfaction of the Director of Public Works, that requirements as set forth in the City of Irvine Landscape Manual are met.
- S** 97. (PDF) Prior to issuance of grading permits for the electrical substation located in Planning Area 1 (formerly Planning Areas 1 and 2), Southern California Edison shall demonstrate through submittal of electrical engineer's photometric survey, prepared to the satisfaction of the Director of Community Development, that lighting requirements as set forth in the Irvine Security Code are met.

## POPULATION AND HOUSING

None

## **PUBLIC SERVICES AND UTILITIES (PSU)**

### **PUBLIC SERVICES AND UTILITIES - POLICE SERVICES – None**

### **PUBLIC SERVICES AND UTILITIES - FIRE SERVICES**

- S 98. (PPP) The landowner or subsequent project applicant shall comply with the Secured Fire Protection Services Agreement between The Irvine Company and the Orange County Fire Authority on February 11, 2003.
- B 99. (PPP) Prior to the release of a final map by the City, all fire protection access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City. (Standard Condition 1.10)
- C 100. (PPP) The landowner or subsequent project applicant shall comply with all applicable Orange County Fire Authority (OCFA) codes, ordinances, and standard conditions regarding fire prevention and suppression measures, relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, fire sprinkler system, etc.
- S 101. (PDF) Prior to approval of tentative tract maps and street improvement plans for traffic/vehicle circulation, all circulation and access plans shall be reviewed and approved by the Orange County Fire Authority.

### **PUBLIC SERVICES AND UTILITIES - SCHOOLS**

- N/A 102. (PPP) The portion of Planning Area 1 (formerly Planning Areas 1 and 2) within the Tustin Unified School District shall be subject to new development fees pursuant to Government Code Section 65995. Under State law, payment of the developer fees provides full and complete mitigation of the Project's impacts on school facilities. As an option to the payment of developer fees, the Tustin Unified School District and the landowner can enter into a future facility and funding agreement if approved by both parties.
- C 103. (PPP) The portion of Planning Area 1 (formerly Planning Areas 1 and 2) within the Irvine Unified School District shall be subject to new development fees pursuant to Community Facilities District (CFD) 86-1 established by the 1985 Mitigation Agreement between IUSD and The Irvine Company and the 2002 Supplement to Mitigation Agreement Facilities Plan and Report to finance school construction for new development. As an option to the payment of developer fees, the Irvine Unified School District and the landowner can enter into a future facility and funding agreement if approved by both parties.

### **PUBLIC SERVICES AND UTILITIES - LIBRARIES – None**

## **PUBLIC SERVICES AND UTILITIES - RECREATION**

- N/A* 104. (PPP) This development necessitates the construction of public and/or private infrastructure improvements. Prior to the release of a final map by the City, the landowner or subsequent project applicant shall construct, or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of riding, hiking and bicycle trails adjacent to or through the project site, in conformance with applicable City standards and the City's Capital Improvement Policy. (Standard Condition 1.1)
- N/A* 105. (PPP) This development includes public trails, which the City Engineer may permit to be recorded separately from the final map. Prior to the issuance of the first precise grading permit, the landowner or subsequent project applicant shall submit to the City Engineer and the Director of Community Services all documents ready for recording of such easements. (Standard Condition 2.7)
- S* 106. (PPP) In conjunction with submittal of the each tentative tract map, the project applicant shall demonstrate compliance with the approved Community Park Plan (00321912-PPP). Prior to the applicant developing a housing mix that exceeds any of the project's residential density category totals shown in Exhibit 2 of Park Plan 00321912-PPP, approval to modify the Park Plan (00321912-PPP) shall be obtained from the Director of Community Development and Director of Community Services. (Park Plan 00321912-PPP.)
- S* 107. (PDF) Prior to approval of the first residential tentative tract map within Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall submit a Master Trails Plan which addresses public and private trails and linkages, public view points, public access points to the open space, signage, and construction phasing of trails for that planning area. The Master Trails Plan shall specify trail locations and types, ownership and maintenance, public viewpoints, public access points, including the provision of a public trailhead (i.e., such as the trailhead in PA 27), to the open space, and a phasing plan for construction of trails. The Master Trails Plan shall be submitted for review and comment by the Community Services Commission and approved by the Planning Commission.
- S* 108. (PDF) Prior to approval of the first tentative tract map for residential purposes within Planning Area 1 (formerly Planning Areas 1 and 2), a park plan shall be approved establishing the exact number, precise location, configuration, ownership, and size of community and neighborhood parks and the distribution of public and private parks. The park plan shall also establish construction phasing of all parks in conjunction with residential development.

## **UTILITIES**

### **UTILITIES – POTABLE WATER**

- N/A 109. (PPP) In accordance with the Irvine Ranch Water District Design Criteria and Process Manual, an addendum shall be prepared to the Sub-Area Master Plan approved in December 2002, which included PA 9 to analyze the proposed change in the approved uses for the Project portion of PA 9.

**UTILITIES – NONPOTABLE WATER – None**

**UTILITIES – SEWER – None**

**UTILITIES – SOLID WASTE**

- B 110. (PPP) The project will result in new construction, which will generate solid waste. Prior to the issuance of precise grading permits, the applicant shall show on the site plans the location of receptacles(s) to accumulate on-site generated solid waste for recycling purposes. At the discretion of the Director of Community Development, the developer of a nonresidential project may be

SUBDIVISION COMMITTEE RESOLUTION NO. 16-996

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18009 (FILE NO. 00674560-PTT) TO CREATE 25 NUMBERED LOTS FOR DETACHED CONDOMINIUM RESIDENTIAL DEVELOPMENT AND 38 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 16.91 NET ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18009 (File No. 00674560-PTT) has been filed by the Irvine Company Community Development to subdivide a 16.91 net-acre site into 25 numbered lots and 38 lettered lots for the development of 149 detached condominium residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18009 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18009 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18009 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18009 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18009 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18009 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18009 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18009 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18009 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 149 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18009 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 149 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.

- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18009 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18009 subdivides 16.91 net-acres into 25 numbered lots and 38 lettered lots for the development of 149 detached condominium residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18009 (File No. 00674560-PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of

computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS

*(Mitigation Measure PPP-99)*

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### **PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS**

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

#### Standard Condition 2.7

#### GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

#### Standard Condition 2.12

#### WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

#### Standard Condition 2.13

#### WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

#### Standard Condition 2.15

#### PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

HUMAN REMAINS  
(Mitigation Measure MM-90)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

#### Condition 2.29

#### UNDERGROUND STORAGE TANKS (Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

#### Condition 2.30

#### ENVIRONMENTAL SITE ASSESSMENTS (Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:
  1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
  2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
  3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Condition 2.40

NESTING RIPARIAN BIRDS  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

## Condition 2.41

## CDFG & ACOE PERMITS (Mitigation Measure MM-85)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION (Mitigation Measure MM-87)

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

#### Condition 2.43

#### FIRE PROTECTION PLAN

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

#### Condition 2.44

#### CONSTRUCTION-RELATED NOISE

For development proposed adjacent to any developed/occupied uses, a construction-related noise mitigation plan shall be submitted to the Director of Community Development for review and approval prior to issuance of grading permits. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project, through the use of such methods as following: (1) temporary noise attenuation fences; (2) preferential location of equipment; and (3) use of current technology and noise suppression equipment.

#### PRIOR TO THE ISSUANCE OF BUILDING PERMITS

#### Standard Condition 3.1

#### ASSESSMENT DISTRICT DISCLOSURE

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

### Standard Condition 3.3

### DISCLOSURE STATEMENTS

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

- n/a a. Information on noise resulting from aircraft and/or helicopter operations at John Wayne Airport.
- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

### Standard Condition 3.5

### FINAL ACOUSTICAL REPORT (Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior

and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

Standard Condition 3.6

**SITE LIGHTING REQUIREMENTS**  
*(Mitigation Measure PPP-92)*

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.

- 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.

Standard Condition 3.7

**SOLID WASTE RECYCLING**  
*(Mitigation Measure PPP-110)*

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

Standard Condition 3.13

**OPEN SPACE EDUCATION**

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of

natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

Standard Condition 3.14

HOA / FUEL MODIFICATION

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel modification zones adjacent to lands designated as Open Space changes in plant materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES  
(Mitigation Measure MM-14)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal

holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible

vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

**Standard Condition 3.21**

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words “RECORD DRAWING” shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

**Condition 3.31**

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

**Standard Condition 4.9**

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

**Condition 4.10**

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

**Condition 4.11**

**OCFA FUEL MOD INSPECTION**

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written

disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

## **PRIOR TO THE EXONERATION OF SECURITY**

### **Standard Condition 5.1**

#### **EXISTING SURVEY MONUMENTS**

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

### **Standard Condition 5.2**

#### **DIGITAL RECORDS - PDF**

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

### **Standard Condition 5.3**

#### **DIGITAL RECORDS - AUTOCAD**

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

## **MISCELLANEOUS**

### **Standard Condition 6.1**

#### **DISCRETIONARY CASE CHARGES**

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

### **Standard Condition 6.2**

#### **LEGAL ACTION – HOLD HARMLESS**

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and

Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

#### Standard Condition 6.4

#### PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

#### Standard Condition 6.11

#### OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

#### Standard Condition 6.12

#### PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

SUBDIVISION COMMITTEE RESOLUTION NO. 16-997

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18010 (FILE NO. 00674566-PTT) TO CREATE 86 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 20 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 14.75 NET ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18010 (File No. 00674566-PTT) has been filed by the Irvine Company Community Development to subdivide a 14.75 net-acre site into 86 numbered lots and 20 lettered lots for the development of 85 single family detached residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18010 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18010 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18010 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18010 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18010 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18010 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18010 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18010 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18010 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 85 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18010 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 85 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.

- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18010 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18010 subdivides 14.75 net-acres into 86 numbered lots and 20 lettered lots for the development of 85 single family detached residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18010 (File No. 00674566-PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS

*(Mitigation Measure PPP-99)*

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### **PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS**

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

Standard Condition 2.7

GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

Standard Condition 2.12

WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

Standard Condition 2.13

WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

Standard Condition 2.15

PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

HUMAN REMAINS  
(Mitigation Measure MM-90)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Condition 2.29

UNDERGROUND STORAGE TANKS  
(Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

Condition 2.30

ENVIRONMENTAL SITE ASSESSMENTS  
(Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:
  1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
  2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
  3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Condition 2.40

NESTING RIPARIAN BIRDS  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

## Condition 2.41

## CDFG & ACOE PERMITS (Mitigation Measure MM-85)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION (Mitigation Measure MM-87)

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

#### Condition 2.43

#### **FIRE PROTECTION PLAN**

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

#### **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

#### Standard Condition 3.1

#### **ASSESSMENT DISTRICT DISCLOSURE**

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

#### Standard Condition 3.3

#### **DISCLOSURE STATEMENTS**

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

- n/a a. Information on noise resulting from aircraft and/or helicopter operations at John Wayne Airport.

- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

#### Standard Condition 3.5

#### FINAL ACOUSTICAL REPORT (Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

#### Standard Condition 3.6

#### SITE LIGHTING REQUIREMENTS (Mitigation Measure PPP-92)

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.

- 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.

Standard Condition 3.7

**SOLID WASTE RECYCLING**  
*(Mitigation Measure PPP-110)*

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

Standard Condition 3.13

**OPEN SPACE EDUCATION**

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

Standard Condition 3.14

**HOA / FUEL MODIFICATION**

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel modification zones adjacent to lands designated as Open Space changes in plant

materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES

*(Mitigation Measure MM-14)*

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

**Standard Condition 3.21**

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words "RECORD DRAWING" shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

**Condition 3.31**

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

**Standard Condition 4.9**

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

**Condition 4.10**

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

**Condition 4.11**

**OCFA FUEL MOD INSPECTION**

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

## **PRIOR TO THE EXONERATION OF SECURITY**

### **Standard Condition 5.1**

#### **EXISTING SURVEY MONUMENTS**

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

### **Standard Condition 5.2**

#### **DIGITAL RECORDS - PDF**

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

### **Standard Condition 5.3**

#### **DIGITAL RECORDS - AUTOCAD**

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

## **MISCELLANEOUS**

### **Standard Condition 6.1**

#### **DISCRETIONARY CASE CHARGES**

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

### **Standard Condition 6.2**

#### **LEGAL ACTION – HOLD HARMLESS**

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an

action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

Standard Condition 6.4

PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

Standard Condition 6.11

OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

Standard Condition 6.12

PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling

pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

SUBDIVISION COMMITTEE RESOLUTION NO. 16-998

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18011 (FILE NO. 00680841-PTT) TO CREATE 25 NUMBERED LOTS FOR DETACHED CONDOMINIUM RESIDENTIAL DEVELOPMENT AND 36 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 12.17 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18011 (File No. 00680841-PTT) has been filed by the Irvine Company Community Development to subdivide a 12.17 gross-acre site into 25 numbered lots and 36 lettered lots for the development of 95 detached condominium residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18011 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18011 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18011 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18011 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18011 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18011 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18011 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18011 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18011 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 95 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18011 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 95 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.
- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
  - b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
  - c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18011 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18011 subdivides 12.17 gross-acres into 25 numbered lots and 36 lettered lots for the development of 95 detached condominium residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18011 (File No. 00680841-PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of

computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS

*(Mitigation Measure PPP-99)*

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### **PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS**

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

#### Standard Condition 2.7

#### GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

#### Standard Condition 2.12

#### WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

#### Standard Condition 2.13

#### WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

#### Standard Condition 2.15

#### PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

**HUMAN REMAINS**  
*(Mitigation Measure MM-90)*

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

#### Condition 2.29

#### UNDERGROUND STORAGE TANKS (Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

#### Condition 2.30

#### ENVIRONMENTAL SITE ASSESSMENTS (Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to theses species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:
  1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
  2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
  3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Condition 2.40

NESTING RIPARIAN BIRDS  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

Condition 2.41

CDFG & ACOE PERMITS  
(Mitigation Measure MM-85)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION

*(Mitigation Measure MM-87)*

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

#### Condition 2.43

#### **FIRE PROTECTION PLAN**

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

#### **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

##### Standard Condition 3.1

##### **ASSESSMENT DISTRICT DISCLOSURE**

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

##### Standard Condition 3.3

##### **DISCLOSURE STATEMENTS**

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

- n/a a. Information on noise resulting from aircraft and/or helicopter operations at John Wayne Airport.

- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

#### Standard Condition 3.5

#### FINAL ACOUSTICAL REPORT (Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

#### Standard Condition 3.6

#### SITE LIGHTING REQUIREMENTS (Mitigation Measure PPP-92)

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.

- 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.

Standard Condition 3.7

**SOLID WASTE RECYCLING**  
*(Mitigation Measure PPP-110)*

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

Standard Condition 3.13

**OPEN SPACE EDUCATION**

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

Standard Condition 3.14

**HOA / FUEL MODIFICATION**

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel modification zones adjacent to lands designated as Open Space changes in plant

materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES

*(Mitigation Measure MM-14)*

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

**Standard Condition 3.21**

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words "RECORD DRAWING" shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

**Condition 3.31**

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

**Standard Condition 4.9**

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

**Condition 4.10**

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

**Condition 4.11**

**OCFA FUEL MOD INSPECTION**

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

## **PRIOR TO THE EXONERATION OF SECURITY**

### **Standard Condition 5.1**

### **EXISTING SURVEY MONUMENTS**

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

### **Standard Condition 5.2**

### **DIGITAL RECORDS - PDF**

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

### **Standard Condition 5.3**

### **DIGITAL RECORDS - AUTOCAD**

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

## **MISCELLANEOUS**

### **Standard Condition 6.1**

### **DISCRETIONARY CASE CHARGES**

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

### **Standard Condition 6.2**

### **LEGAL ACTION – HOLD HARMLESS**

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any

claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

Standard Condition 6.4

PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

Standard Condition 6.11

OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

Standard Condition 6.12

PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation

Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

## Project Entitlement Team Meeting – 12/05/2016

### **Discussion**

Planning Commission Meeting 12/1 and 12/15

IBC Unit Cap

Concordia University Meetings

Wireless Networks in City ROW

Holiday Lunch – Bowling Dec. 20, Tuesday, 3-5:30. Secret Santa/Adopt a Family/Other

### **Presentations**

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### **Presentations**

SUBDIVISION COMMITTEE RESOLUTION NO. 16-999

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18012 (FILE NO. 00674570-PTT) TO CREATE 30 NUMBERED LOTS FOR DETACHED CONDOMINIUM RESIDENTIAL DEVELOPMENT AND 46 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 15.60 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18012 (File No. 00674570 -PTT) has been filed by the Irvine Company Community Development to subdivide a 15.60 gross-acre site into 30 numbered lots and 46 lettered lots for the development of 123 detached condominium residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18012 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18012 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18012 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18012 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18012 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18012 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18012 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18012 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18012 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 123 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18012 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 123 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.

- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18012 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18012 subdivides 15.60 gross-acres into 30 numbered lots and 46 lettered lots for the development of 123 detached condominium residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18012 (File No. 00674570 -PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of

computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS  
(Mitigation Measure PPP-99)

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

#### Standard Condition 2.7

#### GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

#### Standard Condition 2.12

#### WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

#### Standard Condition 2.13

#### WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

#### Standard Condition 2.15

#### PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

HUMAN REMAINS  
(Mitigation Measure MM-90)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Condition 2.29

UNDERGROUND STORAGE TANKS  
(Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

Condition 2.30

ENVIRONMENTAL SITE ASSESSMENTS  
(Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:
  1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
  2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
  3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Condition 2.40

NESTING RIPARIAN BIRDS  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

Condition 2.41

CDFG & ACOE PERMITS  
(*Mitigation Measure MM-85*)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION (Mitigation Measure MM-87)

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

Condition 2.43

FIRE PROTECTION PLAN

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS

Standard Condition 3.1

ASSESSMENT DISTRICT DISCLOSURE

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

Standard Condition 3.3

DISCLOSURE STATEMENTS

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

n/a a. Information on noise resulting from aircraft and/or helicopter operations at John

Wayne Airport.

- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

Standard Condition 3.5

FINAL ACOUSTICAL REPORT  
(Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

Standard Condition 3.6

SITE LIGHTING REQUIREMENTS  
(Mitigation Measure PPP-92)

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.

- 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.

#### Standard Condition 3.7

#### **SOLID WASTE RECYCLING** *(Mitigation Measure PPP-110)*

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

#### Standard Condition 3.13

#### **OPEN SPACE EDUCATION**

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

#### Standard Condition 3.14

#### **HOA / FUEL MODIFICATION**

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel

modification zones adjacent to lands designated as Open Space changes in plant materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES

*(Mitigation Measure MM-14)*

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

**Standard Condition 3.21**

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words "RECORD DRAWING" shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

**Condition 3.31**

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

**Standard Condition 4.9**

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

**Condition 4.10**

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

**Condition 4.11**

**OCFA FUEL MOD INSPECTION**

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

## **PRIOR TO THE EXONERATION OF SECURITY**

### **Standard Condition 5.1**

### **EXISTING SURVEY MONUMENTS**

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

### **Standard Condition 5.2**

### **DIGITAL RECORDS - PDF**

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

### **Standard Condition 5.3**

### **DIGITAL RECORDS - AUTOCAD**

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

## **MISCELLANEOUS**

### **Standard Condition 6.1**

### **DISCRETIONARY CASE CHARGES**

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

### **Standard Condition 6.2**

### **LEGAL ACTION – HOLD HARMLESS**

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any

claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

#### Standard Condition 6.4

#### PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

#### Standard Condition 6.11

#### OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

#### Standard Condition 6.12

#### PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation

Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

SUBDIVISION COMMITTEE RESOLUTION NO. 16-1000

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18013 (FILE NO. 00674581-PTT) TO CREATE 75 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 14 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 12.35 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18013 (File No. 00674581 -PTT) has been filed by the Irvine Company Community Development to subdivide a 12.35 gross-acre site into 75 numbered lots and 14 lettered lots for the development of 75 single family detached residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18013 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18013 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18013 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18013 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18013 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18013 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18013 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18013 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18013 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 75 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18013 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 75 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.

- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18013 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18013 subdivides 12.35 gross-acres into 75 numbered lots and 14 lettered lots for the development of 75 single family detached residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18013 (File No. 00674581-PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS  
(*Mitigation Measure PPP-99*)

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### **PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS**

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

#### Standard Condition 2.7

#### GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

#### Standard Condition 2.12

#### WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

#### Standard Condition 2.13

#### WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

#### Standard Condition 2.15

#### PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

HUMAN REMAINS  
(Mitigation Measure MM-90)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Condition 2.29

UNDERGROUND STORAGE TANKS  
(Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

Condition 2.30

ENVIRONMENTAL SITE ASSESSMENTS  
(Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:
  1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
  2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
  3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Condition 2.40

NESTING RIPARIAN BIRDS  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

Condition 2.41

CDFG & ACOE PERMITS  
(Mitigation Measure MM-85)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION (Mitigation Measure MM-87)

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

Condition 2.43

**FIRE PROTECTION PLAN**

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

Standard Condition 3.1

**ASSESSMENT DISTRICT DISCLOSURE**

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

Standard Condition 3.3

**DISCLOSURE STATEMENTS**

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

n/a a. Information on noise resulting from aircraft and/or helicopter operations at John

Wayne Airport.

- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

Standard Condition 3.5

FINAL ACOUSTICAL REPORT  
(Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

Standard Condition 3.6

SITE LIGHTING REQUIREMENTS  
(Mitigation Measure PPP-92)

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.

- 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.

#### Standard Condition 3.7

#### **SOLID WASTE RECYCLING** *(Mitigation Measure PPP-110)*

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

#### Standard Condition 3.13

#### **OPEN SPACE EDUCATION**

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

#### Standard Condition 3.14

#### **HOA / FUEL MODIFICATION**

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel

modification zones adjacent to lands designated as Open Space changes in plant materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES

*(Mitigation Measure MM-14)*

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

**Standard Condition 3.21**

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words "RECORD DRAWING" shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

**Condition 3.31**

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

**Standard Condition 4.9**

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

**Condition 4.10**

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

**Condition 4.11**

**OCFA FUEL MOD INSPECTION**

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

## **PRIOR TO THE EXONERATION OF SECURITY**

### **Standard Condition 5.1**

### **EXISTING SURVEY MONUMENTS**

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

### **Standard Condition 5.2**

### **DIGITAL RECORDS - PDF**

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

### **Standard Condition 5.3**

### **DIGITAL RECORDS - AUTOCAD**

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

## **MISCELLANEOUS**

### **Standard Condition 6.1**

### **DISCRETIONARY CASE CHARGES**

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

### **Standard Condition 6.2**

### **LEGAL ACTION – HOLD HARMLESS**

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any

claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

Standard Condition 6.4

PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

Standard Condition 6.11

OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

Standard Condition 6.12

PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation

Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

SUBDIVISION COMMITTEE RESOLUTION NO. 16-1001

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18014 (FILE NO. 00674591-PTT) TO CREATE 60 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 15 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 9.7 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18014 (File No. 00674591-PTT) has been filed by the Irvine Company Community Development to subdivide a 9.7 gross-acre site into 60 numbered lots and 15 lettered lots for the development of 60 single family detached residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18014 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18014 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18014 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18014 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18014 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18014 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18014 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18014 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18014 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 60 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18014 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 60 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.

- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18014 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18014 subdivides 9.7 gross-acres into 60 numbered lots and 15 lettered lots for the development of 60 single family detached residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18014 (File No. 00674591-PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of

computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS  
(*Mitigation Measure PPP-99*)

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

Standard Condition 2.7

GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

Standard Condition 2.12

WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

Standard Condition 2.13

WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

Standard Condition 2.15

PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

HUMAN REMAINS  
(Mitigation Measure MM-90)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Condition 2.29

UNDERGROUND STORAGE TANKS  
(Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

Condition 2.30

ENVIRONMENTAL SITE ASSESSMENTS  
(Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:
  1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
  2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
  3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Condition 2.40

NESTING RIPARIAN BIRDS  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

Condition 2.41

CDFG & ACOE PERMITS  
(Mitigation Measure MM-85)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION (Mitigation Measure MM-87)

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

Condition 2.43

**FIRE PROTECTION PLAN**

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

Condition 2.44

**CONSTRUCTION-RELATED NOISE**

For development proposed adjacent to any developed/occupied uses, a construction-related noise mitigation plan shall be submitted to the Director of Community Development for review and approval prior to issuance of grading permits. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project, through the use of such methods as following: (1) temporary noise attenuation fences; (2) preferential location of equipment; and (3) use of current technology and noise suppression equipment.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

Standard Condition 3.1

**ASSESSMENT DISTRICT DISCLOSURE**

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

Standard Condition 3.3

DISCLOSURE STATEMENTS

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

- n/a a. Information on noise resulting from aircraft and/or helicopter operations at John Wayne Airport.
- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

### Standard Condition 3.5

### FINAL ACOUSTICAL REPORT (Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

### Standard Condition 3.6

### SITE LIGHTING REQUIREMENTS (Mitigation Measure PPP-92)

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.

- 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.

### Standard Condition 3.7

### SOLID WASTE RECYCLING (Mitigation Measure PPP-110)

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

Standard Condition 3.13

OPEN SPACE EDUCATION

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

Standard Condition 3.14

HOA / FUEL MODIFICATION

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel modification zones adjacent to lands designated as Open Space changes in plant materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES  
(Mitigation Measure MM-14)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

**OCFA VEGETATION CLEARANCE INSPECTION/RELEASE**

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

Standard Condition 3.21

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words “RECORD DRAWING” shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

Condition 3.31

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

Standard Condition 4.9

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

Condition 4.10

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

#### Condition 4.11

#### OCFA FUEL MOD INSPECTION

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

#### PRIOR TO THE EXONERATION OF SECURITY

##### Standard Condition 5.1

##### EXISTING SURVEY MONUMENTS

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

##### Standard Condition 5.2

##### DIGITAL RECORDS - PDF

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

##### Standard Condition 5.3

##### DIGITAL RECORDS - AUTOCAD

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

#### MISCELLANEOUS

##### Standard Condition 6.1

##### DISCRETIONARY CASE CHARGES

The applicant is responsible for paying all charges related to the processing of this

discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

#### Standard Condition 6.2

#### LEGAL ACTION – HOLD HARMLESS

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

#### Standard Condition 6.4

#### PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

#### Standard Condition 6.11

#### OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director

of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

Standard Condition 6.12

PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

SUBDIVISION COMMITTEE RESOLUTION NO. 16-1002

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18016 (FILE NO. 00674601-PTT) TO CREATE 96 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 29 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 18.1 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18016 (File No. 00674601-PTT) has been filed by the Irvine Company Community Development to subdivide a 18.1 gross-acre site into 96 numbered lots and 29 lettered lots for the development of 96 single family detached residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18016 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18016 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18016 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18016 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18016 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18016 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18016 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18016 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18016 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 96 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18016 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 96 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.

- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18016 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18016 subdivides 18.1 gross-acres into 96 numbered lots and 29 lettered lots for the development of 96 single family detached residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18016 (File No. 00674601-PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS  
(Mitigation Measure PPP-99)

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### **PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS**

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

#### Standard Condition 2.7

#### GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

#### Standard Condition 2.12

#### WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

#### Standard Condition 2.13

#### WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

#### Standard Condition 2.15

#### PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

HUMAN REMAINS  
(Mitigation Measure MM-90)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Condition 2.29

UNDERGROUND STORAGE TANKS  
(Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

Condition 2.30

ENVIRONMENTAL SITE ASSESSMENTS  
(Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and

b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:

1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).

2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or

3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

#### Condition 2.40

#### NESTING RIPARIAN BIRDS (Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

## Condition 2.41

## CDFG & ACOE PERMITS (Mitigation Measure MM-85)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION (Mitigation Measure MM-87)

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

Condition 2.43

**FIRE PROTECTION PLAN**

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

Standard Condition 3.1

**ASSESSMENT DISTRICT DISCLOSURE**

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

Standard Condition 3.3

**DISCLOSURE STATEMENTS**

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

n/a a. Information on noise resulting from aircraft and/or helicopter operations at John

Wayne Airport.

- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

Standard Condition 3.5

FINAL ACOUSTICAL REPORT  
(Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

Standard Condition 3.6

SITE LIGHTING REQUIREMENTS  
(Mitigation Measure PPP-92)

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.

- 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.

#### Standard Condition 3.7

#### **SOLID WASTE RECYCLING** *(Mitigation Measure PPP-110)*

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

#### Standard Condition 3.13

#### **OPEN SPACE EDUCATION**

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

#### Standard Condition 3.14

#### **HOA / FUEL MODIFICATION**

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel

modification zones adjacent to lands designated as Open Space changes in plant materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES

*(Mitigation Measure MM-14)*

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

**Standard Condition 3.21**

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words "RECORD DRAWING" shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

**Condition 3.31**

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

**Standard Condition 4.9**

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

**Condition 4.10**

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

**Condition 4.11**

**OCFA FUEL MOD INSPECTION**

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

## **PRIOR TO THE EXONERATION OF SECURITY**

### **Standard Condition 5.1**

### **EXISTING SURVEY MONUMENTS**

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

### **Standard Condition 5.2**

### **DIGITAL RECORDS - PDF**

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

### **Standard Condition 5.3**

### **DIGITAL RECORDS - AUTOCAD**

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

## **MISCELLANEOUS**

### **Standard Condition 6.1**

### **DISCRETIONARY CASE CHARGES**

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

### **Standard Condition 6.2**

### **LEGAL ACTION – HOLD HARMLESS**

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any

claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

Standard Condition 6.4

PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

Standard Condition 6.11

OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

Standard Condition 6.12

PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation

Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

SUBDIVISION COMMITTEE RESOLUTION NO. 16-1003

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 18019 (FILE NO. 00674596-PTT) TO CREATE 51 NUMBERED LOTS FOR SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT AND 11 LETTERED LOTS FOR LANDSCAPING AND VEHICULAR ACCESS ON 8.3 GROSS ACRES, LOCATED IN NEIGHBORHOOD 3 OF PLANNING AREA 1; FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map (VTTM) 18019 (File No. 00674596-PTT) has been filed by the Irvine Company Community Development to subdivide a 8.3 gross-acre site into 51 numbered lots and 11 lettered lots for the development of 51 single family detached residences located in Planning Area (PA) 1; and

WHEREAS, the underlying land of VTTM 18019 has General Plan land use designation of Low Density Residential; and

WHEREAS, the underlying land of VTTM 18019 has a zoning designation of 2.2D Low Density Residential; and

WHEREAS, the community park land dedication requirements for PA 1 have been previously addressed through compliance with the Community Parks Park Plan for PAs 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 have been previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, VTTM 18019 is considered to be a "project" under regulations of the State of California Environmental Quality Act (CEQA); and

WHEREAS, a Program Environmental Impact Report (EIR) for Planning Area 1, 2, 9 General Plan Amendment and Zone Change [State Clearinghouse (SCH) No. 2004041080] has been prepared and was certified by the City of Irvine City Council on June 14, 2005 as adequate; and

WHEREAS, on November 24, 2016, a public meeting notice was published in the *Irvine World News*, and on November 29, 2016, notices were mailed to all property owners, residents and associations within 500 feet of the project site and posted at City-designated locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine considered information presented by the applicant, the Community Development

Department, and other interested parties at a duly noticed public meeting.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. Pursuant to Section 15168 of the CEQA Guidelines, this project is covered by a previously certified EIR for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), which serves as a Program EIR for the proposed project. The effects of the project were examined in the Program EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project. Based on public testimony and independent judgment, the Subdivision Committee determines that no new mitigation measures are required. The Program EIR is, therefore, determined to be adequate to serve as the EIR for this project and satisfies all requirements of CEQA.

SECTION 2. Mitigation measures identified in the Program EIR have been incorporated into the project, or have been previously applied. These measures mitigate any potential significant environmental effects.

SECTION 3. Pursuant to Fish and Game Code Section 711.4(C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR for the Northern Sphere Area.

SECTION 4. The findings required by state law regarding justification of citywide, village-wide and project specific development fees for public facilities as a result of this project approval have been met as follows:

- A. Citywide fees for public facilities are collected in conjunction with the issuance of building permits for development projects and consist of the following:
  - 1. Foothill Transportation Corridor Area of Benefit Charges.
  - 2. Development surcharge fees to recover wear and tear costs from construction site traffic.
  - 3. A systems development charge.
- B. Resolutions have been adopted by the Irvine City Council, which establish the connection between the development projects and the public improvements based on the following nexus:

The area of benefit charges for the Foothill Transportation Corridor are based on the assumption that future state and federal revenues are projected to be inadequate to construct said transportation corridors in a timely manner; and that future development should pay a share of the cost of implementing new transportation corridors to ensure that the transportation system will be adequate to serve said development and that this share of the corridor costs should be proportional to the traffic generated by the development.

1. The impact of construction vehicles using City streets causes wear and tear, which significantly reduces the life of the surface of City streets beyond normally expected use, and the cost of impacted wear and tear on City streets should be borne by the development projects that create the impact. The wearing surface on City streets is reduced by 50-percent by commercial/industrial construction traffic, which causes significant increases on City maintenance costs.
  2. The implementation of a systems development charge for development in PA 1 provides a predictable and equitable funding source for capital improvements by requiring development projects to "buy into" the pre-existing City infrastructure so that the impact of new growth on existing improvements will be borne equitably by new development.
- C. All of the citywide fees identified in this section are based on this project's proportional share of the cost of the improvement as identified in the appropriate City Council resolution.
- D. The following nexus between the project specific public facilities and the development project have been identified:
1. The purposes of the fees have been identified.
  2. There is a reasonable relationship between the need for public facilities and the type of development for which the fee is imposed.
  3. There is a reasonable relationship between the amount of the fees and the costs of the public facilities attributable to the development on which the fee is based.
- E. The development of the proposed subdivision in PA 1 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified previously are needed to support this development, are justified since the development of this type impacts the amount distribution of traffic on surrounding streets, or are agreed to by the applicant. The circulation improvements described above have been identified in studies prepared to address the City's circulation system and approved by the City to facilitate the safe and efficient movement of traffic adjacent to the project.

SECTION 5. That, in accordance with Section 3.6(c-d) of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map have been established:

- A. That the proposed map is consistent with applicable general and specific plans and the Irvine Zoning Ordinance.

VTTM 18019 is consistent with the General Plan, Zoning Ordinance and all applicable development standards to the extent that Administrative Relief and

Alternative Setback Standards are granted. The grading of the site is consistent with the previously approved Hillside Master Plan, consistent with the General Plan, and preserves natural habitat and viewsheds. Infrastructure and roadway improvements have been adequately sized and designed to serve the community and are consistent with the Circulation Element of the General Plan. While no affordable housing is provided in Neighborhood 3, the VTTM complies with the Master Affordable Housing Program (MAHP) for the Northern Sphere. This MAHP sets forth the strategy to meet the City's goals and objectives relative to the provision of affordable housing for Planning Areas 1, 5B, 6, 8A, 9 & 9A.

- B. That the design or improvement of the proposed subdivision is consistent with the general and specific plans.

The design and improvements of VTTM 18019 are consistent with and will be completed pursuant to City standards. The project design provides lot sizes that comply with minimum area requirements, density, and provide utilities and sanitation facilities as well as pedestrian and vehicular circulation consistent with City standards and in a manner that meets the needs of the proposed development.

- C. That the site is physically suitable for the type of development proposed.

The site is physically suitable for future development. Though located in a hillside area, the site has been graded to a relatively flat condition and can accommodate the proposed residential development. The Land Use Element of the General Plan calls for low density residential development in this northern hillside area. This larger estate development will be benefited by extraordinary views of the northern open space as well as surrounding flatlands. In addition, standard City development standards, code requirements and conditions of approval will ensure that soils and groundwater are analyzed prior to construction.

- D. That the site is physically suitable for the proposed density of the development.

The General Plan designates Neighborhood 3 of Planning Area 1 for low density residential in which estate sized homes will be developed. This is in contrast to the flatland areas of the City which encompass higher density residential as well as retail, commercial and office uses. The Program EIR prepared for the Planning Area 1, 2 and 9 General Plan Amendment and Zone Change determined that low density residential development in this area will not have a significant impact on habitat and the physical environment. The project is also consistent with the Hillside Master Plan which identifies areas and viewsheds to be preserved.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

The design of VTTM 18019 is in accordance with the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change. Based upon adopted City standards, applicable mitigation measures and conditions imposed by this resolution, the design of this subdivision and the various types of improvements proposed within VTTM 18016 are neither likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. The project will preserve the steeper hillsides and viewsheds to the north of the proposed development. Sensitive habitat areas will be avoided including areas in and around the adjacent Rattlesnake Reservoir.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The design of the subdivision and the type of improvements proposed within VTTM 18019 are not likely to cause serious public health problems as the proposed on-site building and infrastructure improvements will be constructed in compliance with all City, Uniform Building and Fire Code standards applicable to this project at the time of development.

- G. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

There are no easements to the public at large for access through or use of property within the proposed subdivision.

- H. That any discharge of waste from the proposed subdivision into an existing sewer system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California.

The discharge of waste from VTTM 18019 into an existing sewer system is not anticipated to result in a violation of existing requirements prescribed by the California Regional Water Quality Board, Santa Ana Region, pursuant to Division 7 of the Water Code of the State of California. The subdivision will include additions to the existing sewer system and those additions have been designed and sized to accommodate the projected waste output of the development of the 51 dwelling units proposed. Any use of the existing sewer system and any new additions to the system shall be in conformance with all applicable regional and state wastewater requirements.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

As stated in Section 1 of this resolution, VTTM 18019 is an activity covered by a previously certified Program EIR. Applicable mitigation measures from the

Program EIR have been incorporated into this resolution and the project is subject to all applicable mitigation measures as identified in the Mitigation Monitoring and Reporting Program (MMRP) of the Program EIR. The Program EIR [State Clearinghouse (SCH) No. 2004041080] was certified by City Council on June 14, 2005.

- J. That for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

The subject subdivision will allow up to 51 residential dwelling units. As such, this finding does not apply.

- K. That for any subdivision for which a modification is granted pursuant to Section 5-5-107 (Modification of Requirements) of this Chapter, all of the following additional findings.

- a. Due to special circumstances applicable to the proposed subdivision, including the size, shape, topography, use to which the subdivision is to be devoted, or surrounding land uses, strict application of the requirements of this division would impose a hardship on the subdivider and deprive him/her of the rights enjoyed by the others in the vicinity.
- b. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.
- c. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

No modification of subdivision requirements is requested due to special circumstances, and therefore, these findings are not applicable.

- L. That the proposed vesting tentative map is consistent with all applicable plans, ordinances, and policies in effect at the time the map is approved or conditionally approved, or the subdivider is concurrently processing an application to eliminate the inconsistency.

VTTM 18016 is consistent with all applicable plans, ordinances, and policies in effect at the time of map approval, including the City of Irvine General Plan, Subdivision Ordinance, Subdivision Manual and Zoning Ordinance.

SECTION 6. VTTM 18019 subdivides 8.3 gross-acres into 51 numbered lots and 11 lettered lots for the development of 51 single family detached residences in PA 1, Orchard Hills.

SECTION 7. That the Secretary to the Subdivision Committee shall enter the Resolution into the book of original Resolutions.

NOW, THEREFORE, based on the above findings, the Subdivision Committee of

the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission approve VTTM 18019 (File No. 00674596-PTT) subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the MMRP as set forth by the Program EIR for Planning Area 1, 2 and 9 General Plan Amendment and Zone Change (SCH No. 2004041080), and subject to the following conditions:

**PRIOR TO THE RELEASE OF A FINAL MAP BY THE CITY**

**Standard Condition 1.1**

**PUBLIC / PRIVATE IMPROVEMENTS**

Prior to the release of a final map by the City, the applicant shall construct or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements, marked with "x" and listed below, in conformance with applicable City standards and the City's Capital Improvement Policy. Items not required in conjunction with this project are marked "n/a".

- n/a a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, and striping.
- n/a b. Traffic signal systems, interconnect and other traffic control and management devices.
- n/a c. Storm drain facilities.
- n/a d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- n/a e. Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.
- X f. Monumentation.
- n/a g. Riding, hiking and bicycle trails adjacent to or through the project site.
- n/a h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a i. Transit-related improvements depicted on the approved tentative map.

**Standard Condition 1.2**

**REAPPORTION EXISTING ASSESSMENT DISTRICT**

Prior to release of a final map by the City that includes property within an existing assessment district, the applicant shall make application and pay the fee established by the City Council to the City Engineer, to reapportion the existing assessment(s) to the proposed lots or parcels.

**Standard Condition 1.4**

**DIGITAL MAP SUBMISSION**

Prior to the release of a final map by the City, the applicant shall submit one (1) set of

computerized data of the final map that is compatible with the City ARC/INFO system or DXF (Autocad) system in a manner acceptable to the City Engineer. Maps should be tied to County of Orange control points (latest revision). Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

Standard Condition 1.5

SHARED ACCESS AGREEMENT

Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&R's, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained.

Standard Condition 1.7

EXISTING SURVEY MONUMENTS

Prior to release of the final map, all existing survey control monuments, as defined in the California Professional Land Surveyors Act (PLSA) Section 8771(b), which as determined by the City Engineer may be destroyed, shall be adequately referenced on the map for perpetuation. If said monuments are disturbed, they shall be replaced after construction pursuant to PLSA Section 8771(b).

Condition 1.8

GREENWASTE (REUSED / RECYCLED)

Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit to the Director of Community Services, or his designee, for review and approval, written proof that language has been or will be included in the recorded Covenants, Conditions and Restrictions (CC&Rs) to the effect that to the extent practicable, commercially and economically feasible, the Homeowner Association will ensure through their landscape contracts, or otherwise, that all greenwaste from common landscape areas will be diverted from landfills in support of City Council Resolution No. 07-95 for Zero Waste.

Condition 1.9 (modified)

FIRE PROTECTION ACCESS EASEMENTS  
(Mitigation Measure PPP-99)

Prior to the release of a final map by the City, all fire protection (reciprocal) access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

#### Condition 1.10

#### TRAFFIC STUDY IMPROVEMENTS

Prior to the release of the final map by the City, the applicant shall complete construction for the following improvements. Improvements shall be in accordance with the Planning Area 1 Neighborhood 3 (VTTM 16530) Traffic Study, dated January 6, 2015.

- a. 310-foot long northbound right-turn lane from Orchard Hills Drive to New Point
- b. Lengthen the existing 250-foot northbound left-turn lane on Orchard Hills Drive at Wolf Trail to 370 feet

#### Condition 1.11

#### OCFA SUBMITTALS

Prior to the release of the final map by the City or issuance of a precise grading permit or a building permit, whichever comes first, the applicant shall submit to the Orange County Fire Authority and obtain approval of the the following:

- a. Fire Protection Plan (service code PR146) for areas not within a very high fire hazard severity zone, architectural plans submitted to the City of County Building Department shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.
- b. Precise Fuel Modification Plan (service code PR124): The applicant shall submit a precise fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project.

#### Condition 1.12

#### OCFA FUEL MOD COVENANT

Prior to receiving clearance of the final map for recordation, the applicant shall provide a covenant to the City or County for review and approval. The covenant shall be recorded concurrently with the final map. A covenant for access and inspection purposes to the benefit of the City or County and for maintenance by the Homeowners Association and/or land owner is required for Fuel Modification Zones, Special Maintenance Areas, and/or Roadside Protection Zones that were identified on previously approved fuel modification plans.

#### PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS

#### Standard Condition 2.4

#### EXISTING SURVEY MONUMENTS

Prior to issuance of the preliminary grading permit, the applicant shall file a Corner Record or Record of Survey with the County Surveyor to establish existing survey control points as defined in Section 8711(b) of the California Professional Land Surveyors Act, if the City Engineer determines an existing survey monument(s) may be disturbed by construction activities. The City Engineer shall review and approve the Corner Record or

Record of Survey prior to filing the record with the County Surveyor.

Standard Condition 2.5

ARCHAEOLOGIST / PALEONTOLOGIST  
(Mitigation Measure MM-88)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works / OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

Standard Condition 2.6

SITE SPECIFIC GEOTECHNICAL STUDY  
(Mitigation Measure PPP-37)

Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following:

- a. Project description.
- b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map.
- c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.
- d. Recommendations for earthwork and construction.
- e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard

evaluation and mitigation.

- f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report.

Standard Condition 2.7

GROUNDWATER SURVEY

Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis:

- a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out.
- b. Analysis for relief of groundwater buildup and properties of soil materials on-site.
- c. Impact of groundwater potential on building and structural foundations.
- d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings.

Standard Condition 2.12

WATER QUALITY – NOTICE OF INTENT

*(Mitigation Measure PPP-55)*

Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the Chief Building Official with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed.

Standard Condition 2.13

WATER QUALITY MANAGEMENT PLAN

*(Mitigation Measure PPP-56)*

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff.

Standard Condition 2.15

PRIVATE TRAIL RESERVATION

Prior to the issuance of the first grading permit on land required as a private trail (6' minimum native soil trail), the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required trail in perpetuity.

Standard Condition 2.20

WILDLIFE HABITAT CLEARANCE  
(Mitigation Measure PPP-79)

Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity.

Standard Condition 2.25

DIGITAL FILES - AUTOCAD

Prior to the issuance of a grading permit, the design engineer shall submit the drawings in DXF or AutoCAD .dwg file to the City.

Condition 2.26

SCAQMD RULES 402 AND 403  
(Mitigation Measure PPP-11)

During construction of the proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (refer to Appendix E of the DEIR).

Condition 2.27

CONSTRUCTION EQUIPMENT EMISSIONS MEASURES  
(Mitigation Measure MM-13)

Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/ developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

Condition 2.28

HUMAN REMAINS  
(Mitigation Measure MM-90)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
  - a. the Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission;
  - b. the descendant identified fails to make a recommendation; or
  - c. the landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Condition 2.29

UNDERGROUND STORAGE TANKS  
(Mitigation Measure PPP-29)

If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.

Condition 2.30

ENVIRONMENTAL SITE ASSESSMENTS  
(Mitigation Measure PPP-31)

The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

Condition 2.31

IRRIGATION PIPING & ASBESTOS  
(Mitigation Measure PPP-32)

If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

Condition 2.32

SLOPE STABILITY & LANDSLIDES  
(Mitigation Measure PPP-40)

In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

Condition 2.33

HYDROLOGY & HYDRAULICS REPORT  
(Mitigation Measure PPP-48)

Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

Condition 2.34

DE MINIMUS PERMIT  
(Mitigation Measure PPP-61)

If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

Condition 2.35

STREET LIGHTING PLAN  
(Mitigation Measure PPP-94)

Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

Condition 2.36

NCCP/HCP  
(Mitigation Measure PPP-75)

The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.
2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall

be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

Condition 2.37

MBPA COMPLIANCE  
(Mitigation Measure PDF 81)

All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.
2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Condition 2.38

COORDINATION WITH USFWS/CDFG  
(Mitigation Measure MM-84)

Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Condition 2.39

LEAST BELL'S VIREO  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:
  1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
  2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
  3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Condition 2.40

NESTING RIPARIAN BIRDS  
(Mitigation Measure MM-84)

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

Condition 2.41

CDFG & ACOE PERMITS  
(Mitigation Measure MM-85)

Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)
- b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.
- c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.
- d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:
  1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.

2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.
2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.
3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:
  - i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial

non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective

measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### Condition 2.42

#### CONTROLLED DEMOLITION (Mitigation Measure MM-87)

Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following

measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

Condition 2.43

**FIRE PROTECTION PLAN**

Prior to the issuance of precise grading permits, the applicant or responsible party shall submit a Fire Protection Plan (service code PR 146) to the Orange County Fire Authority for review and approval. For areas within a very high fire hazard severity zone, architectural plans submitted to the City shall list the applicable special construction requirements of CBC Chapter 7A or CRC R327.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

Standard Condition 3.1

**ASSESSMENT DISTRICT DISCLOSURE**

Prior to the issuance of building permits for a project located within an assessment district, the applicant shall submit to the Director of Community Development for review and approval a completed Occupancy Disclosure form that informs the prospective buyer of the following:

*This property is located within an assessment district. The Orange County Tax Assessor may include the amount of the related assessment in the computations to determine assessed value of the property for the purpose of determining property taxes.*

Standard Condition 3.3

**DISCLOSURE STATEMENTS**

Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included.

n/a a. Information on noise resulting from aircraft and/or helicopter operations at John

Wayne Airport.

- X b. Reference to emergency preparedness information available on the City of Irvine website: [www.cityofirvine.org/office-emergency-management](http://www.cityofirvine.org/office-emergency-management).
- n/a c. Map and information relating to the Special Flood Hazard Area designation for areas subject to inundation.
- n/a d. Notice that initial occupancy and any subsequent change in use or occupancy of any non-residential condominium space, requires the buyer or the new or existing occupant to apply to the Community Development Department and obtain approval by way of a of written zoning confirmation letter or obtain a building permit and obtain inspection approval for any necessary work to establish the use and/or occupancy consistent with that intended.
- n/a e. Notice that the property owner shall be responsible for continuous maintenance of the emergency access equipment thus ensuring these systems will be operational at all times, as required by the Chief of Police.
- X f. Notice that the property is located near and/or adjacent to private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- n/a g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, and other related improvements and operations.
- n/a h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.

Standard Condition 3.5

FINAL ACOUSTICAL REPORT  
(Mitigation Measure PPP-19)

Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.

Standard Condition 3.6

SITE LIGHTING REQUIREMENTS  
(Mitigation Measure PPP-92)

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.

- 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.

Standard Condition 3.7

**SOLID WASTE RECYCLING**  
*(Mitigation Measure PPP-110)*

Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.

Standard Condition 3.13

**OPEN SPACE EDUCATION**

Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants.

Standard Condition 3.14

**HOA / FUEL MODIFICATION**

Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel

modification zones adjacent to lands designated as Open Space changes in plant materials shall also be reviewed by the Director of Community Services.

Standard Condition 3.17

EMERGENCY ACCESS PLAN

Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (Directional) Plan including exterior building numbers, unit numbers, directional unit signs, and entrance directory shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Standard Condition 3.20

CONSTRUCTION SITE SECURITY PLAN

Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits.

Condition 3.22

OCFA SUBMITTALS

Prior to issuance of a building permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the following:

- Fire Sprinkler System (service codes PR400-PR455).

Condition 3.23

ROG CONTROL MEASURES

*(Mitigation Measure MM-14)*

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as High Volume Low Pressure (HVLP) sprayers and brushes/rollers where possible.

Condition 3.24

SCAQMD CEQA & URBEMIS2002 MODEL  
(Mitigation Measure MM-15)

Prior to issuance of the first building permit, the Project Applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 Model:

- a. Install low-emission water heaters when practical;
- b. Use central water-heating systems when practical;
- c. Use built-in, energy-efficient appliances; and
- d. Ensure that sidewalks and pedestrian paths are installed throughout the project area.

Condition 3.25

AGRICULTURAL OPERATIONS INFORMATIONAL BROCHURE  
(Mitigation Measure MM-74)

Prior to issuance of building permits, except model homes, the Project Applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational brochure as part of the rental/lease agreements and as part of sales literature for the project.

Condition 3.26

AGRICULTURAL OPERATIONS DISCLOSURE  
(Mitigation Measure PDF-22)

Each potential buyer of property within one-quarter mile of designated agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7 a.m. to 7 p.m. on weekdays and from 9 a.m. to 6 p.m. on Saturday and prohibited on Sunday and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

Condition 3.27

WILDLIFE INTERFACE BROCHURE  
(Mitigation Measure PDF-83)

To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

Condition 3.28

INDOOR NOISE LEVEL ATTENUATION  
(Mitigation Measure MM-25)

Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the Project Applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

Condition 3.29

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

Prior to issuance of building permits, the landowner or subsequent Project Applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.

Condition 3.30

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever occurs first, the applicant shall implement those portions of the approved fuel modification plan determined to be necessary by the Orange County Fire Authority (OCFA) and provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

**Standard Condition 3.21**

**RECORD DRAWINGS – PDF & AUTOCAD**

Prior to final approval of a grading, landscaping, or improvement permit, and following final inspection, the applicant shall submit to the City individual PDF files of the drawing and AutoCAD files. The permit number and the words "RECORD DRAWING" shall appear on all of the sheets.

**PRIOR TO CONCEALING INTERIOR CONSTRUCTION**

**Condition 3.31**

**SPRINKLER MONITORING SYSTEM**

Prior to concealing interior construction, the applicant or responsible party shall complete an inspection of the Sprinkler Monitoring System by the Orange County Fire Authority.

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

**Standard Condition 4.9**

**EMERGENCY ACCESS INSPECTION**

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.

**Condition 4.10**

**OCFA TEMPORARY/FINAL OCCUPANCY INSPECTIONS**

Prior to issuance of temporary or final certificate of occupancy, all Orange County Fire Authority (OCFA) inspections shall be completed to the satisfaction of the OCFA inspector and be in substantial compliance with codes and standards applicable to the project and commensurate with the type of occupancy (temporary or final) requested.

**Condition 4.11**

**OCFA FUEL MOD INSPECTION**

Prior to issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected by Orange County Fire Authority (OCFA). This includes physical installation of features identified in the approved precise fuel modification plan including, but not limited to, plant establishment, thinning, irrigation, zone markers, and access easements. A written disclosure may be requested by the OCFA Inspector indicating that the homeowner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.

## **PRIOR TO THE EXONERATION OF SECURITY**

### **Standard Condition 5.1**

### **EXISTING SURVEY MONUMENTS**

Prior to the exoneration of any security for a project that may include existing survey monuments disturbed through construction activities and deemed necessary for preservation by the City Engineer, as set forth in Standard Condition 1.7 or 2.4, the applicant shall have a licensed land surveyor or qualified registered civil engineer reestablish any such monumentation damaged or destroyed during construction of the project and file the corner records with the County Surveyor. Evidence of such filing shall be furnished to the City Engineer.

### **Standard Condition 5.2**

### **DIGITAL RECORDS - PDF**

Prior to the exoneration of any security for improvements required by either Standard Condition 1.1 or 2.1, the applicant shall submit one (1) copy in PDF format of the recorded final map. The PDF can be on PC compatible CD or DVD.

### **Standard Condition 5.3**

### **DIGITAL RECORDS - AUTOCAD**

Prior to the exoneration of any security for any improvements required by either Standard Condition 1.1 or 2.1, the applicant shall provide proof that the permit for the subject improvement has been approved and finalized by the City. Submit one (1) set of computerized data, which is compatible with the City DXF (AutoCAD) system, of the record drawings of grading, landscape, and improvement plans to, and in a manner approved by the City. Refer to Specifications for Digital Submission as maintained by the Surveyor's Office of the County of Orange for specific requirements of individual submittal.

## **MISCELLANEOUS**

### **Standard Condition 6.1**

### **DISCRETIONARY CASE CHARGES**

The applicant is responsible for paying all charges related to the processing of this discretionary case application within 30 days of the issuance of the final invoice or prior to the issuance of building permits for this project, whichever occurs first. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of this application.

### **Standard Condition 6.2**

### **LEGAL ACTION – HOLD HARMLESS**

In accordance with the provisions of Section 5-5-114 of the Irvine Municipal Code and Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Irvine and its agents, officers, and employees from and against any

claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval.

The City will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense. In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

#### Standard Condition 6.4

#### PRIVACY GATES – VEHICLE STACKING

If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.

#### Standard Condition 6.11

#### OPEN SPACE LANDSCAPING

Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.

#### Standard Condition 6.12

#### PARK CREDITS TRANSFER - GATED HOMES

Excess private neighborhood park credits within a residential gated community will not be eligible for transfer outside of that gated community.

Standard Condition 6.14 (modified)

PEDESTRIAN ENTRANCE GATES

A private park located within a gated residential community and greater than one acre in size must remain accessible to pedestrians. Therefore, the privacy gates controlling pedestrian access to the development, if any, must remain open to comply with Zoning Ordinance Section 4-4-8 and the Subdivision Ordinance 5-5-1004.B.3c. A sign shall be placed at the pedestrian gates at the entries into Neighborhood 3 of Planning Area 1, Orchard Hills, stating "This sidewalk is to remain accessible to pedestrians and bicyclists of the general public from daybreak to 10:00PM.

Condition 6.15

OCFA LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from via a lumber drop from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.16

OCFA HOA TURN-OVER

Prior to Homeowners Association (HOA) maintenance acceptance from the developer, an HOA turn-over meeting/inspection shall be arranged for the Orange County Fire Authority (OCFA) Fire Inspector and the following representatives: landscape design professional, installing landscape contractor, HOA management representative, HOA landscape maintenance contractor. The fuel modification areas shall be maintained as originally installed and approved. A copy of the approved plans must be provided to the HOA representatives at this time. Landscape professionals must convey ongoing maintenance requirements to HOA representatives. Proof of a recorded covenant shall be provided to OCFA.

Condition 6.17

OCFA FUEL MOD MAINTENANCE

The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. All (existing and future) property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

Condition 6.18

COMPLIANCE WITH ASSOCIATED APPLICATIONS

Development of this project shall also comply with all applicable conditions of approval for Park Plan Modification 00634214-PPK and Master Landscape and Trails Plan 00634234-PMP.

Condition 6.19

APPLICABILITY OF EIR

This approval is subject to all applicable Plans, Programs, and Policies (PPP), Project Design Features (PDF) and Mitigation Measures (MM) as identified in the Mitigation

Monitoring and Reporting Program (MMRP) for the Program EIR (SCH No. 2004041080) prepared for Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 14<sup>th</sup> day of December 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

The total of 36,867.4 pounds per day or 18.43 tons of waste requiring daily disposal represents approximately .002 percent of the current total daily landfill capacity for the Frank R. Bowerman Landfill, which is within its 8,500 tons permitted daily capacity.

The Project portion of PA will also be required to comply with state law (SB1374) requiring diversion of 75 percent of all construction and demolition waste from landfills and City Standard Condition A.12 (PPP-SWM-1) as discussed under Subsection *Planning Areas 1 and 2*, above.

Based on the above, no significant impact involving solid waste disposal is expected to result from this Project.

***Threshold 2: Would the project comply with federal, state, and local statutes and regulations related to solid waste?***

## ***Planning Areas 1 and 2***

Solid waste generated by the Project for *Design Option A* and *Design Option B* will be disposed of by permitted solid waste haulers to IWMD regulated sites that have adequate capacity and comply with federal, state and local statutes and regulations related to solid waste. In addition, the City of Irvine requires solid waste carriers to offer recycling disposal of solid waste generated by the Project to help reduce the amount of solid waste disposed of in local landfills. Therefore, no significant impact is anticipated for *Design Option A* or *Design Option B*.

## ***Planning Area 9***

As with PAs 1 and 2, Solid waste generated by the Project area will be disposed of by permitted solid waste haulers to IWMD regulated sites. Therefore, no significant impact is anticipated.

### **5.15.4.4 Summary of Significant Impacts**

No significant impact related to solid waste is expected to result from the Proposed Project.

### **5.15.4.5 Mitigation Measures**

In the absence of significant impacts, no mitigation measures are necessary.

### **5.15.4.6 Significance of Impacts After Mitigation**

Implementation of the proposed Project will not result in a significant impact related to solid waste.

## **5.15.5 Energy and Communications**

### **5.15.5.1 Environmental Setting**

#### ***Electrical Facilities and Service***

Southern California Edison (SCE) provides electricity service in the vicinity of the Project area.

***Planning Areas 1 and 2***

SCE maintains a distribution system for services to the existing agricultural uses, pump stations, and the IRWD Rattlesnake Reservoir Site. Three separate transmission lines are located within the southern portion of the PAs 1 and 2 Project area.

***Planning Area 9***

Electricity is currently used for agricultural facilities. Transmission and distribution lines in the vicinity are located along Jeffrey Road, Trabuco Road and Sand Canyon Avenue which serve the Project area and surrounding residential and agricultural uses.

***Natural Gas Facilities and Service***

The Southern California Gas Company (SCG) provides natural gas in the vicinity of the Project.

***Planning Areas 1 and 2***

SCG has facilities in the Project area, including a high-pressure gas line that extends along Portola Parkway, south of PAs 1 and 2.

***Planning Area 9***

SCG has facilities in the Project area, including a high pressure line that extends along Irvine Boulevard through PA 9, and medium pressure lines along Jeffrey Road, Sand Canyon Avenue and Trabuco Road.

***Communication Facilities and Services***

Verizon Communications provides service to the Project area and Cox Communication Services provides service within the Project vicinity for cable television, Internet services, and standard telephone service.

***Planning Areas 1 and 2***

Verizon Communications currently has distribution lines within or adjacent to PAs 1 and 2. Their facilities exist at the intersection of Jeffrey Road and Portola Parkway and extend in Portola Parkway to SR-241. Cox Communications has one distribution line and one trunk line adjacent to PAs 1 and 2.

***Planning Area 9***

Verizon and Cox Communication services currently have existing facilities within the Project vicinity. Verizon facilities include those located near the intersection of Irvine Boulevard and Jeffrey Road. Cox communications has an existing distribution line located along Irvine Boulevard.

**5.15.5.2 Threshold for Determining Significance**

The CEQA Environmental Checklist, Appendix G of the CEQA Guidelines, outlines the thresholds for determining significance for energy.

**Would the project:**

1. *Result in substantial adverse physical impacts associated with the provision of new or physically altered energy and communications transmission facilities, need for new or physically altered energy and communications transmission facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable levels of service?*
2. *Result in the use of substantial amounts of fuel and/or energy?*

**5.15.5.3 Environmental Impact**

As defined by the thresholds for determining significance, impacts related to the provision of energy are described below:

***Threshold 1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered energy and communication transmission facilities, need for new or physically altered energy and communications transmission facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable levels of service?***

The primary demand for electricity, gas, and communications within the Project area will be generated by the development of proposed land uses. Implementation of the proposed Project will require the expansion of existing electrical, gas, and communications systems to serve the Project. All gas, electric, and communication services will be extended from their existing sources available in Portola Parkway.

**Planning Areas 1 and 2**

The following analysis of potential impacts addresses PAs 1 and 2 overall. There are, however, two design options, *Design Option A* and *Design Option B*, currently being considered for the southwestern portion of the PAs 1 and 2 study area. The following analysis of the overall study area applies equally for both *Design Option A* and *Design Option B*. This is due to the fact that, even though the smaller retail center size proposed under *Design Option B* would have slightly lower energy needs than the larger retail center proposed under *Design Option A*, there is no material difference in the types of land uses proposed for each design option.

The electrical facilities will include a new substation located near the intersection of Portola Parkway and Jeffrey Road (See **Figure 3.3-1** in Section 3.0). SCE has determined that an additional substation will need to be installed to provide the power and power grid necessary to support the proposed development in PAs 1 and 2 and elsewhere in North Irvine. However, prior to the construction of the new substation, SCE has indicated that they have more than sufficient circuit capacity to serve the Project area once the infrastructure for the development is installed (Hoffman 2004). The proposed facility will be an unmanned, automated station approximately 260 feet by 268 feet in size. It will include equipment stationed in outdoor areas and within onsite structures. The substation site will contain a 56 megavolt ampere (MVA), 66 kilovolt (kV) switchrack with six bays, two 28 MVA transformers with isolating disconnects, surge arresters and neutral current transformers (CTs), a 12 kV, eight position, low profile switchracks, two 12 kV capacitor banks, and a Mechanical-Electrical Equipment Room. The mechanical equipment room, which will contain relay

panels, battery chargers, communication equipment, telephone and fiber optic communication, and local alarms, is approximately 36 feet by 20 feet. The two MVA transformers are 29 feet tall, the 66/12 kV switchrack is 10 feet high, the 12 kV switchrack is 15 feet high, and the capacitor banks are 16.5 feet high. The substation will be surrounded by an eight foot high block wall fence and will be landscaped to blend in with the surrounding environment.

As illustrated in **Figure 5.15.5-1, 66 Kv Transmission Lines to Support SCE Substation, Underground 66kV**, the following new lines will be added.

- A new overhead 66 Kv circuit (3 conductors) attached to existing towers extending north along the San Diego Creek Channel from Alton Parkway (i.e., from the existing SCE Estrella Substation) to Warner Avenue, then east to Harvard Avenue, north to the Metrolink rail right-of-way, and finally east to Jeffrey Road. From this point, the new 66 Kv line would be placed in an underground duct that would extend north beneath Jeffrey Road to the proposed Las Lomas Substation.
- A second new 66 Kv circuit would be placed in an existing underground transmission duct bank that extends east along Bryan Avenue from the SCE Bryan Substation (at Browning Avenue) to Jeffrey Road, then continue north in new underground ducts in Jeffrey Road to the proposed Las Lomas Substation.
- A third new 66 kV circuit would be placed in an existing underground transmission duct bank in Trabuco Road from the SCE Irvine Substation at the boundary of the former Marine Corps Air Station El Toro Base to Jeffery Road at Bryan Avenue; then a new underground duct segment would continue northerly in Jeffrey Road to the proposed Las Lomas Substation.

As required by Mitigation Measure MM-LU-1 in Section 5.1, *Land Use*, the new lines along Jeffrey Road will be undergrounded so as not to conflict with the design concept of the Jeffrey Open Space Spine which is located along the eastern side of Jeffrey Road.

The Gas Company will extend service underground from source points. Medium pressure lines gas lines will be extended to the development. At this time, the Gas Company does not plan to install any more high-pressure transmission gas lines within the Project area. However, they may be extended within the area once anticipated loads are determined. New gas pipelines would be constructed within street right-of-ways which would not create a significant impact on the environment.

The construction of energy and communications service infrastructure discussed above poses the potential for impacts such as short-term construction-related dust and noise and short-term lane closures and/or detours, removal of existing vegetation, visual impacts, etc. The potential for such impacts is addressed in other sections of this DEIR, as appropriate and any applicable mitigation measures identified in those sections will address potential significant impacts associated with the construction and operation of public utilities. Therefore, no significant impact associated with energy, gas and communication facilities is anticipated for *Design Option A* or *Design Option B*.

### **Planning Area 9**

As with PAs 1 and 2, all gas, electric, and communication services will be extended from their existing sources.

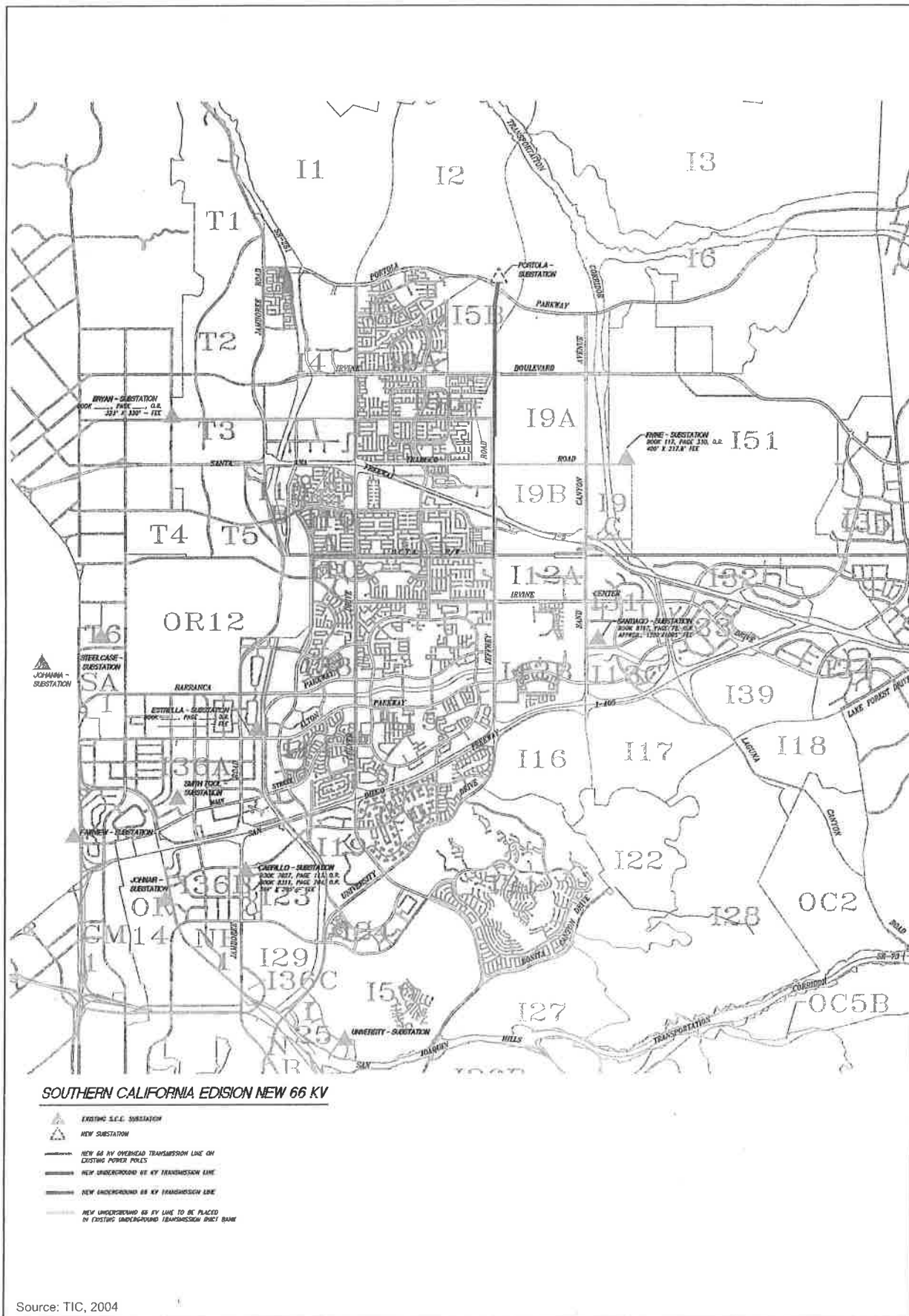


Figure 5.15-1  
66kv Transmission Lines  
To Support SCE Substation  
City of Irvine

The construction of energy and communications service infrastructure poses the potential for impacts such as construction-related dust and noise, removal of existing vegetation, visual impacts, etc. The potential for such impacts is addressed in other sections of this DEIR, as appropriate and any applicable mitigation measures identified in those sections will address potential significant impacts associated with the construction and operation of public utilities. Therefore, no significant impact associated with energy, gas and communication facilities is anticipated.

***Threshold 2: Would the project result in the use of substantial amounts of fuel and/or energy?***

***Electrical Service***

***Planning Areas 1 and 2***

The following analysis of potential impacts addresses PAs 1 and 2 overall. There are, however, two design options, *Design Option A* and *Design Option B*, currently being considered for the southwestern portion of the PAs 1 and 2 study area that may result in some differences in impacts. This is due to differences in the variation in the size of the retail center between the design options. Such differences in impacts are specifically identified, where appropriate, in the discussion and conclusions below.

Based on usage estimates derived from studies commissioned by Edison in 1996, the Project will result in 4,310 new residential dwelling units in PAs 1 and 2 which are projected to result in 34.5 million kilowatt hours (kWh) of annual energy usage and 11.4 megawatts (mW) of peak demand. This represents an average of 7,995 kWh per unit per year. For *Design Option A*, the non-residential portion of the Project will result in 5,117,272 kWh annually in energy consumption and a peak demand of 2.57 mW. The total electrical energy requirement of PAs 1 and 2 with *Design Option A* is 39.6 kWh. The Project will contribute an additional 13.97 mW of peak demand to the local area. Under *Design Option B* as result of the decreased size of the commercial center, there is a projected decrease in energy consumption by approximately 2.8 percent a decrease in electrical demand of 1.5 percent compared to *Design Option A*. This small reduction does not have a material bearing on the following analysis.

Given long range load flow studies, future distribution substation size and location, and distribution circuit plans will accommodate the Project's energy needs in the normal course of regional planning. Additionally, with the addition of planned conservation/energy management actions for reducing electrical energy demand will result in a reduction of the projected usage rates.

The additional load created by the Project will not have any significant impact on the generation of transmission of electricity in the area. Given the anticipated energy and demand created by this Project at buildout, there will be sufficient transmission capability to serve the area load for the Project. During construction and at buildout, the distribution infrastructure will be adequate to deliver the load to the Project site. SCE continually updates a regional Distribution Substation Plan that forecasts load increases such as PAs 1 and 2, to assure that there will be proper infrastructure in place for new development projects. The Project will not materially impact the ability of SCE to serve the new and existing loads.

PAs 1 and 2 represent a peak demand of approximately 0.02 percent of the anticipated California peak demand in 2012. The State of California including, but not limited to, the California Energy Commission, the California Public Utilities Commission, and the California Independent System Operator, continues to monitor, plan, and provide for projected energy demands. Of late (i.e., February 2005), the State issued a report addressing the possibility of shortages in meeting peak demands in southern California during summer 2005. The report sets forth a 10-point plan designed to provide adequate energy supplies. In light of the new sources of supply planned to provide additional capacity, as well as the fact that the amount of load added by the Project will not create a measurable difference in the State's peak demand, there will be sufficient energy available to the State for the Project. Section 7.1, *Cumulative Impacts*, provides additional discussion regarding future cumulative energy demands and the State's plans for meeting the anticipated demands.

SCE has indicated that it has sufficient circuit capacity to serve the Project area once the proper infrastructure is installed (Competisys 2004). Therefore, no impact associated with electrical energy is anticipated for *Design Option A* or *Design Option B*.

### ***Planning Area 9***

Based on usage estimates derived from studies commissioned by Edison in 1996, the Project's 3,393 residential dwelling units in PA 9 are projected to result in 26.8 million kilowatt hours (kWh) of annual energy usage. The non-residential portion of the Project will result in 10.5 million kWh annually in energy consumption. The total electrical energy requirement of the Project portion PA 9 with is 37.4 million kWh.

The Northern Sphere Area Final PEIR determined that there was adequate electrical energy capacity for the entire Northern Sphere Area Project, including the Project portion of PA 9. Using the Edison usage estimates cited above, the uses analyzed in the Northern Sphere Area Final PEIR (1,800 medium-high density units and the 450,000 square feet of Multi-Use development assumed in the calculations for the PA1/PA2/PA9 Project, and the 2,566,000 square feet of medical and science uses that are now proposed for elimination), would generate approximately 73.7 million kWh of annual energy usage. Therefore, the proposed Project results in a smaller impact on electrical energy use than assumed in the Northern Sphere Area Final PEIR because the proposed residential uses use less electrical energy than the medical and science uses approved with the Northern Sphere Area Project.

SCE has indicated that their long range load flow studies, future distribution substation size and location and distribution circuit plans will accommodate the Project's energy needs in the normal course of their regional planning. (Competisys 2004). As indicated above, and more fully described in Section 7.1, the State of California continues to monitor, plan, and provide for the state's future energy demands. No significant impact associated with electrical energy is anticipated.

### ***Natural Gas***

#### ***Planning Areas 1 and 2***

The following analysis of potential impacts addresses PAs 1 and 2 overall. There are, however, two design options, *Design Option A* and *Design Option B*, currently being considered for the southwestern portion of the PAs 1 and 2 study area that may result in some differences in impacts. This is due to differences in the variation in the size of the



SOUTHERN CALIFORNIA  
**EDISON**

An EDISON INTERNATIONAL Company

Kim Scherer  
Region Manager  
Public Affairs

April 25, 2005

POOR QUALITY  
ORIGINAL

Mr. Michael Haack  
Manager of Development Services  
Community Development Department  
City of Irvine  
One Civic Center Plaza  
Irvine, CA 92615

**Subject: PA1/PA2/PA9 Project Draft Environmental Impact Report**

Dear Mr. Haack:

This is to advise you that the subject property is located within the service territory of the Southern California Edison Company (SCE) and that the electrical loads of the project area are within the parameters of projected load growth that SCE is planning to meet in this area.

1 SCE's plans for new distribution resources as well as an additional new substation, planned for the vicinity of Portola Parkway and Jeffrey Road, will provide the necessary power and power grid structure required to support the proposed development of the referenced Planning Areas and the surrounding Northern Sphere Project area.

As stated in the Draft Environmental Impact Report, prior to the construction of the new substation, SCE has sufficient system capacity to serve the Project area once the infrastructure for the development is installed. SCE intention is to serve all Project area customers' energy loads in accordance with all applicable Rules and Tariffs.

Current and future conservation efforts on the part of SCE customers will result in energy savings. Optimization of conservation measures in this Project area will contribute to the overall energy savings goal.

Please feel free to contact me if you require any additional information.

Sincerely,

Kim Scherer  
Region Manager

Cc: Mr. Terry Hartman, The Irvine Company  
PO Box 11982  
Santa Ana, CA 92711-1982  
714-973-5548/PAX 52548  
Fax 714-973-5752  
Kim.Scherer@sce.com

LA8

ATTACHMENT 4

FIRM / AFFILIATE OFFICES

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January 4, 2017

**VIA EMAIL AND U.S. MAIL**

The Honorable Donald P. Wagner  
Mayor of Irvine  
1 Civic Center Plaza  
Irvine, California 92606

Members of the Irvine City Council  
1 Civic Center Plaza  
Irvine, California 92606

Re: Orchard Hills Appeal

Dear Mayor Wagner and Members of the City Council:

We represent the Irvine Company on this matter. We write to you in connection with the so-called “appeals” submitted by Rajat Khurana (“Appellant”) to the City Council of the approval of Vesting Tentative Tract Maps 18009 through 18014, 18016, and 18019 in Neighborhood 3 of Orchard Hills (the “Maps”).

Without waiving our procedural and substantive rights as described below, we ask that you dismiss these improper purported “appeals” that should never have been placed on your agenda, and return these matters to the Planning Commission.

The Irvine Company believes that the California Subdivision Map Act and the City’s own subdivision ordinances were violated when the Planning Commission did not act at the noticed public hearing on the Maps set for December 15, 2016. There is no provision for a delay or extension of the time requirements for the Planning Commission to take action based on a purported “appeal” of an advisory recommendation by the Subdivision Committee. The Irvine Company did not consent to any delay in action, and continues to object to any further delay by the City. The Irvine Company does not waive its right to have the maps declared to be deemed approved due to the Commission’s failure to act in a timely fashion at the noticed public hearing. In addition, the denial of the procedural rights granted to the Irvine Company by state law has resulted in substantial financial damages to the Irvine Company and others involved in the completion of the work covered by these subdivision maps.

The Irvine Company does not consent to this improper hearing before the City Council nor does it consent to any further delays or proceedings with respect to its maps. Any further participation in proceedings before the City of Irvine by the Irvine Company with respect to this

matter is solely to protect the Irvine Company's rights, and without waiving the Company's rights and remedies.

Turning to the alleged claims in the appeal, the Appellant contends that there is insufficient electrical capacity to serve the residences contemplated in the Maps. This claim is wholly false—Southern California Edison Company ("SCE") can and will provide electrical service to the Project. Further, granting the appeal would single out the Irvine Company as a property owner for different treatment in violation of due process requirements under the United States and California constitutions for conditions that are identical to a broad range of other property owners and developers in the City of Irvine. Granting the appeal for a challenge levied against the Irvine Company when numerous other projects would also suffer from the same alleged issue with respect to electrical service of appropriate voltage (if Appellant's erroneous argument were to be believed) would be arbitrary and capricious.

In addition, granting the appeal and denying the Maps would also violate the Irvine Company's contractual development rights under the applicable development agreement with the City of Irvine for this property, the North Irvine Traffic Management ("NITM") Program Implementing Agreement.

Finally, there is no factual basis for the appellants' claims. In addition, the Appellant attempts to put at issue matters which are either within the exclusive jurisdiction of the California Public Utilities Commission ("CPUC") or which were previously and conclusively resolved by the City of Irvine.

## **I. THE CITY HAS ALREADY APPROVED OTHER MAPS FOR THE PROPOSED RESIDENTIAL USES**

The Maps at issue implement the February 2016 master approvals for residential development in Orchard Hills. The environmental impacts associated with this development were analyzed in the Program EIR for Planning Areas 1, 2, and 9B General Plan Amendment and Zone Change.

On February 4, 2016, the Planning Commission unanimously approved Vesting Tentative Tract Map ("VTTM") 16530, a Park Plan modification, and a Master Landscape and Trails Plan for Neighborhood 3 of Orchard Hills. These approvals subdivided 364 acres into eight master lots for residential development with up to 1,000 units, one lot of park purposes and multiple lots for open space purposes.

The eight Maps at issue in this appeal are intended to effectuate the residential development contemplated in the February approvals. Through this final Planning Commission approval which was never appealed, the City of Irvine has already conclusively analyzed these uses and approved them in the February approvals. Therefore, the development contemplated in the Maps is not "new," and any impacts associated with the development were analyzed in full in February 2016 and in the Program EIR for Planning Areas 1, 2, and 9B General Plan Amendment and Zone Change, and the statute of limitations to challenge them has expired.

## **II. THE CITY COUNCIL SHOULD DENY THE APPEAL BECAUSE IT CANNOT FURTHER DELAY ACTION ON THE PROJECT'S MAPS BEYOND THE DEADLINE SET BY STATE LAW**

The Subdivision Map Act has strict timelines for local agency action on a vesting tentative tract map.<sup>1</sup> Local agencies such as the City of Irvine have no authority to adopt conflicting regulations or ordinances, nor do they have authority to alter or depart from these timelines.

The time limits for acting on a vesting tentative tract map are triggered by an application made to the City of Irvine for action by an advisory agency. Irvine Municipal Code section 5-5-103 defines the City's three advisory agencies. The Planning Commission in this instance is the designated as an advisory agency that may approve, conditionally approve, or disapprove tentative maps. Irvine Municipal Code § 5-5-103. As such, the Planning Commission was required to take action on the Maps within the time period set forth under the Subdivision Map Act for action by an "advisory agency."

On November 28, 2016, notice of a public hearing before the Planning Commission was given for the December 15, 2016, hearing, but the Planning Commission did not take action on the application on that date. On June 6, 2016, June 9, 2016, and August 8, 2016, complete applications were submitted to the City for these maps. On September 7, 2016, all of the applications were regarded to be complete. On November 28, 2016, notice was given of the Planning Commission hearing to be held on December 15, 2016. Under these facts, the Planning Commission was obligated to take action on December 15, 2016. While an appeal of the Planning Commission's final decision on the Maps to the City Council would trigger different time periods for final action on the Maps by the City Council under the Subdivision Map Act, those provisions are not at issue here because the Planning Commission did not make any decision on the Subdivision Map within the applicable time period.

The purported appeal of an advisory recommendation that is alleged to be pending before the City Council has no effect on the time limits mandated by the Subdivision Map Act. The Subdivision Map Act does not contain any provision which allows either the Planning Commission or the City Council to delay final action on a pending subdivision map application due to appeals of advisory recommendations made by bodies which are not the "advisory agency" designated to take final action on a map, or the City Council which is designated to hear appeals of final actions on a map. This process can far exceed the 50 days provided in the City's Subdivision Manual section 3.5<sup>2</sup> and is at odds with the Subdivision Map Act's time requirements. The delay has real impacts and has already delayed construction start dates, model home openings, and more, causing substantial damages to the Irvine Company.

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<sup>1</sup> Even though it is a charter city, the City is subject to the Subdivision Map Act's requirements. See *Santa Clara Cty. Contractors & Homebuilders Ass'n v. City of Santa Clara*, 232 Cal.App.2d 564 (1965).

<sup>2</sup> City of Irvine Subdivision Manual at p. 10, available at: <http://legacy.cityofirvine.org/civica/filebank/blobdload.asp?BlobID=13797>.

When a City exceeds the Subdivision Map Act requirements, the maps at issue are deemed approved. *See* Gov. Code § 66452.4(a) (“If no action is taken upon a tentative map by an advisory agency ... within the time limits ... the tentative map as filled, shall be deemed to be approved.”). The Maps have met the requirements to be deemed approved. For example, the noticed public hearing requirement (*Horn v. Cty. of Ventura*, 24 Cal.3d 605, 615 (1979)) was met by the hearing notice for the December 15, 2016.

On this basis, we urge the City Council to reject this improper attempted appeal and return the matter to the Planning Commission for appropriate action at its first available meeting on February 2, 2017, without waiving our rights as described above.

### **III. THE APPEAL IS PROCEDURALLY IMPROPER UNDER THE CITY’S OWN ORDINANCES**

Even if the appeal of an advisory recommendation to the Planning Commission were consistent with the Subdivision Map Act and the Maps were not otherwise deemed approved by failure of the Planning Commission to take action, the purported “appeal” is also separately procedurally improper. The Subdivision Committee in this situation involving these Maps only made recommendations, and did not take any appealable “action.” Irvine Municipal Code section 5-5-110 only allows for an appeal of Planning Commission or Subdivision Committee actions. Irvine Municipal Code section 5-5-403.B provides that the Planning Commission is the body with final approval for this map, not the Subdivision Committee. Further, section 5-5-403.C provides that only “final” advisory agency actions are appealable to the City Council. A recommendation to the Planning Commission or City Council does not constitute an appealable action. Therefore, the appeal should be denied because it does not pertain to an appealable action under the Irvine Municipal Code.

### **IV. THERE IS SUFFICIENT CAPACITY TO SERVE THE PROJECT**

Contrary to the Appellant’s claims, SCE has confirmed that it has sufficient electrical capacity with the necessary type of electrical voltage to serve the residential development contemplated in the Maps.

First, SCE has confirmed that the proposed development is not reliant on Safari Substation, which has been challenged in another area of Irvine. Rather, Orchard Hills is fed from the Las Lomas Substation which was built to serve the Northern Sphere Area of the City of Irvine, including these projects.

Second, the Appellant claims that Santiago Substation, the master “A” substation that provides energy to Irvine, is “at capacity.” SCE has advised the Irvine Company that the upgrades to Santiago Substation to increase its capacity as part of SCE’s Santiago Synchronous Condenser Project have been completed.

The Appellant’s request that no new development be approved because of alleged limitations at Santiago Substation is effectively a request for a development moratorium throughout the City of Irvine and in neighboring communities served by Santiago, including

Laguna Hills, Laguna Niguel, Laguna Beach, Corona del Mar, and parts of Newport Beach. If the City follows this line of argument, the City would need to halt all development in the City until this capacity issue is resolved, including development at the Great Park and elsewhere.

Third, as the public utility serving the City of Irvine, SCE has an obligation under its CPUC rules and tariffs to serve the development contemplated in the Maps. This obligation extends to other development within the City of Irvine. Accordingly, although SCE has confirmed that it has sufficient capacity to serve the development contemplated in the Maps at issue, SCE has also begun the process of planning future facilities in the City, such as the Safari Substation, that will allow SCE to continue to serve the City and surrounding communities. The approval of such facilities falls within the purview of the CPUC, and cannot be blocked by the City. *See, e.g.*, CPUC General Order 131-D, Decision 94-06-014 (1994), at Section III.C (substations with a high-side voltage under 50 kV do not require “discretionary permits or approvals by local governments”).

## **V. THE CITY LACKS JURISDICTION OVER REGULATORY ISSUES REGARDING THE PROVISION OF ELECTRICITY**

The Appellant attacks SCE’s ability to provide electricity to the residential development contemplated in the Maps. Not only is this claim false, as discussed in Section IV, the City does not have jurisdiction to hear such a claim. The CPUC retains exclusive jurisdiction over regulatory issues regarding the provision of electricity. Article XII, Section 8 of the California Constitution states that a “city, county, or other public body may not regulate matters over which the Legislature grants regulatory power to the CPUC.” Under the Public Utilities Code, the CPUC may exercise its expansive powers over public utilities to protect public health and safety to do “all things, whether specifically designated in this part or in addition thereto, which are necessary and convenient in the exercise of [its] power and jurisdiction.” Public Utilities Code § 701. Courts have defined the CPUC’s “vast, inherent power” to “take any action that is cognate and germane to utility regulation, supervision, and rate setting, unless specifically barred by statute.” *Southern California Edison Co. v. Public Utilities Comm’n*, 227 Cal.App.4th 172, 187 (2014).

At its core, this appeal represents an attempt to indirectly attack the approvals granted by the CPUC to SCE for the upgrades to the Safari Substation, and SCE’s determinations of electrical capacity. Granting or denying the appeal of a subdivision map based on CPUC decisions or SCE actions pursuant to CPUC decisions related to electrical substations is an improper exercise of the City’s authority.

Further, under the California Environmental Quality Act (“CEQA”), the City must presume that SCE and the CPUC will perform their duties regarding licensing, approval, and construction of necessary electrical substations. The City cannot assume that these agencies will fail to exercise their responsibilities. *Neighbors for Smart Rail v. Exposition Line Construction Authority*, 57 Cal.4th 439, 466 (2013) (a lead agency may assume other agencies will fulfill their obligations). Therefore, the City may properly rely on the SCE and CPUC’s determinations regarding the electrical capacity for the proposed development contemplated in the Maps.

## **VI. THE SUBDIVISION COMMITTEE RECOMMENDATION IS LAWFUL AND SHOULD BE UPHELD**

The cornerstone of the Appellant's arguments is that the Maps should be denied for insufficient electrical capacity. As discussed in Section IV, above, that contention is false. Nonetheless, even if the Appellant was correct, alleged lack of available electrical voltage capacity is not an enumerated basis for denying a tentative tract map. *See* Gov. Code § 66474.

City of Irvine Municipal Code section 5-5-109.1 lists the findings that the Subdivision Committee must make to approve or conditionally approve a tentative tract map or vesting tentative map. These findings include: (1) the proposed map and the design or improvement of the proposed subdivision is consistent with the general plan, applicable specific plans, and the Zoning Ordinance; (2) the site is physically suitable for the proposed development and density; (3) the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife; (4) the design of the subdivision or the proposed improvements is not likely to cause serious public health problems; (5) the design of the subdivision or the proposed improvements will not conflict with public easements; (6) the subdivision's discharges would not violate existing water quality requirements; (7) the requirements of the CEQA have been satisfied; and (8) for subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision. Irvine Municipal Code § 5-5-109.1. Section 5-5-109.1 does *not* require the Subdivision Committee to make a finding that sufficient electrical voltage capacity exists to serve the proposed subdivision. Because this is not a required finding, it also may not serve as the basis for the denial of a map.

Requiring the Subdivision Committee to make findings as to electrical voltage capacity would also be duplicative of section 5-5-109.1's requirement that CEQA requirements be satisfied prior to map approval. Most CEQA documents contain an analysis of the availability of public utilities to serve proposed development projects. Indeed, here the development contemplated in the Maps was analyzed in the Program EIR for Planning Areas 1, 2, and 9B General Plan Amendment and Zone Change, which concluded that the project's energy demands alone would not require a new facility, but nonetheless included a new substation to "enhance SCE's overall system capabilities and improve reliability in serving new development occurring in, and planned for, the northern portions of Irvine, including the Northern Sphere Area development and the Great Park." Draft Program EIR at p. 3.0-53 (March 2005). The Irvine Company has already constructed all of the infrastructure to distribute electricity to individual lots within the Maps based on this Program EIR and prior map approvals.

Additionally, the Program EIR complied with all aspects of CEQA, including Appendix F. Appendix F provides for analysis of overall energy usage, and requires that "[p]otentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project." Among the factors to be considered, if applicable to the project, are "[p]otential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal" including "[a]lternate fuels (particularly renewable ones) or energy systems." *California Clean Energy Committee v. City of Woodland*, 225 Cal.App.4th 173, 209 (2014). Neither Appendix F nor any other provision of

CEQA require the assessment of the adequacy of the location of a private utility conversion station under the CPUC's jurisdiction. No events have occurred since the Program EIR or the approval of the initial "A type" subdivision maps to change the project's proposed electrical usage.

Further, the availability of energy has no effect on the City's ability to approve subdivisions. If, at the time of development, there is insufficient capacity, then SCE simply would not provide connections to the development. There would be no adverse environmental impacts associated with overcapacity because the new development would never become connected to the system to begin with.

## **VII. DENYING ONLY THE PROJECT'S MAPS FOR CITY-WIDE CAPACITY ISSUES WOULD VIOLATE DUE PROCESS**

As noted, the Appellant's claims, if they were true, and if they were relevant to the approval of subdivision maps, and were within the purview and jurisdiction of the City of Irvine rather than the Public Utilities Commission would, if equally applied to all development, effectively argue for the City to halt all development in the City until the alleged capacity issue is resolved. Yet, the Appellant only challenges the Irvine Company's Maps.

Under these circumstances, should the City give Appellant's false claims any credibility, and use those claims to delay City actions with respect to the Maps, or to grant the appeal and deny the Maps, the City would be acting arbitrarily by challenging and denying property rights to certain land owners and not others, in violation of the United States and California Constitutions. *See* Cal. Const. art. I, § 7(a), U.S. Const. amend. XIV, § 1; *see also Village of Euclid v. Ambler Realty Co.*, 273 U.S. 365, 395 (1926) (a government action is unconstitutional if it is "clearly arbitrary and unreasonable, having no substantial relation to the public health, safety, morals, or general welfare"); 42 U.S.C. § 1983 (those acting under the color of state law are prohibited from depriving "any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws."); *see also Galland v. City of Clovis*, 24 Cal.4th 1003 (2001) ("a deliberate flouting of the law that trammels significant personal or property rights" is actionable under the Fourteenth Amendment and Section 1983).

Recently, the City has approved several other tentative tract maps that went through the Subdivision Committee or the Planning Commission. These maps were not challenged and have been allowed to proceed despite the alleged capacity issues, which Appellant claims impact the entire City. For instance, the Planning Commission or Subdivision Committee have recommended approval of the following projects:

- December 15, 2016 - Trilogy Residential Project, Irvine Business Complex.
- December 1, 2016 – Portola Springs Master Plan, Planning Area 6.
- November 17, 2016 – Cypress Village Age-Qualified Residential Development, Planning Area 40.

- October 20, 2016 – Blue Bay Residential Condominium Project, Irvine Business Complex.

If the City accepts the appeal and overturns the Maps on the grounds that there is insufficient electrical capacity, the City will violate the Irvine Company's right to due process by arbitrarily and capriciously singling out only the Irvine Company, despite Appellant's claim that SCE is unable to provide service to all new development in the City.

### **VIII. ACCEPTING THE APPELLANT'S ARGUMENTS WOULD VIOLATE THE IRVINE COMPANY'S CONTRACTUAL DEVELOPMENT RIGHTS**

The Appellant is attempting to induce the City to violate the City's existing contractual obligations to the Irvine Company. The NITM Implementing Agreement places a binding legal obligation on the landowners to participate in the NITM Program for planning, funding, and phasing of all the traffic improvements required by environmental documents for subject property—including Orchard Hills (Planning Area 1). The NITM Implementing Agreement provides the Irvine Company and Great Park Area landowners with vested rights to develop according to the City's adopted General Plan and zoning and other entitlements, consistent with the NITM. The NITM Implementing Agreement was entered into on July 15, 2003 and is effective for 25 years.

By seeking a moratorium on development for Irvine, including the Orchard Hills property, the Appellant is requesting that the City breach its contract with the Irvine Company. Intentional interference with an existing contractual relationship amounts to tortious conduct. *See e.g. Charles C. Chapman Bldg. Co. v. California Mart*, 2 Cal.App.3d 846, 853 (1969) (A plaintiff may recover against a defendant for having caused a breach of contract where the breach was caused by the defendant's wrongful conduct.).

Moreover, the NITM Implementing Agreement requires the City to process and check all applications for the Project development and building approvals in a timely manner. A protracted appeals process would interfere with the City's ability to process the Maps in a timely manner. As such, the City would be in violation of the NITM Implementing Agreement if it continues to delay processing of the Maps beyond the agreed-upon time limits due to Appellant's meritless appeal.

In addition, the appeal is essentially requesting the City to impose new requirements for electrical capacity for new development. These requirements were not among the requirements frozen in place at the time of the NITM Implementing Agreement. *See also* Gov. Code § 66498.1(b) (a VTTM establishes a vested right to proceed with development in substantial compliance with ordinances, policies, and standards in effect at the time the application for a VTTM is deemed complete); Gov. Code § 66474.2. In addition, these are new requirements that were not in place at the time the Map applications were deemed complete. *Id.*, § 66474.2.; *see also Bright Development v. City of Tracy*, 20 Cal.App.4th 783, 793 (1993), *El Patio v. Permanent Rent Control Bd.*, 110 Cal.App.3d 915 (1980) (subsequent moratorium imposed after tentative map approval cannot interfere with developer's right to proceed with its project).

## **IX. CONCLUSION**

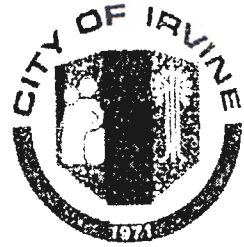
In light of the foregoing, we respectfully request that the City Council deny the appeals as improper and return the matter to the Planning Commission for appropriate action at the next available Planning Commission meeting, February 2, 2017.

Best regards,

*Christopher W. Garrett*

Christopher W. Garrett  
of LATHAM & WATKINS LLP

cc: Jeff Melching, City Attorney  
Susan Emery, Director of Community Development  
Bill Rodrigues, Senior Planner  
Stephen Higa, Principal Planner  
Molly McLaughlin, City Clerk  
Michael LeBlanc, Irvine Company  
Jeffrey Davis, Irvine Company



ENVIRONMENTAL EVALUATION FOR  
SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR  
(This is not an Initial Study)

PLANNING AREAS 1, 2, & 9B

SECTION I. PROJECT INFORMATION

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PROJECT TITLE AND NUMBER: Neighborhood 3 of Planning Area 1 (Orchard Hills) as follows:

Vesting Tentative Tract Map 18009 (File No. 00674560-PTT), 18010 (File No. 00674566-PTT), 18011 (File No. 00680841-PTT), 18012 (File No. 00674570-PTT), 18013 (File No. 00674581-PTT), 18014 (File No. 00674591-PTT), 18016 (File No. 00674601-PTT), 18019 (File No. 00674596-PTT)

Master Plan 18009 (File No. 00674563-PMP), 18010 (File No. 00674603-PMP), 18011 (File No. 00680845-PMP), 18012 (File No. 00674574-PMP), 18013 (File No. 00674583-PMP), 18014 (File No. 00674593-PMP)

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PROGRAM EIR NAME: Planning Areas 1, 2, and 9B General Plan Amendment and Zone Change  
Final Environmental Impact Report

EIR CLEARINGHOUSE NUMBER: SCH# 2004041080

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PROJECT APPLICANT: The Irvine Community Development Company

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PROJECT LOCATION (SPECIFIED): Planning Area 1 (formerly known as Planning Areas 1 and 2) is bounded by the Lomas de Santiago Ridge to the north, future Jeffrey Road to the east, the Eastern Transportation Corridor (SR-261) to the west, and Portola Parkway to the south. Specifically, Neighborhood 3 is located northeast of the Orchard Hills Drive around and within a newly proposed loop road, Ridge Gate (opposite of Big Sycamore to the south) and New Point (opposite of Wolf Trail to the south).

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PROJECT LOCATION (CITY):  
Irvine

PROJECT LOCATION (COUNTY):  
Orange

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PROJECT DESCRIPTION:

Vesting Tentative Tract Maps (VTTM) 18009, 18010, 18011, 18012, 18013, 18014, 18016 and 18019 will subdivide approximately 105.13 gross acres into 447 numbered lots for the future development of 734 residential units (367 single-family detached homes and 367 condominiums) and one 1.5-acre private neighborhood park lot, and 209 lettered lots for such common purposes as private streets, landscape, open space/mitigation sites, and fuel modification/special maintenance areas/roadside clearance.

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GENERAL PLAN LAND USE DESIGNATION:

The General Plan Designation for the project site is Low Density Residential and Agriculture.

ZONING DESIGNATION OF SITE:

The Zoning Designation for the project site is 2.2D Low Density Residential and 1.1 Exclusive Agricultural

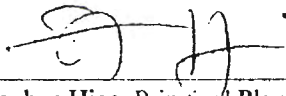
PREPARED BY:

  
Name: Bill Rodrigues

Title: Senior Planner

DATE: December 2, 2016

APPROVED BY:

  
Stephen Higa, Principal Planner

DATE:

## SECTION II: PROGRAM EIR CHECKLIST

In accordance with Section 15168c of the CEQA Guidelines, the following checklist ensures that all project-related impacts have been addressed in the Program EIR. Mitigation measures identified in the Program EIR are listed for each project-related impact.

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
<b>1. <u>AESTHETICS</u>. Will the proposal:</b>				
A. Have a substantial adverse effect on a scenic vista?	Yes / <u>No</u>		X	91
B. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	Yes / <u>No</u>	X		
C. Substantially degrade the existing visual character or quality of the site and its surroundings?	Yes / <u>No</u>		X	91, 95, 96
D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	Yes / <u>No</u>		X	<u>92</u> , 93, <u>94</u> , 97
<b>2. <u>AGRICULTURE</u>. Will the proposal:</b>				
A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Yes / <u>No</u>		X	68, 69, 70, 71, 72, 73, 74
B. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Yes / <u>No</u>	X		
C. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to Non-agricultural use?	Yes / <u>No</u>	X		

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
<b>3. <u>AIR RESOURCES.</u> Will the proposal:</b>				
A. Conflict with or obstruct implementation of the applicable air quality plan?	Yes / <u>No</u>	<u>X</u>		
B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<u>Yes / No</u>		<u>X</u>	SOC <u>11, 12, 13,</u> <u>14, 15, 16</u>
C. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<u>Yes / No</u>		<u>X</u>	SOC <u>11, 12, 13,</u> <u>14, 15, 16</u>
D. Exposure of sensitive receptors to substantial pollutant concentrations?	<u>Yes / No</u>		<u>X</u>	SOC <u>11, 12, 13,</u> <u>14, 15, 16</u>
E. The creation of objectionable odors?	<u>Yes / No</u>		<u>X</u>	<u>73</u>
<b>4. <u>BIOLOGICAL RESOURCES.</u> Will the proposal:</b>				
A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?	<u>Yes / No</u>		<u>X</u>	<u>56, 75, 76,</u> <u>77, 78, 79,</u> <u>80, 81, 82,</u> <u>83, 84, 85</u>
B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?	<u>Yes / No</u>		<u>X</u>	<u>75, 76, 79,</u> <u>80, 85</u>

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
C. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Yes / <u>No</u>		X	85
D Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Yes / <u>No</u>	X		
E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Yes / <u>No</u>		X	2, 80
F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Yes / <u>No</u>		X	75, 76, 79, 80
5. <u>CULTURAL/SCIENTIFIC RESOURCES.</u> Will the proposal:				
A Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Yes / <u>No</u>		X	88
B Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<u>Yes</u> / No		X	<u>87, 88, 89</u>
C. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Yes / <u>No</u>		X	86
D Disturb any human remains, including those interred outside of formal cemeteries?	<u>Yes</u> / No		X	<u>90</u>

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
6. <b><u>GEOLOGY AND SOILS.</u></b> Will the proposal:				
A. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Yes / <u>No</u>	<u>X</u>		
ii. Strong seismic ground shaking?	<u>Yes</u> / No		<u>X</u>	<u>35, 36, 37</u>
iii. Seismic-related ground failure, including liquefaction?	<u>Yes</u> / No		<u>X</u>	<u>35, 36, 37, 38, 39, 42</u>
iv. Landslides?	<u>Yes</u> / No		<u>X</u>	<u>34, 40</u>
B. Result in substantial soil erosion or loss of topsoil?	<u>Yes</u> / No		<u>X</u>	<u>34, 37, 38, 39</u>
C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<u>Yes</u> / No		<u>X</u>	<u>34, 35, 36, 37, 39, 40, 41, 43</u>
D. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Yes / <u>No</u>		<u>X</u>	<u>36, 37</u>
E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Yes / <u>No</u>		<u>X</u>	<u>44</u>

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
7. <u>HAZARDS AND HAZARDOUS MATERIALS.</u> Will the proposal:				
A. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	Yes / <u>No</u>	<u>X</u>	<u>73</u>	
B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Yes / <u>No</u>	<u>X</u>	<u>33, 73</u>	
C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Yes / <u>No</u>	<u>X</u>	<u>73</u>	
D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<u>Yes</u> / No	<u>X</u>	<u>29, 31, 32</u>	
E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in a project area?	Yes / <u>No</u> <u>X</u>			
F. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Yes / <u>No</u> <u>X</u>			
G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Yes / <u>No</u>	<u>X</u>	<u>30</u>	
H. Expose people or structures to a significant risk of loss, injury or death involving wildfires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands?	Yes / <u>No</u>	<u>X</u>	<u>30</u>	

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
<hr/>				
<b>8. <u>HYDROLOGY AND WATER QUALITY.</u> Would the project:</b>				
<hr/>				
A. Violate any water quality standards or waste discharge requirements?				<u>55, 56, 57,</u> <u>58, 59, 60,</u> <u>61, 62, 63,</u> <u>64, 65, 66,</u> <u>67</u>
	<u>Yes / No</u>		X	
B. Substantially deplete groundwater supplies or substantially interfere with groundwater recharge such that there would be a net deficient in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
	<u>Yes / No</u>	X		
C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				<u>45, 48, 50,</u> <u>51, 52</u>
	<u>Yes / No</u>		X	
D. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?				<u>45, 48, 50,</u> <u>53</u>
	<u>Yes / No</u>		X	
E. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				<u>45, 48, 50,</u> <u>51,</u> <u>56, 58,</u> <u>59, 60, 61</u> <u>62 63, 64</u> <u>65, 66, 67</u>
	<u>Yes / No</u>		X	

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
F. Otherwise substantially degrade water quality?				55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67
	Yes / No		X	
G. Place housing within a 100-year flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Yes / No		X	46, 47
H. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Yes / No		X	46, 47
I. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Yes / No		X	49, 54
J. Inundation by seiche, tsunami, or mudflow?	Yes / No		X	45, 48, 50, 52
9. <u>LAND USE</u> . Will the proposal:				
A. Physically divide an established community?	Yes / No	X		
B. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Yes / No		X	1, 2, 3, 4
C. Conflict with any applicable habitat conservation plan or natural community conservation plan?	Yes / No	X		
10. <u>MINERAL RESOURCES</u> . Will the proposal:				
A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Yes / No	X		

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Yes / <u>No</u>	<u>X</u>		
11. <b><u>NOISE</u></b> . Would the project result in:				
A. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<u>Yes</u> / No		<u>X</u>	17, <u>18*</u> , <u>19</u> , 20, <u>21</u> , <u>22</u> , 23, 24, <u>25</u> , 26, 27, 28
B. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<u>Yes</u> / No		<u>X</u>	17, <u>18*</u> , 20, <u>22</u> , 23, 26, 27, 28
C. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Yes / <u>No</u>		<u>X</u>	24, 25, 26, 27, 28
D. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Yes / <u>No</u>		<u>X</u>	17, <u>18*</u> , 20, 23
E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Yes / <u>No</u>	<u>X</u>		
F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Yes / <u>No</u>	<u>X</u>		

\*Applicable to Tracts 18009 and 18014 only

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
<b>12. POPULATION AND HOUSING.</b> Will the proposal:				
A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	<u>Yes / No</u>	<u>X</u>		
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<u>Yes / No</u>	<u>X</u>		
C. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<u>Yes / No</u>	<u>X</u>		
<b>13. PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
A. Fire protection?	<u>Yes / No</u>		<u>X</u>	<u>98, 99, 100, 101</u>
B. Police protection?	<u>Yes / No</u>	<u>X</u>		
C. Schools?	<u>Yes / No</u>		<u>X</u>	<u>102, 103</u>
D. Parks?	<u>Yes / No</u>		<u>X</u>	<u>104, 105, 106, 107, 108</u>
E. Other public facilities?	<u>Yes / No</u>		<u>X</u>	<u>109, 110</u>

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
14. <u>RECREATION</u> . Will the proposal:				
A. Would the project 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?	Yes / <u>No</u>		X	104, 105
B. Does the project include recreation facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Yes / <u>No</u>		X	106, 107, 108
15. <u>TRANSPORTATION/CIRCULATION</u> . Will the proposal:				
A. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trip, the volume to capacity ratio on road, or congestion at intersections)?	Yes / <u>No</u>		X	5, 6, 7, 8, 9, 10
B. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	Yes / <u>No</u>		X	5, 6, 7, 8, 9, 10
C. Result in a change in air traffic patterns, including either an increase in traffic level or a change in location that results in substantial safety risks?	Yes / <u>No</u>	X		
D. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Yes / <u>No</u>	X		
E. Result in inadequate emergency access?	Yes / <u>No</u>	X		
F. Result in inadequate parking capacity?	Yes / <u>No</u>	X		

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
<b>6. <u>UTILITIES, SERVICE SYSTEMS AND ENERGY.</u></b>				
Will the proposal:				
A. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Yes / <u>No</u>	<u>X</u>		
B. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Yes / <u>No</u>	<u>X</u>		
C. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<u>Yes</u> / No	<u>X</u>		
D. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<u>Yes</u> / No	<u>X</u>		109
E. Results in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<u>Yes</u> / No	<u>X</u>		
F. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<u>Yes</u> / No	<u>X</u>		110
G. Comply with federal, state, and local statutes and regulations related to solid waste?	<u>Yes</u> / No	<u>X</u>		
H. Result in wasteful use of fuel or energy?	Yes / <u>No</u>	<u>X</u>		
I. Abnormally increase demand for existing sources of energy, or require the development of new sources of energy?	Yes / <u>No</u>	<u>X</u>		

**SECTION III. APPLICABILITY OF CEQA GUIDELINES**  
**SECTIONS 15162 AND 15163**

	<u>YES</u>	<u>NO</u>
1. Subsequent changes are proposed in the project which will require important revisions of the EIR due to the involvement of new significant environmental impacts not considered in a EIR on the project.		X
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, such as a substantial deterioration in the air quality where the project will be located, which will require important revisions in the EIR due to the involvement of new significant environmental impacts not covered in the EIR; or		X
3. New information of substantial importance to the project becomes available, and		
A. The information was not known and could not have been known at the time the EIR was certified as complete or was adopted, and		X
B. The new information shows any of the following:		
1. The project will have one or more significant effects not discussed previously in the EIR;		X
2. Significant effects previously examined will be substantially more severe than shown in the EIR;		X
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; or		X
4. Mitigation measures or alternatives which were not previously considered in the EIR would substantially lessen one or more significant effects on the environment.		X

**SECTION IV. FINDINGS**

	<u>YES</u>	<u>NO</u>
1. The project has effects that were not examined in the EIR; therefore, an Initial Study needs to be prepared leading to either an EIR or a Negative Declaration.		X
2. The agency finds that pursuant to Section 15162, no new effects will occur or no <i>new mitigation measures will be required. The agency can approve the project as being within the scope of the project covered by the EIR, and no new environmental document is required.</i>	X	

**\*\*The list of "Assigned Mitigation Measures" include *Project Design Features* (PDF), *Existing Plans, Programs, and Policies* (PPP), and *Mitigation Measures*. Similar to Mitigation Measures, PDFs and PPPs are project requirements that reduce potential significant impacts of the project.**

Project Name & File Numbers:

Neighborhood 3 of Planning Area 1 (Orchard Hills) as follows:

Vesting Tentative Tract Map 18009 (File No. 00674560-PTT), 18010 (File No. 00674566-PTT), 18011 (File No. 00680841-PTT), 18012 (File No. 00674570-PTT), 18013 (File No. 00674581-PTT), 18014 (File No. 00674591-PTT), 18016 (File No. 00674601-PTT), 18019 (File No. 00674596-PTT)

Master Plan 18009 (File No. 00674563-PMP), 18010 (File No. 00674603-PMP), 18011 (File No. 00680845-PMP), 18012 (File No. 00674574-PMP), 18013 (File No. 00674583-PMP), 18014 (File No. 00674593-PMP)

Case Planner: Bill Rodrigues, AICP, Senior Planner

Date: December 2, 2016

**SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR  
PLANNING AREAS 1, 2, & 9B EIR (SCH# 2004041080)  
MITIGATION MEASURES**

<b>A</b>	-	Previously applied mitigation measures
<b>B</b>	-	Mitigation measures for this project
<b>C</b>	-	Code Requirement; measure need not be included as a condition on the project as a local, state or federal code or law implements the requirement
<b>S</b>	-	Mitigation Measures satisfied for entire Planning Area 1, 2, & 9B
<b>N/A</b>	-	Not applicable mitigation measures for this project
<b>PPP</b>	-	Plans, Programs, and Policies
<b>PDF</b>	-	Project Design Feature
<b>MM</b>	-	Mitigation Measures

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**LAND USE**

S 1. (PPP) As part of the annexation application to LAFCO, a detailed plan as to how public services will be delivered to the Project area shall be prepared, which demonstrates the City's ability to provide public services, facilities, and utilities to serve the unincorporated portion of the project site upon annexation into the City, as required by Government Code Section 56653.

C 2. (PPP) A permit shall be required to remove any significant tree on public or private land in Planning Area 1 (formerly Planning Areas 1 and 2). Prior to approval of a tree removal permit as required by Section 5-7-410 of the Municipal Code, the project applicant shall complete a comprehensive management plan through the City's Community Forests Program or equivalent to address phased removals and appropriate replacement.

- S 3. (PPP) This development includes land that encompasses or lies within an Open Space Implementation Action Program District as shown on the City's General Plan and Zoning Ordinance. Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit an irrevocable offer of dedication for the preservation open space lot and/or easement, as required by the City's Phased Dedication and Compensating Development Opportunities Program. A copy of the irrevocable offer shall be submitted to both the City Engineer and the Director of Community Development. The irrevocable offer of dedication for the preservation open space lot and/or easement shall be prepared to the satisfaction of the Director of Community Development, the City Engineer, and the City Attorney. The offer shall be recorded with filing of the final map. (Standard Condition 1.7)
- S 4. (MM) Prior to issuance of the grading permit for the substation, evidence shall be provided to the Director of Community Development that all new electric power transmission lines for 66 kV circuits extending from the electrical substation in Planning Area 1 (formerly Planning Areas 1 and 2) and extending along Jeffrey Road to the existing overhead lines at the OCTA Metrolink Right-of-Way shall be placed underground. The difference in cost between installing the overhead lines and the undergrounding of the lines shall be funded through an assessment district.

#### TRAFFIC AND CIRCULATION

- S 5. (PPP) The landowner or subsequent project applicant shall pay applicable fees per the North Irvine Transportation Mitigation (NITM) Program to provide its fair share funding towards improvements identified within such Program. The timing of payment of fees shall be per Article (b) of City Council Ordinance 03-20.
- C 6. (PPP) The landowner or subsequent Project applicant shall pay applicable Foothill/Eastern Major Thoroughfare and Bridge fees to provide its fair share funding of the Foothill/Eastern Transportation Corridor improvements
- B 7. (PPP) The landowner or subsequent Project applicant for development in Planning Area 1 (formerly Planning Areas 1 and 2) and the Project portion of Planning Area 9 north of Irvine Boulevard shall pay applicable Santiago Canyon Road fees to provide its fair share funding of the Santiago Canyon Road improvements.
- S 8. (MM) In conjunction with the submittal of any subdivision tentative maps, the landowner or subsequent project applicant shall prepare, subject to City approval, the required tentative tract map/tentative parcel map (TTM/TPM) traffic study per City Resolution No. 03-61. This traffic study will verify *whether the intersection locations listed below, which have been identified as impacted in this EIR, are projected to be at an ICU of 0.91 or greater for the*

Interim Year Analysis. For those intersections, which are projected to be 0.91 or greater in the TTM/TPM traffic study, the tentative tract map will be conditioned to construct the necessary improvements that have been identified in the traffic study (Appendix D). For those intersections which are not projected to be 0.91 or greater, the landowner or subsequent project applicant shall enter into an agreement with the City of Irvine to provide funding for the TTM/TPM's fair share allocation towards the full funding obligation of the Project to the future implementation of the necessary improvements as identified in this section or acceptable alternative improvements as determined by the jurisdiction in which the improvement is located so long as their cost will not exceed the cost of the improvements identified in this EIR. EIR Subsection 5.2.5.2 contains a more detailed description of the improvements and, in some cases, improvement options, specific to each of the intersections listed below. The following identifies the intersection reference number, intersection location, and applicable year (i.e., future scenario year(s) in which a significant impact is anticipated to occur). Mitigation for the intersections identified below applies to both Design Option A and Design Option B, unless otherwise noted.

- 16. Newport/Irvine - Post-2025
  - 34. Red Hill/Irvine (a) - 2010, 2025 and Post-2025 for Design Option A. 2010 and 2025 for Design Option B.
  - 93. Tustin Ranch/El Camino Real - 2010 and 2025 for Design Option A. 2025 for Design Option B.
  - 124. Jamboree/Portola - 2025 and Post 2025
  - 128. Jamboree/I-5 - 2025 for (Design Option A only)
  - 221. Culver/Bryan - 2010 for (Design Option B only)
  - 228. Culver/Barranca (c) - Post 2025 (only without partially funded NITM improvements)
  - 557. Ridge Valley/Irvine (c) - Post 2025 (only without partially funded NITM improvements)
- (a) The landowner or subsequent Project Applicant shall fund the unfunded portion of the improvements to the Red Hill/Irvine intersection after the obligations for this intersection have been met per the agreement of June 24, 1997 between the County of Orange and The Irvine Company.
  - (b) The landowner or subsequent Project Applicant shall fund the unfunded portion of the improvements to the Tustin Ranch/Irvine intersection after the obligations for this intersection have been met per the agreement of June 24, 1997 between the County of Orange and The Irvine Company.
  - (c) The landowner or subsequent Project Applicant shall fund the unfunded portion of the improvements after fair share NITM fees are applied to the improvement costs.

Should the East Orange GPA not be approved, the list of intersections above shall be modified consistent with Chapter 9 of the Traffic Study in Appendix D.

- S 9. (MM) The need for the second eastbound left turn lane at the Culver/Warner intersection (in 2010 for Design Option B only) shall be verified with each TTM/TPM Interim Year traffic study as required in the NITM ordinance. Should this second eastbound left turn lane be needed based on this TTM/TPM traffic study (i.e. the projected ICU is 0.91 or greater) and such improvement is not implemented per the terms of the agreement of February 22, 2001 between the Cities of Tustin and Irvine, the landowner or subsequent Project applicant shall implement this improvement subject to a reimbursement agreement with the City of Irvine from fees collected from the City of Tustin pursuant to the agreement of February 22, 2001.
- S 10. (MM) Prior to approval of the first tentative tract map, the landowner or subsequent Project Applicant shall enter into an agreement with the City to provide its fair share funding (which is \$300,000) towards improvements to the Jamboree/Barranca intersection. These improvements are needed for 2010 and Post-2025 impacts under Design Option A and for Post-2025 impacts under Design Option B.

#### AIR QUALITY

- B 11. (PPP) Compliance with SCAQMD Rules 402 and 403: During construction of the Proposed Project, the property owner/developer and its contractors shall be required to comply with regional rules, which will assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403; monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Relevant control measures from Rule 403 are identified in Tables 17 through 20 of the air quality assessment completed by Mestre Greve Associates (MGA) (see Appendix E of the DEIR).
- C 12. (PPP) Comply with Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings: All buildings must comply with Title 24, Part 6. Reducing the need to heat or cool structures by improving thermal integrity will result in a reduced expenditure of energy and a reduction in pollutant emissions.

§ 13. (MM) Construction Equipment Emissions Measures: Prior to issuance of each grading permit, the following information shall be included as a note on the cover sheet of the grading plans: The following measures shall be implemented during grading and construction of the project.

- a. Use low emission mobile construction equipment. The property owner/developer shall comply with CARB requirements for heavy construction equipment.
- b. Maintain construction equipment engines by keeping them tuned.
- c. Use low sulfur fuel for stationary construction equipment.
- d. Utilize existing power sources (i.e., power poles) when available.
- e. Configure construction parking to minimize traffic interference.
- f. Minimize obstruction of through-traffic lanes. Construction should be planned so that lane closures on existing streets are kept to a minimum.
- g. Schedule construction operations affecting traffic for off-peak hours to the extent practical.
- h. Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service).

§ 14. (MM) ROG Control Measures: Prior to issuance of the first building permit, the applicant shall provide evidence to the Director of Community Development that the following measures shall be incorporated into project construction to the greatest extent feasible:

- Minimize the amount of paint used by using pre-coated, pre-colored and naturally colored building materials; and
- Use high transfer efficiency painting methods such as HVLP (High Volume Low Pressure) sprayers and brushes/rollers where possible.

§ 15. (MM) Implement Measures Recommended in SCAQMD's CEQA Handbook and the URBEMIS2002 Model: Prior to issuance of the first building permit, the applicant shall provide evidence to the Director of Community Development that demonstrates how the property owner/developer shall reduce operation-related emissions through implementation of practices identified in SCAQMD's CEQA Handbook and the URBEMIS2002 model:

- a. install low-emission water heaters when practical;
- b. use central water-heating systems when practical;
- c. use built-in, energy-efficient appliances; and
- d. ensure that sidewalks and pedestrian paths are installed throughout the project area.

§ 16. (MM) Prior to approval of each tentative tract map, the landowner or subsequent project applicant shall submit to the Director of Community Development for approval, a plan showing pedestrian/bicycle trails that facilitate

connections to public facilities such as schools, parks, and regional trails, as well as between residential neighborhoods consistent with PDF-REC-1.

- Where possible, connect residential areas to public facilities, parks, regional trails and other residential neighborhoods with pedestrian/bicycle trails.
- Where possible, connect commercial areas to adjacent residential areas via bike/walking paths.
- Coordinate with OCTA and the City regarding the location of bus turnouts and bus routes within the project area.

## NOISE

C 17. (PPP) Control of Construction Hours: Construction activities occurring as part of the Project shall be subject to the limitations and requirements of Section 6-8-205(a) of the Irvine Municipal Code which states that construction activities and agricultural operations may occur between 7:00 a.m. and 7:00 p.m. Mondays through Fridays, and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction activities shall be permitted outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the Chief Building Official or his or her authorized representative. Trucks, vehicles, and equipment that are making or are involved with material deliveries, loading, or transfer of materials, equipment service, maintenance of any devices or appurtenances for or within any construction project in the City shall not be operated or driven on City streets outside of these hours or on Sundays and federal holidays unless a temporary waiver is granted by the City. Any waiver granted shall take impact upon the community into consideration. No construction activity and agricultural operation will be permitted outside of these hours except in emergencies including maintenance work on the City rights-of-way that might be required.

B\* 18. (PPP) Construction-Related Noise Mitigation Plan: For development proposed adjacent to any developed/occupied uses, a construction-related noise mitigation plan shall be submitted to the Director of Community Development for review and approval prior to issuance of grading permits. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project, through the use of such methods as following: (1) temporary noise attenuation fences; (2) preferential location of equipment; and (3) use of current technology and noise suppression equipment.

\*Applicable to ITM 18009 & 18014 only

B 19. (PPP) Acoustical Report - Prior to the issuance of building permits for each structure or tenant improvement other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall show that the development will be sound attenuated against present and projected noise levels, including roadway, aircraft, helicopter and railroad, to meet City interior and exterior

noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). In order to demonstrate that all mitigation measures have been incorporated into the project, the report shall be accompanied by a list identifying the sheet(s) of the building plans that include the approved mitigation measures. (Standard Condition B.1)

C 20. (PDF) Blasting Plan Provisions Related to Noise and Vibration: In conjunction with development of the blasting plan required for a blasting permit from the Orange County Fire Authority, as indicated in PPP-PHS-5, the plan shall include provisions for the control of potential noise and vibration impacts associated blasting activities. Such provisions shall be based on the Blasting Guidance Manual issued in March 1987 by the U.S. Department of the Interior, Office of Surface Mining, Reclamation and Enforcement.

N/A 21. (PDF) Disclosure of Noise from Northwood High School: Each potential buyer of property within one-quarter mile of Northwood High School shall be provided with a notification that activities at the school may, from time to time, generate noticeable noise levels, including during nights and weekends on occasion. The notification should state that during such times residents may be exposed to noise that is annoying and/or intrusive.

B 22. (PDF) Disclosure of Agricultural Operations: Each potential buyer of property within one-quarter mile of designated Agricultural areas shall be provided with a notification that agricultural operations will occur near residential areas. The notification shall state that noise arising from agricultural operations is not limited by the Irvine Noise Ordinance from 7:00 a.m. to 7:00 p.m. on weekdays and from 9:00 a.m. to 6:00 p.m. on Saturdays and prohibited on Sundays and federal holidays. Agricultural operations are also not regulated when they are for the protection or harvest of crops during periods of potential or actual frost damage or other adverse weather conditions. The notification should state that during these times residents may be exposed to noise that is annoying and/or intrusive. The development and distribution of this noise notification shall be coordinated with the implementation of Mitigation Measure MM-AGR-4, which requires an informational brochure regarding living next to agricultural areas.

C 23. (PDF) Control of Construction Hours: The project applicant shall not request a waiver for all noise generating construction activities within 500 feet of existing residential areas from the City of Irvine's adopted Noise Ordinance that excludes control of construction activities during the hours between 7 a.m. and 7 p.m. Monday through Friday 9 a.m. and 6 p.m. on Saturday and at no time on Sundays or national holidays. No construction activities will be permitted outside of these hours except in emergencies including maintenance work on the City right-of-ways that might be required.

N/A 24. (MM) Acoustical Study for Outdoor Noise Levels: Prior to the issuance of grading permits for any residential development along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard, and the western leg of PA 1 Loop a detailed acoustical analysis study shall be prepared by a qualified acoustical consultant and submitted to the City. This acoustical analysis report shall describe and quantify the noise sources impacting the area and the measures required to meet the 65 CNEL exterior residential noise standard. The final grading plans shall incorporate the noise barriers (wall, berm or combination wall/berm) required by the analysis and the property owner/developer shall install these barriers.

B 25. (MM) Indoor Noise Level Attenuation: Prior to issuance of building permits for all buildings in the residential areas along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard, and PA 1 Loop Road, documentation shall be provided to show that the building meets the ventilation standards required by the Uniform Building Code with windows closed. Alternatively, the applicant can show that based on the building's location relative to the roadway that it meets the appropriate interior noise standard with open windows.

N/A 26. (MM) Acoustical Study for Indoor Noise Levels: Prior to issuance of building permits, a detailed acoustical study using architectural plans shall be prepared by a qualified acoustical consultant and submitted to the City for residential structures along SR-261, Portola Parkway, Jeffrey Road, Sand Canyon Avenue, Irvine Boulevard, and the western leg of PA 1 Loop Road. This report shall describe and quantify the noise sources impacting the building(s), the amount of outdoor-to-indoor noise reduction provided by the design in the architectural plans, and any upgrades required to meet the City's interior noise standards (45 CNEL for residences). The measures described in the report shall be incorporated into the architectural plans for the buildings and implemented with building construction.

S 27. (MM) *The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.*

Prior to the issuance of the building permit for the 3,750th residence [in the Northern Sphere Area], or sooner if updated noise studies submitted with the updated traffic studies required to be submitted pursuant to Mitigation Measure 14.5 [of the Northern Sphere Final PEIR], demonstrate that the noise thresholds have been exceeded, a noise barrier shall be constructed on the west side of Jeffrey Road between Irvine Boulevard and Bryan Avenue that will reduce future worst-case with project noise levels to below 65 CNEL at existing residential areas. Prior to construction of the wall, a detailed study should be performed by a qualified acoustical consultant to determine the specific height and location of the noise barrier required to reduce future worst-case with project noise levels to below 65 CNEL. This study shall be submitted to and approved by the City prior to construction of the noise barrier.

[Note: The time and occupancy of the 3750th residence was identified as the point at which the noise increases due to the project will become substantial enough to require construction of the noise barrier based upon projected traffic volume increases between 2007 and 2025 and the number of residential units developed during this time period.]

- S 28. (MM) Cumulative Off-Site Noise Impacts: The Irvine Company shall implement Mitigation Measure 10.4 required for the Northern Sphere Project Area project (City of Irvine. Final Environmental Impact Report for the Northern Sphere Area. SCH No. 2001051010. June 2002) prior to the issuance of the cumulative 3,750th residence from the PA1/PA2/PA9 GPA/ZC Project and the Northern Sphere Project. Mitigation Measure 10.4 calls for the completion of a detailed noise study for construction of a noise barrier on the west side of Jeffrey Road between Irvine Boulevard and Bryan Avenue. This will ensure that these homes will not experience future noise levels in excess of 65 CNEL and not be significantly impacted by cumulative traffic noise.

#### **PUBLIC HEALTH AND SAFETY**

- B 29. (PPP) If any Underground Storage Tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA). The process for UST removal is detailed in the OCHCA's AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth in AST/UST Removal Report and Remediation Procedures Report and as directed by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA or other appropriate agency until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained. Any Aboveground Storage Tanks (ASTs) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of OCHCA. These procedures are detailed in the UST/AST Removal Report.
- S 30. (PPP) The land owner or subsequent project applicant shall provide evidence to the Director of Community Development that subdivision maps and site-specific development projects within Planning Area 1 (formerly Planning Areas 1 and 2) have been submitted to OCFA for review to ensure compliance with the Orange County Fire Authority's "General Guidelines for Development Within & Exclusion from Very High Fire Severity Zones," "Guidelines for Fire Authority Emergency Access (Gates and Barriers)," "Guidelines for Fuel Modification Plans and Maintenance," and "Guidelines for Fire Apparatus Access Roads and Fire Lane Requirements."

- B* 31. (PPP) *The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to each planning area encompassed by the Northern Sphere Area project, including PA 9.*

Prior to issuance of preliminary grading permits for each Planning Area [PA 9], the DEIR Environmental Site Assessments (ESAs) will be updated. If actual or potential impacts are identified by the Phase I Update, a Phase II ESA will be completed for the Planning Area by the landowner or subsequent project applicant and the results will be submitted to the Community Development Department. During the Phase II ESA, samples from potential areas of concern will be collected and submitted for laboratory analysis to confirm the nature and extent of potential impacts. If hazardous materials are identified during the site assessments, the appropriate response/remedial measures will be implemented in accordance with the Remediation Procedures Report, the Irvine Final Risk Report, the Summary of Environmental Services, General Electrical Energy and Environmental Resources Facility, and the directives of the OCHCA and/or the Regional Water Quality Control Board (RWQCB), as appropriate. If soil is encountered during site development that is suspected of being impacted by hazardous materials, work will be halted and site conditions will be evaluated by a qualified environmental professional. The results of the evaluation will be submitted to OCHCA and/or RWQCB, and the appropriate response/remedial measures will be implemented, as directed by OCHCA, RWQCB, or other applicable oversight agency, until all specified requirements of the oversight agencies are satisfied and a no-further-action status is attained.

- B* 32. (PPP) If any irrigation piping is encountered during site grading and excavation activities is found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures established by all federal, state, and local standards including federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) regulations for the excavation, removal, and proper disposal of the transite pipe [CFR Title 29 OSHA, CFR Title 29 California Health & Safety Code, and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos]. The material will be disposed of at a certified asbestos landfill.

- C* 33. (PPP) In the event that blasting is necessary in order to fracture non-rippable rock, the property owner/developer shall obtain a blasting permit from the Orange County Fire Authority prior to the commencement of any blasting. Prior to the issuance of the blasting permit, a blasting plan shall be prepared by the *property owner/developer and approved by the Orange County Fire Authority*. Evidence of this approval shall be submitted to the City. The blasting plan shall be in accordance with but not be limited to the following:

- Pre-blast survey;

- Site and location of planned blasting and hours of operation (blasting to be conducted during the daylight hours only);
- Notification of blasting activities in accordance with applicable standards;
- Types and amounts of explosives;
- Warning system information;
- Methods of transportation and handling of explosives;
- Minimum acceptable weather conditions;
- Procedures for handling, setting, wiring and firing explosives;
- Procedures for clearing and controlling access to blast danger;
- Procedures for handling misfires and other unusual occurrences;
- Emergency action plan;
- Material safety data sheet for all explosives or other hazardous materials expected to be used; and
- Compliance with local, state and federal laws.

## GEOLOGY AND SEISMICITY

C 34. (PPP) Revegetation: Revegetation of cut and fill slopes shall be required in accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual.

C 35. (PPP) Grading Operations and Construction – Planning Area 1: All grading operations and construction will be conducted in conformance with the applicable City of Irvine Grading and Excavation Regulations and Grading Manual, the most recent version of the Uniform Building Code for Seismic Zone 4, and consistent with the recommendations included in the most current geotechnical reports for Planning Area 1 (formerly Planning Areas 1 and 2) prepared by the engineer of record.

N/A 36. (PPP) Grading Operations and Construction – Planning Area 9: All grading operations and construction will be conducted in conformance with the applicable City of Irvine Grading and Excavation Regulations and Grading Manual, the most recent version of the Uniform Building Code for Seismic Zone 4, and consistent with the recommendations included in geotechnical reports for Planning Area 9 entitled “Report of Geotechnical Feasibility Study for Planning Areas I-08A and I-09A, City of Irvine, California.” (Appendix H of the Northern Sphere Area Final PEIR)

B 37. (PPP) Geotechnical Reports: Detailed geotechnical investigation reports for each Rough Grading Plan shall be submitted to further evaluate faults, subsidence, slope stability, settlement, foundations, grading constraints, liquefaction potential, issues related to shallow groundwater and other soil engineering design conditions and provide site-specific recommendations to mitigate these issues/hazards. The geotechnical reports shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical

engineering and a Certified Engineering Geologist. The City of Irvine Geotechnical Engineer/Engineering Geologist shall review the rough grading plan to ensure conformance with recommendations contained in the reports.

C 38. (PPP) Registered Civil Engineer: In accordance with the City of Irvine Grading Code and Manual, grading and earthwork shall be performed under the observation of a Registered Civil Engineer specializing in Geotechnical Engineering in order to achieve proper sub-grade preparation, selection of satisfactory fill materials, placement and compaction of structural fill, stability of finished slopes, design of buttress fills, subdrain installation and incorporation of data supplied by the engineering geologist.

C 39. (PPP) Certified Engineering Geologist: In accordance with the City of Irvine Grading Code and Manual, grading and earthwork shall also be performed under the observation of a Certified Engineering Geologist to provide professional review and written approval of the adequacy of natural ground for receiving fills, the stability of cut slopes with respect to geological matters, and the need for subdrains or other groundwater drainage devices. The geologist shall geologically map the exposed earth units during grading to verify the anticipated conditions, and if different, provide findings to the geotechnical engineer for possible design modifications.

B 40. (PPP) Slope Stability and Landslides: In accordance with the City of Irvine Grading and Excavation Regulations and Grading Manual, prior to the issuance of preliminary grading permits, natural and proposed cut and fill slopes shall be evaluated for stability. The hillside areas shall be evaluated on a site-by-site basis to assess the gross and surficial stability and the potential impacts to the development. Slopes exhibiting potentially adverse geotechnical or geologic conditions shall be designed with an approved method of stabilization. Debris basins will be designed at the northern end of the western development area in the canyons below the proposed natural hillsides extending up to Lomas Ridge to protect the proposed development from potential debris-laden runoff or flows.

C 41. (PPP) Oversize Rock: The oversize rock produced from the excavation of hard bedrock shall be placed in deeper fill areas in accordance with the grading and earthwork specifications presented in the geotechnical reports required by PPP-GS-3 and the City of Irvine Grading and Excavation Regulations and Grading Manual. Alternatively, this rock may be crushed.

C 42. (PPP) Seismic Hazards: Potential seismic hazards related to liquefaction and earthquake induced landslides shall be evaluated and mitigated in accordance with the State of California Division of Mines and Geology, Seismic Hazard Mapping Act (Special Publication 117).

C 43. (PPP) Well Abandonment: The abandoned exploratory oil well located in Planning Area 1 (formerly Planning Areas 1 and 2) shall be removed from the

upper 10 feet from finish grade and properly abandoned below this depth in accordance with current standards of the State of California Division of Oil, Gas, and Geothermal Resources [Public Resources Code, Division 3].

- C 44. (PPP) Septic Tanks, Leech Fields, and Seepage Pits: If encountered during grading, the abandonment of the septic tanks, leech field, and seepage pits shall be performed in accordance with Section 722 of the Uniform Plumbing code requirements. These structures shall be removed from the upper 10 feet from finish grade and disposed of offsite. The structures shall be properly abandoned below this depth.

## HYDROLOGY AND WATER QUALITY

- N/A 45. (PPP) Storm Drain Facilities: Prior to release of a final map by the City, the landowner or subsequent project applicant shall construct, or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of the following public and/or private improvements in conformance with applicable City Standards and the City's Capital Improvement Policy: Storm drain facilities, including water quality basins, in accordance with the approved Drainage Concept Plan. (City of Irvine Standard Condition 1.1)

- N/A 46. (PPP) Federal Emergency Management Agency (FEMA): Prior to the issuance of precise grading permit for any lot or parcel wholly or partially located within the Special Flood Hazard Area (SFHA), the applicant shall furnish to the City Engineer documentation required by the Federal Emergency Management Agency (FEMA) for revision to the FIRM and Flood Insurance Study (FIS). The applicant shall pay all preliminary and subsequent fees as required by FEMA. (City of Irvine Standard Condition 2.4)

- N/A 47. (PPP) Special Flood Hazard Area: This Project includes land within a Special Flood Hazard Area (SFHA) subject to inundation according to the Flood Insurance Rate Map. Prior to the issuance of building permits on any lot or parcel located wholly or partially within the SFHA, a National Flood Insurance Program (NFIP) Elevation Certificate shall be submitted in accordance with the requirements of the NFIP and shall have been reviewed and approved by the City Engineer. The elevation certificate shall be on a FEMA form. If a nonresidential building is being floodproofed, then a FEMA Floodproofing Certificate must be completed and submitted in addition to the elevation certificate. (City of Irvine Standard Condition 3.3)

- B 48. (PPP) Hydrology and Hydraulics Report: Prior to the issuance of preliminary grading permits, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to verify that the final development conforms to the proposed drainage patterns and flow rates shown in the Master Plan of Drainage. The

final pad layout and street locations along with final onsite storm drain design shall be verified with more refined flow rates and pipeline layouts, to the satisfaction of the City Engineer. (Section 102 of the City of Irvine Standards & Design Manual)

C 49. (PPP) Dam Inspection: Continued operation of the Rattlesnake Reservoir dam shall be subject to requirements of the State of California, Department of Water Resources, and Division of Safety of Dams (DSOD), which operates a dam facility inspection program.

S 50. (PDF) Retarding Basins: Two retarding basins are incorporated into the design of the Planning Area 1 site (formerly Planning Areas 1 and 2). Those basins include the existing Orchard Estates Retarding Basin and the planned Eastfoot Retarding Basin. The basins will reduce peak flows from residential areas upstream of the basins.

S 51. (PDF) Erosion Control at Rattlesnake Reservoir Inflow Point: In order to avoid substantial erosion occurring as stormwater runoff flows into Rattlesnake Reservoir, the design of the upstream outlet structure improvements proposed as part of the Project include provisions for energy dissipaters, which will reduce the velocity of flows into the Reservoir to non-erosive conditions.

S 52. (PDF) Debris Basins: The Project design includes provisions for the construction of four (4) debris basins located along the northern development boundary in Neighborhood 1 [see Figure 5.6-1A in this EIR]. Figures 3.3-1 and 3.3-3 in this EIR show the locations of the four debris basins. The basins will serve to capture natural debris (i.e., vegetation, rocks, sediments, etc.) within storm runoff that flows from the permanent open space areas located north of development. In so doing, this will minimize the potential for such debris to be carried into the downstream storm drain facilities, which could reduce the flow conveyance capacity of those facilities.

S 53. (PDF) Management of Flows in Transportation Corridor Watershed: In conjunction with the final hydrology analysis and design refinement, measures for the management of the development-related increase in 100-year peak flow within the Transportation Corridor Watershed shall be specified and incorporated to maintain a no-net-increase in 100-year peak flow discharge (relative to cubic feet per second - cfs - discharge), as compared to pre-development conditions. Such a measure(s) could include the diversion of flow to another adjacent watershed(s) having adequate capacity to accommodate the diverted flows, construction of a detention basin within the Transportation Corridor Watershed, or other feasible measure(s) that accomplishes the objective of no-net increase in 100-year peak flow discharge.

N/A 54. (MM) Permanent habitable structures shall not be allowed on development parcels determined to lie within the dam inundation zone of Rattlesnake

Reservoir, unless it can be demonstrated to the satisfaction of the Director of Community Development that appropriate measures and precautions are included in the development plans to avoid significant loss, injury, or death from dam inundation.

B 55. (PPP) Notice of Intent (NOI): This project will result in soil disturbance of one (1) or more acres of land that has not been addressed by an underlying subdivision map. Prior to the issuance of preliminary or precise grading permits, the landowner or subsequent project applicant shall provide the City Engineer with evidence that a NOI has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed. (City of Irvine Standard Condition 2.5)

B 56. (PPP) Water Quality Management Plan (WQMP): Prior to the issuance of precise grading permits, the applicant shall submit, and the Director of Community Development shall have approved, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff. (City of Irvine Standard Condition 2.10) More specifically, the WQMP shall, in accordance with the Drainage Area Master Plan (DAMP) and Local Implementation Plan (LIP), do the following:

- a. Describe the routine and special post-construction BMPs to be used at the proposed development site (including both structural and non-structural measures);
- b. Describe responsibility for the initial implementation and long-term maintenance of the BMPs;
- c. Provide narrative with the graphic materials as necessary to specify the locations of the structural BMPs; and
- d. Certify that the project proponent will seek to have the WQMP carried out by all future successors or assigns to the property. Detailed information about the process for identifying BMPs is included in the Water Quality Assessment Technical Appendix.

N/A 57. (PPP) Special Flood Hazard Area: This Project includes land within a Special Flood Hazard Area (SFHA) subject to inundation according to the Flood Insurance Rate Map. Prior to the issuance of building permits on any lot or parcel located wholly or partially within the SFHA, a National Flood Insurance Program (NFIP) Elevation Certificate shall be submitted in accordance with the requirements of the NFIP and shall have been reviewed and approved by the City Engineer. The elevation certificate shall be on a FEMA form. If a nonresidential building is being floodproofed, then a FEMA Floodproofing Certificate must be completed and submitted in addition to the elevation certificate. (City of Irvine Standard Condition 3.3)

C. 58. (PPP) Storm Water Pollution Prevention Plan (SWPPP): Prior to the issuance of grading permits, the landowner or subsequent project applicant shall prepare a SWPPP that will –

- a. Require implementation of Best Management Practices (BMPs) designed with a goal of preventing a net increase in sediment load in storm water discharges relative to preconstruction levels;
- b. Prohibit during the construction period discharges of storm water or non-storm water at levels which would cause or contribute to an exceedance of applicable water quality standards contained in the Basin Plan;
- c. Discuss in detail the BMPs planned for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-storm water discharges;
- d. Describe post-construction BMPs for the project;
- e. Explain the maintenance program for the project's BMPs;
- f. During construction, require reporting of violations to the Regional Board; and
- g. List the parties responsible for SWPPP implementation and BMP maintenance during and after grading. The project proponent shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.

N/A 59. (PPP) Encroachment Permit: The landowner or subsequent project applicant shall obtain an encroachment permit for any construction activities that will result in runoff within Caltrans Right-of-Way. The landowner or subsequent project applicant must submit a copy of the SWPPP prior to construction. If a SWPPP is not required for the project, the landowner or subsequent project applicant shall prepare and submit a Water Pollution Management Program pursuant to Caltrans Standard Specifications and "Caltrans Storm Water Quality Handbook, Construction Contractors Guide and Specifications." All activities within Caltrans Right-of-Way must fully conform to the Caltrans Statewide NPDES Permit No. CAS000003 (Order No. 99-06-DWQ).

A 60. (PPP) BMP Operations and Maintenance: The nine water quality treatment basins proposed within Planning Area 1 (formerly Planning Areas 1 and 2) that serve as water quality BMPs are part of the San Diego Creek Watershed Natural Treatment System (SDCWNTS) being undertaken by Irvine Ranch Water District (IRWD). The operation and maintenance of SDCWNTS facilities, including the nine basins within the Project site, is expected to be the responsibility of IRWD [In the event that IRWD does not accept responsibility, homeowners associations for areas with such basins would take the responsibility] and shall be completed in accordance with the Operation and Maintenance procedures specified in the SDCWNTS Master Plan (June 2004).

As specified therein, operations and maintenance procedures have been identified relative to the following:

1. Routine Operation and Maintenance Activities
  - a. Site Inspection
  - b. Water Quality Testing
  - c. Water Level Control
  - d. Trash & Debris Removal
  - e. Pump/Valve Inspection, Adjustment & Maintenance
  - f. Irrigation System Inspection & Adjustment
  - g. Inlet/Outlet Inspection & Maintenance
  - h. Weir Installation & Removal
  - i. Minor Vegetation Maintenance and Snag Removal
  - j. Minor Sediment Removal
  - k. Integrated Pest/Plant Management
  - l. Mosquito Fish Stocking/Bti Application
  - m. Intermittent Flooding/Drying
2. Major Operation and Maintenance Activities
  - a. Structural Modifications
  - b. Pump/Valve Removal & Replacement
  - c. Major Vegetation Removal & Planting
  - d. Major Sediment Removal
3. Emergency Operation and Maintenance Activities
4. Episodic Basin/Habitat Reconfigurations
5. Spills of Hazardous Materials
6. Operations and Maintenance Minimization Measures

**B** 61. (PPP) De Minimus Permit: If and when construction dewatering is required, the Project shall comply with the requirements of General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed (RWQCB Order No. R8-2004-0021 NPDES No. CAG998002).

**A** 62. (PDF) Site Design Best Management Practices (BMPs): The MS4 permit and implementation plans described in the DAMP/LIP and the City's model WQMP require the consideration and incorporation of site design BMPs to reduce runoff and create a hydrologically functional project that attempts to mimic the natural hydrologic regime. The following describes the site planning principles from the model WQMP that have been incorporated into the Planning Area 1 (formerly Planning Areas 1 and 2) design and to the design of the Project portion of PA 9, as appropriate.

*Minimize Impervious Area and Directly Connected Impervious Areas* – Impervious areas are minimized by incorporating landscaped areas over substantial portions of the Project area.

*Conserve Natural Areas* – Adequate areas to preserve the existing riparian areas, which are critical to stream health, are incorporated; Development is concentrated in the least environmentally sensitive portions when possible. Natural drainage systems are used to the maximum extent practicable.

*Design Practices* - Streets, sidewalks and parking lot aisles will be constructed to the minimum widths specified in the City Land Use Code and in compliance with the Americans with Disabilities Act, as well as safety requirements for fire and emergency equipment vehicle access, and other relevant regulations, and will also be subject to review and approval by the City Engineer; Landscaped buffer areas will be incorporated between sidewalks and streets with sidewalks in compliance with the City Land Use Code; Multiple NTS facilities will be constructed to increase opportunities for infiltration; Two detention facilities are incorporated into the Project (the existing Orchard Estates Basin, and the proposed Eastfoot Basin; The smallest site disturbance area practical will be delineated and flagged during construction to minimize soil compaction on the site and restricting temporary storage of construction equipment in these areas.

*Protect Slopes and Channels* – Slopes will be protected by minimizing erosion potential, particularly in areas with predominantly sandy soils, with vegetative cover, routing flows safely from or away from steep and/or sensitive slopes, and stabilizing disturbed slopes. Channels will be protected by controlling and treating flows in water quality basins prior to reaching existing natural drainage systems, stabilizing channel crossings, ensuring that increases in runoff velocity and frequency caused by the Project do not erode the channel through channel stabilization if necessary, and installing energy dissipaters, such as riprap, at the outlets of storm drains or conveyances.

- C 63. (PDF) Project Source Controls: The following pollutant source control management practices shall be implemented with the Project in accordance with the MS4 Permit and implementation. These source controls were selected based on the Project's land uses.

*Selection of Construction Materials:* Building material selected for rooftop construction shall not include copper or zinc. Drain

*Inlet Stenciling:* All storm drain inlets will be stenciled with "Drains to Creek" or comparable language to discourage dumping of pollutants into the storm drain system.

*Landscaping and Irrigation Controls:* Where feasible, plants with similar watering requirements shall be grouped in order to reduce excess irrigation runoff and promote surface filtration. Efficient irrigation systems to reduce irrigation runoff and conserve water will be used - such systems

will include computerized and/or radio telemetry that controls the amount of irrigation based on soil moisture or other indicators. Hillside landscaping will utilize deep-rooted drought tolerant plants to decrease erosion potential.

*Proper Storage and Application of Fertilizers and Pesticides:* Best management practices shall be implemented to minimize the application of fertilizers, pesticides, and other landscape management products in accordance with the County Pesticide and Fertilizer Management Guidelines, found in the County of Orange Drainage Area Management Plan (DAMP).

*Community Education Program:* A water quality education program shall be implemented through brochures or other materials distributed to homeowners at the time of initial sale or lease of property, and periodically by Home Owners Associations thereafter.

*Conservation Water Rates:* The Irvine Water Ranch District block rate structure shall be applied in order to encourage water conservation.

*Street/Parking Lot Sweeping Program:* A sweeping program shall be implemented to regularly sweep pavements in order to minimize the potential for pollutant loads from these areas in stormwater and dry weather flows. Private streets will be swept twice a month. Parking lots shall be swept weekly at a minimum, weather permitting.

*Activity Restrictions: Conditions, Covenants & Restrictions (CC&Rs)* will be prepared as necessary and will address surface water quality protection, or, alternatively, use restrictions will be developed through lease terms.

*Litter Control Program & Design of Trash Storage Areas:* The litter control program shall focus on litter control for common areas such as parks and active open space, and shall include the placement and emptying of trash receptacles, ensuring that trash bins are maintained in the closed position, and removing trash from parking areas and landscaping. In conjunction with the litter control program, trash storage areas will be designed prevent introduction of this pollutant into runoff by incorporating impervious surfaces for storage areas which prevent run-on from adjacent areas, no connection of trash drains to the storm drain system, and lids on all trash receptacles in addition to roofs or awnings to minimize direct precipitation.

*Project Design Features for Areas with Potential for Pollutant Sources:* Loadings docks for food service areas shall include grease traps and catch basin inserts with filter cloth to prevent appreciable amounts of biodegradable substances (i.e. food) from entering the storm drain. Trash

areas for food service facilities shall be covered, preventing rainfall from coming in contact with refuse from restaurants or any areas where food is served. Grease traps shall be inspected quarterly and cleaned as needed.

Any vehicle fueling areas (no hazardous waste storage will be present) shall meet the requirements of the MS4 and implementation plan requirements including, but not limited to, paved with Portland cement concrete, have an appropriate slope (2 percent - 4 percent) to prevent ponding, separate from the rest of the site by a grade break that prevents run-on of stormwater, an overhanging roof structure or canopy shall be provided and the cover's minimum dimensions must be equal to or greater than the area of the fuel dispensing area.

*Energy Dissipation Devices:* Energy dissipation structures shall be installed at the outlets of any new storm drains that enter unlined channels.

*Regular BMP Inspection and Maintenance:* The water quality treatment facilities and NTS facilities shall be inspected on a regular, scheduled basis as part of the San Diego Creek NTS Plan. The inspections will ensure that the facilities are operating properly, record observations, and initiate any maintenance activities that may be required. Site visits will require one person driving a single vehicle for BMP inspection, including walking the perimeter of the BMP. Maintenance activities that will be performed on a regularly scheduled basis include but are not limited to: trash/debris removal; vegetation removal/thinning; sediment removal; integrated pest/plant management; and intermittent flooding/drying.

- A 64. (PDF) Treatment PDFs in the PAs 1 and 2 Site: Nine water quality basins shall be constructed in Planning Area 1 (formerly Planning Areas 1 and 2) site as part of the Project to provide treatment to stormwater runoff. All nine basins will be constructed as NTS facilities as described in the SDCNTSMP and will be maintained by IRWD. All but one of these basins shall be constructed with wetland vegetation. In addition to the nine water quality basins, two additional facilities will provide treatment to stormwater runoff from the Project site: the *existing Orchard Estates Retarding Basin and the planned Eastfoot Retarding Basin*. The new structural BMPs shall be constructed at the same time as the Project, and will provide treatment to flows (dry and wet weather) from the Project site. There will not be a period of time during which flows are discharged from the developed conditions of the Project without receiving treatment. The proposed Project will not need to rely on downstream NTS facilities in order to provide the necessary treatment of flows generated onsite.

The nine water quality basins built in the Project site shall accompany the facilities needed to direct drainage into the basins for treatment and shall be sized to capture a fraction of the predicted runoff (first flush) volume and retain the design volume for a period of approximately 36 hours. The water quality basins will provide for removal

of nutrients, heavy metals, some pesticides, and other pollutants bound to sediment along with pathogen reductions through exposure to sunlight (UV radiation). A conceptual sketch is shown in Section 5.7.2.3 in this EIR.

As appropriate, the proposed water quality basins shall contain both a water quality volume for treatment of stormwater runoff and NTS wetland vegetation to provide treatment of dry weather flows. A cross-section schematic of the combined water quality and NTS wetland vegetation basins is shown in Section 5.7.2.3 of this EIR.

The NST wetland vegetation portion of these basins shall have shallow water areas with emergent vegetation allowing for uptake of nutrients by aquatic vegetation. The nine water quality basins shall be owned by the PA 1 Homeowners Association (HOA), and, as noted above, will be maintained by IRWD as NTS facilities. Maintenance of the NTS basins by IRWD will include vector control (see PPP-SWQ-6). As documented in the San Diego Creek Watershed Natural Treatment System (NTS) Master Plan and associated EIR, both of which are incorporated by reference in this document, such water quality basins provide an effective means of managing the types of pollutants noted above.

Based on the above, the layout of the proposed stormwater treatment system will be such that stormwater runoff from a large portion (1,364 acres) of the treated areas of the PAs 1 and 2 site will be routed to and treated in one of the nine water quality basins that will be constructed as part of the project. Smaller areas of the Project site (714 acres) are routed to the Eastfoot and Orchard Estates Retarding Basins where the stormwater runoff will receive treatment. Areas not routed to water quality facilities or the existing Rattlesnake Reservoir (a terminal reservoir for water quality purposes) are entirely open space (87 acres) and avocado orchards (46 acres) and will be left in their existing condition and therefore do not require treatment under the MS4 permit and its implementation plans.

The majority of the agricultural area that are proposed to remain permanently shall receive treatment in the existing and planned flood control facilities and water quality basins. Treatment of agricultural runoff is not specifically required in the DAMP model WQMP, but providing treatment to the agricultural runoff will substantially improve the quality of stormwater flows from these areas compared to the existing conditions.

65. (PDF) Debris Basins: The Project design includes provisions for the construction of four (4) debris basins located along the northern development boundary in Neighborhood 1 [see Figure 5.6-1A in this EIR]. Figures 3.3-1 and 3.3-3 show the locations of the four debris basins. The basins will serve to capture natural debris (i.e., vegetation, rocks, sediments, etc.) within storm runoff that flows from the permanent open space areas located north of development. In so doing, this will reduce the potential for water quality impacts to downstream areas. The debris basins will be owned, operated, and maintained by the City of Irvine.

S 66. (PDF) Trash Control Devices: Trash control devices (racks, release nets, or a comparable control) shall be installed at the inlets to the water quality basins and retarding basins, and upstream of inlets to Rattlesnake Reservoir to provide water quality benefits (i.e., reduce trash loading to receiving water bodies), maintain visual aesthetics, and to assist with operation and maintenance activities. Cleaning of the trash control devices will occur as part of IRWD's maintenance of the water quality basins.

S 67. (PDF) *The Northern Sphere Area Final PEIR includes the following mitigation measures applicable to the entire PA 9.*

Trabuco Retarding Basin to Treat PA 9 Flows: Construction of the following improvements to the existing Trabuco Retarding Basin shall commence prior to issuance of the first occupancy permit for any residence (except a model home) in Planning Area 9; the existing Trabuco Retarding Basin shall be modified to provide a water quality pool of approximately 76-acre feet which will at a minimum treat over a 24-hour period the column of runoff produced by a 24-hour, 85th percentile storm event (runoff from a 0.75 inch storm) from approximately 1523 acres (1277 acres in Planning Area 9 and 246 acres in Planning Area 5B), which constitutes approximately 40 percent of the development area; and, to treat low flows, the Trabuco Retarding Basin shall also include a natural water quality treatment BMP.

#### AGRICULTURAL RESOURCES

A 68. (PPP) Open Space Preservation Programs: This development includes land that encompasses or lies within an Open Space Implementation Action Program District as shown on the City's General Plan and Zoning Ordinance. Prior to the release of a final map by the City, the landowner or subsequent project applicant shall submit an irrevocable offer of dedication for the preservation open space lot and/or easement, as required by the City's Phased Dedication and Compensating Development Opportunities Program. A copy of the irrevocable offer shall be submitted to both the City Engineer and the Director of Community Development. The irrevocable offer of dedication for the preservation open space lot and/or easement shall be prepared to the satisfaction of the Director of Community Development, the City Engineer, and the City Attorney. The offer shall be recorded with filing of the final map. (Standard Condition 1.7)

S 69. (PPP) Agricultural Legacy Program: The Project supports the intent of the City of Irvine General Plan Objective L-10, which provides for the development of an Agricultural Legacy Program to address on a citywide basis the loss of agricultural lands due to planned development throughout the City.

S 70. (PDF) The proposed zoning for Planning Area 1 (formerly Planning Areas 1 and 2) specifically redesignates 508 acres of existing avocado orchards as J.1

Exclusive Agriculture, which is complementary to the purpose and intent of Objective L-10.

S 71. (MM) Prior to the issuance of the first building permit except model homes, the project applicant shall submit an amendment request to the Director of Community Development, for inclusion of the 508 acres of existing avocado orchards within Planning Area 1 (formerly Planning Areas 1 and 2) that are proposed to be zoned 1.1 Exclusive Agriculture into the City of Irvine's Agricultural Legacy Program.

S 72. (MM) Prior to the recordation of the first final map, the City of Irvine, in coordination with The Irvine Company, shall submit a request to the State of California Department of Conservation - Farmland Mapping and Monitoring Program (FMMP) of the Division of Land Resource Protection to remove the overlay designation of Land Committed to Nonagricultural Use for the 508 acres within Planning Area 1 (formerly Planning Areas 1 and 2) that are proposed to be designated 1.1 Exclusive Agriculture.

S 73. (MM) An Agricultural Operations Plan for Planning Area 1 (formerly Planning Areas 1 and 2) shall be submitted by the landowner or designee to the Director of Community Development for review and approval prior to the issuance of any building permits within Planning Area 1, with the exception of building permits for model homes. The Agricultural Operations Plan shall include, or specify comparable provisions for, the following:

1. *Irrigation:* The Plan shall provide standards and guidelines for irrigation systems and/or practices that meet the irrigation needs for the crop, but avoids any offsite irrigation runoff.

2. *Fertilization:* The Plan shall provide standards and guidelines for crop fertilization systems and/or practices that minimize, if not avoid, the need for spraying near developed areas.

3. *Pest Control:* The Plan shall provide standards and guidelines for pest control systems and/or practices that minimize, if not avoid, any spraying of pesticides near developed areas. The Plan shall specify that biological controls are to be the primary method of pest interdiction, and shall indicate that spraying of groves shall be performed only when it is apparent that pest infestation is at a threshold that will create economic damage to the crop/tree that cannot be effectively controlled biologically. The Plan shall also indicate that all applications for spraying to be submitted to the County of Orange Agricultural Commissioner in advance of the event and all chemical applications shall be performed under the supervision of a certified applicator with trained personnel that meet the County of Orange requirements.

4. *Tree Canopy Management:* The Plan shall provide standards and guidelines for tree canopy management that minimize, if not avoid, the need for hauling and off-site disposal of tree trimmings.

5. *Orchard Best Management Practices (BMPs)*: The Plan shall provide standards and guidelines for the development and implementation of Best Management Practices (BMPs) that reduce the creation of silts and erosion from orchard areas.

6. *Harvesting*: The Plan shall provide standards and guidelines to delineate the typical approach to, and typical timing and duration of, harvesting activities. The Plan shall provide measures to minimize, if not avoid, any impacts to nearby developed areas from noise and traffic, including truck/worker parking, associated with harvesting activities.

7. *Orchard Security*: The Plan shall provide standards and guidelines that address security consideration at the orchards. Such provisions shall address security fencing, signage, access, and patrolling of orchard areas.

8. *Wildfire Management Plan*: The Plan shall provide standards and guidelines for the development and maintenance of a wildfire management plan for orchard areas. Such provisions shall be coordinated with the preparation of fuel modification and other required fire protection plans relating to Planning Area 1 (formerly Planning Areas 1 and 2).

9. *Hours of Activity*: The Plan shall provide standards and guidelines specifying the normal days of the week and hours of the day for activities associated with operation of the orchards, and shall indicate the bases for allowable variations to that schedule.

10. *Public Noticing*: The Plan shall provide standards and guidelines for public noticing of agricultural activities occurring or planned to occur within orchard areas.

The above types of requirements to be addressed in the Agricultural Operations Plan are primarily oriented toward the continued cultivation of existing avocado orchards within Planning Area 1 (formerly Planning Areas 1 and 2). In the event the of a proposed change in the crop from that assumed and addressed in an approved Agricultural Operations Plan, the Plan shall be amended and resubmitted to the Director of Community Development for review and approval prior to the occurrence of the crop change. Additionally, it is possible that the Agricultural Operations Plan developed relative to avocado orchards may, from time to time, need to be amended to reflect changes in operations, new technology, and/or revised practices. Such amendments to the current plan would also need to be submitted to the Director of Community Development for review and approval.

- B 74. (MM) Prior to issuance of building permits except model homes, the project applicant shall provide evidence to the Director of Community of Development of the availability of an informational brochure. The brochure is intended to educate homeowners of the nature and characteristics of living close to areas designated for permanent agriculture and shall address the types of agricultural operations activities likely to occur in and around such areas, as well as the requirements of PDF-N-3. The landowner shall provide this informational

brochure as part of the rental/lease agreements and as part of sales literature for the project.

## BIOLOGICAL RESOURCES

- B** 75. (PPP) The project applicant shall comply with the requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), including, but not limited to, the following:

Construction Minimization Measures - Prior to the issuance of the first preliminary grading permit for areas adjacent to the NCCP/HCP Reserve, the landowner or subsequent project applicant shall provide letters from a USFWS/CDFG approved biologist. The letters shall state that these individuals have been retained by the landowner or subsequent project applicant, and that the consultant(s) will monitor all grading and other significant ground disturbing activities in or adjacent to areas of coastal sage scrub or NCCP/HCP Reserve System areas. The consultant(s) shall monitor these activities to ensure that the landowner or subsequent project applicant complies with the NCCP/HCP Implementing Agreement (IA) that specifies measures that must be taken to minimize construction impacts to coastal sage scrub and its sub-association during construction including:

1. To the maximum extent practicable, no grading of coastal sage scrub or southern cactus scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the Central-Coastal NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other coastal sage scrub or southern cactus scrub Covered Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.

2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided under the provisions of the Central-Coastal NCCP/HCP shall be identified with temporary fencing or

other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub or southern cactus scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

3. A monitoring biologist, acceptable to USFWS/CDFG, will be onsite during any clearing of coastal sage scrub or southern cactus scrub. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Covered Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Covered Species (avian or other mobile Covered Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Covered (bird) Species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.

4. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub or southern cactus scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking or storage of equipment or materials will be permitted within such marked areas.

5. In areas bordering the NCCP/HCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection. Preconstruction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.

6. Coastal sage scrub or southern cactus scrub identified in the Central-Coastal NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to

reduce accumulated dust on the leaves as recommended by the monitoring biologist.

§ 76. (PPP) Adaptive Management Program – As set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP), the Adaptive Management Program is being effectively implemented by the Nature Reserve of Orange County and the signatories to the NCCP/HCP Implementation Agreement. Adaptive management is a flexible, iterative approach to long-term management of biotic resources that is directed over time by the results of ongoing monitoring activities and other information. This approach involves managing coastal sage scrub and adjacent habitats in a manner designed to support a broad range of coastal sage scrub species over the long-term (County of Orange Environmental Management Agency 1995a). The Central-Coastal NCCP/HCP states, “that the following reserve system adaptive management elements are necessary to maintain the net long-term habitat value of the reserve system in accordance with the Central-Coastal NCCP/HCP:

1. monitoring and associated adaptive management of biological resources located within the Reserve system;
2. management carried out by means of short-term and long-term fire management programs within the Reserve system;
3. management of public access and recreational uses within the Reserve system;
4. management designed to minimize the impacts of ongoing operations/maintenance of uses within the reserve system that existed prior to approval of the NCCP/HCP;
5. assurance that permitted infrastructure uses proceed in a manner consistent with and provided for in the NCCP/HCP in order to minimize impacts of uses proposed to be allowed within the reserve system;
6. interim management of privately-owned lands for the above adaptive management elements purposes prior to transfer of legal title to permanent public and non-profit ownership within the reserve system;
7. restoration and enhancement measures within the Reserve to offset potential loss of net long-term habitat value due to development of coastal sage scrub habitat and covered non-coastal sage scrub habitat located outside the reserve system.”

The kinds of uses and activities permitted within the Reserve System will be carefully controlled to protect biological resources, particularly Covered Species and their habitat (i.e., coastal sage scrub) and native

grasslands. The Adaptive Management Program will not only protect target species and habitat from long-term impacts, but will also protect Non-Covered Species associated with Covered Habitats. Management activities within the Reserve include, but are not limited to the following: 1) habitat enhancement and restoration activities, including pest/invasive species control; 2) fire management; 3) trail and camping designations to prevent trampling of habitat and species; 4) grazing programs; 5) cowbird trapping and other vertebrate pest management (i.e., feral cats); 6) noxious weed control; and 7) restrictions on recreational use during avian breeding seasons. All potential edge effects due to the Planning Area 1 (formerly Planning Areas 1 and 2) development Project and associated improvements (i.e., portions of Jeffrey Road adjacent to Planning Area 1) will be controlled through implementation of the Adaptive Management Program.

- S 77. (PPP) In conjunction with submittal of the Master Trails and Landscaping Plan, the project applicant shall demonstrate that the plant palette of landscaping within 100 feet of the NCCP/HCP Reserve does not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council) in accordance with requirements set forth in the Central-Coastal Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP).

These lists include, but are not limited to, invasive species such as pepper trees (*Schinus* species), tamarisk, pampas grass (*Cortaderia selloana*), fountain grass (*Pennisetum setaceum*), ice plant (*Mesembryanthemum* species), myoporum (*Myoporum laetum*), black locust (*Robinia pseudoacacia*), capeweed (*Arctotheca calendula*), tree of heaven (*Ailanthus altissima*), periwinkle (*Vinca major*), sweet alyssum (*Lobularia maritima*), English ivy (*Hedera helix*), French broom (*Genista monspessulana*), Scotch broom (*Cytisus scoparius*), and Spanish broom (*Spartium junceum*). *The fuel modification zone shall include plants approved by the Orange County Fire Authority (OCFA).*

- S 78. (PPP) Conditionally-Covered Species - Impacts to foothill (intermediate) mariposa lily individuals are addressed in the Central-Coastal NCCP/HCP as a Conditionally-Covered Species and impacts to more than 20 individuals shall comply within the mitigation requirements set forth in the NCCP/HCP Plan. As required by the Central-Coastal NCCP/HCP, the restoration program that includes Planning Area 1 (formerly Planning Areas 1 and 2), which addresses preservation as well as the salvage and translocation of foothill (intermediate) mariposa lily, was approved by the CDFG and USFWS on March 17, 2004 and is consistent with the NCCP/HCP Implementation Agreement. This mitigation plan also addresses mitigation for cumulative impacts to this species resulting from direct and indirect impacts in the Central Subregion. The project shall comply with the approved mitigation program for foothill (intermediate) mariposa lily, which is presented below:

Prior to issuance of a grading permit for Neighborhood 3 in Planning Area 1 (formerly Planning Areas 1 and 2), evidence shall be provided to the Director of Community Development that a translocation and monitoring plan for the relocation of 2,000 foothill (intermediate) mariposa lily bulbs has been reviewed and approved by The Nature Conservancy (TNC), USFWS, CDFG, and the Nature Reserve of Orange County (NROC). The receiver site shall be monitored for up to a seven-year period; the duration of monitoring will be determined through consultation with CDFG and the USFWS. The translocation and monitoring program for foothill (intermediate) mariposa lily shall include the following:

1. Selection and Mapping of Suitable Mitigation Sites - A minimum of three disjunct receiver sites will be selected within the NCCP/HCP Reserve System or the Irvine Ranch Land Reserve in the North Ranch Policy Area in coordination with the NROC and TNC to be approved by the USFWS and CDFG. Each receiver site will be mapped.
2. Demarcation of Bulbs - A biologist shall demarcate the 2,000 flowering individuals to be translocated in Planning Area 1 using flagging ribbon, lath and/or marking paint so that during bulb excavation the bulbs can be found.
3. Excavation of Bulbs - The demarcated bulbs shall be excavated by hand, using pick, shovels, and digging bars, or by mechanized means. A biologist will monitor the excavation. The excavated bulbs will be sorted, and in the process, the appropriate number of bulbs required for translocation from each site will be confirmed.
4. Salvage Topsoil - A sufficient amount of specified topsoil will be salvaged and moved to a stockpile site located near the receiver sites. A biological monitor will be present during salvaging and stockpiling activities.
5. Outplant Bulbs into Mitigation Areas - The excavated bulbs will be transplanted to the approved receiver sites either in individually drilled holes, in small plots or other appropriate outplanting methods (subject to agency approval). A permanent metal tag with a corresponding number to identify the bulbs will be installed next to the bulbs. The bulbs will be backfilled with native topsoil salvaged from the original population. Research data will be collected for each bulb, and the data collected will be subject to on-going research, which is vital to the adaptive management process. The location of the bulbs will be mapped using a Global Positioning System (GPS) unit.

6. Archeological Monitoring - A qualified archeologist shall survey the excavation and the receiver site to verify that cultural resources are not present in these locations.

7. Monitoring - The translocated populations will be monitored for up to seven consecutive years and inspected on four separate occasions during the blooming period of each year. The duration of monitoring will be determined through consultation with CDFG and the USFWS. During the monitoring of each mitigation site, data will be collected. Subject to agency approval, manipulative studies may be implemented including the following: clearing or thinning the vegetative cover in and around a population and monitoring the results over years to see if there is a response in the number of flowering individuals; and/or involving a more regular supplemental watering regime to mimic a favorable rainfall year.

8. Prepare Documentation - An as-built report that documents all of the activities and final outcome associated with the installation of bulbs in the mitigation areas will be prepared. An annual monitoring report will be provided to NROC, USFWS, CDFG and TNC for each of the seven consecutive years and will include raw data collected, analysis of data, and any trends. At the conclusion of the seventh monitoring year, a final mitigation report will be prepared that will include a compilation of data, statistical analysis, and any final conclusions regarding the translocation effort.

**B** 79. (PPP) This project will involve removal of native plant communities and wildlife habitat. Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity and/or other related construction activity, the applicant shall obtain written authorization from the appropriate Federal, State, and local agencies that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved prior to any grading activity. (Standard Condition 2.6.) [Note: As disturbance of Covered Habitats is covered under the NCCP/HCP (PPP-BIO-1), PPP-BIO-5 only applies to the removal of Non-Covered habitats.]

**S** 80. (PDF) The land use plan for Planning Area 1 (formerly Planning Areas 1 and 2) provides for the preservation of approximately 1,868 acres of open space onsite within the NCCP/HCP Reserve System, approximately 337 acres of adjacent open space north and east of Rattlesnake Reservoir, and the preservation of approximately 122 acres of interstitial eucalyptus woodland within the development areas. The preservation of the open space preserves the

overall habitat functions and values, and the preservation of the eucalyptus woodland, in addition to providing local habitat value, is designed to fully address for direct impacts to white-tailed kite (nesting and foraging habitat). The open space contains more suitable habitat than the development area and it is connected to larger, more suitable, contiguous habitat. Additionally, the open space design of the plan provides for the preservation of 2,500 individuals of many-stemmed dudleya within Planning Area 1 and contributes to the preservation of over 39,594 individuals in the Central Subregion NCCP/HCP Reserve System, which addresses potential cumulative impacts to many-stemmed dudleya that would result from the Project. Moreover, preservation of 37,000 acres of natural lands within the NCCP/HCP Reserve System, of which the project's open space area is an integral component, fully reduces or avoids the potential cumulative impacts to sensitive wildlife, including Non-Covered raptors and turkey vultures which could be affected by the Project. The sensitive wildlife that could be cumulatively impacted by the Project are primarily associated with scrub and grassland habitats, though it should be noted that though it should be noted that 93 percent of this habitat is being preserved in the NCCP/HCP Reserve. The 37,000 acres of land to be preserved within the Reserve System consists of a mosaic of scrub and grassland habitats, which serves to address cumulative impacts. The project design is consistent with the Central Subregion NCCP/HCP.

B 81. (PDF) All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA). MBTA governs The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by the following:

1. If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.

2. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. The survey results shall be submitted by the project applicant to the Director of Community Development. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey are not disturbed. If the monitoring biologist determines that the nesting activities are being substantially disrupted by

adjacent construction activity, USFWS/CDFG shall be notified and measures implemented to avoid or minimize such impacts shall be developed in consultation with those agencies.

Location and means by which access is obtained to dedicated public open space shall be controlled and managed by the City through fencing or other means as identified in a Master Trails Plan for Planning Area 1 (formerly Planning Areas 1 and 2) and consistent with NCCP adaptive management measures developed through participation in the Nature Reserve of Orange County.

**S** 82. (PDF) Location and means by which access is obtained to dedicated public open space shall be controlled and managed by the City through fencing or other means as identified in a Master Trails Plan for Planning Area 1 (formerly Planning Areas 1 and 2) and consistent with NCCP adaptive management measures developed through participation in the Nature Reserve of Orange County.

**R** 83. (PDF) To educate homeowners of the responsibilities associated with living at the wildland interface, the Nature Reserve of Orange County wildland interface brochure, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants.

**B** 84. (MM) Prior to issuance of a grading permit for any land within 500 feet of nesting locations of least Bell's vireo and other nesting riparian birds (including yellow warbler, yellow-breasted chat, and white tailed kite) in Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall assure avoidance or minimization in through coordination with USFWS and CDFG of indirect impacts to these species. The land owner or subsequent project applicant shall consult with USFWS and CDFG regarding any potential indirect impacts to least Bell's vireo in accordance with the provisions governing conditional coverage of the least Bell's vireo set forth in the Implementation Agreement (IA) for the Central-Coastal NCCP/HCP.

Prior to the issuance of a grading permit within 500 feet of nesting locations of least Bell's vireo, the land owner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Community Development Director that: all necessary permits or authorizations for indirect impacts to least Bell's vireo have been obtained from the USFWS and CDFG under the NCCP/HCP; or that no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Community Development Director that the project and the least Bell's vireo avoidance measures have been

coordinated with the USFWS and CDFG. Detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP/HCP, and such measures shall, at a minimum, address the following items:

1. No net-loss of habitat for least Bell's vireo shall be permitted, and such habitat proposed to remain shall be fenced off in the vicinity of construction (during construction only).
2. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or
3. During the nesting season only, indirect impacts due to construction-generated noise shall be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the vireo as well as sound monitoring), when least Bell's vireo are detected during pre-construction surveys.

Prior to the issuance of a grading permit within 500 feet of nesting locations of nesting riparian birds, including yellow warbler, yellow-breasted chat, and white-tailed kite, the landowner or subsequent project applicant shall at a minimum, address the following items:

- a. A 500-foot buffer shall be established in which no development can occur during the nesting season (February 15 through July 31) adjacent to known nesting locations only; however, once the nesting cycle is complete or the nest has failed, there will be no buffer restrictions on construction; or during the nesting season only, indirect impacts due to construction-generated noise will be limited to less than 60 dBA (as determined by daily sound monitoring by a biologist experienced in both the vocalization and appearance of the bird species as well as sound monitoring), when these riparian birds are detected during pre-construction surveys.

**B** 85. (MM) Prior to the issuance of grading permits for any area within Planning Area 1 (formerly Planning Areas 1 and 2) containing resources subject to the jurisdiction of CDFG and ACOE, the landowner or subsequent project applicant shall provide to the Director of Community Development of Irvine evidence of the following:

- a. All necessary permits or authorizations have been obtained from CDFG (pursuant to Section 1601 – 1603 of the Fish and Game Code) and the ACOE (pursuant to Section 404 of the Clean Water Act), or that no such permits are required. If a 404 permit or other authorization is required from the ACOE, the landowner or subsequent project applicant shall provide, to the Community

Development Director of the City of Irvine, evidence of a Section 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region. (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act Section 404 dredge and fill permit, to provide the licensing agency a certification from the California Regional Water Quality Control Board that the project will comply with adopted water quality standards. The City has found that compliance with Section 401 requirements equates to evidence of mitigation of potential storm water runoff impacts to receiving waters to levels of insignificance. This condition ensures that the City acts as an independent enforcement agency for the Section 401 program. The condition also ensures that the City is provided information about any storm water protection measures before permits are issued, so that the City can exercise its independent judgment concerning avoidance or mitigation of storm water impacts in the event of unusual, unforeseen circumstances.)

b. Evidence that the project and the riparian mitigation and restoration program has been coordinated with the SAMP/MSAA for the San Diego Creek Watershed, if/as applicable to the proposed project.

c. No-net-loss of area extent and wetland/riparian function for the jurisdictional waters affected shall occur. A minimum of 1:1 replacement shall be required to ensure no-net-loss of jurisdictional area.

d. No-net-loss of wetland function will occur, as demonstrated by use of the ACOE functional assessment approach for both ACOE and CDFG jurisdictional impacts. The areas of created/restored habitat will exhibit a functional capacity 1,356.2 units for a net increase of 149.5 units relative to ACOE jurisdiction. The areas of created/restored habitat will exhibit a functional capacity 1,717.1 units for a net increase of 11.5 units relative to CDFG jurisdiction. Compensatory mitigation for impacts to jurisdictional areas shall be provided as follows:

1. Creation of site-appropriate wetland and/or riparian habitats in sufficient amounts to ensure no-net-loss of ACOE and CDFG jurisdictional area.
2. Creation of site-appropriate riparian habitats in sufficient amounts to ensure no-net loss of wetland functions as determined using the ACOE's functional assessment methodology.

Evidence that areas of wetland or riparian habitat will achieve the following performance standards:

1. After the initial planting effort has been completed, the restoration site shall be monitored by the Project Monitor on a monthly basis for the 12 months, and quarterly for the second and third years and semi-annually for the fourth and fifth years. Qualitative surveys, consisting of a general site

walkover and habitat characterization, shall be completed during each monitoring visit. General observations, such as fitness and health of the planted species, pest problems, weed establishment, mortality, and drought stress, shall be noted in each site walkover. The Project Monitor shall determine remedial measures necessary to facilitate compliance with performance standards.

2. Quantitative data shall be collected by the Project Monitor annually using accepted vegetative sampling methods in order to evaluate survivorship, species coverage, and species composition. In the event that plantings should fail to meet the specified requirements, compliance will be ensured by the performance of either or both of the following remedial procedures by the contractor on an as-needed basis as directed by the Project Monitor: (1) replacing unsuccessful plantings with appropriate-sized stock or cuttings to meet stated cover or survival requirements, and /or (2) performing maintenance procedures to ensure the site conditions are appropriate (e.g., non-native species removal). Remedial actions in planting areas shall be based on detailed investigations (such as additional soil tests and excavations of failed plantings to examine root development) to determine causes of failure.

3. The initial quantitative monitoring shall be conducted between August and October following the first growing season after installation. Annual monitoring events shall also be conducted during the same time period.

Performance Standards according to site and standard vegetation monitoring, for the vegetated portions of the restoration sites, will be as follows:

4. First-Year Monitoring. During the first year, monitoring shall occur every month. One quantitative survey will be performed to determine planted species' growth performance. The following performance standards will be achieved at the end of the first year:

i. 25-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species no to exceed 10-percent

iii. Replanting will be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the first year, a report summarizing the performance of the sites shall be submitted to the regulatory agencies.

5. Second-Year Monitoring. During the second year, monitoring shall occur on a quarterly basis. One quantitative survey shall be performed to determine planted species' growth performance. The following performance standards shall be achieved at the end of the second year:

i. 40-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner shall consult the regulatory agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the second year, a report summarizing the performance of the sites will be submitted to the regulatory agencies.

6. Third-Year Monitoring. During the third year, monitoring shall occur quarterly. One quantitative survey will be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 55-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary.

iv. At the end of the third year, a report summarizing the performance of the sites shall be submitted to the agencies.

7. Fourth-Year Monitoring. During the fourth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 70-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor, during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the property owner responsible for the site will consult the agencies to determine whether corrective measures and an extension of the five-year monitoring period will be necessary. At the end of the fourth year, a report summarizing the performance of the sites will be submitted to the agencies.

8. Fifth-Year Monitoring. During the fifth year, monitoring shall occur twice annually. One quantitative survey shall be performed to determine planted species growth performance. The following performance standards shall be achieved at the end of the year:

i. 85-percent coverage of native species, relative to vegetated areas of reference sites (5-percent deviation allowed)

ii. Percent cover of non-native species not exceeding 10-percent

iii. Replanting shall be performed as necessary, as determined by the Project Monitor during the appropriate planting period, with the appropriate-sized stock or by cuttings to ensure that these performance standards are achieved. If substantial non-compliance with the performance standards occurs, the party responsible for the site shall consult the agencies to determine whether corrective measures and an extension of the three-year monitoring period will be necessary.

iv. At the end of the fifth year, a report summarizing the performance of the sites shall be submitted to the agencies.

9. Monitoring will terminate after fifth year performance criteria have been met

10. Long-term management - These mitigation areas will be preserved in perpetuity and the mitigation plan shall address the potential long-term indirect effects of the proposed development to the adjacent preserved and created/restored aquatic resources.

11. In order to mitigate for any potential long-term indirect impacts to preserved and created/restored aquatic resources the following measures shall be implemented:

i. Lighting shall be directed away from the preserved and created/restored aquatic resources; and

ii. Landscaping within 25 feet of the preserved and created/restored aquatic resources (or 100 feet if located in the PA 1 NCCP/HCP Reserve System) shall not include species on lists A and B of Exotic Pest Plants of Greatest Ecological Concern in California as of October 1999 (California Exotic Pest Plant Council).

#### PALEONTOLOGICAL RESOURCES

A 86. (MM) Prior to issuance of the first preliminary grading permit for Planning Area 1 (formerly Planning Areas 1 and 2), a scope of work shall be developed for preparation of a paleontological resources impact mitigation program (PRIMP). The PRIMP shall be compatible with the guidelines of the Society of Vertebrate Paleontologists. Prior to development of the PRIMP, a walkover survey of the area proposed for grading shall be conducted by a qualified paleontologist retained by the Landowner or subsequent project applicant to locate unidentified paleontological localities in Planning Area 1. Based on the potential of individual geologic formations and units to produce fossils and the results of the walkover survey, the PRIMP may recommend full to part-time monitoring within specific area. The PRIMP shall include, but not be limited by, the following:

a. Attendance at the pregrade conference by the qualified paleontological monitor.

b. Monitoring of excavation activities by a qualified paleontological monitor in areas identified in the PRIMP as likely to contain paleontological resources. The monitor should be equipped to salvage fossils and/or matrix samples as they are unearthed in order to avoid construction delays. The monitor must be *empowered to temporarily halt or divert equipment in the area of the find* in order to allow removal of abundant or large specimens.

c. Because the underlying sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix, these sediments shall occasionally, as based on the recommendations of the qualified palcontological monitor, be spot screened through one-eighth to one-twentieth-inch mesh screens to determine if microfossils exist. If microfossils are encountered, additional sediment samples (up to 6,000 pounds per horizon) shall be collected and processed through one-twentieth-inch mesh screens to recover additional fossils.

d. Preparation of recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils and the removal of surplus sediment from around larger specimens to reduce the volume of storage for the repository and the storage cost for the developer.

e. Identification and curation of specimens into a museum repository with permanent retrievable storage.

## CULTURAL RESOURCES

- B** 87. (MM) Grading operations across sites CA-ORA-811, CA-ORA-1610, and CA-ORA-1615 shall be conducted through controlled lifts, professionally termed "controlled demolition." Controlled removal of the archaeological site during construction will ensure that any potentially significant features at the site are properly assessed and recovered/managed, as appropriate. Prior to issuance of the first preliminary or precise grading permit for development within the portion of the Project area at CA-ORA-811, CA-ORA-1610, and CA-ORA-1615, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and has conducted a site survey of the planning area at such time as all ground surfaces are visible in increments through controlled lifts. If any notable archaeological resources are discovered, the archaeologist shall conduct surveys and/or test level investigations. Testing and evaluation may consist of surface collection and mapping, limited subsurface excavations, and the appropriate analyses and research necessary to characterize the artifacts and deposit from which they originated. Upon completion of the test level investigations, for resources determined to be unique or historical as set forth in CEQA Guidelines Section 15064.5, the following measures shall be undertaken: the archaeologist shall submit its recommendations to, the landowner or subsequent Project applicant and the Director of Community Development on the measures that shall be implemented to protect the sites. Appropriate measures for unique archaeological resources or historical resources could include preservation in place through planning construction to avoid archaeological sites; incorporation of sites within parks, greenspace, or other open space; covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site or

deeding the site into a permanent conservation easement. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center.

- B 88. (MM) Prior to issuance of the first preliminary grading permit, and for any subsequent permit involving excavation to increased depth, the landowner or subsequent Project applicant shall provide evidence that an archaeologist has been retained by the landowner or subsequent Project applicant, and that the consultant will be present during all grading and other significant ground disturbing activities. This consultant shall be selected from the roll of qualified archaeologists maintained by the County of Orange. Should any cultural resources be discovered, the monitor is authorized to stop all grading in the immediate area of the discovery, and shall make recommendations to the Director of Community Development on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be "historic resources" at that term is defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Director of Community Development. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in greenspace, parks or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Director of Community Development approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Director of Community Development where they would be afforded long term preservation to allow future scientific study.

- S 89. (MM) Prior to the opening of the dedicated open space area for public use in Planning Area 1 (formerly Planning Areas 1 and 2), the City shall consult with *an archaeologist to ensure that the plans for public access will not conflict with preservation and avoidance of any archaeological sites within the preservation area*

- B 90. (MM) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Orange County Coroner is contacted to determine if the remains are prehistoric and that no investigation of the cause of death is required. If

the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours, and the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

2. Where the following conditions occur, the land owner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:

- a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
- b. The descendant identified fails to make a recommendation; or
- c. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

#### AESTHETICS

S 91. (PPP) As required by Zoning Ordinance Section 5-4, the applicant shall demonstrate compliance with City of Irvine policies for hillside areas in the Lomas de Santiago Hills, which require that hillsides substantially maintain their natural character and environmental and aesthetic values.

B 92. (PPP) Prior to issuance of building permits, the applicant shall demonstrate through submittal of electrical engineer's photometric survey, prepared to the satisfaction of the Director of Community Development, that lighting requirements as set forth in the Irvine Security Code are met (Standard Condition 3.2).

C 93. (PPP) Any lighting of athletic fields and courts in Planning Area 1 (formerly Planning Areas 1 and 2), and the project portion of PA 9 shall conform with the City of Irvine Community Services Athletic Field Lighting Standards contained in the City of Irvine Park Standards Manual.

B 94. (PPP) Prior to the approval of each Street Improvement Plan within Planning Area 1 (formerly Planning Areas 1 and 2), the project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to maintain the hillside character of the community and reduce nighttime glare.

S 95. (PDF) The land use plan for Planning Area 1 (formerly Planning Areas 1 and 2) provides for the preservation of the following:

a. Onsite open space totaling 2,205 acres designated for preservation and to be offered for dedication for public ownership. This acreage includes land within the NCCP/HCP Reserve System [PPP-BIO-1], land within an Open Space Implementation Action Program District [PPP-LU-3], and approximately 80 additional acres to be offered for dedication to the City of Irvine as Implementation Districts B-1 and B-2. The area to be preserved includes the Lomas de Santiago Ridgeline and the steep hills and canyons leading to the ridgeline which are the most unique and visually significant feature of PAs 1 and 2.

b. A total of 508 acres located on hills interspersed throughout the development to be zoned 1.1 Exclusive Agriculture [PDF-AGR-1] and incorporated into the City's Agricultural Legacy Program [MM-AGR-1]. c. Approximately 122 acres of interstitial eucalyptus windrows to be preserved within the limits of development [PDF-BIO-1]. To the extent they are deemed healthy and pose no safety concerns or conflict with infrastructure improvements, the windrows shall be incorporated in median landscaping, landscaped setbacks, parks, trails, and areas adjacent to open space.

S 96. (PDF) Prior to issuance of grading permits for the electrical substation located in Planning Area 1 (formerly Planning Areas 1 and 2), Southern California Edison shall demonstrate through submittal of landscape plans, prepared to the satisfaction of the Director of Public Works, that requirements as set forth in the City of Irvine Landscape Manual are met.

S 97. (PDF) Prior to issuance of grading permits for the electrical substation located in Planning Area 1 (formerly Planning Areas 1 and 2), Southern California Edison shall demonstrate through submittal of electrical engineer's photometric survey, prepared to the satisfaction of the Director of Community Development, that lighting requirements as set forth in the Irvine Security Code are met.

## POPULATION AND HOUSING

None

## **PUBLIC SERVICES AND UTILITIES (PSU)**

### **PUBLIC SERVICES AND UTILITIES - POLICE SERVICES – None**

### **PUBLIC SERVICES AND UTILITIES - FIRE SERVICES**

- S 98. (PPP) The landowner or subsequent project applicant shall comply with the Secured Fire Protection Services Agreement between The Irvine Company and the Orange County Fire Authority on February 11, 2003.
- B 99. (PPP) Prior to the release of a final map by the City, all fire protection access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City. (Standard Condition 1.10)
- C 100. (PPP) The landowner or subsequent project applicant shall comply with all applicable Orange County Fire Authority (OCFA) codes, ordinances, and standard conditions regarding fire prevention and suppression measures, relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, fire sprinkler system, etc.
- S 101. (PDF) Prior to approval of tentative tract maps and street improvement plans for traffic/vehicle circulation, all circulation and access plans shall be reviewed and approved by the Orange County Fire Authority.

### **PUBLIC SERVICES AND UTILITIES - SCHOOLS**

- N/A 102. (PPP) The portion of Planning Area 1 (formerly Planning Areas 1 and 2) within the Tustin Unified School District shall be subject to new development fees pursuant to Government Code Section 65995. Under State law, payment of the developer fees provides full and complete mitigation of the Project's impacts on school facilities. As an option to the payment of developer fees, the Tustin Unified School District and the landowner can enter into a future facility and funding agreement if approved by both parties.
- C 103. (PPP) The portion of Planning Area 1 (formerly Planning Areas 1 and 2) within the Irvine Unified School District shall be subject to new development fees pursuant to Community Facilities District (CFD) 86-1 established by the 1985 Mitigation Agreement between IUSD and The Irvine Company and the 2002 Supplement to Mitigation Agreement Facilities Plan and Report to finance school construction for new development. As an option to the payment of developer fees, the Irvine Unified School District and the landowner can enter into a future facility and funding agreement if approved by both parties.

### **PUBLIC SERVICES AND UTILITIES - LIBRARIES – None**

## PUBLIC SERVICES AND UTILITIES - RECREATION

- N/A 104. (PPP) This development necessitates the construction of public and/or private infrastructure improvements. Prior to the release of a final map by the City, the landowner or subsequent project applicant shall construct, or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of riding, hiking and bicycle trails adjacent to or through the project site, in conformance with applicable City standards and the City's Capital Improvement Policy. (Standard Condition 1.1)
- N/A 105. (PPP) This development includes public trails, which the City Engineer may permit to be recorded separately from the final map. Prior to the issuance of the first precise grading permit, the landowner or subsequent project applicant shall submit to the City Engineer and the Director of Community Services all documents ready for recording of such easements. (Standard Condition 2.7)
- S 106. (PPP) In conjunction with submittal of the each tentative tract map, the project applicant shall demonstrate compliance with the approved Community Park Plan (00321912-PPP). Prior to the applicant developing a housing mix that exceeds any of the project's residential density category totals shown in Exhibit 2 of Park Plan 00321912-PPP, approval to modify the Park Plan (00321912-PPP) shall be obtained from the Director of Community Development and Director of Community Services. (Park Plan 00321912-PPP.)
- S 107. (PDF) Prior to approval of the first residential tentative tract map within Planning Area 1 (formerly Planning Areas 1 and 2), the landowner or subsequent project applicant shall submit a Master Trails Plan which addresses public and private trails and linkages, public view points, public access points to the open space, signage, and construction phasing of trails for that planning area. The Master Trails Plan shall specify trail locations and types, ownership and maintenance, public viewpoints, public access points, including the provision of a public trailhead (i.e., such as the trailhead in PA 27), to the open space, and a phasing plan for construction of trails. The Master Trails Plan shall be submitted for review and comment by the Community Services Commission and approved by the Planning Commission.
- S 108. (PDF) Prior to approval of the first tentative tract map for residential purposes within Planning Area 1 (formerly Planning Areas 1 and 2), a park plan shall be approved establishing the exact number, precise location, configuration, ownership, and size of community and neighborhood parks and the distribution of public and private parks. The park plan shall also establish construction phasing of all parks in conjunction with residential development.

## UTILITIES

### UTILITIES – POTABLE WATER

- A/A** 109. (PPP) In accordance with the Irvine Ranch Water District Design Criteria and Process Manual, an addendum shall be prepared to the Sub-Area Master Plan approved in December 2002, which included PA 9 to analyze the proposed change in the approved uses for the Project portion of PA 9.

**UTILITIES – NONPOTABLE WATER – None**

**UTILITIES – SEWER – None**

**UTILITIES – SOLID WASTE**

- B** 110. (PPP) The project will result in new construction, which will generate solid waste. Prior to the issuance of precise grading permits, the applicant shall show on the site plans the location of receptacles(s) to accumulate on-site generated solid waste for recycling purposes. At the discretion of the Director of Community Development, the developer of a nonresidential project may be

CITY COUNCIL RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DENYING AN APPEAL OF THE SUBDIVISION COMMITTEE'S RECOMMENDATION TO THE PLANNING COMMISSION TO APPROVE VESTING TENTATIVE TRACT MAPS 18009 THROUGH 18014, 18016 AND 18019, FOR NEIGHBORHOOD 3 OF PLANNING AREA 1 (ORCHARD HILLS), WITHOUT PREJUDICE, AND REMANDING TO THE PLANNING COMMISSION VESTING TENTATIVE TRACT MAPS 18009 THROUGH 18014, 18016 AND 18019, FOR PLANNING COMMISSION REVIEW AND ACTION

WHEREAS, applications 00674560-PTT, 00674566-PTT, 00680841-PTT, 00674570-PTT, 00674581-PTT, 00674591-PTT, 00674601-PTT and 00674596-PTT for Vesting Tentative Tract Maps 18009 through 18014, 18016, and 18019 were filed by Irvine Company Community Development to further subdivide lots created by Tract 16530; and

WHEREAS, the subject property is located on land that is designated Low Density Residential by the City's Land Use Element of the General Plan; and

WHEREAS, the subject property is located on land that is designated 2.2D, Low Density Residential by the Official Zoning Map of the City of Irvine; and

WHEREAS, community park land dedication requirements for Planning Area 1 (Orchard Hills) was previously addressed through compliance with the Community Parks Plan for Planning Areas (PA) 1 and 2 and the Northern Sphere (File No. 00321912-PPP), as amended; and

WHEREAS, the neighborhood park land dedication requirements for PA 1 (Orchard Hills) was previously addressed through compliance with approved Park Plan 00634214-PPK; and

WHEREAS, Vesting Tentative Tract Maps 18009 through 18014, 18016 and 18019 are considered a "project" as defined by the California Environmental Quality Act (CEQA); and

WHEREAS, on November 24, 2016 a notice of the Subdivision Committee public meeting was published in the Irvine World News and on November 29, 2016, notices were mailed to property owners, residents and homeowners associations within a 500-foot radius of Neighborhood 3 and were posted at the project site as well as the City's standard posting locations; and

WHEREAS, on December 14, 2016, the Subdivision Committee of the City of Irvine reviewed these applications and recommended Planning Commission approval unanimously, with all members present; and

WHEREAS, on December 15, 2016, an appeal of the Subdivision Committee's recommendation was timely filed with the City Clerk's Office; and

WHEREAS, on December 22, 2016 notice of City Council public hearing was published in the Orange County Register and mailed to property owners, residents and homeowners associations within a 500-foot radius of Neighborhood 3 and were posted at the project site as well as the City's standard posting locations; and

WHEREAS, the City Council of the City of Irvine has considered the appellant's appeal, together with information presented by the Community Development Department, the applicant, and other interested parties at a duly noticed public hearing held on January 10, 2017; and

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY RESOLVE as follows:

SECTION 1. That the City Council of the City of Irvine hereby denies the appeal of the Subdivision Committee's recommendation to the Planning Commission to approve Vesting Tentative Tract Map 18009 through 18014, 18016, and 18019, for Neighborhood 3 of Planning Area 1 (Orchard Hills), thereby sustaining the recommendation of approval from the Subdivision Committee to the Planning Commission, without prejudice, in that the City Council has substantial evidence before it at this time to:

- A. Find that, pursuant to Section 15168 of the State of California Environmental Quality Act (CEQA) Guidelines, this project is within the scope of the project covered by previously certified EIR prepared for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change (State Clearinghouse No. 2004041080), which serves as the EIR for these proposed projects. The effects of the project were examined in the previously Certified EIR and all feasible mitigation measures and alternatives developed in the Program EIR are incorporated into this project, such that the EIR is adequate to serve as the EIR for this project and satisfies all requirements of CEQA.
- B. Find that all applicable mitigation measures identified in the previously Certified EIR have been incorporated into the project or have been previously applied. These measures propose to mitigate any potential significant environmental effects thereof, where feasible.
- C. Find that pursuant to Fish and Game Code Section 7.11.4 (C) and the conclusions of previously Certified EIR, the City made a finding that the

project involves no potential adverse effects, either individually or cumulatively, on wildlife resources, a finding of de minimus impact.

- D. Uphold Subdivision Committee Resolutions 16-996, 16-997, 16-998, 16-999, 16-1000, 16-1001, 16-1002, and 16-1003, recommending approval of Vesting Tentative Tract Maps 18009 through 18014, 18016, and 18019.

SECTION 2. That Vesting Tentative Tract Maps 18009 through 18014, 18016 and 18019 are hereby remanded to the Planning Commission, with the recommendation of approval by the Subdivision Committee, for Planning Commission review and approval, conditional approval, or denial of the identified maps. Consistent with the City's Subdivision Ordinance, the decision of the Planning Commission with respect to the identified maps shall be final unless appealed to the City Council, as set forth in the City's Municipal Code. If the Planning Commission decision on the identified maps is ultimately appealed to the City Council, the City Council's review of that decision shall be de novo and based upon the evidence before it at the public hearing on that appeal, such that the City Council shall not be bound by the statements or findings stated herein.

SECTION 3. That the matter set forth in this resolution is an appeal only of a recommendation, and that the City Council's action in denying the appeal and thereby sustaining the recommendation is not a final approval of Vesting Tentative Tract Maps 18009 through 18014, 18016 and 18019 and does not grant an approval to proceed with the project in any capacity.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular, meeting held on the 10<sup>th</sup> day of January 2017.

\_\_\_\_\_  
MAYOR OF THE CITY OF IRVINE

ATTEST:

\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS  
CITY OF IRVINE            )

I, Molly McLaughlin, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the City Council of the City of Irvine, held on the 10<sup>th</sup> day of January 2017.

AYES:       0   COUNCILMEMBERS:

NOES:       0   COUNCILMEMBERS:

ABSENT:    0   COUNCILMEMBERS:

ABSTAIN:   0   COUNCILMEMBERS:

\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

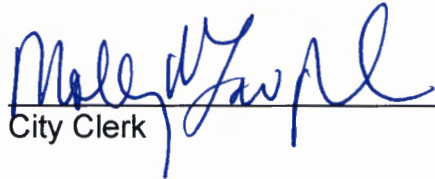
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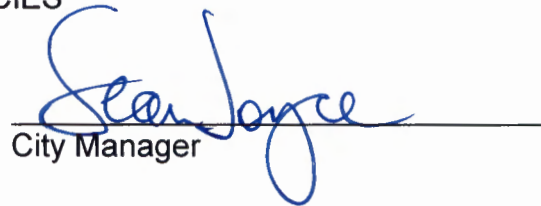


## REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:** JANUARY 10, 2017

**TITLE:** APPROVAL OF APPOINTMENTS OF CITY COUNCIL  
REPRESENTATIVES TO CITY ADVISORY COMMITTEES AND  
GOVERNMENTAL AGENCIES

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Manager

### RECOMMENDED ACTION

1. Appoint City Council delegates and alternates to outside governmental agencies on which the City has representation for the 2017 calendar year.
2. Appoint City Council representatives and approve staff appointments to various City of Irvine advisory Commissions, Committees and Task Forces for the 2017 calendar year.
3. Adopt - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS
4. Adopt Fair Political Practices Commission Public Official Appointment Form 806 and direct the City Clerk to post an amended form to the City website to report any change in appointments to the governmental agencies providing stipends as determined by the City Council.

### EXECUTIVE SUMMARY

Each year, the City Council appoints delegates and alternates to various outside governmental agency boards, as well as City of Irvine advisory committees on which the City Council has representation. The Mayor's recommended appointments are considered annually for the ensuing year at the first City Council meeting in January. The rosters listing the current and proposed representatives to each outside governmental agency board are provided as Attachments 1 and 2. The roster listing current representatives to City Commissions, Committees, and Task Forces is provided as Attachment 3. Mayor Wagner's proposed appointments for the 2017 calendar year are also identified on the attached rosters for City Council consideration and action.

## **COMMISSION/BOARD/COMMITTEE RECOMMENDATION**

Annual appointments to governmental agencies are mandatory and are at the discretion of the City Council.

## **ANALYSIS**

Irvine Municipal Code § 1-2-110 requires appointments to regional boards be given consideration on an annual basis to allow all members of the City Council to have an opportunity to represent the City in such a capacity. Delegates that are appointed are required to attend meetings as the City's representative. Alternates would only attend meetings in the delegate's absence. It is the responsibility of the primary delegate to inform the alternate if the former is unable to attend a scheduled meeting.

The City also has various advisory Commissions, Committees and Task Forces, some of which include representation by members of the City Council. These appointments are also historically considered by the City Council each January or as new committees and task forces are formed.

In May 2012, the Fair Political Practices Commission (FPPC) amended Regulation 18705.5. This regulation allows Councilmembers to make, participate in making, or use their official positions to influence decisions concerning their own appointments to positions as officers of the bodies of which they are members, if the appointments are required to be made by the bodies on which the officials are members.

Councilmembers are not required to abstain from their respective appointments to governmental agencies providing stipends; although, as a safeguard, the City Council must adopt and cause to be posted on the City's website FPPC Public Official Appointment Form 806 listing each appointed position, the name of the public official appointed to each position and the stipend paid for the position. The City Council must direct the City Clerk to promptly amend the 2016 Form 806 (Attachment 4) and repost the form to the City's website to reflect changes of appointees as determined by the City Council.

Orange County Fire Authority: The Fire Authority requires member cities to formalize the appointment of a City delegate and alternate by resolution. Adoption of the required resolution is included in the recommended action and is presented as Attachment 5 to this staff report.

### **A. Outside Governmental Agencies**

Mayor Wagner's proposed appointments of 2017 delegate and alternate representatives to outside governmental agencies are identified in the Outside Governmental Agencies rosters (Attachments 1 and 2). Attachment 1 lists governmental agencies that do not provide a stipend, while Attachment 2 lists governmental agencies that do provide a stipend. The rosters also include a brief description of each body, the 2016 designated City Council representatives, and meeting times and locations. Delegates and alternates

appointed to outside government agencies generally serve one-year terms unless otherwise noted.

Staff is proposing the removal of the Orange County Transportation Authority (OCTA) Board of Directors appointment and the Metrolink Southern California Regional Rail Authority Board of Directors appointment from the matrix as the appointee's term ended on January 9, 2017. Subsequent appointments will be made by the agencies indicated on the matrix as the City Council does not have the authority to make these appointments.

**B. In-House Advisory Committees and Task Forces**

Mayor Wagner's proposed appointments of delegate and alternate representatives to serve on City advisory committees and task forces in 2017 are identified in the Roster of City Commissions, Committees, and Task Forces (Attachment 3). The roster includes a brief description of each body, the 2016 designated City Council representatives, and meeting times and locations.

**ALTERNATIVES CONSIDERED**

None. Irvine Municipal Code Section 1-2-110 requires appointments to regional boards be given consideration on an annual basis.

**FINANCIAL IMPACT**

None.

**REPORT PREPARED BY** Molly McLaughlin, City Clerk

**ATTACHMENTS**

1. 2016 Roster - Outside Governmental Agencies (no stipend); includes proposed appointments for 2017
2. 2016 Roster – Outside Governmental Agencies (stipend); includes proposed appointments for 2017
3. 2016 Roster - City of Irvine Boards, Committees, and Task Forces; includes proposed appointments for 2017
4. 2016 Form 806 – Agency Report of Public Appointments
5. Resolution approving appointments to Orange County Fire Authority Board of Directors

## Item No. 6.1

Attachments 1 through 3 will be provided  
under separate cover.

**Agency Report of:  
Public Official Appointments**

**A Public Document**

**1. Agency Name**

CITY OF IRVINE

Division, Department, or Region (If Applicable)

CITY CLERK'S OFFICE

2015 JAN 14 PM 5:50

California Form **806**

For Official Use Only

Designated Agency Contact (Name, Title)

MOLLY MCLAUGHLIN, CITY CLERK

Area Code/Phone Number

(949) 724-6205

E-mail

mollymclaughlin@cityofirvine.org

Page 1 of 2

Date Posted:

01/14/2016

(Month, Day, Year)

**2. Appointments**

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
HOUSING AND COMMUNITY DEVELOPMENT COMMISSION - OC (PENDING APPT. BY BOARD OF SUPERVISORS)	<p>▶ Name <u>SCHOTT, LYNN</u> (Last, First)</p> <p>Alternate, if any <u>N/A</u> (Last, First)</p>	<p>▶ <u>1 / 12 / 16</u> Appt Date</p> <p>▶ <u>ONE YEAR</u> Length of Term</p>	<p>▶ Per Meeting: \$ <u>50.00</u></p> <p>▶ Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other</p>
METROLINK SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY BOARD OF DIRECTORS	<p>▶ Name <u>N/A</u> (Last, First)</p> <p>Alternate, if any <u>LALLOWAY, JEFFREY</u> (Last, First)</p>	<p>▶ <u>1 / 26 / 15</u> Appt Date</p> <p>▶ <u>N/A</u> Length of Term</p>	<p>▶ Per Meeting: \$ <u>100.00</u></p> <p>▶ Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other</p>
ORANGE COUNTY FIRE AUTHORITY	<p>▶ Name <u>LALLOWAY, JEFFREY</u> (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>▶ <u>1 / 12 / 16</u> Appt Date</p> <p>▶ <u>ONE YEAR</u> Length of Term</p>	<p>▶ Per Meeting: \$ <u>100.00</u></p> <p>▶ Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other</p>
ORANGE COUNTY SANITATION DISTRICT	<p>▶ Name <u>CHOI, STEVEN</u> (Last, First)</p> <p>Alternate, if any <u>SCHOTT, LYNN</u> (Last, First)</p>	<p>▶ <u>1 / 12 / 16</u> Appt Date</p> <p>▶ <u>ONE YEAR</u> Length of Term</p>	<p>▶ Per Meeting: \$ <u>212.50</u></p> <p>▶ Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input checked="" type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other</p>

**3. Verification**

I have read and understand FPPC Regulation 18705.5. I have verified that the appointment and information identified above is true to the best of my information and belief.

Signature of Agency Head or Designee

SEAN JOYCE

Print Name

CITY MANAGER

Title

1/13/2016

(Month, Day, Year)

Comment:

FPPC Form 806 (6/13)

FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

**Agency Report of:  
Public Official Appointments  
Continuation Sheet**

California **806**  
Form  
A Public Document

Page 2 of 2

**1. Agency Name**

CITY OF IRVINE

Date Posted: 01/14/2016  
(Month, Day, Year)

**2. Appointments**

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
ORANGE COUNTY TRANSPORTATION AUTHORITY	▶ Name <u>LALLOWAY, JEFFREY</u> (Last, First)  Alternate, if any <u>N/A</u> (Last, First)	▶ <u>1 / 13 / 15</u> Appt Date  ▶ <u>TWO YEARS</u> Length of Term	▶ Per Meeting: \$ <u>100.00</u>  ▶ Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input checked="" type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT	▶ Name <u>SCHOTT, LYNN</u> (Last, First)  Alternate, if any <u>N/A</u> (Last, First)	▶ <u>1 / 12 / 16</u> Appt Date  ▶ <u>TWO YEAR</u> Length of Term	▶ Per Meeting: \$ <u>100</u>  ▶ Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL	▶ Name <u>CHOI, STEVEN</u> (Last, First)  Alternate, if any <u>N/A</u> (Last, First)	▶ <u>1 / 8 / 14</u> Appt Date  ▶ <u>TWO YEAR</u> Length of Term	▶ Per Meeting: \$ <u>120.00</u>  ▶ Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
TRANSPORTATION CORRIDOR AGENCY - FOOTHILL / EASTERN	▶ Name <u>SHEA, CHRISTINA</u> (Last, First)  Alternate, if any <u>SCHOTT, LYNN</u> (Last, First)	▶ <u>1 / 12 / 16</u> Appt Date  ▶ <u>ONE YEAR</u> Length of Term	▶ Per Meeting: \$ <u>120.00</u>  ▶ Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
TRANSPORTATION CORRIDOR AGENCY - SAN JOAQUIN HILLS	▶ Name <u>SHEA, CHRISTINA</u> (Last, First)  Alternate, if any <u>SCHOTT, LYNN</u> (Last, First)	▶ <u>1 / 12 / 16</u> Appt Date  ▶ <u>ONE YEAR</u> Length of Term	▶ Per Meeting: \$ <u>120.00</u>  ▶ Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other
	▶ Name _____ (Last, First)  Alternate, if any _____ (Last, First)	▶ _____ Appt Date  ▶ _____ Length of Term	▶ Per Meeting: \$ _____  ▶ Estimated Annual: <input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000 <input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> Other

CITY COUNCIL RESOLUTION NO. 17-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
IRVINE, CALIFORNIA, DESIGNATING AND APPOINTING  
ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE  
AUTHORITY'S BOARD OF DIRECTORS

WHEREAS, the City, as a "member" of the Orange County Fire Authority Joint Powers Authority (JPA) is entitled to appoint a representative director ("Director") to the Orange County Fire Authority's Board of Directors, and

WHEREAS, each member agency, by resolution of its governing body, shall designate and appoint one representative to act as its Director on the Authority Board of Directors, except the County whose Board of Supervisors shall appoint two representatives to act as its Directors, and

WHEREAS, each Director shall be a current elected member of the governing body, and

WHEREAS, each Director shall hold office until the selection of a successor by the appointing body, and

WHEREAS, each Director is to serve at the pleasure of his or her appointing body and may be removed at any time, with or without cause, at the sole discretion of that appointing body, and

WHEREAS, any vacancy shall be filled in the same manner as the original appointment of a Director.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Irvine, California, does hereby designate and appoint Councilmember \_\_\_\_\_ as its Director to the Orange County Fire Authority Board of Directors.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular meeting held on the 10<sup>th</sup> day of January 2017.

\_\_\_\_\_  
MAYOR OF THE CITY OF IRVINE

ATTEST:

\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

STATE OF CALIFORNIA   )  
COUNTY OF ORANGE    ) SS  
CITY OF IRVINE         )

I, MOLLY MCLAUGHLIN, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Irvine, held on the 10<sup>th</sup> day of January 2017.

AYES:                   COUNCILMEMBERS:

NOES:                   COUNCILMEMBERS:

ABSENT:                COUNCILMEMBERS:

ABSTAIN:               COUNCILMEMBERS:

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CITY CLERK OF THE CITY OF IRVINE

6.2

RECEIVED  
CITY OF IRVINE  
CITY CLERK'S OFFICE

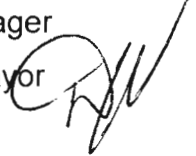
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DEC 27 2016

CITY OF IRVINE  
CITY MANAGER'S OFFICE

# Memo

To: Sean Joyce, City Manager  
From: Donald P. Wagner, Mayor   
Date: December 27, 2016  
Re: **Request for City Council Consideration of Enhanced Traffic Management Matters**

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Please place on the January 10, 2017 City Council agenda, a discussion of traffic management matters for consideration by the City Council. Chief among the features of my mayoral platform was an initiative of enhanced traffic management measures and Council oversight to address growing vehicular congestion. This issue was heard throughout the campaign by all of the candidates. It is therefore important that the entire Council address the issue of enhancing traffic mitigation measures to help traffic move through Irvine as efficiently as possible.

Irvine is a growing community that has, since its incorporation in 1971, remained among the nation's most desirable places to live, work, and play. We must ensure that measures are in place to maintain and enhance the quality of life for our residents. Sales of new and pre-existing residential and commercial property and traditionally low unemployment figures bear witness to the fact that Irvine remains among southern California's most highly sought after communities. But that success and the region's dependence upon single passenger vehicles also means increasingly congested roadways.

To address the traffic congestion during peak periods, I suggest the City Council consider immediately taking the following steps:

1. Direct the City Manager to return in February with implementing resolutions and/or ordinances as necessary to reinstate the previously existing City of Irvine Transportation Commission. At a minimum, this commission should be tasked with thoroughly evaluating development proposals to ensure that any impact to traffic as a result of the proposed development is appropriately mitigated, monitoring progress of traffic capital projects, reviewing and providing input on multi-jurisdictional signal coordination and local arterial efforts and providing guidance on transit planning and traffic safety matters. The commission should be established as a recommending body to the Planning Commission and/or City Council based on the development project under review.

2. Direct the City Manager to immediately initiate a recruitment for a Transportation Manager to oversee all aspects of transportation matters, including traffic management and transit planning, and to serve as the staff liaison to the proposed Transportation Commission. This position should be filled using an existing vacant full-time position to maintain the City's budgeted position count.
3. Direct the City Manager to develop scope and cost estimates for the following new traffic management initiatives:
  - a. **Adaptive Traffic Control Pilot Project** – Implement technology enhancements along a selected corridor (such as Von Karman) using successfully employed best practices to enable immediate real-time signal timing adjustments based on detection of traffic volumes to provide appropriate signal green time to the direction in need. This pilot project should be implemented and evaluated by traffic industry experts and a report of its effectiveness provided to the proposed Transportation Commission and City Council upon completion.
  - b. **Enhance Local Transit Routes** – Develop concept plans and recommendations for a new community shuttle circulator providing shuttle service throughout the center core of the City offering an alternative to single occupancy trips for Irvine residents
  - c. **Promote Active Transportation, Staggered Business Hours & Ridesharing** – Develop a community outreach program promoting nontraditional business practices such as staggered business hours or non-peek delivery periods, alternatives to commuter and recreational vehicle trips, and/or bicycling and walking alternatives, including incentives for participating businesses and organizations.

I look forward to discussing these issues with my City Council colleagues.

cc: City Council  
Molly McLaughlin, City Clerk