

# AGENDA

## SUBDIVISION COMMITTEE REGULAR MEETING

August 27, 2014

9:00 AM

Irvine Civic Center  
One Civic Center Plaza  
Conference Room L102  
Irvine, California

### CALL TO ORDER

### ROLL CALL

COMMITTEE MEMBER (CD):	KIRKPATRICK
COMMITTEE MEMBER (CS):	REYNOLDS
COMMITTEE MEMBER (PW):	CARROLL
COMMITTEE MEMBER (TRANS):	LAU
CHAIR (CD):	JACOBS

### ADDITIONS AND DELETIONS TO THE AGENDA

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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 Committee meeting.

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### PUBLIC COMMENTS

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Any member of the public may address the Committee on items within the Committee'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. PUBLIC COMMENTS are scheduled for 30 minutes and are limited to 3 minutes per person.

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## COMMITTEE BUSINESS

None.

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Public Hearings are scheduled for a time certain of 9 a.m., unless noticed otherwise, or as soon thereafter as possible. Those wishing to address the Committee during the Public Hearing must complete a form and provide it to the Recording Secretary prior to the hearing.

Notice: If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing

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- 1. VESTING TENTATIVE TRACT MAP 17757 (00600340-PTT) TO SUBDIVIDE A TOTAL OF 34.26-ACRES INTO 4 NUMBERED LOTS FOR FUTURE RESIDENTIAL DEVELOPMENT AND 15 LETTERED LOTS FOR LANDSCAPING PURPOSES IN PLANNING AREA 6 (PORTOLA SPRINGS)**

RECOMMENDED ACTION:

1. Reopen public meeting; receive public input; Committee comments and questions.
  2. Close the public meeting.
  3. Adopt Resolution No. 14-930 entitled - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17757 (00600340-PTT) TO SUBDIVIDE A TOTAL OF 34.26-ACRES INTO 4 NUMBERED LOTS FOR FUTURE RESIDENTIAL DEVELOPMENT AND FIFTEEN LETTERED LOTS FOR LANDSCAPING PURPOSES GENERALLY LOCATED AT THE NORTHEAST CORNER OF IRVINE BOULEVARD AND MODJESKA IN PLANNING AREA 6 (PORTOLA SPRINGS), FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
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- 2. VESTING TENTATIVE TRACT MAP 17666 TO SUBDIVIDE A 3.65-GROSS ACRE LOT FOR CONDOMINIUM PURPOSES IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT OF 287 RESIDENTIAL UNITS IN THE IRVINE BUSINESS COMPLEX (IBC) (PLANNING AREA 36)**

RECOMMENDED ACTION:

1. Open public meeting; receive public input; Committee comments and questions.
2. Close public meeting.
3. Adopt Resolution No. 14-931 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT

MAP 17666 (FILE NO. 00583914-PTT) TO SUBDIVIDE 3.65-GROSS ACRES INTO ONE NUMBERED LOT FOR 287 ATTACHED RESIDENTIAL CONDOMINIUM PURPOSES; LOCATED A THE NORTHWEST CORNER OF VON KARMAN AND MARTIN IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY GREAT FAR EAST

**3. VESTING TENTATIVE TRACT MAP 17614 FOR RESIDENTIAL CONDOMINIUM PURPOSES IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX) (IBC)**

RECOMMENDED ACTION:

1. Open public meeting; receive public input; Committee comments and questions.
2. Close public meeting.
3. Adopt Resolution No. 14-932 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17614 (FILE NO. 00571126-PTT) TO SUBDIVIDE 3.56 NET-ACRES INTO ONE NUMBERED LOT FOR DEVELOPMENT OF 280 ATTACHED RESIDENTIAL UNITS FOR CONDOMINIUM PURPOSES LOCATED AT NORTHWEST CORNER OF MURPHY AVENUE AND MCGAW AVENUE IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY 360° RESIDENTIAL

**4. VESTING TENTATIVE TRACT MAPS 17710, 17722, AND 17746 FOR PHASES TWO THROUGH FOUR OF NEIGHBORHOOD 1 OF PLANNING AREA 1 (ORCHARD HILLS)**

RECOMMENDED ACTION:

1. Open public meeting; receive public input; Committee comments and questions.
2. Close public meeting.
3. Adopt Resolution No. 14-926 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17710 (FILE NO. 00595880-PTT) TO SUBDIVIDE 233.71 GROSS-ACRES INTO 185 NUMBERED LOTS AND 52 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 185 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
4. Adopt Resolution No. 14-927 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17722 (FILE NO. 00596588-PTT) TO SUBDIVIDE 115.30 GROSS-ACRES INTO 374 NUMBERED LOTS AND 128 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 373 SINGLE-FAMILY DETACHED RESIDENTIAL

UNITS AND ONE PRIVATE NEIGHBORHOOD PARK; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

5. Adopt Resolution No. 14-928 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17746 (FILE NO. 00598615-PTT) TO SUBDIVIDE 340.40 GROSS-ACRES INTO 223 NUMBERED LOTS AND 104 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 223 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

### **COMMITTEE MEMBER AND STAFF COMMENTS**

### **ADJOURNMENT**

Next Subdivision Committee meeting: September 10, 2014, 9 a.m. Conference Room L102, Irvine City Hall, One Civic Center Plaza, Irvine, California.

## **IRVINE SUBDIVISION COMMITTEE GENERAL INFORMATION**

### **RESPONSIBILITY**

The Subdivision Committee is responsible for determining whether a proposed tentative tract or parcel map complies with the requirements and intent of the Subdivision Ordinance. The Subdivision Committee has the authority to approve, approve with conditions or modifications, or deny parcel maps, all of which require a public hearing. In addition, the Subdivision Committee is a recommending body to the Planning Commission regarding tentative tract maps.

Staff reports are available in the Community Development Department for public review and copying. Please call the Subdivision Committee support staff at 949-724-6401 for assistance or any additional information.

### **HEARING PROCEDURES**

For each hearing item on the agenda, the Chair of the Subdivision Committee will open the public hearing and receive the staff report. After asking any questions of staff, the Chair of the Subdivision Committee will invite interested parties, including the project applicant, to present testimony. There is a 5-minute time limit to address the Subdivision Committee with your comments. Following his/her own comments, the Subdivision Committee will close the public hearing or continue the project to the next hearing if additional information is required. If the hearing is closed, the Subdivision Committee will adopt a resolution approving or denying the project. If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

### **APPEALS**

Any person who owns property or resides within 500 feet of the exterior boundaries of the subject property, the applicant, or a member of the City Council may appeal the determination of the Subdivision Committee to the City Council. All appeals must be in writing, state the reasons for the appeal and be submitted within 15 days of the decision to the City Clerk. The appeal shall be accompanied by a \$245 deposit. The City Council will hold a public hearing on the appeal within 60 days of receipt of the appeal. Decisions of the City Council are final.

### **MEETING SCHEDULE**

The Subdivision Committee meets at 9 a.m. on the second and fourth Wednesday of each month in conference room L102 at the Irvine City Hall located at One Civic Center Plaza. Agendas are available as follows:

- Public Safety
- City's Web page at [www.ci.irvine.ca.us](http://www.ci.irvine.ca.us)

**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 Community Development Department at 949-724-6401.

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).

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

I declare under penalty of perjury that I am employed by the City of Irvine in the Community Development Department and that I posted this agenda in the binder located in the lobby of the Public Safety Department, One Civic Center Plaza, Irvine, California 92606.

Dated: August 22, 2014 Jeanne Zimmerman  
Secretary

AGENDA ITEM NO 1



# REQUEST FOR SUBDIVISION COMMITTEE ACTION

**MEETING DATE:** AUGUST 27, 2014

**TITLE:** VESTING TENTATIVE TRACT MAP 17757 (FILE NO. 00600340-PTT) TO SUBDIVIDE A TOTAL OF 34.26 - ACRES INTO FOUR NUMBERED LOTS FOR FUTURE RESIDENTIAL DEVELOPMENT AND 15 LETTERED LOTS FOR LANDSCAPING PURPOSES IN PLANNING AREA 6 (PORTOLA SPRINGS)

Principal Planner

## RECOMMENDED ACTION

1. Reopen public meeting; receive public input; Committee comments and questions.
2. Close the public meeting.
3. Adopt Resolution No. 14-930 entitled - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17757 (FILE NO. 00600340-PTT) TO SUBDIVIDE A TOTAL OF 34.26 - ACRES INTO FOUR NUMBERED LOTS FOR FUTURE RESIDENTIAL DEVELOPMENT AND 15 LETTERED LOTS FOR LANDSCAPING PURPOSES GENERALLY LOCATED AT THE NORTHEAST CORNER OF IRVINE BOULEVARD AND MODJESKA IN PLANNING AREA 6 (PORTOLA SPRINGS), FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

## EXECUTIVE SUMMARY

This project was originally scheduled for the July 23, 2014, Subdivision Committee, but was continued to the August 27, 2014, meeting at the request of the applicant.

The Irvine Community Development Company is requesting approval of Vesting Tentative Tract Map 17757 in Planning Area 6 (Portola Springs) to subdivide 34.26-acres to facilitate development of up to 694 residential units.

The proposed tract map encompasses the southern portion of Neighborhood 3 of Planning Area 6. This Planning Area is also within the Northern Sphere, and therefore, subject to the terms and provisions of the Northern Sphere Development Agreement (DA). There are no regulations within the DA that affect subdivision of land, as proposed with this project, but there are development standards that will apply to subsequent master plan designs.

Staff has reviewed the subdivision and determined the proposed tract map complies with Irvine's Subdivision Ordinance, Zoning Code, and Subdivision Manual (SC Attachment 2 and 3).



Staff recommends the Subdivision Committee recommend approval of Vesting Tentative Tract Map 17757 (00600340-PTT) to the Planning Commission subject to conditions of approval and based on findings of fact as contained in Subdivision Resolution No. 14-930, (SC Attachment 5).

## **COMMISSION/BOARD/COMMITTEE RECOMMENDATION**

Not applicable.

## **ANALYSIS**

### *PROJECT DESCRIPTION*

The project site is a part of the larger Northern Sphere area, which is bounded to the north by Still Night, to the south by Irvine Boulevard, to the east by Planning Area 51 and to the west by Modjeska. The project site is illustrated by the Vicinity Map (SC Attachment 1).

The map proposes to divide the site into four numbered lots with a total area of 25.86 acres. The remainder of the site will be divided into 15 lots to create Home Owners Association maintained landscaped lots.

The project site will take access from Still Night and Oakforest.

### *General Plan Compliance*

The subject property is designated Medium Density Residential in the City's Land Use Element of the General Plan. This land use category is intended for development of attached and detached residential units. The Medium Density Residential designation establishes a density range of 0-10 units per gross acre, although the specific development standards for Planning Area 6 allow for individual project densities up to 31 units per net acre. The project proposes a total of up to 694 dwelling units across 34.26 - gross acres for a density of 20.26 du/gross acre.

### *Zoning Compliance*

The subject property is designated 2.3K Medium Density Residential in the City's Zoning Code. This designation allows for attached and detached residential development. Individual residential projects in Medium Density Category 2.3K may exceed 12.5 dwelling units/net acre. However, no individual project may exceed 31.0 dwelling units/net acre and the overall density within the 2.3K zoning across Planning Area 6 cannot exceed 12.5 dwelling units/net acre, although individual projects may reach up to 31 units per net acre. This project proposes a total of up to 694 dwellings across the 25.83 net-acre project site for a density of 26.87 du/net acre.

### *Traffic Analysis*

A traffic technical memo was prepared to provide a supplemental review and discussion of the intersections and access points within these tracts. The memo concluded that no additional mitigation measures are required as the existing and planned street network will adequately serve the project site.

### *Maximum Dwelling Units*

Planning Area 6 has been approved for the maximum development of 4,670 residential units. To date, approximately 2,615 units have been constructed or approved and this map will facilitate up to an additional 694 units, which is still under the maximum development allowance.

### *PARKLAND DEDICATION*

This subdivision's community parkland dedication requirements have been addressed in the Community Parks Plan for Planning Area 1 & 2 and the Northern Sphere 00321912-PPP. The neighborhood park dedication requirement has similarly been satisfied by the Neighborhood Park Plan 00381138-PPP for Planning Area 6. No additional dedication or in-lieu fees are required for this project.

### *PUBLIC OUTREACH*

Public meeting notices were mailed to all property owners and residents within 500 feet of the project site, and posted at City-designated locations. To date, staff has received no comments on these applications.

### **ENVIRONMENTAL REVIEW**

Pursuant to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines, this project is covered by a previously certified EIR for the Northern Sphere Area (SCH# 2001051010) for Planning Areas 3, 5B, 6, 9 and a portion of Planning Area 8, which serves as the 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 and no new mitigation measures are required. Therefore, the Program EIR is determined to be adequate to serve as the environmental document for this project and satisfies all requirements of CEQA. A copy of the Program EIR Environmental Evaluation is attached (SC Attachment 4).

### **ALTERNATIVES CONSIDERED**

The proposed map complies with the Irvine Subdivision Ordinance, Irvine Subdivision Manual, and the Zoning Code of the City of Irvine. Therefore, no alternative to the proposed project was considered.

## **FINANCIAL IMPACT**

The City's Strategic Business Plan and the budgeting process account for the overall development of the Northern Sphere area consistent with the City's General Plan.

## **REPORT PREPARED BY**

Joel Belding, Senior Planner

## **ATTACHMENTS**

Attachment 1: Vicinity Map

Attachment 2: Subdivision Committee Information Sheet

Attachment 3: Vesting Tentative Tract Map No. 17757

Attachment 4: Program EIR Environmental Evaluation Form

Attachment 5: Subdivision Resolution No. 14-930 recommending approval of Vesting Tentative Tract Map 17757 (00600340-PTT)

cc: Jeff Davis, Irvine Company ([jsdavis@irvinecompany.com](mailto:jsdavis@irvinecompany.com))

File: 00600340-PTT



SC ATTACHMENT 1

**SUBDIVISION COMMITTEE INFORMATION SHEET  
 VESTING TENTATIVE TRACT MAP NO. 17757  
 (FILE NO. 00600340-PTT)  
 PLANNING AREA 6**

Meeting Date: August 27, 2014

Applicant: Irvine Community Development Company

Staff Recommends: Approval of Vesting Tentative Tract Map No. 17757 to create 4 numbered lots and 15 lettered lots to allow for development of 694 residential units.

Legal Description: Lots E and F and a portion o Still Night of Tract 17143, M.M. 889/46-50 together with portions of Parcels 1 and 3 of L.L.A. 2003-007, O.R. 200300416458, all within the City of Irvine, County of Orange, State of California

Site Size: 34.26 gross acres

Location: The area is bounded by Irvine Boulevard to the south, Modjeska to the west and Still Night to the north.

Topography: Generally flat

General Plan: Medium Density Residential

Existing Zoning: 2.3K Medium Density Residential

Existing Land Use: Vacant

**ADJACENT ZONING/ LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.3K Medium Density Residential	Future Residential
East:	8.1 Trails and Transit Oriented Development	Vacant
West:	1.3 Conservation Open Space Reserve	Ag Fields
South:	8.1 Trails and Transit Oriented Development	Vacant

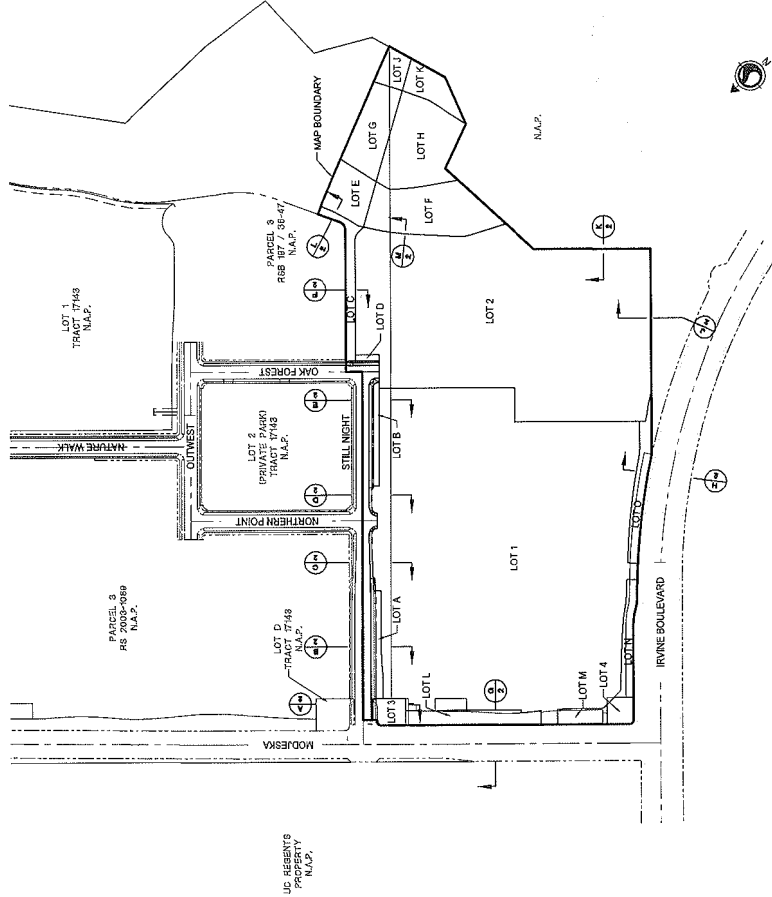
# VESTING TENTATIVE TRACT MAP NO. 17757

## GENERAL NOTES

1. CLOSING LAND USE:
  - RESIDENTIAL - SINGLE-FAMILY RESIDENTIAL / SINGLE SPACE RESIDUAL
  - COMMERCIAL - OFFICE, PROFESSIONAL, INSTITUTIONAL / COMMERCIAL
  - INDUSTRIAL - MANUFACTURING, DISTRIBUTION, STORAGE / INDUSTRIAL
  - LANDSCAPING - LANDSCAPING
2. ADJACENT LAND USE:
  - RESIDENTIAL - MEDIUM DENSITY RESIDENTIAL
3. GENERAL PLAN USE:
  - 2.5A MEDIUM DENSITY RESIDENTIAL
4. ZONING:
  - 2.5A MEDIUM DENSITY RESIDENTIAL
5. GAS SERVICE WILL BE PROVIDED BY THE SOUTHERN CALIFORNIA GAS COMPANY.
6. ELECTRICAL SERVICE WILL BE PROVIDED BY THE SOUTHERN CALIFORNIA Edison COMPANY.
7. ALL ELECTRICAL DISTRIBUTION LINES WILL BE TRACED UNDERGROUND.
8. TELEPHONE SERVICE WILL BE PROVIDED BY SBC.
9. CABLE TV SERVICE WILL BE PROVIDED BY COMCAST.
10. DOMESTIC WATER, RECLAIMED WATER AND SEWER SERVICE WILL BE PROVIDED BY THE IRVINE WATER RECLAMATION AND SEWER AGENCY. SEE THE PLAN FOR LOCATION.
11. TRACT MAP NO. 17757 WILL BE SUBMITTED TO THE CITY OF IRVINE FOR REVIEW BY THE CITY ENGINEER AND THE CITY PLANNING DEPARTMENT. APPROVED TRACT MAPS WILL BE RECORDED BY THE COUNTY CLERK OF CALIFORNIA.
12. FLOOD ZONE AND BASE FLOOD ELEVATIONS ARE NOT INDICATED. DRAINAGE MANAGEMENT AND FLOOD CONTROL SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. THE CITY ENGINEER SHALL BE CONTACTED FOR FURTHER INFORMATION.
13. PROPOSED WATER FACILITIES, STANDARD DOMESTIC CONNECTIONS TO EXISTING WATER SYSTEM AND SEWER SYSTEM SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. SEE THE PLAN FOR LOCATION.
14. THE DEVELOPER RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS FOR THIS VESTING TENTATIVE TRACT MAP.
15. MATHEMATICAL CALCULATIONS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. THE CITY ENGINEER SHALL REVIEW AND APPROVE SUCH CALCULATIONS.
16. A PORTION OF THE OPEN SPACE SYSTEMS WITHIN THE LIMITS OF THIS PROJECT (ILLUSTRATED ON THE PLAN) SHALL BE CONSIDERED AS OPEN SPACE SYSTEMS AND SHALL BE MAINTAINED AS SUCH. THE CITY ENGINEER SHALL REVIEW AND APPROVE SUCH SYSTEMS.
17. CONSTRUCTION OF WATER MAINS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. THE CITY ENGINEER SHALL REVIEW AND APPROVE SUCH CONSTRUCTION.
18. EXISTING SEWER LINES WILL BE REPAIRED, RELOCATED OR PROTECTED BY PLACE OVERHEAD WATER MAINS ARE TO REMAIN IN THEIR CURRENT UNDEVELOPED LOCATIONS UNLESS OTHERWISE NOTED.
19. TOTAL LENGTH OF PROPOSED STREETS IS APPROXIMATELY 419' L.F.
20. TOTAL PROJECT AREA IS APPROXIMATELY 34.26 ACRES.
21. ALL UTILITIES SHALL BE DEEPER THAN THE EXISTING UTILITIES.
22. ALL UTILITIES SHALL BE DEEPER THAN THE EXISTING UTILITIES.
23. UTILITIES SHALL BE DEEPER THAN THE EXISTING UTILITIES.
24. PROTECT THE OCCUPATION OF A SUBSEQUENT MAP. THE APPLICANT SHALL SUBMIT A PROTECTIVE LETTER WITHIN 90 DAYS OF THE DATE OF RECORDING THIS TENTATIVE TRACT MAP. THIS LETTER SHALL INCLUDE ALL STREETS WITHIN THE PROJECT BOUNDARY. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COST OF THE PROTECTIVE LETTER. ALL UTILITIES SHALL BE DEEPER THAN THE EXISTING UTILITIES.
25. ALL UTILITIES SHOWN OUTSIDE PUBLIC STREET RIGHT OF WAY WILL BE LOCATED IN AN UNDEVELOPED AREA. THE CITY ENGINEER SHALL REVIEW AND APPROVE SUCH UTILITIES.
26. THE CITY ENGINEER SHALL REVIEW AND APPROVE ALL UTILITIES SHOWN ON THIS PLAN. THE CITY ENGINEER SHALL REVIEW AND APPROVE ALL UTILITIES SHOWN ON THIS PLAN.
27. THIS TRACT MAP NO. 17757 IS A PORTION OF TRACT MAP NO. 17757, MAP NO. 17757-1.
28. THESE STREETS, INFRASTRUCTURE, TRAFFIC SIGNALS AND LANDSCAPING HAVE NOT BEEN EXAMINED BY THE CITY ENGINEER. THE CITY ENGINEER SHALL REVIEW AND APPROVE SUCH STREETS, INFRASTRUCTURE, TRAFFIC SIGNALS AND LANDSCAPING.
29. THE CITY ENGINEER SHALL REVIEW AND APPROVE ALL UTILITIES SHOWN ON THIS PLAN.
30. THE CITY ENGINEER SHALL REVIEW AND APPROVE ALL UTILITIES SHOWN ON THIS PLAN.
31. THE CITY ENGINEER SHALL REVIEW AND APPROVE ALL UTILITIES SHOWN ON THIS PLAN.

## LEGAL DESCRIPTION

LOTS 6 AND F AND A PORTION OF STILL RIGHT OF TRACT NO. 17143, A.K.A. 889 / 46-50 TOGETHER WITH PORTIONS OF PARCELS 1 AND 3 OF U.L.L. LL 2003-009, OR 20030016499, ALL WITHIN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA.



## INDEX MAP

SCALE: 1"=150'



## LEGEND

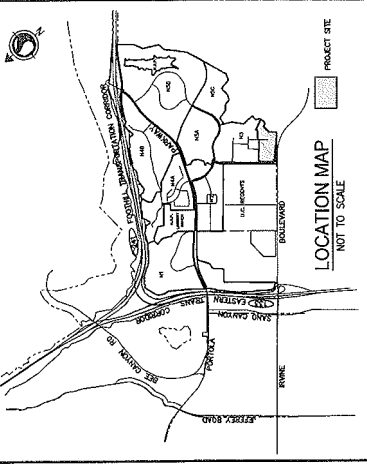
EXISTING	PROPOSED	DESCRIPTION
(S)	(S)	SEWER LINE
(W)	(W)	WATER MAIN LINE
(G)	(G)	GRAVEL SURFACE
(T)	(T)	TOP OF CURB
(F)	(F)	FINISHED SURFACE
(P)	(P)	PRIVATE DRIVE
(D)	(D)	DRIVEWAY
(M)	(M)	MEDIAN
(B)	(B)	BENCH MARK
(E)	(E)	EXISTING EASEMENT
(P)	(P)	PROPOSED EASEMENT
(A)	(A)	ADJACENT PROPERTY

## LIST OF EASEMENTS

- 1. COLL. PUBLIC TRAIL EASEMENT (BOOK 1942 PAGE 48-50) TO BE OBTAINED BY THE CITY OF IRVINE.
- 2. COLL. PUBLIC TRAIL EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.
- 3. COLL. SEWER EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.
- 4. COLL. SEWER EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.
- 5. COLL. EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.
- 6. COLL. EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.

## PROPOSED EASEMENTS

- 1. COLL. SEWER EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.
- 2. COLL. SEWER EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.
- 3. COLL. SEWER EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.
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- 6. COLL. SEWER EASEMENT (BOOK 1942 PAGE 18-20) TO BE OBTAINED BY THE CITY OF IRVINE.



SHEET LEGEND  
 SHEET 1 TITLE/INDEX/STATISTICAL SUMMARY  
 SHEET 2 TYPICAL SECTIONS  
 SHEET 3 TENTATIVE TRACT MAP

## STATISTICAL SUMMARY

### NUMBERED LOTS

LOT #	LOT SIZE (ACRS)	ZONING	PROPOSED USE
1	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
2	0.51	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
3	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
4	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
5	0.51	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
6	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
7	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
8	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
9	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
10	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
11	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
12	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
13	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
14	0.52	2.5A MEDIUM DENSITY RESIDENTIAL	RESIDENTIAL
TOTAL	7.22		

### LETTERED LOTS

LETTER	LOT SIZE (ACRS)	ZONING	PROPOSED USE
A	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
B	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
C	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
D	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
E	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
F	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
G	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
H	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
I	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
J	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
K	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
L	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
M	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
N	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
O	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
P	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
Q	0.15	2.5A MEDIUM DENSITY RESIDENTIAL	LANDSCAPING
TOTAL	6.11		

OWNERSHIP/MAINTENANCE SUMMARY  
 OWNERSHIP AND MAINTENANCE OF INFRASTRUCTURE, UTILITIES AND SERVICES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

## LAND USE SUMMARY

USE	AREA
RESIDENTIAL	34.26
LANDSCAPING	34.26
PARK (PAVED)	0.00
PARK (UNPAVED)	0.00
PRIVATE DRIVE	0.00
PRIVATE STREET	0.00
SEWER EASEMENT	0.00
STREET EASEMENT	0.00
TOTAL	34.26

## UTILITY SUMMARY

UTILITY	TYPE	SIZE	DEPTH	LENGTH
DOMESTIC WATER	1/2" P.C.	1/2"	4' P.C.	150' L.F.
RECLAIMED WATER	1/2" P.C.	1/2"	4' P.C.	150' L.F.
SEWER	1/2" P.C.	1/2"	4' P.C.	150' L.F.

## GRADING QUANTITIES

SEE THE CHINE AREA OF THIS PROPOSED TRACT MAP FOR THE GRADING PLAN. THE GRADING PLAN IS SUBJECT TO THE CITY ENGINEER'S REVIEW AND APPROVAL.

PROJECT NO. 2004262010  
SHEET 1 OF 3

VESTING TENTATIVE TRACT  
MAP NO. 17757  
PLANNING AREA 6 - N3  
FILE NO. 08960349-P/T

3150 ROCKWELL DRIVE, SUITE 100  
IRVINE, CA 92618  
PH: 949.251.2000  
WWW.STANTEC.COM

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SUBDIVIDER: IRVINE COMMUNITY DEVELOPMENT COMPANY LLC  
A DELAWARE LIMITED LIABILITY COMPANY

IRVINE COMMUNITY DEVELOPMENT COMPANY LLC  
A DELAWARE CORPORATION

JAMES YOSHIDA  
VICE PRESIDENT, IRVINE COMMUNITY DEVELOPMENT COMPANY LLC  
AUTHORIZED SIGNATORY

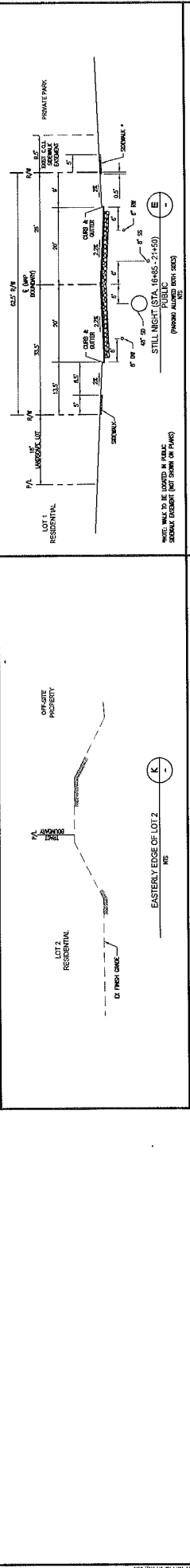
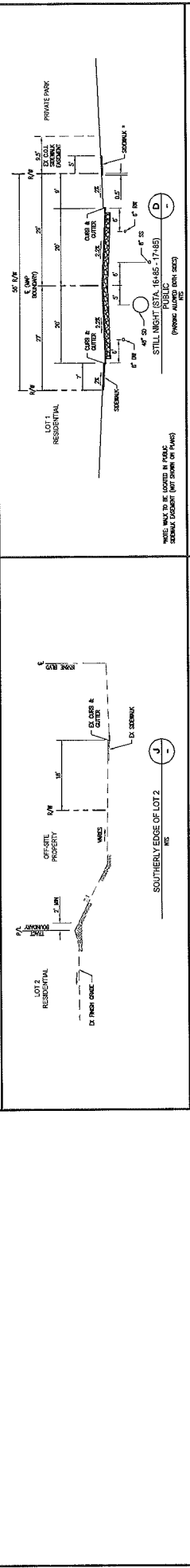
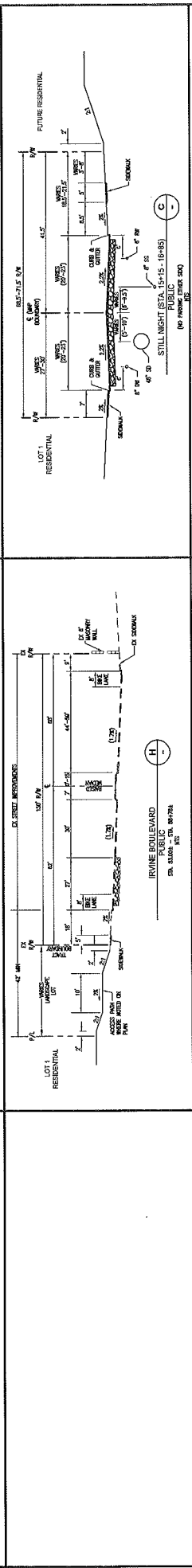
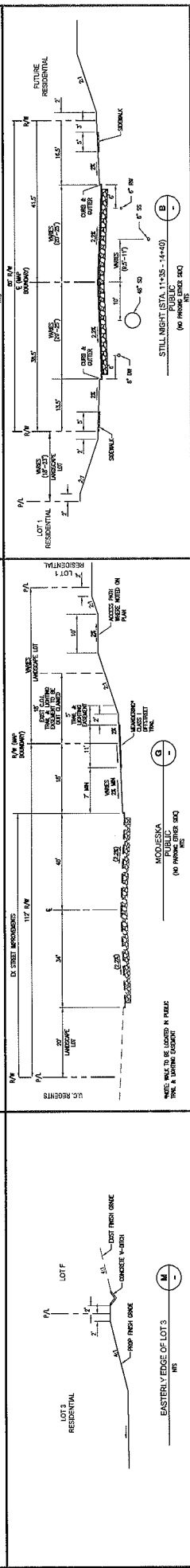
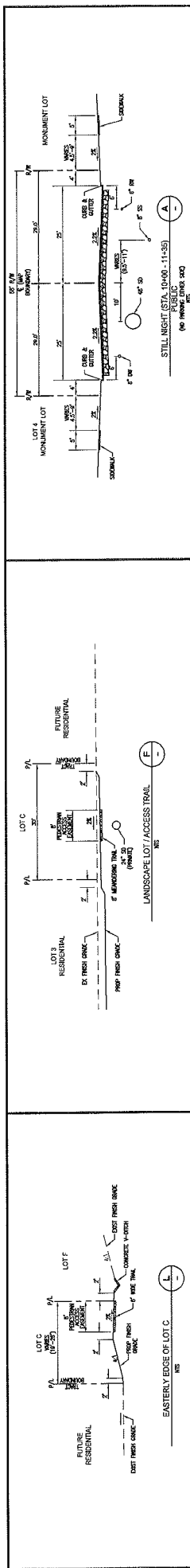
RECORD OWNER:  
IRVINE COMMUNITY DEVELOPMENT COMPANY LLC  
A DELAWARE CORPORATION

JAMES YOSHIDA  
VICE PRESIDENT, IRVINE COMMUNITY DEVELOPMENT COMPANY LLC  
AUTHORIZED SIGNATORY

PROPOSED UNDER THE SUPERVISION OF:

RECORDED BY: [ ]  
DATE: [ ]

DATE: 10/15/15  
PAGE: 10/15/15



**NOTES**

1. ALL FINISHED STREETS ARE PUBLIC UNLESS NOTED OTHERWISE.
2. ALL STREET ADJACENT LOTS TO BE IMPROVED BY THE CITY OF IRVINE.
3. ALL STREETS TO BE IMPROVED BY THE CITY OF IRVINE.
4. PROPOSED ACCESS LOCATIONS SHOWN ON THIS MAP ARE FOR INFORMATION ONLY. THE CITY OF IRVINE RESERVES THE RIGHT TO APPROVE OR DISAPPROVE ANY ACCESS LOCATIONS SUBJECT TO APPLICABLE LAWS AND ORDINANCES, AND APPROVAL BY THE CITY OF IRVINE.

**SEE INDEX SHEET FOR SECTION LOCATIONS**

**TYPICAL STREET SECTIONS**

STREET CROSS SECTIONS SHOWN ARE TYPICAL. THE CITY OF IRVINE RESERVES THE RIGHT TO APPROVE OR DISAPPROVE ANY STREET CROSS SECTIONS SUBJECT TO APPLICABLE LAWS AND ORDINANCES, AND APPROVAL BY THE CITY OF IRVINE.

PROPOSED UNDER THE SUPERVISION OF:

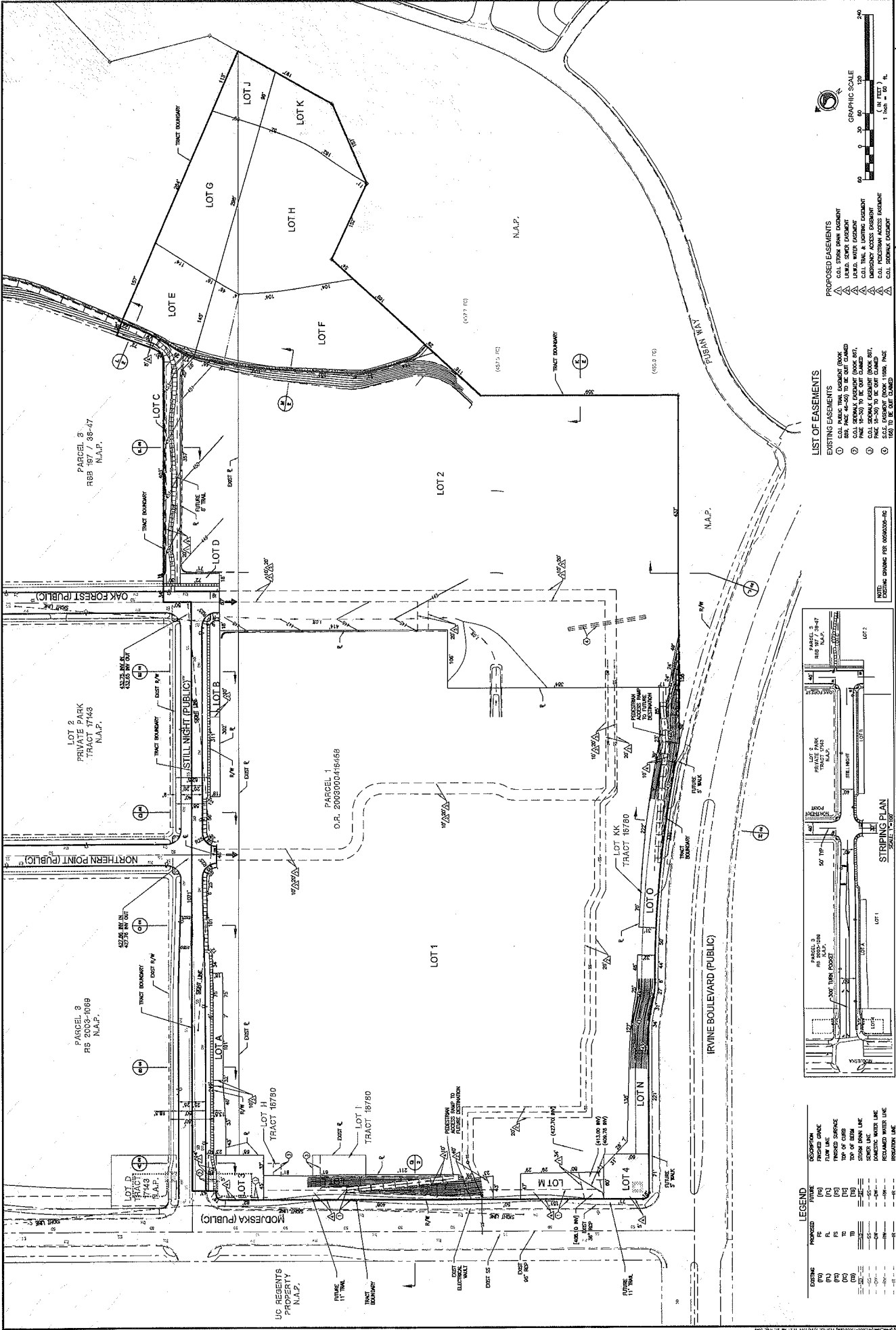
PAULUS J. JANSON

REG. 4147 EXP. 12/31/15

PROJECT NO. 2042492010

SHEET 2 OF 3

VESTING TENTATIVE TRACT MAP NO. 17757 PLANNING AREA 6 - N3 FILE NO. 0860340-PJT



**EXISTING EASEMENTS**

- ① 5' WALKWAY TO BE OBTAINED
- ② 5' WALKWAY TO BE OBTAINED
- ③ 5' WALKWAY TO BE OBTAINED
- ④ 5' WALKWAY TO BE OBTAINED
- ⑤ 5' WALKWAY TO BE OBTAINED
- ⑥ 5' WALKWAY TO BE OBTAINED
- ⑦ 5' WALKWAY TO BE OBTAINED
- ⑧ 5' WALKWAY TO BE OBTAINED
- ⑨ 5' WALKWAY TO BE OBTAINED
- ⑩ 5' WALKWAY TO BE OBTAINED

**PROPOSED EASEMENTS**

- ⑪ 5' WALKWAY TO BE OBTAINED
- ⑫ 5' WALKWAY TO BE OBTAINED
- ⑬ 5' WALKWAY TO BE OBTAINED
- ⑭ 5' WALKWAY TO BE OBTAINED
- ⑮ 5' WALKWAY TO BE OBTAINED
- ⑯ 5' WALKWAY TO BE OBTAINED
- ⑰ 5' WALKWAY TO BE OBTAINED
- ⑱ 5' WALKWAY TO BE OBTAINED
- ⑲ 5' WALKWAY TO BE OBTAINED
- ⑳ 5' WALKWAY TO BE OBTAINED

**LIST OF EASEMENTS**

NO.	DESCRIPTION	DATE
1	5' WALKWAY TO BE OBTAINED	
2	5' WALKWAY TO BE OBTAINED	
3	5' WALKWAY TO BE OBTAINED	
4	5' WALKWAY TO BE OBTAINED	
5	5' WALKWAY TO BE OBTAINED	
6	5' WALKWAY TO BE OBTAINED	
7	5' WALKWAY TO BE OBTAINED	
8	5' WALKWAY TO BE OBTAINED	
9	5' WALKWAY TO BE OBTAINED	
10	5' WALKWAY TO BE OBTAINED	
11	5' WALKWAY TO BE OBTAINED	
12	5' WALKWAY TO BE OBTAINED	
13	5' WALKWAY TO BE OBTAINED	
14	5' WALKWAY TO BE OBTAINED	
15	5' WALKWAY TO BE OBTAINED	
16	5' WALKWAY TO BE OBTAINED	
17	5' WALKWAY TO BE OBTAINED	
18	5' WALKWAY TO BE OBTAINED	
19	5' WALKWAY TO BE OBTAINED	
20	5' WALKWAY TO BE OBTAINED	

**STRENGTHENING PLAN**

FOR THE STRENGTHENING OF THE

IRVINE BOULEVARD (PUBLIC)

PREPARED UNDER THE SUPERVISION OF:

DAVID S. JOHNSON

REG. CIVIL ENG. 12/27/15

DATE: 08/14/15

SCALE: AS SHOWN

PROJECT NO. 2004292010

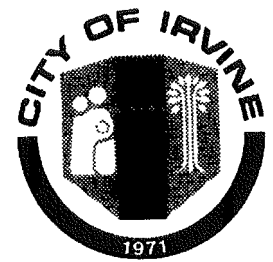
MAP NO. 17757

PLANNING AREA 6 - N3

FILE NO. 00000940-PTT



City of Irvine  
Community Development Department  
P.O. Box 19575  
Irvine, CA 92623-9575



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

**NORTHERN SPHERE - PA 6**

**SECTION I. PROJECT INFORMATION**

PROJECT TITLE AND NUMBER: Vesting Tentative Tract Map 17757 (00600340-PTT); Planning Area 6

---

PROGRAM EIR NAME:  
Vesting Tentative Tract Map 17757; Planning Area 6  
Final Environmental Impact Report and 2012 Addendum

EIR NUMBER:  
SCH# 2001051010

---

PROJECT APPLICANT: Irvine Company Community Development

---

PROJECT LOCATION (SPECIFIED): The project site is on the north side of Irvine Boulevard, east of Modjeska, south of Still Night.

---

PROJECT LOCATION (CITY): Irvine

PROJECT LOCATION (COUNTY): Orange

---

PROJECT DESCRIPTION: Vesting Tentative Tract Map 17757 will subdivide approximately 34.26 acres for residential development. The tract map will create 4 numbered lots and 15 lettered lots.

GENERAL PLAN LAND USE DESIGNATIONS: Medium Density Residential

ZONING DESIGNATIONS: 82.3K Medium Density Residential

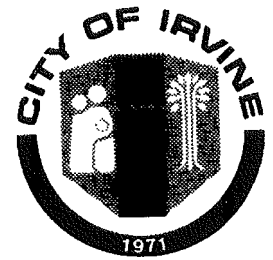
PREPARED BY: Joel Belding  
Senior Planner  
City of Irvine

DATE: August 1, 2014

APPROVED BY: Stephen Higa, AICP  
Principal Planner  
City of Irvine

DATE: August 8, 2013

City of Irvine  
Community Development Department  
P.O. Box 19575  
Irvine, CA 92623-9575



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

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ZONING DESIGNATIONS: 2.3K Medium Density Residential

PREPARED BY: Joel Belding  
Senior Planner  
City of Irvine

DATE: August 1, 2014

APPROVED BY: Stephen Higa, AICP  
Principal Planner  
City of Irvine

DATE: August 8, 2014

**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.

	<b>Project related impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis</b>	<b>Assigned mitigation measures</b>
1.	<b><u>AESTHETICS.</u></b> Will the proposal:			
	A. Have a substantial adverse effect on a scenic vista?	Yes / <u>No</u>	X	1
	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	1
	C. Substantially degrade the existing visual character or quality of the site and its surroundings?	Yes / <u>No</u>	X	1,112,106
	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	2,3,4,5
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	S.O.C. 6,7,8, 9,10
	B. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Yes / <u>No</u>	X	S.O.C. 6,7,8, 9,10
	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	S.O.C. 6,7,8, 9,10
3.	<b><u>AIR RESOURCES.</u></b> Will the proposal:			
	A. Conflict with or obstruct implementation of the applicable air quality plan?	<u>Yes</u> / No	X	S.O.C. <u>11,12,13,</u> 14,15
	B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<u>Yes</u> / No	X	S.O.C. <u>11,12,13,</u> 14,15

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis	Assigned mitigation measures
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)?	Yes / No		X	S.O.C., <u>11,12,13,</u> <u>14,15</u>
D. Exposure of sensitive receptors to substantial pollutant concentrations?	Yes / No		X	S.O.C., <u>11,12,13,</u> <u>14,15</u>
E. The creation of objectionable odors?	Yes / No		X	<u>11,12</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?	Yes / No		X	16,21 <u>22,23,24</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 / No		X	16,20,22, <u>23,24,25,</u> <u>26,27,28,</u> <u>29</u>
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 / No	X		16,18,19, <u>22,24,26,</u> <u>28,29</u>
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 / No		X	16,22, <u>23,</u> <u>24,26,27,</u> <u>28,29</u>
E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Yes / No	X		17

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis	Assigned mitigation measures
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?	<u>Yes / No</u>		X	<u>21,22,23, 24,25, 27, 28, 29</u>
5. <b><u>CULTURAL/SCIENTIFIC RESOURCES.</u></b> Will the proposal:				
A. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<u>Yes / No</u>	X		<u>30,35,37, 40, 41</u>
B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<u>Yes / No</u>		X	<u>31,32, 34,38,39</u>
C. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<u>Yes / No</u>		X	<u>31,32, 33,38,39</u>
D. Disturb any human remains, including those interred outside of formal cemeteries?	<u>Yes / No</u>		X	<u>36,39</u>
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.	<u>Yes / No</u>	X		
ii. Strong seismic ground shaking?	<u>Yes / No</u>		X	<u>42, 43, 44, 45, 46,48</u>
iii. Seismic-related ground failure, including liquefaction?	<u>Yes / No</u>		X	<u>42, 43, 44, 45, 46,48</u>
iv. Landslides?	<u>Yes / No</u>		X	<u>42, 43, 44, 45, 46,48</u>
B. Result in substantial soil erosion or loss of topsoil?	<u>Yes / No</u>		X	<u>42, 43, 44, 45, 46,48</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 / No</u>		X	<u>42, 43, 44, 45, 46,48</u>

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis	Assigned mitigation measures
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 / No		X	<u>42, 43, 44,45,46, 47, 48</u>
<b>7. <u>HAZARDS AND HAZARDOUS MATERIALS.</u> Will the proposal:</b>				
A. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	Yes / No	X		<u>52,53, 54, 55</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 / No	X		<u>50, 51, 52, 53, 54, 55</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 / No	X		
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?	Yes / No	X		<u>50,51,52</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 / No	X		
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 / No	X		
G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Yes / No	X		
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 / No	X		<u>49,50</u>

	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>Yes / No</u>		X	56,57,58, 61,63,64, 66,67,68
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	61
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 matter which would result in substantial erosion or siltation on- or off-site?	<u>Yes / No</u>		X	56,57,58, 59,61,62, 64,66,67, 68
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>Yes / No</u>		X	56,57,58, 59,61,62, 64,66,67, 68
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>Yes / No</u>		X	56,57,58, 62,66,67, 68,69,70, 71
F. Otherwise substantially degrade water quality?	<u>Yes / No</u>		X	56,57,58, 62,63,64, 66,67,68, 69,70,71
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?	<u>Yes / No</u>		X	59,60,62, 65,66,67, 68,69,70, 71

	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis	Assigned mitigation measures
H. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Yes / No		X	<u>59,60,62,65,66,67,68</u>
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	<u>59,60,62,65</u>
J. Inundation by seiche, tsunami, or mudflow?	Yes / No		X	<u>59,60</u>
9. <b>LAND USE.</b> 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		<u>72,73</u>
C. Conflict with any applicable habitat conservation plan or natural community conservation plan?	Yes / No	X		
10. <b>MINERAL RESOURCES.</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?	Yes / No	X		
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 / No	X		
11. <b>NOISE.</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?	Yes / No		X	<u>74,75,76,77,78</u>
B. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Yes / No		X	<u>74,75,76,77,78</u>
C. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Yes / No	X		<u>77,78,79</u>



	<b>Project related impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis</b>	<b>Assigned mitigation measures</b>
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>		<u>79</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 expose people residing or working in the project area to excessive noise levels?	Yes / <u>No</u>	<u>X</u>		<u>79</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>		
<b>12. <u>POPULATION AND HOUSING.</u> Will the proposal:</b>				
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)?	Yes / <u>No</u>	<u>X</u>		
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	Yes / <u>No</u>	<u>X</u>		
C. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Yes / <u>No</u>	<u>X</u>		
<b>13. <u>PUBLIC SERVICES.</u> 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:</b>				
A. Fire protection?	<u>Yes / No</u>		<u>X</u>	<u>80,81,82</u>
B. Police protection?	<u>Yes / No</u>	<u>X</u>		<u>83</u>
C. Schools?	<u>Yes / No</u>	<u>X</u>		<u>84</u>
				<u>85,86,87,</u>
				<u>88,89,90,</u>
D. Parks?	<u>Yes / No</u>	<u>X</u>		<u>91, 92, 93</u>
E. Other public facilities?	<u>Yes / No</u>		<u>X</u>	<u>89,109</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		85,86,87, 88,89,90, 91,92,93
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		85,86,87, 88,89,90, 91,92,93
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	94,95,96, 97,98,99, 100
B. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<u>Yes</u> / No		X	94,95,96, 97,98,99, 100
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>16. UTILITIES, SERVICE SYSTEMS AND ENERGY.</b>				
Will the proposal:				
A. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<u>Yes / No</u>	<u>X</u>		<u>56,57,58, 61,62,63, 64,66, 67,68</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?	<u>Yes / No</u>	<u>X</u>		<u>110,111, 113</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 / No</u>	<u>X</u>		<u>110,111, 113</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 / No</u>	<u>X</u>		<u>110,111, 113</u>
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 / No</u>	<u>X</u>		<u>110,111, 113</u>
F. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<u>Yes / No</u>	<u>X</u>		<u>117</u>
G. Comply with federal, state, and local statutes and regulations related to solid waste?	<u>Yes / No</u>	<u>X</u>		<u>114,115,11 6,117</u>
H. Result in wasteful use of fuel or energy?	<u>Yes / No</u>	<u>X</u>		<u>101,102, 105,106, 107,108</u>
I. Abnormally increase demand for existing sources of energy, or require the development of new sources of energy?	<u>Yes / No</u>	<u>X</u>		<u>101,102, 103,104, 105,106, 107,108</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.	_____	_____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**

	<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.	_____	_____X_____
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.	_____X_____	_____

**Case Nos.:** Vesting Tentative Tract Map 17757 (00600340-PTT)  
**Date:** August 27, 2014  
**Planner:** Joel Belding, Senior Planner

**SUBSEQUENT ACTIVITY UNDER A PROGRAM EIR  
NORTHERN SPHERE – Phase I of Planning Area 6**

(Prepared 7-1-2014)

*[Mitigation Measures 1.1 to 15.17 correspond to order of mitigation measures in the PEIR  
Mitigation Summary]*

- A - Previously applied mitigation measures**
  - B - Mitigation measures for this project**
  - S - Mitigation Measures Satisfied for Entire Planning Area**
  - N/A - Not applicable mitigation measures for this project**
- 

**Aesthetics**

- S 1. This development includes land that encompasses or lies within Open Space Implementation Action Program Districts P, Q and R 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). (NOTE: Implementation District P is outside the Northern Sphere Area entirely within the NCCP/HCP area. Unlike the remainder of the dedicated open space areas, Implementation District "P" will not be annexed to the City as part of the Northern Sphere Area project and is not covered by the proposed Northern Sphere Area General Plan Amendment and Zone Change. (Mitigation Measure 1.1)
  
- N/A 2. Lighting for public recreational facilities within the project shall be in conformance with the City of Irvine Community Services Lighting Standards for Public Facilities. To the extent practical, installed lighting shall be shielded so that light is directed away from preserved open space, thereby minimizing light impacts on preserved open spaces. (NOTE: The City of Irvine Community Services Lighting Standards for Public Facilities limit the maximum footcandle level on the property line of park facilities to 1.5 footcandles, and require a numerical lighting model showing compliance with that standard to be submitted and approved with the lighting plans for recreational athletic fields. A footcandle is a unit of illuminance produced by one candle on a surface that is uniformly one foot from the light source. Ambient light at a property line that is 1.4

footcandles or less is not considered significantly adverse.) (Mitigation Measure 1.2)

- B 3. Prior to the issuance of building permits, the [landowner or subsequent project] applicant shall demonstrate through the submittal of an electrical engineer's photometric survey, prepared to the satisfaction of the Director of Community Development, that lighting requirements as set forth in the Irvine Uniform Security Code are met. (Standard Condition 3.2, Mitigation Measure 1.3)
- B 4. Prior to the approval of each Street Improvement Plan within Planning Area 6, the landowner or subsequent 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. (Mitigation Measure 1.4)
- N/A 5. Prior to the issuance of building permits for public park facilities, the [landowner or subsequent project] applicant shall submit a lighting plan for review and approval by the Director of Community Services. Trail and park lighting near the NCCP areas shall be reviewed and approved by the Director of Community Services. (Additional Mitigation Measures) (NOTE: See explanatory note for Mitigation Measure 1.2. This measure provides the City with authority to regulate park lighting plans, in concert with Mitigation Measure 1.2, to not only ensure that ambient light from park lighting meets the City's 1.5 footcandle standard at property lines, but also to ensure that ambient light is limited to the maximum extent consistent with the public use and enjoyment of such parks.) (Mitigation Measure 1.5)

### **Agricultural Resources**

- N/A 6. The City shall permit agricultural uses within the Northern Sphere Area until the time of development. The landowner shall make at least 300 acres of land within the City of Irvine and its sphere of influence available for a five year period for agricultural operations to ensure that agricultural operations continue until farming uses have been established to the satisfaction of the City on the 300 acres provided for under the City program in 2.3 and 2.4 below. Within six months from the date of adoption of the modification to Objective L-10, the landowner in the Northern Sphere and the area of PA 9 south of Trabuco shall designate the 300 acres subject to this requirement and provide updated reports every six months to redesignate the location of the 300 acres of agricultural use. Landowner must maintain the availability of minimum 300 acres for a five year period or until the City Director of Community Development certifies in writing that farming uses for at least 300 acres have commenced under the program described in 2.3 and 2.4 below. For each acre which has been put into farming uses under 2.3 and 2.4 below, the Director of Community

Development may release the equivalent acreage required by this mitigation measure. (Mitigation Measure 2.1)

- N/A 7. Heritage and community service/educational farming operations shall be permitted within utility easements and other lands. Heritage farming is defined as small-scale specialty farming operations that can be accommodated in an urban environment. An example would be the edible landscape project located at Harvard Avenue within the Edison right-of-way. (Mitigation Measure 2.2)
- A 8. Of the land within the Northern Sphere Area, approximately 300 acres were previously designated for permanent agriculture (General Plan designated as Agriculture and zoned for Exclusive Agriculture). Within five years of project approval, the City and The Irvine Company shall replace this approximately 300 acres currently designated for permanent agriculture by making available for metro-farming non-NCCP open space, public lands, or other lands as agreed to by landowner. The City has identified the following areas within the Northern Sphere area and the City as having the soils and other qualities which make them candidates as replacement acreage which could be made available for metro-farming subject to further environmental review:
- a. Approximately 100 acres within Planning Area 6. These areas are currently proposed for development as part of the project, but may be made available for agricultural use in accordance with this mitigation measure.
  - b. Approximately 11 acres within the Jeffery Open Space Spine south of Interstate 5, between Walnut Ave and the railroad right-of-way.
  - c. Approximately 266 acres within Planning Area 16 (Implementation Districts G and H). Habitat sensitive agricultural operations could be considered within this area.
  - d. Approximately 51 acres within minor preservation areas P-10 and P-13.
  - e. Easements or public lands, including land within MCAS El Toro designated for agricultural uses in accordance with any re-use plan.

Actions to make land available for metro-farming shall include, but not be limited to the elimination of deed or other contractual restrictions on agricultural operations and zoning amendments and/or revisions to existing MOU(s) between the City and the landowner, as necessary to allow agricultural operations on a permanent basis within approximately 300 acres of land from among the foregoing. The dedication of these lands to the City of Irvine or another entity for the administration of agricultural operations maybe considered. In addition, the City may develop a program for the governance of the agricultural operations on these lands as part of the City's Agricultural

Legacy Program. The costs of implementing this program shall be paid by the funds set forth in 2.5 below. (Mitigation Measure 2.3)

N/A 9. The landowner and the City shall work cooperatively with farmers to minimize conflicts between agricultural operations and adjacent urban uses. (Mitigation Measure 2.4)

S 10. The landowner shall contribute \$100,000 to further expand metro-farming and heritage, community service/educational farming operations, including the operation of 300 new acres of agricultural uses described in 2.3 above. This funding may be used by the City for program development, capital costs associated with the program or educational efforts. Additional funds for operation of this program shall be provided from the anticipated revenues to the City from rental of public land specified in 2.3 above to persons farming the land. Funds shall be paid by the landowner to the City prior to the earlier approval of a master subdivision map for either the Northern Sphere project (PA 5B, 8A, 6 and 9) or for that portion of Planning Area 9 south of Trabuco (PA 40/Spectrum 8), if that development project is approved in the future. (Mitigation Measure 2.5)

### **Air Quality**

B 11. The proposed project shall include suppression measures for fugitive dust and those associated with construction equipment in accordance with South Coast Air Quality Management District (“SCAQMD”) Rule 403 and other SCAQMD requirements. Prior to issuance of each grading permit, the landowner or subsequent project applicant shall obtain the appropriate permits from the SCAQMD and submit them to the City. (NOTE: The SCAQMD has adopted standard “rules” to minimize the air quality impacts associated with development activities to the extent feasible. SCAQMD Rule 403 is one such rule. Rule 403 prohibits the creation of fugitive dust from any active operation, open storage pile, or disturbed surface area where dust remains visible in the atmosphere beyond the property line. Under Rule 403, the Project is required to employ best available control measures to minimize fugitive dust emissions, including frequent watering, use of dust suppressants, installation of temporary enclosures, and/or planting of a vegetative ground cover after active operations have ceased. Other SCAQMD requirements that minimize short-term construction impacts include Rule 401 and Rule 402. The mitigation measures ensure compliance with SCAQMD rules and emissions. (Mitigation Measure 3.1)



- B 12. Prior to the issuance of grading permits the landowner or subsequent project applicant shall include a note on all grading plans, which requires the construction contractor to implement following measures during grading. These measures shall also be discussed at the pre-grade conference. (Mitigation Measure 3.2)
- a. Use low emission mobile 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 feasible.
  - e. Configure construction parking to minimize traffic interference to a minimum.
  - f. Minimize obstruction of through-traffic lanes. When feasible, construction should be planned so that lane closures on existing streets are kept hours.
  - g. Schedule construction operations affecting traffic for off-peak hours.
  - 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).
- N/A 13. Prior to the approval of each final map for commercial uses, the landowner or subsequent project applicant shall submit a plan to the Department of Community Development for approval, which promotes the utilization of alternative forms of transportation through incorporation of the following measures:
- a. Annexation to the Irvine Spectrum Transportation Management Association (TMA) (Spectrumotion) for all medical and science zoned projects.
  - b. Scheduling of truck deliveries and pickups during off-peak hour when feasible.
  - c. Provision of adequate ingress and egress at all entrances to public facilities to minimize vehicle idling at curbsides.
  - d. Provision of dedicated turn lanes as appropriate and provide roadway improvements at heavily congested roadways. (Mitigation Measure 3.3)

- N/A 14. Prior to approval of each building permit for a medical and science zoned use, the landowner or subsequent project applicant shall submit to the Director of Community Development for approval, an operational emissions mitigation plan. The plan shall identify implementation procedures for each of the following emissions reduction measures. If certain measures are determined infeasible, an explanation thereof shall be provided in the operational emissions mitigation plan.
- a. Utilize built-in energy-efficient appliances to reduce energy consumption and emissions.
  - b. Utilize energy-efficient and automated controls for air conditioners and lighting to reduce electricity consumption and associated emissions. (Mitigation Measure 3.4)
- A 15. 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.
- a. Where possible, connect residential areas to public facilities, parks, regional trails and other residential neighborhoods with pedestrian/bicycle trails.
  - b. Where possible, connect commercial areas to adjacent residential areas via bike/walking paths.
  - c. Coordinate with OCTA and the City regarding the location of bus turnouts and bus routes within the project area. (Mitigation Measure 3.5)

### **Biological Resources**

- S 16. Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, discing, trenching, grading, fuel modification, agriculture planting activity and/or other related construction activity, the landowner or subsequent project 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: This standard condition only applies to the removal of non-covered habitats. Covered habitats are subject to the provisions of the NCCP/HCP as set forth in Mitigation Measure 4.7.] (Note:

Federally, the United States Fish and & Wildlife Service regulates the removal of listed native plant communities through the Federal Endangered Species Act (“FESA”) and the requirement for an incidental take permit (or take authorization). In essence, the FESA prohibits activities resulting in take of listed species that (1) are not minimized or mitigated to the maximum extent practicable, and/or (2) jeopardize the continued existence of listed species. The Army Corps of Engineers regulates activities impacting wetlands and other waters of the United States through the Clean Water Act and the requirement for a Section 404 dredge and fill permit, generally with a requirement of “no net loss” of wetlands and their habitat values.) (Mitigation Measure 4.1)

- A 17. Prior to the issuance of grading permits for any planning area potentially affecting eucalyptus windrows, an application to remove the trees shall be submitted by the landowner or subsequent project applicant and a permit must be received from the City of Irvine’s Community Development Department, Building and Safety Division, in accordance with the City of Irvine’s Urban Forestry Ordinance. (NOTE: The City of Irvine’s Urban Forestry Ordinance (“UFO”) establishes criteria for removal of “significant trees” on private property, including eucalyptus windbreaks. Under the UFO, permits are required for removal of significant trees, to be issued under the guidance of the City’s Urban Forestry Guideline Manual (“Manual”). The UFO and Manual establish criteria for identifying those trees that may be removed (i.e., trees that are dead, in irreversible decline, potentially hazardous, malformed due to crowding, insect or disease infected, damaging structures, or “significantly inhibiting the utilization of the property and removal can be determined to provide a public benefit”), and establishes criteria for replacement plantings (on at least a one-to- one ratio).) (Mitigation Measure 4.2)
- A 18. Prior to the issuance of a grading permit covering jurisdictional areas, the landowner or subsequent project applicant shall
- 1) Provide evidence to the City of Irvine Director of Community Development that (a) all necessary permits or authorizations have been obtained from the State Department of Fish and Game (pursuant to Section 1601-1603 of the Fish and Game Code) and the U.S. Army Corps of Engineers (pursuant to Section 404 of the Clean Water Act), or (b) that no such permits or authorizations are required, and
  - 2) Provide evidence to the City of Irvine Director of Community Development that the project and the riparian mitigation and restoration program has been coordinated with the Special Area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA) for the San Diego Creek Watershed. (Mitigation Measure 4.3)

- A 19. If a 404 Permit or other authorization is required from the Army Corps of Engineers, 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. (Additional Mitigation Measures) (NOTE: Section 401 of the federal Clean Water Act requires any applicant for a Federal permit, such as a Clean Water Act § 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.) (Mitigation Measure 4.4)
- A 20. Prior to issuance of a grading permit for any area containing resources subject to the jurisdiction of California Department of Fish and Game and the Army Corps of Engineers other than occupied or potential least Bell's vireo habitat, a detailed riparian mitigation and restoration program shall be developed which has been coordinated with the SAMP/MsAA, and shall address the following items:
- a. Responsibilities and qualifications of the personnel to implement and supervise the plan. The responsibilities of the landowner, specialists and maintenance personnel that will supervise and implement the plan will be specified.
  - b. Site selection. The site for mitigation within or adjacent to the Protocol area will be determined in coordination with the landowner or subsequent project applicant, California Department of Fish and Game and Army Corps of Engineers. The site will either be located within the Protocol area in a dedicated open space area, or land will be purchased or preserved adjacent to, but off site within the San Diego Creek watershed. Potential sites include: Agua Chinon south of the sedimentation basin; upland areas adjacent to the 3.15 acres willow woodland north of Portola Parkway; and upland areas adjacent to the three patches of riparian woodland which was occupied by vireos (if vireos remain and the area is preserved).
  - c. Restoration and Creation of Habitat: The plan shall require the creation of riparian habitat in the amount and of the type required by California Department of Fish and Game and Army Corps of Engineers, provided,

however, that, in order to assure no net loss of jurisdictional resources on an acre-for-acre basis, all impacted Corps and CDFG jurisdictional habitat shall be compensated by restoration, enhancement or creation at a minimum of 1:25:1 ratio.

- d. Site preparation and planting implementation. The site preparation will include:
  - 1) protection of existing native species,
  - 2) trash and weed removal,
  - 3) native species salvage and reuse (i.e. duff),
  - 4) soil treatments (i.e. imprinting, decompacting),
  - 5) temporary irrigation installation,
  - 6) erosion control measures (i.e. rice or willow wattles),
  - 7) seed mix application, and 8) container species.
- e. Schedule. A schedule will be developed which includes planting to occur in late fall and early winter, between October and January 31.
- f. Maintenance plan/guidelines. The maintenance plan will include:
  - 1) weed control,
  - 2) herbivory control,
  - 3) trash removal,
  - 4) irrigation system maintenance,
  - 5) maintenance training, and
  - 6) replacement planting.
- g. Monitoring Plan. The monitoring plan will include:
  - 1) qualitative monitoring (i.e., photographs and general observation),
  - 2) quantitative monitoring (i.e., randomly placed transects),
  - 3) performance criteria as approved by the resource agencies,

- 4) monitoring reports for three to five years,
  - 5) site monitoring as required by the resource agencies to ensure successful establishment of riparian habitat within the restored and created area. Successful establishment is defined per the performance criteria agreed to by the ACOE, CDFG, and the landowner or subsequent project applicant.
- h. Long-term preservation. Long-term preservation of the site will also be outlined in the conceptual mitigation plan to ensure the mitigation site is not impacted by future development. The plan shall be submitted to the Department of Community Development for review and approval.
- i. Mexican elderberry woodland and mulefat. The riparian mitigation and restoration program will address impacts to Mexican elderberry woodland and mulefat. (Mitigation Measure 4.5)

S 21. Prior to the approval of a tentative tract map within Planning Area 6, the landowner or subsequent project applicant shall assure avoidance (or minimization in consultation with USFWS and CDFG) of impacts to occupied least Bell's vireo habitat. Accordingly, the landowner or subsequent project applicant shall undertake annual surveys (commencing with the next breeding season following certification of this EIR) to determine presence or absence of least Bell's vireo (LBV) within identified occupied and potential LBV habitat in the Protocol development areas. Such surveys shall be submitted to CDFG and USFWS, and landowner or subsequent project applicant shall review the surveys with those agencies if any significant changes occur in LBV presence or absence as documented by the surveys. Prior to approval of a tentative tract map for any project that would impact identified occupied or potential LBV habitat, the landowner or subsequent project applicant shall consult with CDFG and USFWS regarding any potential impacts to LBV of the project proposed by the tentative tract map in accordance with the provisions governing conditional coverage of the LBV set forth in the Implementation Agreement for the County of Orange Central and Coastal NCCP/HCP. Pursuant to such review, the landowner or subsequent project applicant shall, in accordance with the NCCP/HCP, obtain from USFWS and CDFG a determination regarding any long-term conservation value of LBV habitat and appropriate avoidance measures. Prior to the issuance of a grading permit, the landowner or subsequent project applicant shall:

- a. Provide evidence to the City of Irvine Director of Community Development that:

1. all necessary permits or authorizations for impacts to LBV have been obtained from the State Department of Fish and Game USFWS under the NCCP/HCP; or
  2. no such permits or authorizations are required, and
- b. Provide evidence to the City of Irvine Director of Community Development that the project and the LBV avoidance measures have been coordinated with USFWS and CDFG. Prior to issuance of a grading permit for any area containing occupied LBV habitat, detailed avoidance measures shall be developed in coordination with USFWS and CDFG and in accordance with the NCCP, and such measures shall, at a minimum, address the following items:
1. Fencing. When construction activity occurs in the vicinity of LBV habitat to be preserved, such habitat shall be fenced prior to commencement of construction, and all construction personnel shall strictly limit their activities and vehicles to assure that the fenced areas are not disturbed. Staging and storage areas shall be at least 150 feet away from all such fenced habitat. A contractor education program shall be prepared and implemented to apprise all construction personnel working in the vicinity of protected habitat of the occurrence of sensitive species in the area, the sensitivity of the species to human activities, the legal protection afforded to these species, and the penalties for violations of these legal protections, and the roles and authority of monitoring biologists.
  2. Biological Monitor. A biological monitor shall be on-site, to monitor construction activities adjacent to LBV habitat and buffer areas to be preserved to assure that the habitat is preserved, and all minimization measures are followed. The biological monitor shall have the authority to temporarily halt activities that are disturbing the listed species and to implement minimization measures specified in the avoidance program.
  3. Construction Noise. Removal of occupied LBV habitat shall occur outside of the breeding season (March 15 to Sept. 15). If construction will occur adjacent to occupied vireo habitat during the breeding season, surveys shall be conducted prior to construction activity occurring within 500 feet of occupied LBV habitat to determine the location of any nesting LBV. During construction, no activity will occur within 500 feet of active nesting territories of LBV, unless measures are implemented to minimize noise and other disturbance to those adjacent birds. These measures shall include sound walls and/or other measures that

assure that sound levels reaching vireo nesting areas do not exceed 60 dBA, taking into account, however the noise levels preceding construction activity at the nesting location which may be high due to proximity of nesting sites.

4. Shield Lighting. To reduce the potential of indirect impacts to conserved LBV habitat, public lighting installed in conjunction with proposed development in proximity to the conserved habitat shall be shielded so that the light is directed away from the conserved habitat.
5. Discourage Human Entry. Post-construction signage, fencing, vegetative barriers or other effective measures shall be taken to discourage human entry associated with project development into conserved LBV habitat areas located adjacent to habitat areas in parks, or community areas where human activity is planned.
6. Cowbird Control. If significant areas of turf are to be installed as a part of proposed development in proximity to the conserved LBV habitat, post-construction cowbird control measures shall be implemented for at least 5 years. These measures can be coordinated with the cowbird control program operated by the Nature Reserve of Orange County. After the five year monitoring period, a biologist shall evaluate the potential for long-term threat and determine if continued post-construction monitoring is necessary.
7. Resident/Recreational User Education. A post-construction education program shall be developed to advise residents living in proximity to conserved LBV habitat of the potential impacts to listed species from human activities and the potential penalties for taking such species. The program shall include, but not be limited to, information pamphlets and education displays at village or recreation centers and the community park. Pamphlets shall be distributed to all residences in areas adjacent to conserved LBV habitat. At a minimum, the program shall include the following topics: occurrence of the listed and sensitive species in the area, their general ecology, sensitivity of the species to human activities, impacts from free-roaming pets (particularly domestic and feral cats), legal protection afforded these species, penalties for violation of the Federal and State laws, report requirements, and project features designed to reduce impacts to these species. (Mitigation Measure 4.6).

- S 22. Prior to the issuance of the first preliminary grading permit for areas adjacent to NCCP 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 Reserve 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) which specifies measures that must be taken to minimize construction impacts to CSS during construction including:

- a. To the maximum extent practicable, no grading of CSS 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 measure and emergency facility repairs. In the event of such public health and safety circumstances, land owners or public agencies/utilities will provided USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens, and any other CSS Identified 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.
- b. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of CSS habitat to be avoided under the provisions of the 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 CSS, 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.
- c. A monitoring biologist, acceptable to USFWS/CDFG will be onsite during any clearing of CSS. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven calendar days (and preferably 14 calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing capture activities. The monitoring biologist will flush Identified Species (avian or other mobile Identified 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 identified 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.

- d. Following the completion of initial grading/earth movement activities, all areas of CSS habitat to be avoided by construction equipment and personnel will be marked by the monitoring biologist with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment will be permitted within such marked areas.
- e. In areas bordering the NCCP reserve system or Special Linkage/Special Management areas containing significant CSS identified in the 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 CSS identified in the NCCP/HCP for protection. Pre-construction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.
- f. CSS identified in the 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. (Mitigation Measure 4.7)

B 23. Prior to issuance of building permits within Planning Area 6, the landowner or subsequent project applicant shall submit, and the Director of Community Development shall have approved, a wildland interface brochure (to be obtained from The Nature Reserve of Orange County) to educate homeowners of the responsibilities associated with living at the wildland interface. The approved 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. (Mitigation Measure 4.8)

S 24. Prior to the issue of the first building permit for Planning Area 6, the landowner or subsequent project applicant shall submit the plant palette for the fuel modification zone or landscape areas within 100 feet of the NCCP Reserve. Invasive exotic plant species, listed on the California EPA list of exotic pest plants, shall be excluded from the described landscape zone to reduce the risk that these species will become established in the Reserve. The fuel

modification zone shall include plants approved by the Orange County Fire Authority (OCFA). (Mitigation Measure 4.9)

- S 25. Prior to the issuance of permits for any grading activity that will impact jurisdictional riparian habitat or raptor nests during the period from March 15 to September 15 (the nesting season), including but not limited to, clearing, grubbing, mowing, discing, trenching, grading, fuel modification, agriculture planting activity and/or other related construction activity, a qualified biologist with appropriate resource agency permits shall survey the riparian habitat to be impacted for the presence of occupied nests and/or burrows. During the nesting season, the survey will be conducted 72 hours prior to clearing riparian vegetation. The survey results shall be submitted by the landowner or subsequent project applicant to the Director of Community Development. Any occupied nests/burrows found during survey efforts shall be mapped on the construction plans and protected by a buffer until nesting activity has ended. To protect any nest/burrow site, the following restrictions on construction activities are required during the nesting season (or until nest/burrows are no longer active as determined by a qualified biologist): 1) a buffer will be established a minimum of 200 feet in any direction from any occupied nest/burrow; 2) the buffer shall remain in place until the nest is no longer active or the young have fledged; 3) if the monitoring biologist determines that the nesting activities are being substantially disrupted by adjacent construction activity, USFWS/CDFG shall be notified and measures to avoid or minimize such impacts shall be developed in consultation with those agencies. The biologist will then remove the nest site or excavate the burrow site with hand tools or fill with soil so owls cannot return to burrow site. (Mitigation Measure 4.10)
- N/A 26. If improvements are proposed within CalTrans Right-of-Way, the landowner or subsequent project applicant shall have the appropriate plant and wildlife surveys completed by a qualified biologist. Official lists and databases shall be consulted for sensitive species such as the California Natural Diversity Database and lists provided by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Any impacts that affect waterways and drainages and/or open space during construction, or that occur indirectly as a result of the project, must be coordinated with the appropriate resource agencies. (NOTE: This is a standard condition requested by CalTrans with respect to all projects that may impact CalTrans rights-of-way. It was included in this EIR in recognition that this is a standard request by CalTrans. This condition is CalTrans' equivalent to Mitigation Measure 4.1.) (Mitigation Measure 4.11)
- N/A 27. To the extent practical, prior to issuance of grading permits within Planning Area 6, mature coastal sage scrub and cactus scrub will be salvaged and translocated to potential restoration areas in adjacent preserved areas. Salvage and translocation activities will be coordinated with USFWS, CDFG, and The Nature Reserve of Orange County. (Mitigation Measure 4.12)

- B 28. Prior to issuance of grading permits within Planning Area 6, focused surveys for western spadefoot toads will be conducted in any potential breeding pools within the PA 6 development area. If toads are found within the development areas of PA 6, a spadefoot toad mitigation plan will be developed in coordination with USFWS and CDFG. The plan will quantify impacts to spadefoot toads and include provisions for the creation of spadefoot breeding pools in nearby Reserve lands as mitigation for impacts to toads in the development area. The nature and location of the proposed pools will be approved by the USFWS and CDFG prior to creation of pools. (Mitigation Measure 4.13)
- B 29. Prior to issuance of grading permits within Planning Area 6, focused surveys for Riverside fairy shrimp and San Diego fairy shrimp will be conducted within the Planning Area 6 development area including, to the extent necessary, in any man-made seasonal wetlands. If either shrimp is found within the development areas of Planning Area 6, a fairy shrimp mitigation plan will be developed in coordination with USFWS and CDFG. The plan will be consistent with the requirements of the NCCP/HCP Implementation Agreement and will include provisions for the creation of fairy shrimp breeding pools in nearby Reserve lands as mitigation for impacts to Riverside or San Diego fairy shrimp in the Planning Area 6 development area. The nature and location of the proposed pools will be approved by the USFWS and CDFG prior to creation of the pools. (Mitigation Measure 4.14)

### Cultural Resources

- N/A 30. Although not a significant cultural resource, if development will adversely impact the small stone monument and plaque commemorating the Portola camp at Tomato Springs, the landowner or subsequent project applicant shall relocate the plaque to an open space area or park in the vicinity of the site. (Mitigation Measure 5.1)
- A 31. Prior to issuance of the first preliminary or precise grading permit, and for any subsequent permit involving excavation to increased depth, the landowner or subsequent project applicant shall provide evidence that an archaeologist and/or paleontologist have been retained by the landowner or subsequent project applicant, and that the consultant(s) will be present during all grading and other significant ground disturbing activities. These consultants shall be selected from the roll of qualified archaeologist and paleontologists maintained by the County of Orange. Should any cultural/paleontological 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 paleontological or 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. (Mitigation Measure 5.2)

- B 32. The EIR concludes that there are or may be significant archaeological resources within areas where ground disturbing activity is proposed by the Project. Therefore, prior to issuance of the first preliminary or precise grading permit for development within Planning Areas 5B, 6 and 9, the landowner or subsequent project applicant shall provide evidence that an archaeologist and/or paleontologist have 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 after current uses are removed. If any sites 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 sites are determined to be unique archaeological sites or historical resources 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. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.

To the extent these sites are not preserved in place, the archaeologist shall conduct a data recovery program, which shall include:

- a. Preparation of a research design for those sites determined to be “historical resources” or “unique archaeological resources” that cannot be avoided that describes the recommended field investigations and makes provisions for adequately recovering the scientifically consequential information from and about the “historical resource.”
- b. Conducting site excavations in accordance with the research design with an emphasis on obtaining an adequate sample for analysis within the limits of the research questions being addressed. Special studies such as pollen analyses, soil analyses, radiocarbon dating, and obsidian hydration dating should be conducted as appropriate.
- c. Monitoring of all field excavations by a Native American representative.
- d. Preparation of a final report of the Phase 3 data recovery work and submittal of the research design and final report to the South Central Coastal Information Center (SCCIC), and other agencies, as appropriate.
- e. 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. (Mitigation Measure 5.3)

B 33. Prior to the issuance of any grading permit, the following note shall be placed on the cover sheet, and discussed at the pre-grade meeting: Fossils found by the owners of the property, their agents, contractors, or subcontractors during the development of the property, shall be reported immediately to the qualified paleontologic monitor. If significant fossils (those having potential to increase scientific knowledge; including all identifiable vertebrate remains) are encountered on the property during development the following mitigation procedures shall be implemented:

- a. The paleontologist retained for the project shall immediately evaluate the fossils which have been discovered to determine if they are significant and, if so, to develop a plan to collect and study them for the purpose of mitigation.
- b. The paleontologic monitor must be empowered to temporarily halt or redirect excavation equipment if fossils are found to allow evaluation and removal of them if necessary. The monitor should be equipped to speedily collect specimens if they are encountered.

- c. The monitor, with assistance if necessary, shall collect individual fossils and/or samples of fossil bearing sediments. If specimens of small animal species are encountered, the most time and cost efficient method of recovery is to remove a selected volume of fossil bearing earth from the grading area and screen wash it off-site.
- d. Fossils recovered during earthmoving or as a result of screen-washing of sediment samples shall be cleaned and prepared sufficiently to allow identification. This allows the fossils to be described in a report of findings and reduces the volume of matrix around specimens prior to storage, thus reducing storage costs.
- e. A report of findings shall be prepared and submitted to the public agency responsible for overseeing developments and mitigation of environmental impacts upon completion of mitigation. This report would minimally include a statement of the type of paleontologic resources found, the methods and procedures used to recover them, an inventory of the specimens recovered, and a statement of their scientific significance.
- f. The paleontological or archaeological specimens 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. (Mitigation Measure 5.4)

A 34. The EIR concludes that there are or may be significant archaeological resources within areas where ground disturbing activity is proposed by the Project. Therefore, prior to issuance of the first preliminary or precise grading permit for development in Planning Area 6, each prehistoric site identified in Table 4-26 in Section 4.5.1 (including but not limited to, CR-ORA-244, known as the Tomato Springs site) and located within the project grading footprint must be tested and evaluated, following clearing and scraping activities. 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 sites determined to be unique archaeological sites or historical resources 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. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. To the extent these sites are not preserved in place, the archaeologist shall conduct a data recovery program, which shall include:

- a. Preparation of a research design for those sites determined to be “historical resources” or “unique archaeological resources” that cannot be avoided that describes the recommended field investigations, and makes provisions for adequately recovering the scientifically consequential information from and about the “historical resource.”
- b. Conducting site excavations in accordance with the research design with an emphasis on obtaining an adequate sample for analysis within the limits of the research questions being addressed. Special studies such as pollen analyses, soil analyses, radiocarbon dating, and obsidian hydration dating should be conducted as appropriate.
- c. Monitoring of all field excavations by a Native American representative.
- d. Preparation of a final report of the Phase 3 work and submittal of the research design and final report to the South Central Coastal Information Center (SCCIC), and other agencies, as appropriate.
- e. 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. These recommendations shall have been 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. (Mitigation Measure 5.5)

- S 35. Prior to issuance of the first preliminary or precise grading permit for development in Planning Area 6, each historic site listed in Table 4-27 of Section 4.5.1 must be evaluated to determine if the site is a “historical resource” as defined under Section 15064.5 of the CEQA Guidelines. Evaluations may include, but are not limited to, archival research, mapping and surface collection as warranted, photo-documentation, and subsurface excavation. If upon completion of the test level investigations, the sites are determined to be “historical resources,” 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 mitigation measures for “historical resources” could include preservation of the site through avoidance or capping, incorporation of the site in greenspace, parks or open space, data recovery excavations of the finds, or compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). To the extent these sites are not preserved in place, the archaeologist shall conduct a data recovery program which includes:

- a. Preparation of a research design for those sites determined to be “historical resources” that cannot be avoided that describes the recommended field investigations, and makes provisions for adequately recovering the scientifically consequential information from and about the “historical resource.”
- b. Conducting site excavations in accordance with the research design with an emphasis on obtaining an adequate sample for analysis within the limits of the research questions being addressed. Special studies such as pollen analyses, soil analyses, radiocarbon dating, and obsidian hydration dating should be conducted as appropriate.
- c. Monitoring of all field excavations by a Native American representative.
- d. Preparation of a final report of the Phase 3 work and submittal of the research design and final report to the South Central Coast Information Center (SCCIC), and other agencies, as appropriate.
- e. Any archaeological or historical 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. These recommendations shall have been 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. (Mitigation Measure 5.6)

- B 36. 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:
- a. 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

- b. 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:
  1. 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.
  2. The descendant identified fails to make a recommendation; or
  3. 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. (Mitigation Measure 5.7)

- N/A 37. Prior to the issuance of grading permits for development in Planning Area 9, a Phase II evaluation of the Valencia Growers Packing House shall be completed to provide a more detailed evaluation of the site in accordance with Section 15064.5 of the CEQA Guidelines. The Phase II evaluation will identify which criteria for eligibility for listing on the California Register of Historic Places the site meets, if any, and will include, as determined appropriate by the cultural resource investigator, information regarding the historical context of the Packing House, a review of relevant published literature and historical interpretation, documentary research (e.g., review of historical maps, land use records and historical archives); informant interviews (i.e., identify and interview "old timers"); and an architectural history analysis of the structure. If the Phase II evaluation determines that the Packing House is not a "historical resource" as defined by Section 15064.5, no further mitigation will be necessary. However, if the site is determined to be a "historical resource" as defined by Section 15064.5, the site shall be preserved within the Jeffrey Open Space Spine or relocated to another appropriate area (e.g., Old Town Irvine, Orange County Historical Park, etc.) for permanent preservation in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties

with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). If further actions are proposed that may have a significant environmental effect on the Packing House site, additional environmental review would be required. (Mitigation Measure 5.8)

- N/A 38. Prior to the opening of the Implementation Districts “P,” “Q,” and “R” open space area for public use, a cultural resources reconnaissance shall be prepared by the City, by a qualified archaeologist, for the area within Implementation District “P,” “Q,” and “R.” The archaeologist will identify and record all visible cultural resources, and will develop appropriate mitigation measures for them consistent with Mitigation Measure 5.2. (Mitigation Measure 5.9)
- N/A 39. If cultural remains are discovered within CalTrans Right-of-Way during excavation and/or construction activities, all earth moving activity within and around the site area must be diverted until a qualified CalTrans Archaeologist can assess the find. If human remains are discovered, State Health and Safety Code Section 7050.5 states that disturbances and activities shall cease. The County Coroner must be notified of the find immediately and the project proponent must comply with the requirements of Public Resources Code Section 5097.98. (NOTE: This is a standard condition requested by CalTrans with respect to all projects that may impact CalTrans rights-of-way. It was included in this EIR in recognition that this is a standard request by CalTrans.) (Mitigation Measure 5.10)
- N/A 40. A Historic American Buildings Survey (HABS) outline format narrative description of the property, contemporary and historic photographs, and other relevant documentation shall be prepared by an historic consultant approved by the City. Prior to issuance of the demolition permit for the subject property, the report shall be submitted for approval to the City of Irvine Director of Community Development and the Director of Community Services, and an approved original shall be deposited in the Irvine Branches of the Orange County Public Library (or other suitable repository as determined by the Directors of Community Development and Community Services). (Mitigation Measure 1.1, NS Supplemental EIR)
- N/A 41. Prior to the issuance of building permits for the segment of the Jeffrey Open Space Spine in Planning Area 9, a historic depiction program shall be developed by the City and shall be included in the building plans for the project site, depicted in the general location of the packing house. The program to be installed on site shall describe the packing house history, contribution to the citrus industry, and regional history, and include a graphic depiction of the building. (Mitigation Measure 1.2, NS Supplemental EIR)

## Geology/Soils

- B 42. The City of Irvine has a number of existing codes and policies, which are implemented through the regular subdivision process that will serve to mitigate the impacts of the proposed project. Current codes and policies relating to geology and soils are as follows:
- a. Revegetation of cut and fill slopes shall be required in accordance with the City of Irvine Grading and Excavation Code.
  - b. All grading operations will be conducted in conformance with the applicable City of Irvine Grading Ordinance, the most recent version of the Uniform Building Code for Seismic Zone 4, and consistent with the recommendations included in the Northern Sphere's geologic reports entitled "Revised Preliminary Geotechnical Investigation for Planning Purposes, Planning Area I-5, City of Irvine, County of Orange, California," "Preliminary Geotechnical Investigation and Planning Study for Conceptual Design, Planning Area I-6, City of Irvine Sphere of Influence County of Orange, California" and "Report of Geotechnical Feasibility Study for Planning Areas I-08A and I-09A, City of Irvine, California." (Appendix H). (Mitigation Measure 6.1)
- A 43. Detailed geotechnical investigations for each Tentative Tract Map ("B" Map) shall be submitted with engineered grading plans to further evaluate faults, subsidence, slope stability, settlement, foundations, grading constraints, potential for liquefaction and other soil engineering design conditions. (Mitigation Measure 6.2)
- B 44. All grading and earthwork shall be performed under the observation of a registered Geotechnical Engineer in order to achieve proper sub-grade preparation, selection of satisfactory materials, and placement and compaction of all structural fill. (Mitigation Measure 6.3)
- B 45. Prior to the issuance of grading permits for individual planning areas, 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. If these hillsides have adverse bedding conditions, shear keys or buttresses will be constructed to stabilize the hillside. (Mitigation Measure 6.4)
- B 46. 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 and the City of Irvine and County of Orange Grading Specifications. (Mitigation Measure 6.5)

- N/A 47. The abandonment of the septic tanks, leach field, and seepage pits, if encountered during grading, shall be performed in accordance with the Orange County Health Care Agency requirements, and in compliance with a removal permit issued by the City of Irvine. 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. (Mitigation Measure 6.6)
- B 48. Prior to the issuance of grading permits for Planning Area 6, proposed grading sites shall be evaluated for erosion potential. If the sites have adverse erosion conditions:
- a. The areas shall be capped with an appropriately cohesive fill material;
  - b. Cut slopes shall be provided with replacement fills containing appropriate cohesive materials; and/or
  - c. Erosion protections, such as polymer coatings, jute matting, geotextiles, or gunite V-ditches shall be placed on the surface of the soils. (Mitigation Measure 6.7)

#### **Hazards/Hazardous Materials**

- A 49. Subdivision maps and site-specific development projects within Planning Area 6 shall be submitted by the landowner or subsequent project applicant 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." (Mitigation Measure 7.1)
- A 50. Prior to approval of tentative subdivision maps and site-specific development projects within the Northern Sphere Area, the landowner or subsequent project applicant shall submit evidence demonstrating compliance with all applicable OCFA and/or City of Irvine conditions of approval for development projects within a High Fire Hazard Zone. (Mitigation Measure 7.2)
- S 51. Prior to issuance of grading permits for each Planning Area, 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 Electric/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. (Mitigation Measure 7.3)

- N/A 52. Prior to issuance of a grading permit or a demolition permit, an asbestos survey of irrigation pipes and/or on-site buildings shall be conducted and submitted to the Community Development Department by the landowner or subsequent project applicant. If the materials are found to contain asbestos fibers, demolition shall be conducted in accordance with the remediation and mitigation procedures detailed in Remediation Procedures Report, and in accordance with federal, state and local law. Buildings constructed prior to 1973 shall be screened for lead-based paint prior to demolition. If lead-based paint is identified, it shall be mitigated in accordance with the procedures set forth in the Remediation Procedures Report. (Mitigation Measure 7.4)
- N/A 53. Prior to issuance of grading permits for each planning area, the landowner or subsequent project applicant shall submit evidence to the Community Development Department that all ASTs and USTs have been removed in accordance with existing standards and regulations and under the oversight of OCHCA. The process for AST/UST removal is detailed in the AST/UST Removal Report and Remediation Procedures Report. Soil samples from areas where storage tanks have been removed 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. (Mitigation Measure 7.5)
- N/A 54. If septic tanks and associated leach fields are identified prior to issuance of grading permits or encountered during site development, the landowner or subsequent project applicant shall obtain a removal permit from the City of Irvine and excavate the septic tank and leach field in accordance with the procedures described in the Remediation Procedures Report, and as directed by City inspectors. If soil contamination is encountered, OCHCA will be notified and 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. Clean, imported backfill shall be utilized to replace the void created by the removed septic tank and leach field as described in Remediation Procedures Report. (Mitigation Measure 7.6)

- N/A 55. Prior to issuance of the Demolition Permit for the Packing House, the developer shall demonstrate compliance with SCAQMD Rule 1403. Mitigation Measure 2.1, NS Supplemental EIR)

### Hydrology

- A 56. Prior to the issuance of grading permits, the landowner or subsequent project applicant shall submit for approval to the State Water Resources Control Board, a Notice of Intent to be covered under the Storm Water Permit. Additionally, the project proponent shall prepare a SWPPP which will:
- a. Require implementation of Best Management Practices (BMPs) so as to prevent 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. (Mitigation Measure 8.1)
- S 57. Prior to issuance of precise grading permits, the landowner or subsequent project applicant shall develop a WQMP in accordance with the requirements of the MSW Permit and the DAMP and shall submit the WQMP for review to the City. The City shall approve the WQMP prior to the granting of the precise

grading permit for the proposed development. In accordance with the DAMP, the WQMP shall:

- 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 process for identifying BMPs is included in the Water Quality Assessment Technical Appendix. (Mitigation Measure 8.2)

N/A 58. If any construction activity falls within CalTrans Right-of-Way, an Encroachment Permit shall be required. The landowner or subsequent project applicant must submit a copy of the Storm Water Pollution Prevention Plan 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 (WPMP) pursuant to CalTrans Standard Specifications and "CalTrans Storm Water Quality Handbook, Construction Contractors Guide and Specifications." All activities within CalTrans rights-of-way must fully conform to the CalTrans Statewide NPDES Permit No. CAS000003 (Order No. 99-06-DWQ). (Mitigation Measure 8.3)

B 59. 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 the following public and/or private improvements in conformance with applicable City standards and the City's Capital Improvement Policy: Storm drain facilities, including detention basins, in accordance with the approved Drainage Concept Plan. (Standard Condition 1.1, Mitigation Measure 8.4)

A 60. Prior to the approval of improvement plans for the Central Irvine Channel (Trabuco Channel) the applicant shall submit a study, for approval by the Director of Public Works, identifying the applicant's fair share responsibility in improving the channel. Additionally, the City shall use its best efforts to secure funding to pay for its fair share of required improvements. However, if the City is unable to obtain funding for all or a portion of its fair share, the applicant will be responsible for the completion of all required channel improvements, including the City's fair share. In the event that the City is unable to fund its fair share, the City and the applicant shall enter into an agreement to establish a



mechanism by which the applicant will receive equivalent credit towards other public works projects. (Mitigation Measure 8.5)

- B 61. Prior to the issuance of precise grading permits, the applicant [landowner or subsequent project applicant] shall submit a groundwater survey of the affected portion of the site. The analysis shall be prepared by a 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 buildout.
  - b. Analysis for relief of groundwater buildup and properties of soil materials onsite.
  - 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 2.2) Prior to the discharge of any wastewaters from dewatering activities, the landowner or subsequent project applicant shall submit for approval to the Regional Water Quality Control Board, a Notice of Intent to be covered under the De Minimus permit (or its equivalent). The landowner or subsequent project applicant shall comply with the De Minimus permit, including its notification and monitoring requirements for any wastewaters from dewatering activities that will be discharged from the project site. (Mitigation Measure 8.6)
- A 62. Prior to the issuance of a precise grading permit, the landowner or subsequent project 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), including additional data as required by FEMA. The landowner or subsequent project applicant shall pay all preliminary and subsequent fees as required by FEMA. (Standard Condition 2.4, Mitigation Measure 8.7)
- A 63. 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 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 2.5, Mitigation Measure 8.8)
- A 64. Prior to the issuance of precise grading permits, the landowner or subsequent project applicant shall submit, and the Director of Community Development shall have approved, a Water Quality Management Plan (WQMP). The WQMP

shall identifying the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff. (Standard Condition 2.10, Mitigation Measure 8.9)

- N/A 65. This development includes land within a Special Flood Hazard Area (SFHA) subject to inundation according to the Flood Insurance Rate Map (FIRM). 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 Federal Emergency Management Agency (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. The project proponent will include as part of the project design the Project Design Feature described in 8.11, 8.12 and 8.13 that will further improve the quality of storm water runoff from developed areas of the site. (Standard Condition 3.3, Mitigation Measure 8.10)
- A 66. Construction of the following improvements to the existing Marshburn Retarding Basin shall commence prior to issuance of the first occupancy permit for any residence (except a model home) in Planning Area 6: the existing Marshburn Retarding Basin shall be modified provide a water quality pool of 79 acre-feet, which shall at a minimum treat over a 24-hour period the volume of runoff produced by a 24-hour, 85th percentile storm event (runoff from a 0.75 inch storm) from approximately 1955 acres in Planning Area 6, which constitutes approximately 50 percent of the development area; and, to treat low flows, the Marshburn Retarding Basin shall also include a natural water quality treatment BMP. (Mitigation Measure 8.11)
- N/A 67. 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 volume 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. 8.12 For the remaining ten percent of the development area (those areas that are not tributary to the Trabuco Retarding Basin and Marshburn Retarding Basin, and which shall be developed), prior to issuance of the first occupancy permit for any residence (other than a model home) installation of the following BMPs shall commence: BMPs that achieve similar performance per National BMP Database ratings as catch basin inserts, and that are designed to infiltrate, filter or treat the volume of runoff produced by either (a) a 24-hour, 85th percentile

storm event (0.75 inch), or (b) the maximum flow rate of runoff produced by a rainfall intensity of 0.2 inch of rainfall per hour. (Mitigation Measure 8.12)

- A 68. The project is expected to have a less-than-significant impact on surface water quality, as discussed above, and accordingly no water quality mitigation measures are required under CEQA. The project proponent nonetheless proposes to include as part of the project a PDF to improve the quality of storm water runoff and low flows from developed areas of the site. Accordingly, as a monitoring device to ensure the PDF is implemented, the following identification of the PDF shall be included in the Mitigation Monitoring Report for this project: Prior to issuance of the first occupancy permit for any residence (except a model home) for Planning Area 6, commence construction of a water quality pool of 79 acre-feet in the Marshburn Retarding Basin. Prior to issuance of the first occupancy permit for any residence (except a model home) for Planning Area 9, commence construction of a water quality pool of approximately 76 acre-feet in the Trabuco Retarding Basin. For the remaining ten percent of the development area (those areas that are not tributary to the Trabuco Retarding Basin and Marshburn Retarding Basin, and which will be developed), prior to issuance of the first occupancy permit for any residence (other than a model home) commence installation of BMPs that achieve performance similar to catch-basin inserts. (Mitigation Measure 8.13)
- B 69. Prior to issuance of any building permit, the landowner or subsequent project applicant shall complete, and submit to the Department of Public Works, a hydrology and hydraulics report to ensure the final development conforms to the proposed drainage patterns and flow rates shown in the FCMPSDC. 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. (Mitigation Measure 8.14)
- A 70. The landowner or subsequent project applicant shall participate on a fair-share basis in the construction of the improvements necessary, as determined by the City, to address deficiencies in the downstream drainage system, in conjunction with the approval of the first final map for the project. (Mitigation Measure 8.15)
- N/A 71. Any runoff draining into CalTrans Right-of-Way from construction operations or from the resulting project must fully conform to the current discharge requirements of the Regional Water Quality Control Board to avoid impacting water quality. Measures must be incorporated to contain all vehicle loads and avoid any tracking of materials, which may fall or blow onto CalTrans roadways or facilities. (NOTE: This is a standard mitigation measure requested by CalTrans, and is included for that purpose.) (Mitigation Measure 8.16)

## Land Use

- A 72. The proposed project shall be designed in accordance with all relevant development standards and regulations set forth by the adopted Zone Change. (Mitigation Measure 9.1)
- N/A 73. Each tentative tract map (“B” Map) shall incorporate appropriate buffers as determined by the adopted zoning between residential neighborhoods and Medical and Science uses within Planning Area 9 including walls, landscaping, and/or berms. (Mitigation Measure 9.2)

## Noise

- B 74. Prior to the issuance of building permits for each structure or tenant improvement other than a parking structure, the landowner or subsequent project 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 which include the approved mitigation measures. (Standard Condition 3.1, Mitigation Measure 10.1)
- B 75. Prior to issuance of grading permits, the landowner or subsequent project applicant shall incorporate the requirements of the Noise Ordinance as a note on the grading plan cover sheet, for review and approval by the Director of Community Development. Section 6-8-205 limits construction related activities to the hours of 7:00 a.m. to 7:00 p.m. on Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday, and prohibits work on Sundays and holidays, unless prior approval is received from the City of Irvine. In addition, the Noise Ordinance requirements shall be discussed at the pre-grade meeting, and implemented during construction. (Mitigation Measure 10.2)
- B 76. Prior to issuance of each grading permit, the landowner or subsequent project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved. This language shall be approved by the Director of Community Development.
- a. Construction equipment, fixed or mobile, shall be maintained in proper operating condition with approved noise mufflers.

- b. Construction staging areas shall be located away from off-site receptors and occupied buildings on site during the later phases of project development.
- c. Stationary equipment shall be placed such that emitted noise is directed away from residential areas to the greatest extent feasible.
- d. Construction access routes shall be selected to minimize truck traffic near existing residential uses where reasonably feasible. (Mitigation Measure 10.3)

N/A 77. Prior to issuance of the building permit for the 3,750th residence, or sooner if updated noise studies submitted with the updated traffic studies required to be submitted pursuant to Mitigation Measure 14.5, 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). (Mitigation Measure 10.4)

N/A 78. Any specific uses that are capable of generating significant noise shall be located away from existing or future residential areas. Prior to the issuance of building permits for each planning area, detailed noise studies shall be required for any potentially noise generating uses as determined by City staff. These studies shall describe the noise levels generated by the use and show compliance with the City's Noise Ordinance Standards. (Mitigation Measure 10.5)

N/A 79. If at the time of building permit issuance a commercial airport at MCAS El Toro is still a potential land use, the landowner or subsequent project applicant shall submit a single event noise analysis to the Director of Community Development for review and approval. The noise analysis shall demonstrate that the City's single event noise standard can be met. The City's single event noise standard requires that the maximum interior noise levels of the loudest 10% of single noise events [L<sub>max</sub>(10)] for noise sensitive land uses within the 60 CNEL of aircraft and railroad noise sources shall not exceed 65 dBA between 7 a.m. and 7 p.m. nor 55 dBA between 7 p.m. and 7 a.m. for typical occupancy. Typical building upgrades would usually consist of a high-quality double pane windows, noise baffles for the attic vents, and an extra layer of gypsum board drywall for

portions of walls that have a wood siding (stucco without extra drywall would be adequate). The level of attenuation needed is achievable with common noise insulation practices. The exact noise insulation features would be spelled out in a noise analysis required by the City prior to the issuance of building permits. (Mitigation Measure 10.6)

## Public Services

- B 80. The landowner or subsequent project applicant shall comply with all applicable 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. (Mitigation Measure 12.1)
- B 81. 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, Mitigation Measure 12.2)
- S 82. Prior to the release of the first final map (except for financing and conveyance purposes) for each planning area by the City, the landowner or subsequent project applicant shall submit evidence of a secured fire protection agreement with the OCFA to mitigate adverse impacts of the project on the OCFA. Such an agreement may include participation on a pro-rata basis in funding capital improvements necessary to establish adequate fire protection facilities, apparatus and equipment to serve the project. (Mitigation Measure 12.3)
- A 83. Tentative tract map and master plan applications shall be prepared in accordance with the Uniform Security Code, specifically the site planning guidelines referred to as Crime Prevention Through Environmental Design (CPTED). These guidelines are intended to optimize the ability of the Police Department to respond quickly and effectively to calls for assistance and also to incorporate crime prevention measures into the design of future homes. Examples of such measures include minimizing vegetation or structural screening that could obstruct visibility into private homes or yards by passing patrol units, and installation of special locks and/or electronic security devices. (Mitigation Measure 12.4)
- A 84. Prior to issuance of building permits, mitigation of school impacts will be achieved by either payment of school fees established by SB 50, or execution by IUSD and TIC of a Facility and Financing Supplement to the 1985 Mitigation Agreement. (Mitigation Measure 12.5)

## Recreation

- S 85. Concurrent with submittal of the first residential tract map for each planning area within the Northern Sphere Area, the landowner or subsequent project applicant shall submit a park plan for private and public parks and trails to be provided throughout that planning area in the Northern Sphere Area. This plan shall satisfy all standards of the City's Subdivision Ordinance relative to parks and trails locations, sizes and design criteria, and shall be based upon the actual individual project densities proposed for all housing projects. (Mitigation Measure 13.1)
- B 86. 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, Mitigation Measure 13.2)
- A 87. 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, Mitigation Measure 13.3)
- B 88. 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, Mitigation Measure 13.4)
- A 89. Prior to the approval of the Tentative Tract Map, the landowner or subsequent project applicant shall submit a conceptual design for the detention basins, drainage facilities, and water treatment facilities if they are located within the open space, that includes a habitat/recreation/open space compatibility element. Final conceptual design of the habitat/recreation/open space compatibility element for the detention basins shall be subject to the approval of

the Director of Community Services. All such facilities which are located on land that is ultimately to be owned by the City shall be required to obtain review and approval by the Director of Community Services during Public Facility Design (Mitigation Measure 13.5)

- S 90. Prior to approval of the first residential Tentative Tract Map within each planning area, 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, and a phasing plan for construction of trails. The Master Trails Plan shall be submitted for review and comment by the County of Orange and Community Services Commission and approved by the Planning Commission. (Additional Mitigation Measures) (NOTE: The Planning Commission's approval of the Master Trails Plan must be accompanied by findings that the Plan is in conformance with the City's General Plan.) (Mitigation Measure 13.6)
- N/A 91. In conjunction with the submittal of master tentative tract map(s) for areas adjacent to the Jeffrey Open Space Spine, the landowner or subsequent project applicant shall submit for review, to the satisfaction of the Director of Community Development, Director of Community Services and the City Attorney, in the form of an irrevocable offer of dedication to the City of Irvine for the Jeffrey Open Space Spine. The Jeffrey Open Space Spine shall be identified on said master tentative tract map as lettered lots. The irrevocable offer of dedication shall then be accepted by the City and recorded in conjunction with the recordation of the final tract map(s) containing open space lots. (Mitigation Measure 13.7)
- N/A 92. Prior to the release of a final map by the City for Planning Area 9, and consistent with approved zoning, the landowner or subsequent project applicant shall be required to submit for the review and approval of the Community Development Department and Community Services Department a conceptual plan for the Jeffrey Open Space Spine, including descriptions of types of trails, landscape elements and special design features. (Mitigation Measure 13.8)
- N/A 93. Post-construction signage, fencing, vegetative barriers, appropriate site planning or other effective measures shall be taken to discourage human entry associated with project development into preserve open space areas located adjacent to parks where active park use are planned. (Mitigation Measure 13.9)

### **Transportation/Circulation**

- B 94. This project necessitates the construction of public and/or private infrastructure improvements. Prior to the issuance of preliminary or precise grading permits, 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. (Standard Condition 1.1) Street improvements including, but not limited to: pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, striping as follows:

- a. Traffic signal systems, interconnect and other traffic control and management devices as required by applicable City standards.
- b. Storm drain facilities.
- c. Subdrain facilities.
- d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- 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.
- f. Riding, hiking and bicycle trails adjacent to or through the project site.
- g. Undergrounding of existing overhead and proposed utility distribution lines.
- h. Transit-related improvements depicted on the approved tentative map. (Mitigation Measure 14.1)

A 95. Prior to the issuance of building permits for the adjacent planning area, the landowner or subsequent project applicant shall dedicate the required right-of-way and construct or bond for roadway improvements to City of Irvine Master Plan of Arterial Highways (MPAH) standards for Bryan Avenue, Jeffrey Road, Sand Canyon Avenue, Portola Parkway, Irvine Boulevard and Trabuco Road, as identified in the project traffic study (Austin-Foust, November 2001) and supplemental traffic study (Austin-Foust, March 2002). (Mitigation Measure 14.2)

N/A 96. Prior to the release of the Final Map for Planning Area 9 and/or Planning Area 8A by the City, the landowner or subsequent project applicant shall coordinate with the City of Tustin and shall participate in the ATMS program at the Jamboree Road/El Camino Real, Tustin Ranch Road/Irvine Boulevard, Red Hill Avenue/Irvine Boulevard, Jamboree Road/Irvine Boulevard and Jamboree Road/Edinger Avenue intersections. (Mitigation Measure 14.3)

- N/A 97. Prior to recordation of each final map for the project, the landowner or subsequent project applicant shall apply for annexation of any non-residential areas (except institutional areas within the project and except community commercial in Planning Area 6) within such final map area to the Irvine Spectrum Transportation Management Association (Spectrumotion) in accordance with Article X of the recorded Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Spectrumotion including any supplementary and amended CC&Rs. The purpose of this mitigation measure is to reduce traffic, air quality and noise impacts. Should annexation into Spectrumotion not be approved, the landowner or subsequent project applicant shall develop and implement a similar transportation management plan containing the elements and meeting the criteria described below:

### **Transportation Management Plan**

The development and implementation of a Transportation Management Plan is an identified mitigation measure to manage transportation access for the Northern Sphere Project. This document summarizes the key elements of the Transportation Management Plan.

#### **1.0 Introduction**

The purpose of this document is to provide an outline for a comprehensive Transportation Management Plan (TMP) for the Northern Sphere. This report is not intended to provide the specific details of the plan, but rather to highlight the key components and provide direction for subsequent detailed planning and implementation activities. When preparation of the TMP is undertaken, all of the agency and stakeholders will be invited to provide input.

It is the intent to annex the Northern Sphere non-residential area (except institutional areas and community commercial in PA 6) into the Irvine Spectrum Transportation Management Association (Spectrumotion). Spectrumotion is a private, non-profit Transportation Management Association (TMA) formed to reduce traffic congestion in Irvine Spectrum. It currently serves approximately 55,000 employees and is projected to grow to 120,000 employees within this employment area, not including the North Irvine Sphere. Spectrumotion promotes, markets and subsidizes alternatives to solo-commuting and assists the business community in complying with trip reduction related requirements. Membership is mandatory to property owners with deed restrictions requiring participation in the TMA. Membership dues provide the funding for the Association and its programs, which offer a variety of employer and commuter services focused on reducing vehicular trip generation. In the event that annexation of the Northern Sphere into Spectrumotion is not approved, a Transportation Management Plan similar to that provided by Spectrumotion will be implemented. This document sets forth the components of this TMP should it become necessary.

## 2.0 Transportation Management Plan Framework

The key elements of a Northern Sphere Transportation Management Plan are set forth below:

- **New Hire Orientation:** Inform newly hired employees of available commuting services available to them.
- **Public Transportation Pass Sales:** Provide a central location for purchase of passes to available transit services (i.e., OCTA buses, Metrolink, Amtrak, etc.).
- **Van Pool and Car Pool Formation Assistance:** Perform all of the administrative work necessary to establish van pools and car pools.
- **On-Site Promotions:** Hold rideshare promotions at work sites and assist in employer assistance promotions.
- **Telecommuting/Alternative Work Schedule Consulting:** Assist employers in developing and implementing a telecommuting or alternative work schedule program.
- **Personalized Commute Consulting:** Provide a personalized commute profile to any commuter, which includes carpool match list containing the names of other commuters in the North Irvine Sphere that live and work near each other.
- **Website:** Maintain a website with all of their program information available.
- **Rideshare Promotions:** Conduct high visibility rideshare promotions as a means to advertise its services.
- **Subsidies:** To the extent financially feasible, offer subsidies to assist in the formation of van pools, the formation of car pools and to encourage the trying of transit services.
- **Public Agency Coordination:** Work closely with various public and quasi-public agencies to improve bus and commuter rail service to the Spectrum and North Irvine Sphere Areas.

## 3.0 Transportation Management Plan Implementation

Once the TMP is developed, a process will be established to monitor its effectiveness in reducing peak hour trip generation in the Northern Sphere. The Plan will be modified as appropriate to enhance its effectiveness. (Mitigation Measure 14.4)

- A 98. The landowner or subsequent project applicant shall implement traffic improvements as identified in the project traffic study (Austin-Foust, November 2001) and supplemental traffic study (Austin-Foust, March 2002) to maintain satisfactory levels of service as defined by the City's General Plan, based on thresholds of significance, performance standards and methodologies utilized in this DEIR, Orange County Congestion Management Program and established

in City of Irvine Traffic Study Guidelines. Prior to approval of each Master Tentative Map or equivalent, the landowner or subsequent project applicant shall prepare, subject to City approval, an updated traffic study inclusive of a phasing plan for traffic improvements associated with the subject Master Tentative Map. The phasing plan will specify the timing, funding, construction and fair-share responsibilities for all traffic improvements based on the updated traffic study to maintain satisfactory levels of service. The updated traffic study will determine whether those traffic mitigation improvements listed in Table 4-90, Table 4-94B and/or additional traffic improvements, if any, are necessary based on updated traffic forecasts. The updated traffic study will evaluate the cumulative impact of the subject map and all previously approved or concurrently submitted maps, along with corresponding roadway mitigations within the Protocol Area. The methodology for study area, applicable land use and circulation modifications and standards for assessing and mitigating impacts employed in the updated traffic study shall be consistent with a City approved traffic study scope-of-work. Furthermore, the traffic study area boundary shall be consistent with the study area boundary utilized in the traffic study prepared for this EIR. The landowner or subsequent project applicant shall construct, bond for or enter into a funding agreement for necessary circulation system improvements. (Mitigation Measure 14.5)

- A 99. In conjunction with the preparation of any updated traffic study as required in Mitigation Measure 14.5 for each master tentative map or equivalent, and assuming that a regional transportation agency has not already programmed and funded the warranted improvements to the impacted freeway mainline or freeway/tollway ramp locations, the landowner or subsequent project applicant and the City will take the following actions in cooperation with CalTrans:
- a. The traffic study will identify the Project's proportionate impact on the specific freeway mainline and/or freeway-tollway ramp locations and its fair share percentage responsibility for mitigating these impacts (assuming tolled conditions on the Transportation Corridors) based on thresholds of significance, performance standards and methodologies utilized in this DEIR and established in the Orange County Congestion Management Program and City of Irvine Traffic Study Guidelines.
  - b. The City shall estimate the cost of the project's fair share responsibility in cooperation with CalTrans and the Transportation Corridor Agency.
  - c. The landowner or subsequent project applicant shall enter into an agreement with the City prior to recordation of the first final map for each Master Tentative Map or equivalent to establish the method and timing of payment for this identified fair share responsibility.
  - d. The City shall allocate the landowner or subsequent project applicant's fair share contribution to traffic mitigation programs that result in improved traffic

flow on the impacted mainline and ramp locations, including but not limited to funding participation in a regional transportation improvement fee program, if adopted, construction of physical or operational improvements or contributions to mandated trip reduction or transit programs. (Mitigation Measure 14.6)

- A 100. Following adoption of the General Plan/Zoning Change for the Northern Sphere, the City of Irvine shall coordinate with the Orange County Transportation Authority to restructure transit service plans to provide effective service to the area. (Mitigation Measure 14.7)

### **Utilities/Energy**

- B 101. The project shall comply with City of Irvine and State of California Insulation Standards and utilize energy efficient appliances to aid in conservation of energy resources. (NOTE: In 1978 California established Energy Efficiency Standards for Residential and Nonresidential Buildings. Commonly referred to as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. In 2001 new standards went into effect. To date, these standards are estimated to have saved more than \$11.3 billion in electricity and natural gas costs. Title 24 covers the use of energy efficient building standards, including ventilation, insulation and construction and the use of energy saving appliances, conditioning systems, water heating, and lighting.) (Mitigation Measure 15.1)
- B 102. The project shall comply with all the State Energy Insulation Standards (Title 24) and City of Irvine codes in effect at the time of application for building permits. (Mitigation Measure 15.2)
- B 103. This development necessitates the construction of public and/or private infrastructure improvements. Prior to the release of a final map by the City, the applicant [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 undergrounding proposed utility distribution lines, in conformance with applicable City standards and the City's Capital Improvement Policy. (Standard Condition 1.1, Mitigation Measure 15.3)
- B 104. Development maps shall be conditioned to require that all electrical service lines serving development within the Northern Sphere Area will be underground. (Mitigation Measure 15.4)
- B 105. The project shall comply with City of Irvine and State of California insulation standards. (NOTE: In 1978 California established Energy Efficiency Standards for Residential and Nonresidential Buildings. Commonly referred to as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. In 2001 new

standards went into effect. To date, these standards are estimated to have saved more than \$11.3 billion in electricity and natural gas costs. Title 24 covers the use of energy efficient building standards, including ventilation, insulation and construction and the use of energy saving appliances, conditioning systems, water heating, and lighting.) (Mitigation Measure 15.5)

- B 106. The project shall comply with all the State Energy Insulation Standards (Title 24) and City of Irvine codes in effect at the time of application for building permits. (Mitigation Measure 15.6)
- B 107. The landowner or subsequent project applicant shall consult with the Southern California Gas Company regarding feasible energy conservation measures. (Mitigation Measure 15.7)
- B 108. The landowner shall consult with the Southern California Gas Company regarding feasible energy conservation measures and utilize measures to the maximum extent feasible. (Mitigation Measure 15.8)
- B 109. All telephone lines shall be located underground. (Mitigation Measure 15.9).
- A 110. Prior to recordation of the first Final Tract Map (“A” Map), the landowner or subsequent project applicant shall coordinate with IRWD in the preparation of a “Sub Area Master Plan” (SAMP) which will identify sizing and general locations of IRWD Capital Facilities (wastewater) and developer facilities necessary to serve the proposed project with sewage collection and treatment systems with potable water and non-potable water supplies. Design of these facilities will be in accordance with all applicable IRWD criteria and will be sufficient to meet the projected service demands of the Northern Sphere Area development. (Mitigation Measure 15.10)
- A 111. All tentative tract maps and/or parcel maps shall show all easements on the property. Any grading and/or construction within any easement shall be in conformance with the contractual agreements in effect between the landowner or subsequent project applicant and the easement holder. (Mitigation Measure 15.11)
- A 112. Prior to the final approval of the location of potable and non-potable tanks proposed for Planning Area 6 (Implementation Area “R”) the landowner or subsequent project applicant shall submit to the Director of Community Development a landscape plan screening said tanks from public view through the use of landscape and berming consistent with the NCCP and subject to IRWD requirements. Alternatively, if feasible, said tanks may be placed underground. (Mitigation Measure 15.12)

- A 113. Prior to recordation of the Final Map (“A” Map), the landowner or subsequent project applicant shall coordinate with IRWD in the preparation of a “Sub Area Master Plan” (SAMP) which will identify sizing and general locations of backbone and developer facilities necessary to serve the proposed project. Design of these facilities will be in accordance with all applicable IRWD criteria and will be sufficient to meet the projected service demands of the Northern Sphere Area development. (Mitigation Measure 15.13)
- N/A 114. Prior to the issuance of precise grading permits for multi-family or single-family attached projects, the landowner or subsequent project applicant shall show on the site plans the location of receptacles to accumulate on-site generated solid waste for recycling purposes. (Mitigation Measure 15.14)
- N/A 115. Tentative subdivision map and master plan applications for attached residential projects shall satisfy the refuse collection and recyclable materials collection and loading standards set forth in Section 3-25-1 (Refuse collection Standards, Recycling Collection Standards) of the Irvine Municipal Code. These sections establish standards for the capacity, location, design and maintenance of refuse and recycling collection bins. (Mitigation Measure 15.15)
- B 116. This project will result in new construction which will generate solid waste. Prior to the issuance of precise grading permits, the landowner or subsequent project applicant shall show on the site plans the location of receptacle(s) to accumulate on-site generated solid waste for recycling purposes. Subject to the approval of the Director of Community Development, the developer of the nonresidential project may be permitted to contract with a waste recycler for off-site materials recovery provided that the landowner or subsequent project applicant provides a letter verifying that recycling will be conducted off site in an acceptable manner. (Standard Condition A.12, Mitigation Measure 15.16)
- B 117. In the event that the City of Irvine either (1) terminates its contract with current or future waste removal contractors and no longer provides this service to its citizens; or (2) changes the City’s existing programs for recycling, then prior to final zoning and building inspections, the landowner or subsequent project applicant shall submit project plans to the Director of Community Development for review and approval to ensure that the plan is in compliance with AB 939, the Solid Waste Reduction Act of 1989, as implemented by the City of Irvine and the County of Orange Integrated Waste Management Plan. (Mitigation Measure 15.17)

SUBDIVISION COMMITTEE RESOLUTION NO. 14-930

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17757 (FILE NO. 00600340-PTT) TO SUBDIVIDE A TOTAL OF 34.26 - ACRES INTO FOUR NUMBERED LOTS FOR FUTURE RESIDENTIAL DEVELOPMENT AND 15 LETTERED LOTS FOR LANDSCAPING PURPOSES GENERALLY LOCATED AT THE NORTHEAST CORNER OF IRVINE BOULEVARD AND MODJESKA IN PLANNING AREA 6 (PORTOLA SPRINGS), FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map 17757 (00600340-PTT) has been filed by Irvine Community Development Company to subdivide a 34.26 gross-acre site into four numbered lots and 15 lettered lots for the development of 694 attached residential units; and

WHEREAS, Vesting Tentative Tract Map 17757 has a General Plan land use designation of Medium Density Residential and a Zoning Designation of 2.3K Medium Density Residential; and

WHEREAS, Vesting Tentative Tract Map 17757 is for residential development purposes; and

WHEREAS, the neighborhood and community parkland dedication requirements have been addressed through compliance with Park Plans 00321912-PPP and 00381138-PPP; and

WHEREAS, the subject Vesting Tentative Tract Map 17757 conforms with the City of Irvine Subdivision Ordinance and Zoning Ordinance; and

WHEREAS, Vesting Tentative Tract Map 17757 (00600340-PTT) is considered a "project" under regulations of the State of California Environmental Quality Act; and

WHEREAS, a Program Environmental Impact Report (SCH# 2001051010) was prepared for the Planning Areas 3, 5B, 6, 9 and a portion of Planning Area 8, and certified by the City of Irvine City Council as adequate; and

WHEREAS, the Subdivision Committee of the City of Irvine reviewed the subject application at a public meeting on August 27, 2014.

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 California Environmental Quality Act (CEQA) Guidelines, this project is covered by a previously certified EIR for the Northern Sphere Area (SCH# 2001051010) for Planning Areas 3, 5B, 6, 9 and a portion of Planning Area 8, which serves as the 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 and no new mitigation measures are required. Therefore, the Program EIR is determined to be adequate to serve as the environmental document 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 7.114 (C), all required Fish and Game filing fees have been paid subsequent to certification of the Northern Sphere Area Program EIR for (SCH# 2001051010).

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:
  - 1. 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.

2. 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 which 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.
  3. The implementation of a systems development charge for development in Planning Area 6 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.
- A. The development of the proposed subdivision in Neighborhood 3 of Planning Area 6 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified above are needed to support this development, are justified because the development of this type impacts the amount and 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 Subarticle 3 of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map has been established:

A. That the proposed plan is consistent with applicable general and specific plans. The proposed VTTM 17757 is consistent with the policies set forth in the General Plan's Medium Density Residential Land Use designation and complies with all of the development standards of the 2.3K Medium Density Residential zoning district in which it is located. Portola Springs (Planning Area 6) was approved for 4,670 residential units; including this project a total of 2,615 dwelling units have been approved and/or constructed to date. This map is also designed in accordance with the special development standards applicable to Planning Area 6.

B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The design and improvements of the proposed VTTM 17757 are consistent with the applicable previous plans and approvals, and the onsite improvements will be completed according to City standards and the specific requirements of Planning Area 6. The project design provides adequate pedestrian and vehicular circulation to surrounding land uses, as required in the approved master landscape and trails plan.

C. That the site is physically suitable for the type of development.

The site is physically suitable for future development based on the fact that the geotechnical analysis prepared for the site in conjunction with the Program EIR demonstrated that residential development, and the assorted accessory land uses, can be physically accommodated on the subject site. In addition, standard City development standards and code requirements 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 project site is physically suitable for the density of the development in that the project site is relatively flat and specialized design techniques will not be required. The proposed density with this project is within the density limits specified in the 2.3K Medium Density Residential district. Furthermore, the project site is adjacent to proposed future development with densities similar to the densities for this project built on similar topography.

- 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 the proposed project is in accordance with the certified Northern Sphere Area Program EIR. In addition, the proposed project is vested by the North Irvine Transportation Mitigation (NITM) Implementing Development Agreement. Based upon adopted City standards, applicable mitigation measures, and conditions imposed by applicable Section 404 and 1603 permits, the design of the proposed subdivision and the type of improvements proposed for the project are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

- 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 are not likely to cause serious public health problems as the proposed onsite building and infrastructure improvements will be constructed in compliance with all City and 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.

The design of the subdivision and type of improvements will not conflict with any easements acquired by the public at large for access through the property. Access within this project is provided through public sidewalks and roadways.

- 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

Any discharge of waste from the proposed subdivision into an existing sewer system would not 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 in that the project will include additions to the existing sewer system and the additions have been designed and sized to accommodate the projected waste output of the development. 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.

The certified Northern Sphere Area EIR (SCH# 2001051010), which serves as the Program EIR for this project, satisfies the requirements of the California Environmental Quality Act for Planning Area 6. This Program EIR contains mitigation measures that will be applied to Vesting Tentative Tract Map 17757. Conditions, which serve as mitigation measures, are identified below.

- J. For subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

Vesting Tentative Tract Map 17757 creates a two development sites for future residential development of up to 694 residential units, although this represents a small portion of the overall approved development allow for Planning Area 6. A water supply analysis was prepared at the time of the initial approval of the project and no further analysis is required as this project was anticipated at that time.

- K. For any subdivision for which a modification is granted pursuant to Section 5-5-107 of the Subdivision Ordinance, all of the following additional findings:

- 1. 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 others in the vicinity.

Vesting Tentative Tract Map 17757 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

- 2. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.

Vesting Tentative Tract Map 17757 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

- 3. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

Vesting Tentative Tract Map 17757 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

- L. That the proposed vesting tentative tract 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.

As demonstrated through each of the above findings, Vesting Tentative Tract Map 17757 is consistent with Irvine's General Plan, Zoning Code, IBC Vision Plan, and design and improvements requirements for subdivisions. The map does not seek any modifications from the Subdivision Ordinance and therefore is found to be in compliance with applicable plans, ordinances, and policies of the City of Irvine.

SECTION 6. Based on the Verification of Water Supplies approved by the Irvine Ranch Water District in March 2002, a sufficient water supply exists to serve the project.

SECTION 7. Vesting Tentative Tract Map 17757 subdivides 34.26 gross-dacres in to 4 numbered lots and 15 lettered lots for the development of 694 residential units in Planning Area 6.

SECTION 8. That the Secretary to the Subdivision Committee of the City of Irvine shall certify to the passage and adoption of the Resolution and enter it 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 Vesting Tentative Tract Map 17757 (00600340-PTT) 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) as set forth by the EIR for the Northern Sphere Area (SCH# 2001051010) for Planning Areas 3, 5B, 6, 9 and a portion of Planning Area 8, which serves as the EIR for the proposed project., 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".

- x   a. Street improvements including, but not limited to: pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, signing, striping, including the restriping of Modjeska to provide a 190-foot southbound left-turn lane at Still Night.
- n/a  b. Traffic signal systems, interconnect and other traffic control and management devices:
- x   c. Storm drain facilities.
- x   d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- x   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.
- x   h. Undergrounding of existing overhead and proposed utility distribution lines.
- n/a  i. Transit-related improvements as depicted on the approved tentative map.

Standard Condition 1.2

REAPPORTION EXISTING A.D.

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).

Standard Condition 1.9

STREET LIGHTING ENERGY FEE

Prior to the release of a final map by the City for a subdivision that requires the construction of new street lighting facilities; the applicant shall post an advanced energy fee for street lighting with the City Engineer.

Condition 1.13

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.

**PRIOR TO THE ISSUANCE OF PRELIMINARY OR PRECISE GRADING PERMITS**

Standard Condition 2.5 (modified)

ARCHAEOLOGIST AND PALEONTOLOGIST

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 grading plan under the general heading: "Conditions of Approval."

Should any cultural/scientific resources be discovered, 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 (i.e., significant scientific/cultural resources will be preserved in place or recovered and curated at a museum or other suitable repository for curation in perpetuity. The repository will afford access to the collection to future researchers. Proof of curation shall be provided).

Standard Condition 2.12

NOTICE OF INTENT

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 City Engineer 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 (modified)

WATER QUALITY MANAGEMENT PLAN

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) (PPP-SWQ-2)

More specifically, the WQMP shall, in accordance with the DAMP and 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.

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 2.33

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:

- a. 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
- b. 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:
  1. 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.

2. The descendant identified fails to make a recommendation; or

3. 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 2.34

SCAQMD RULES 402 and 403

Prior to issuance of a grading permit, 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 for the Project by MGA (see Appendix B1 of the DEIR).

**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 (Modified)

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 from John Wayne Airport.
- X b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist 949-724-7148.
- n/a c. Map of Special Flood Hazard Area information 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 all properties located near and/or adjacent to a site designated for private and/or public park(s) that may include recreational, field/court lighting, and other related improvements.
- X g. Notice that the property is located near and/or adjacent to public open space land that may include trails, trailheads, parking facilities, lighting, bridges, and other related improvements and operations.
- X 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

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**

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**

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 3.20

**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.

Standard Condition 3.26

**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.

Condition 3.33

OCFA - FIRE SPRINKLER SYSTEM

Prior to the issuance of building permits, the applicant shall submit plans to the Orange County Fire Authority for review and approval underground piping for private hydrants and fire sprinkler systems (Service Codes PR470-475).

Condition 3.34

OCFA – ARCHITECTURAL PLAN

Prior to the issuance of building permits, the applicant shall submit plans to the Orange County Fire Authority for review and approval architectural when required by the OCFA “Plan Submittal Criteria Form” (Service Codes PR200-PR285).

**PRIOR TO AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

Condition 4.12

OCFA - OCCUPANCY INSPECTIONS

Prior to issuance of temporary or final certificate of occupancy, all 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. Inspections shall be scheduled at least two days in advance by calling OCFA Inspection Scheduling at 714-573-6150.

Condition 4.13

OCFA - LUMBER DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance from the OCFA prior to bringing combustible building materials onsite. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least two days in advance to schedule the lumber drop inspection.

**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 CONDITIONS**

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.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 27<sup>th</sup> day of August 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

CHAIR OF THE SUBDIVISION COMMITTEE



AGENDA ITEM NO 2



# REQUEST FOR SUBDIVISION COMMITTEE ACTION

**MEETING DATE:** AUGUST 27, 2014

**TITLE:** VESTING TENTATIVE TRACT MAP 17666 (FILE NO. 00583914-PTT) TO SUBDIVIDE A 3.65-GROSS ACRE LOT FOR CONDOMINIUM PURPOSES IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT OF 287 RESIDENTIAL UNITS IN THE IRVINE BUSINESS COMPLEX (IBC) (PLANNING AREA 36)

A handwritten signature in black ink, appearing to be "S.H.", written over a horizontal line.

Principal Planner

## RECOMMENDED ACTION:

1. Open public meeting; receive public input; Committee comments and questions.
2. Close public meeting.
3. Adopt Resolution No. 14-931 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17666 (FILE NO. 00583914-PTT) TO SUBDIVIDE 3.65-GROSS ACRES INTO ONE NUMBERED LOT FOR 287 ATTACHED RESIDENTIAL CONDOMINIUM PURPOSES; LOCATED A THE NORTHWEST CORNER OF VON KARMAN AND MARTIN IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY GREAT FAR EAST

## **EXECUTIVE SUMMARY**

Great Far East has filed an application to resubdivide an existing 3.65-gross acre parcel for condominium purposes in conjunction with a proposed 287 unit residential project. The subject property is generally located at the northwest corner of Von Karman and Martin (SC Attachment 1). In addition to creating condominium units, this subdivision will:

- Dedicate irrevocable offers to the City of Irvine for segments of Von Karman and Martin; and
- Grant specified easement rights that include, but are not limited to, water & sewer, emergency access, and public pedestrian access.

Staff has reviewed the Vesting Tentative Tract Map and determined it complies with the requirements of the City's General Plan, Subdivision Ordinance, Subdivision Manual, and the Zoning Code (SC Attachment 2). Staff recommends the Subdivision Committee recommend approval to the Planning Commission subject to the findings, conditions of approval, and mitigation measures in the attached Resolution (SC Attachment 4).

## COMMISSION/ADVISORY BOARD RECOMMENDATION

None.

## ANALYSIS

### *History*

The site is improved with a four-story, 65,858-square foot, multi-story, multi-tenant office building and surface parking lot.

In April 2007, the City approved an 82 unit residential project that placed units on the surface parking lot while retaining the office building. A new parking structure sized to accommodate the residential and office needs would be shared to make up for the removal of the surface parking lot.

To support that residential project, the City also approved a rezoning (00377523-PZC) of the surface parking lot to 5.3, IBC Residential. The office building retained its 5.1, IBC Multiuse zoning designation.

Despite City approvals, the 82-unit project was never initiated. Today, the property exists as a single 3.65-acre site with a multi-story, multi-tenant office building, a surface parking lot, and dual zoning.

### *Background*

The project site was purchased by Great Far East in August 2010. The developer intends to demolish all existing site improvements in favor of a new 287-unit, wrap-style, attached multi-family residential project with private recreation facilities and new access road.

### *Project Description*

Vesting Tentative Tract Map 17666 proposes to subdivide the airspace of an approximate 3.65-acre lot for condominium purposes, irrevocably dedicate additional right-of-way conforming to City street sections (an additional 15-feet along Von Karman and four-feet along Martin), and grant specified easements.

Vehicular access to the site is provided by one driveway from Martin. A 20-foot fire lane connecting Martin to Von Karman along the project's interior lot lines will be provided. Easements for emergency and pedestrian access over this fire lane will be provided to the City.

Although existing, new public sidewalks conforming to the IBC Vision Plan design criteria will be provided along the project's Von Karman and Martin frontages.

### *Setting*

The subject property is located at the northwest corner of Von Karman and Martin. Surrounding uses includes a mixture of apartments/condominiums, office buildings, and light industrial uses. A commercial center is located roughly 0.4 miles away from the proposed project. It should be noted that another residential project with 876 units is proposed across from this project along Martin Street and wrapping around to Campus Drive.

### *General Plan Compliance*

The subject property is designated Urban and Industrial in the City's Land Use Element of the General Plan. This land use category provides for offices, industry, and support commercial, mixed with high-density housing, and a variety of activities. In addition, the IBC Element of the City's General Plan outlines a framework for future development of the IBC as a residential mixed-use community. The proposed project is consistent with the range of allowed uses and density as described in the General Plan's Land Use and IBC Elements of the General Plan.

### *Zoning Compliance*

The subject property is currently designated 5.1, IBC Multi-use and 5.3, IBC Residential in the City's Zoning Code. Both zoning designations allow for attached residential units with the approval of a conditional use permit. Furthermore, the subject property is located in the Urban Neighborhood Overlay District established by the IBC Vision Plan, which also allows for residential uses subject to specified design criteria.

The lot created through this subdivision is of a size and shape that can accommodate the proposed residential building, pathways, sidewalks, and recreation facilities. As shown, the map and proposed improvements meet lot size, setbacks and other applicable requirements. Within the IBC overlay district, residential projects must exceed a minimum density of 30 du/ac. There is no maximum density, though, as the IBC has a residential cap of 15,000 units. This project consists of 229 base units over 3.51-net acres for a density of 65.12 du/net acre. This calculation excludes the project's 58 density bonus units. Additionally, the project's base units and density bonus units remain below the established caps of 15,000 and 2,038 units, respectively. Therefore, this project is in compliance with the Zoning Code.

### *Affordable Housing Compliance*

Irvine requires the preparation of an Affordable Housing Plan (AHP) for any residential project having 50 or more units. Per the City Zoning Code, five percent of the units must be designated as affordable to Very Low Income households, five percent to Low Income households, and five percent to Moderate Income households.

For affordable housing purposes, this project consists of 229 base units. Of these, 18 units will be affordable to Very Low Income households. The number of provided units exceeds Very Low Income requirements by 6 units. Per City Zoning Code Section 2-3-4-B.2, the project is allowed to claim a 2:1 credit for every extra Very Low Income unit provided. This credit is then applied to the required number of Low Income units. In this case, this credit covers the project's Low Income units obligation.

Moreover, providing affordable units qualifies the project under State law to a 25-percent density bonus, which equals up to another 58 units. The project is also allowed to: 1) apply state parking rates in-lieu of the City's, and 2) request one development concession/incentive. In addition to the Very Low Income units, the project will make 11 units available to Moderate Income households.

### *Parks*

The Subdivision Code allows the project to request a reduction from the park dedication standards because the project incorporates on-site affordability. If granted, this reduction is only applicable to the affordable units.

Normally, projects provide parks at a rate of 5-acres per 1,000 residents. This is divided between 2-acres of community parkland and 3-acres of neighborhood parkland. In the IBC, the neighborhood parkland is further divided into 1-acre of private neighborhood parks and 2-acres of public neighborhood parkland.

The requested reduction would provide parkland at a rate of 3.5-acres per 1,000 residents, divided between 1.5-acres of community and 2-acres of neighborhood parkland. Findings required to grant this reduction shall demonstrate how the reductions:

- Will help lower the cost of construction of the units planned for Income Level II, III, or IV households; and
- Will be guaranteed as affordable for low-income households for a minimum of 30 years; and
- Will be located within one-half mile of a publicly maintained park and/or school playground.

Staff believes these findings are supportable. By reducing the parkland obligation, the project increases its revenues and this offsets some developer costs for providing affordable units. Developers of affordable units are required to enter into a contract with the City, known as a Density Bonus Housing Agreement, which requires units to remain affordable for a minimum 30-year term. And, finally, this project is located approximately 1/3 mile from a future publicly-accessible park located in Phase 1 of the Elements project. That park will have an area of 1.70 acres and will be fully improved with active and passive recreation opportunities.

The project's park plan calculations have assumed this reduction as it has been granted in the past.

#### *Traffic Study and Vehicular Access*

An Addendum to the IBC Vision Plan EIR was prepared for this project and included the preparation of a traffic study. Analyzing future horizon years of 2017, 2035, and post-2035, that study determined the potential impacts associated with construction and operation of the 287 unit residential project.

Based on the results of this traffic impact analysis, the Milani project and transfer of development rights (TDR) can be implemented without impacting the design or operation of the surrounding roadway system. Evaluation of intersection and roadway segment LOS indicates that the addition of project traffic to existing and future 2017, 2035, and post-2035 approved and pending traffic scenarios will not significantly impact the study area intersections or roadways according to the City's performance criteria for any baseline and plus project scenario.

It should also be recognized that design features will be incorporated to improve pedestrian and bicycle interactions. Pedestrians and bicyclists would be afforded safer travel via sidewalks throughout the site that connect to the public street system and that are in close proximity to transit stops along Von Karman.

An access analysis, consistent with the City's TDPs, was conducted for the proposed project. Based on that analysis, all applicable TDPs were complied with except for TDP-14, which pertains to driveway lengths. Transportation staff reviewed and granted approval of the applicant's TDP-14 deviation request.

#### *Public Outreach*

Notice of the Subdivision Committee meeting was posted by City staff and mailed to all property owners, residents, and HOAs within 500 feet of the project boundaries. Staff has received no telephone calls, one visit to the Planning Department counter, and has received two emails. One email included a letter of opposition. Concerns raised include the number of units, project density, traffic/congestion, and reduced open space. The letter suggested that a maximum of 150 units was more appropriate for the site. The other email requested more information about the project. Both emails are attached (SC Attachment 3).

### **ENVIRONMENTAL DETERMINATION**

Pursuant to Section 15162 of the State California Environmental Quality Act Guidelines, an addendum to the Addendum to the IBC Vision Plan and Mixed Use Overlay Zoning Code Environmental Impact Report (EIR) (SCH No. 200071014) for the Milani project was prepared. Due to the scope of changes described above, this addendum considered potential project impacts in the areas of aesthetics, agriculture, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions,

hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, and transportation/traffic, and utilities and service systems.

The addendum concluded this project would not result in any new significant impacts not previously addressed in the IBC Vision Plan EIR. Therefore, all previous mitigation measures, project design features, and programs, policies and procedures, as applicable, would continue to apply to this project.

## **ALTERNATIVES CONSIDERED**

The proposed subdivision map complies with the City of Irvine's General Plan, Subdivision Ordinance, Subdivision Manual, and Zoning Code. Therefore, no alternatives to the proposed project were considered.

## **FINANCIAL IMPACT**

None.

## **REPORT PREPARED BY**

Bill Rodrigues, Senior Planner  
Dat Tran, Assistant Planner

## **ATTACHMENTS**

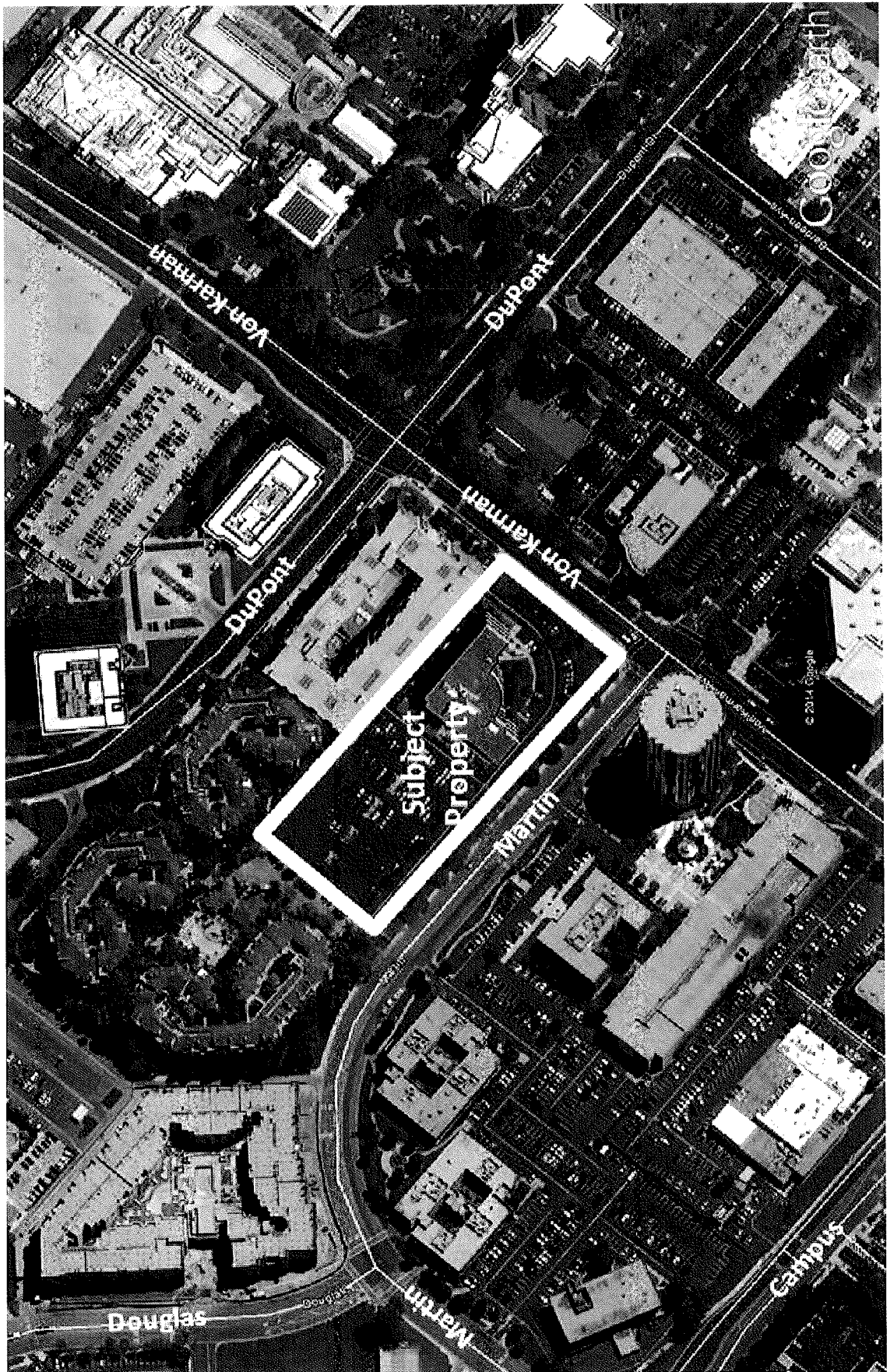
1. Vicinity Map
2. Subdivision Information Sheet
3. Correspondence
4. Subdivision Committee Resolution No. 14-931

cc: Sean Cao, Great Far East ([sean.cao@greatfareast.com](mailto:sean.cao@greatfareast.com))  
Hope Fazio, Great Far East ([hope.fazio@greatfareast.com](mailto:hope.fazio@greatfareast.com))  
Patrick Strader, Starpointe Ventures ([ps@starpointeventures.com](mailto:ps@starpointeventures.com))  
Jennifer Bushong, EPT Design ([jbushong@eptdesign.com](mailto:jbushong@eptdesign.com))  
Tom Sakai, Springbrook Realty Advisors ([tsakai@springbrookadvisors.com](mailto:tsakai@springbrookadvisors.com))

File: 00583914-PTT

# VICINITY MAP

18831 Von Karman



SC ATTACHMENT 1



**SUBDIVISION COMMITTEE INFORMATION SHEET  
 VESTING TENTATIVE TRACT MAP NO. 17666  
 (FILE NO. 00583914-PTT)  
 PLANNING AREA 36**

Meeting Date: August 27, 2014

Applicant: Great Far East

Staff Recommends: Approval of Vesting Tentative Tract Map No. 17666 to subdivide 3.65 gross acres into a single lot for condominium purposes in conjunction with a 287 unit attached multifamily residential project.

Legal Description: Parcel 1 as shown on a Parcel Map filed in Book 130, Page 40 of Parcel Maps, in the Office of the County Recorder of Orange, California.

Site Size: 3.65 gross acres

Location: Generally located at the northwest corner of Von Karman and Martin Street in the Irvine Business Complex (IBC).

Topography: Generally flat

General Plan: Urban and Industrial

Existing Zoning: 5.1, IBC Multi-Use & 5.3, IBC Residential with Urban Neighborhood Overlay

Existing Land Use: Multi-story, multi-tenant office building with surface parking and ornamental landscape.

**ADJACENT ZONING/ LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	5.3C IBC Residential	Residential
East:	5.1 IBC Multi-Use	Office
West:	5.3 IBC Residential	Residential
South:	5.1 IBC Multi-Use	Office

**LOT STANDARDS**

Minimum Size	<u>Required</u>	<u>Provided</u>
Lot 1	30,000 SF (0.69 Acres)	159,216SF (3.65 Acres)

## Bill Rodrigues

---

**From:** Chris Mathys <mathys@orofinancial.net>  
**Sent:** Thursday, August 14, 2014 12:40 PM  
**To:** Bill Rodrigues  
**Subject:** RE: letter for distribution to committee members - Case # 00583914-PTT

Thanks. I will amend the opposition letter to correct the mistakes and send another copy.

Please distribute it to the committee members and planning commission members before the hearing.

Take care,

### Chris Mathys

Manager

Lic# 01106101

Dir +1 559 438 9999 x11 | Mob +1 559 903 0772

Main +1 559 438 9999 | Fax +1 559 438 9992

mathys@orofinancial.net

Oro Financial of California, Inc.

2304 W. Shaw Ave, Suite 102 | Fresno, CA 93711 | USA

[www.orofinancial.net](http://www.orofinancial.net)

**From:** Bill Rodrigues [mailto:BRodrigues@ci.irvine.ca.us]  
**Sent:** Thursday, August 14, 2014 12:20 PM  
**To:** 'Chris Mathys'  
**Cc:** Bill Rodrigues  
**Subject:** RE: letter for distribution to committee members - Case # 00583914-PTT

Hi Chris,

The project will be heard on three different dates: August 20, 27, and September 4.

The first two dates will result in recommendations on the project. However, September 4<sup>th</sup> is the date that the City's Planning Commission is scheduled to make a final determination.

August 20<sup>th</sup> at 5:30 pm in the City Council Chambers is when the City's Community Services Commission will consider a recommendation on the project's Park Plan.

August 27<sup>th</sup> at 9:00 am in Conference Room L-102 at City Hall is when the Subdivision Committee will consider a recommendation on the project's subdivision map.

September 4<sup>th</sup> at 5:30 pm in the City Council Chambers is when the City's Planning Commission will consider making a final decision on all applications including a conditional use permit, affordable housing plan, and transfer of development rights.

All dates are open to the public.

Sincerely,  
Bill

**SC ATTACHMENT 3**

**From:** Chris Mathys [mailto:mathys@orofinancial.net]  
**Sent:** Thursday, August 14, 2014 11:42 AM  
**To:** Bill Rodrigues  
**Subject:** RE: letter for distribution to committee members - Case # 00583914-PTT

Hi Bill,

Thanks for bringing me up to speed. Can you let me know when the subcommittee and planning commission public hearing dates will be?

Thank you,

**Chris Mathys**  
Manager  
Lic# 01106101  
Dir +1 559 438 9999 x11 | Mob +1 559 903 0772  
Main +1 559 438 9999 | Fax +1 559 438 9992  
mathys@orofinancial.net

Oro Financial of California, Inc.  
2304 W. Shaw Ave, Suite 102 | Fresno, CA 93711 | USA  
[www.orofinancial.net](http://www.orofinancial.net)

**From:** Bill Rodrigues [mailto:BRodrigues@ci..irvine.ca.us]  
**Sent:** Thursday, August 14, 2014 11:29 AM  
**To:** 'Chris Mathys'  
**Cc:** Bill Rodrigues  
**Subject:** RE: letter for distribution to committee members - Case # 00583914-PTT

Hi Chris,

Thank you for your letter. I will pass it on to the decision-makers as you requested. I did, however, notice a couple of misstatements that I wanted to bring to your attention should you prefer to correct them.

First, the project has a total of 287 units. The letter has a type-o that reads 297.

Second, the letter references the Board of Supervisors. You may have meant the Irvine City Council. Should any appeals be filed, the Irvine City Council will make the final decision. The Orange County Board of Supervisors has no jurisdiction.

Additionally, you make reference to a potential appeal if the project's density is not substantially reduced. Appeals can only be filed within 15 days after the final decision is made by the Planning Commission and must be made using this [form](#). The appeal paperwork must be submitted to the City Clerk's Office located on the 3<sup>rd</sup> Floor at Irvine City Hall. If you have any questions, you can contact the Clerk's Office at (949)724-6205.

Subdivision Committee is comprised of:

- Joe Kirkpatrick
- Meredith Reynolds
- Mark Carroll
- Kerwin Lau
- Bill Jacobs

Please route communication to the Subdivision Committee members through me at: [brodrigues@cityofirvine.org](mailto:brodrigues@cityofirvine.org)

The Planning Commission consists of:

- Anthony Kuo, Chairperson
- Lynn Schott, Vice Chair
- Greg Smith, Chair Pro Tem
- Mary Ann Gaido
- Harvey Liss

You can email all commissioners at: [planningcommission@cityofirvine.org](mailto:planningcommission@cityofirvine.org)

The City Council is:

- Steven Choi, Mayor
- Jeffrey Lalloway, Mayor Pro Tem
- Larry Agran
- Beth Krom
- Christina Shea

The City Council can be reached by email at: [irvinecc@cityofirvine.org](mailto:irvinecc@cityofirvine.org)

Please let me know if you have any other questions.

Sincerely,  
Bill

-----Original Message-----

From: Chris Mathys [<mailto:mathys@orofinancial.net>]

Sent: Wednesday, August 13, 2014 3:18 PM

To: Bill Rodrigues

Subject: FW: letter for distribution to committee members - Case # 00583914-PTT

Hi Bill,

Can I also get the names and contact information for the committee members and planning commissioners.

Thank you,

Chris Mathys

Manager

Lic# 01106101

Dir +1 559 438 9999 x11 | Mob +1 559 903 0772 Main +1 559 438 9999 | Fax +1 559 438 9992 [mathys@orofinancial.net](mailto:mathys@orofinancial.net)

Oro Financial of California, Inc.

2304 W. Shaw Ave, Suite 102 | Fresno, CA 93711 | USA [www.orofinancial.net](http://www.orofinancial.net)

-----Original Message-----

From: Chris Mathys [<mailto:mathys@orofinancial.net>]

Sent: Wednesday, August 13, 2014 9:57 AM

To: [brodrigues@cityofirvine.org](mailto:brodrigues@cityofirvine.org)

Cc: [mathys@orofinancial.net](mailto:mathys@orofinancial.net)

Subject: letter for distribution to committee members - Case # 00583914-PTT

Dear Bill,

Thanks again for mailing us the notice. The proposed development will have a significant impact on our property. We oppose the project in its present form but would consider withdrawing our opposition if the project was redesigned with considerably fewer units.

The site is very small and as proposed, there would be 79 homes per acre.

This density would result in increased congestion, traffic and leaves almost no room for open space.

I have attached a letter of opposition. Please provide each committee member with a copy before the hearing. I would also like to be notified of the upcoming planning commission and Board of Supervisor hearing dates.

In the event the scope of the project is not changed, I am exercising my right to appeal to the Board of Supervisors in the event the project is ratified by the planning commission.

Thank you,

Sincerely yours,

Chris Mathys

Manager

Lic# 01106101

Dir +1 559 438 9999 x11 | Mob +1 559 903 0772 Main +1 559 438 9999 | Fax +1

559 438 9992 mathys@orofinancial.net

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2304 W. Shaw Ave, Suite 102 | Fresno, CA 93711 | USA [www.orofinancial.net](http://www.orofinancial.net)

-----Original Message-----

From: scan@orofinancial.net [mailto:scan@orofinancial...net]

Sent: Wednesday, August 13, 2014 7:50 AM

To: mathys@orofinancial.net

Subject: Scan to E-mail Server Job

Sending device cannot receive e-mail replies.

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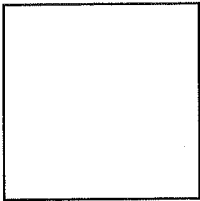
This email is free from viruses and malware because avast! Antivirus protection is active.

<http://www.avast.com>

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This email is free from viruses and malware because avast! Antivirus protection is active.

<http://www.avast.com>



This email is free from viruses and malware because avast! Antivirus protection is active.



This email is free from viruses and malware because avast! Antivirus protection is active.

## Bill Rodrigues

---

**From:** Chris Mathys <mathys@orofinancial.net>  
**Sent:** Thursday, August 14, 2014 12:52 PM  
**To:** Bill Rodrigues  
**Subject:** Case # 00583914-PTT  
**Attachments:** image.pdf

Hi Bill,

Attached is the corrected letter. Please distribute it to the applicable parties.

Thank you,

Chris Mathys

Manager

Lic# 01106101

Dir +1 559 438 9999 x11 | Mob +1 559 903 0772 Main +1 559 438 9999 | Fax +1 559 438 9992 [mathys@orofinancial.net](mailto:mathys@orofinancial.net)

Oro Financial of California, Inc.

2304 W. Shaw Ave, Suite 102 | Fresno, CA 93711 | USA [www.orofinancial.net](http://www.orofinancial.net)

-----Original Message-----

From: [scan@orofinancial.net](mailto:scan@orofinancial.net) [<mailto:scan@orofinancial.net>]

Sent: Thursday, August 14, 2014 10:45 AM

To: [mathys@orofinancial.net](mailto:mathys@orofinancial.net)

Subject: Scan to E-mail Server Job

Sending device cannot receive e-mail replies.

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This email is free from viruses and malware because avast! Antivirus protection is active.

<http://www.avast.com>

Chris Mathys (559) 438 – 9999  
2233 Martin Street, Unit # 211,  
Irvine, California 93711

August 13, 2011

City of Irvine  
Honorable Planning Commission Members  
Subdivision Committee Members  
C/o Bill Rodrigues, Senior Planner  
Irvine City Hall  
Re: Case # 00583914-PTT  
Subject: opposition to tentative Tract Map # 17666

To whom it may concern:

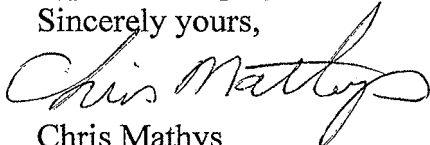
The purpose of this correspondence is to communicate my opposition to the herein referenced project which will permit the construction of 287 condos on 3.65 acres. My property is approx.500 feet from the proposed project and is part of the Metropolitan Condominium Complex. My concerns are as follows:

- **The project would permit the construction of approx. 79 homes per acre. This is far too dense based on the surrounding uses and population densities within a quarter mile from the proposed construction.**
- **Traffic circulation and congestion. The project will bring an additional 400 to 500 vehicles to an already congested and busy area.**
- **Lack of green space and landscaping (the project's density leaves very little if any space dedicated to green areas.)**

I would be willing to withdraw my opposition if the project is significantly downsized to a maximum of 150 units with more space dedicated for green areas.

Please notify me of any upcoming hearing including the planning commission and the Irvine City Council. I would also like this letter to serve as my legal right to appeal this project to the Irvine City Council in the event the planning commission approves the project without a substantial reduction in the amount of units per acre.

Sincerely yours,



Chris Mathys  
C.c. legal department



## Bill Rodrigues

---

**From:** Bill Rodrigues  
**Sent:** Wednesday, August 13, 2014 5:16 PM  
**To:** 'Fred Melgaard'  
**Cc:** Bill Rodrigues  
**Subject:** RE: Case# 00583914-PTT  
**Attachments:** Milani Site Plan.pdf; Milani - Martin Street Elevation.pdf

Hi Fred,

The project will be heard on three different dates: August 20, 27, and September 4.

The first two dates will result in recommendations on the project. However, September 4<sup>th</sup> is the date that the City's Planning Commission is scheduled to make a final determination. Hopefully, you will be able to attend the September 4 hearing.

I've attached a site plan and a few building elevations for your information. Please review and let me know if you have any comments.

Sincerely,  
Bill

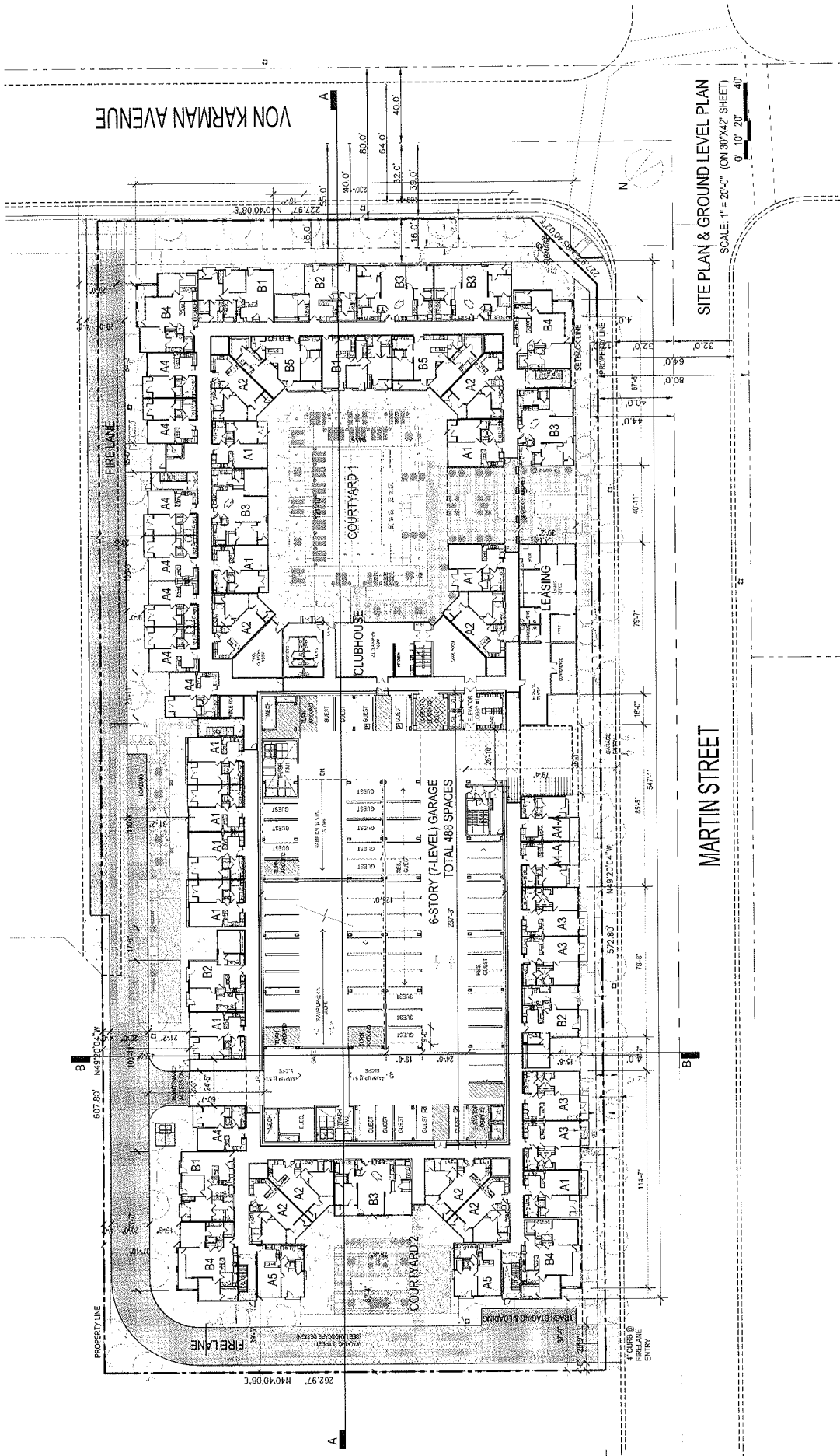
**From:** Fred Melgaard [<mailto:fmelgaard@comcast.net>]  
**Sent:** Wednesday, August 13, 2014 3:12 PM  
**To:** Bill Rodrigues  
**Subject:** Case# 00583914-PTT

I am the owner of 2253 Martin #419, in the Metropolitan. My unit faces the existing subject property / parking lot. 287 residential units seems like a lot of density. I believe the Metropolitan has 240 units.

I will be in Seattle during the scheduled meeting. Where can I go to learn more about the proposed project?

Thank you

Fred Melgaard



SITE PLAN & GROUND LEVEL PLAN  
SCALE: 1" = 20'-0" (ON 30"x42" SHEET)  
0' 10' 20' 40'

A-1

MILANI APARTMENTS  
GREAT FAR EAST  
IRVINE, CA

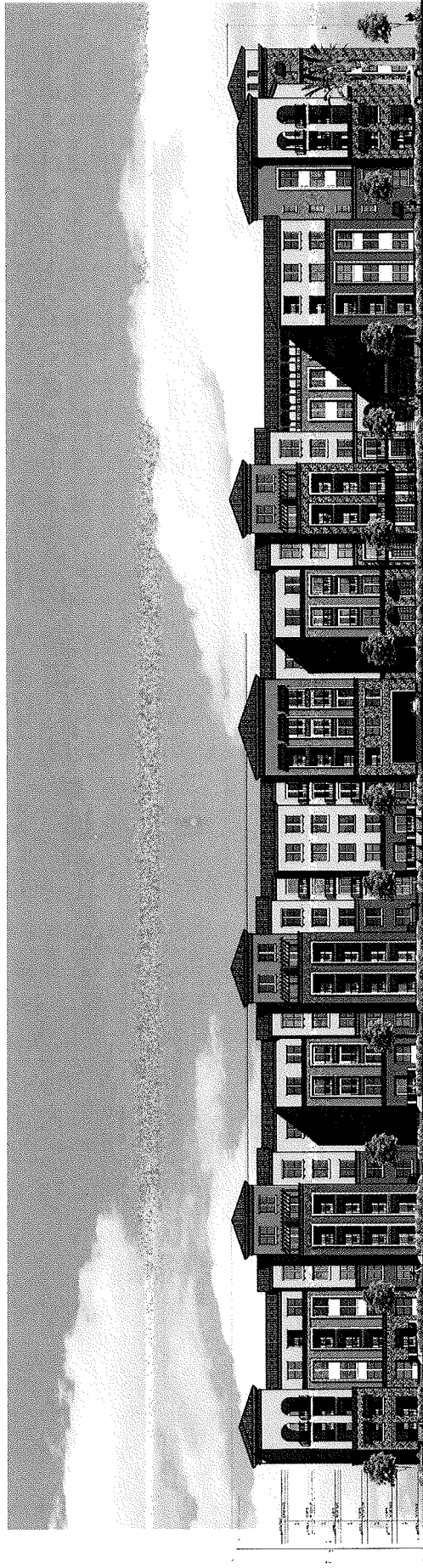
1/17/2014

HPA#13439



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DALLAS CHARLOTTE NEWPORT BEACH LAS VEGAS NEW ORLEANS NORFOLK ORLANDO PHOENIX

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SOUTH ELEVATION ALONG MARTIN STREET

SCALE: 1/8" = 1'-0" (AS SHOWN)

A-11

**MILANI APARTMENTS  
GREAT FAR EAST  
IRVINE, CA**

1/17/2014

HPA#13439



**HUMPHREYS & PARTNERS ARCHITECTS L.P.**  
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DALLAS CHARLOTTE NEWPORT BEACH LAS VEGAS NEW ORLEANS NORFOLK ORLANDO PHOENIX

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SUBDIVISION COMMITTEE RESOLUTION NO. 14-931

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17666 (FILE NO. 00583914-PTT) TO SUBDIVIDE 3.65-GROSS ACRES INTO ONE NUMBERED LOT FOR 287 ATTACHED RESIDENTIAL CONDOMINIUM PURPOSES LOCATED AT THE NORTHWEST CORNER OF VON KARMAN AND MARTIN IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY GREAT FAR EAST

WHEREAS, an application for Vesting Tentative Tract Map 17666 (File No. 00583914-PTT) was filed by Great Far East to subdivide 3.65-gross acres into a single lot for future condominium purposes of up to 287 residential units; and;

WHEREAS, Vesting Tentative Tract Map 17666 has a General Plan land use designation of Urban and Industrial and a dual Zoning Code designations of 5.1 IBC Multi-Use and 5.3 Residential; and

WHEREAS, the subject property is also subject to the IBC Vision Plan; and

WHEREAS, the City adopted the IBC Vision Plan in July 2010, which allows up to 15,000 "base" and up to 2,038 "density bonus" residential units within specified areas of the Irvine Business Complex; and

WHEREAS, Vesting Tentative Tract Map 17666 allows for up to 229 "base" and 58 "density bonus" residential units; and

WHEREAS, density calculations are made by dividing a project's "base" units by its acreage; and

WHEREAS, Vesting Tentative Tract Map 17666 has a gross density of 62.74 and a net density of 65.06 dwelling units per acre; and

WHEREAS, the community park dedication requirements associated with Vesting Tentative Tract Map 17666 are addressed in Park Plan 00583913-PPP; and

WHEREAS, the neighborhood park dedication requirements associated with Vesting Tentative Tract Map 17666 are addressed in Park Plan 00583913-PPP; and

WHEREAS, Vesting Tentative Tract Map 17666 conforms with the City of Irvine Subdivision Ordinance, Subdivision Manual, and Zoning Code; and

WHEREAS, Vesting Tentative Tract Map 17666 is considered a "project" as defined by the California Environmental Quality Act (CEQA); and

WHEREAS, the IBC Vision Plan Program Environmental Impact Report (SCH No. 2007011024) was prepared and certified by the City of Irvine City Council as adequate; and

WHEREAS, an Addendum to the IBC Vision Plan Program Environmental Impact Report (SCH No. 2007011024) was prepared in 2014 and analyzed impacts associated with the proposed project; and

WHEREAS, 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 held on August 27, 2014.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. 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. San Joaquin 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 this and other identified development projects and the above identified public improvements based on the following nexus:
  - 1. The area of benefit charges for the San Joaquin 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 developments 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.

2. 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 which 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.
  3. The implementation of a systems development charge 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 facilities and the development project has been identified:
1. The purpose of the fees has been identified.
  2. The public and private facilities to be implemented as a result of this project have been identified in the conditions of approval.
  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 Planning Area 36 creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified above are needed to support this development, are justified because the development of this type impacts the amount and 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 2. That, in accordance with Subarticle 3 of the City of Irvine Subdivision Manual, the following findings to approve a Vesting Tentative Tract Map have been established:

- A. That the proposed plan is consistent with applicable general and specific plans.

Vesting Tentative Tract Map 17666 will create a single lot for the development of 287 residential condominium units. The map also provides for vehicle and pedestrian right-of-way and public easements. The land use designation according to the City of Irvine General Plan for the project site is Urban and Industrial. The site is zoned 5.1, IBC Multi-Use and 5.3, IBC Residential and is subject to the IBC Vision Plan. All designations support residential development as is proposed by this map.

- B. That the design or improvements of the proposed subdivision is consistent with the applicable general and specific plans.

The subdivision is designed and improvements will be constructed consistent with the applicable general plan policies. The map complies with all land area requirements, driveway locations are sited in conformance with required separations from adjacent driveway as well as sight line requirements. All improvements will be completed according to City of Irvine standards. Furthermore, the project provides pedestrian and vehicular circulation by connecting pathways within and adjacent to the project site.

- C. That the site is physically suitable for the type of development.

The site is physically suitable for development in that it is relatively flat. The site also has a rectangular shape and is of a sufficient dimension in both directions so as to be able to reasonably accommodate the proposed project in conformance with applicable City standards. Furthermore, technical studies prepared for the IBC and this project have not identified any obstacles to the site's development with residential use.

- D. That the site is physically suitable for the proposed density of the development.

The project site is relatively flat and rectangular in shape. The lot's dimensions are sufficient to accommodate City development standards applicable to this type of project. With a net density of 65.06 dwelling units per acre, the project is comparable to other IBC residential projects either approved or completed under the IBC Vision Plan. No specialized design techniques are necessary to accommodate the project's proposed density.

- 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 and wildlife or their habitat.

The project site is developed and located within an area that is also fully developed. There are no native habitat or water bodies on the project site. Therefore, the proposed subdivision design is not likely to cause substantial environmental damage nor substantially and avoidably injure fish and wildlife or their habitat.

- 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 proposed subdivision and improvements are not likely to cause serious problems to public health because the building and infrastructure improvements shall be constructed to conform to City standards and requirements.

- G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through the use of property within the proposed subdivision.

Existing roadway easements and any additional right of way will be rededicated through the map and public sidewalks will be re-constructed along the property's frontage. The City will be granted emergency and pedestrian access over the OCFA fire lane provided along the project's interior boundary.

- H. Any discharge of water 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.

Any use of the existing sewer system by the project shall be in conformance with all applicable regional and state requirements. A condition is placed on the project, which requires the applicant to submit a final Water Quality Management Plan prior to grading.

- I. The requirements of the California Environmental Quality Act have been satisfied.

Pursuant to Section 15162 of the State California Environmental Quality Act Guidelines, an addendum to the Addendum to the IBC Vision Plan and Mixed Use Overlay Zoning Code Environmental Impact Report (EIR) (SCH No. 200071014) for the Milani project was prepared. Due to the



scope of changes described above, this addendum considered potential project impacts in the areas of aesthetics, air quality and greenhouse gas emissions, geology and soils, hazards and hazardous materials, hydrology and water quality, recreation, and traffic and circulation. The addendum concluded this project would not result in any new significant impacts not previously addressed in the IBC Vision Plan EIR. Therefore, all previous mitigation measures, project design features, and programs, policies and procedures, as applicable, would continue to apply to this project.

- J. For subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

Vesting Tentative Tract Map 17666 creates a single lot for future condominium development of up to 287 residential units. Since this subdivision will not result in 500 or more units, a project-specific analysis of sufficient water supplies is not required and this finding is not applicable.

- K. For any subdivision for which a modification is granted pursuant to Section 5-5-107 of the Subdivision Ordinance, all of the following additional findings:

1. 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 others in the vicinity.

Vesting Tentative Tract Map 17666 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

2. Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.

Vesting Tentative Tract Map 17666 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

3. Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

Vesting Tentative Tract Map 17666 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

- L. That the proposed vesting tentative tract 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.

As demonstrated through each of the above findings, Vesting Tentative Tract Map 17666 is consistent with Irvine's General Plan, Zoning Code, IBC Vision Plan, and design and improvements requirements for subdivisions. The map does not seek any modifications from the Subdivision Ordinance and therefore is found to be in compliance with applicable plans, ordinances, and policies of the City of Irvine.

SECTION 3. 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 Planning Commission approval of Vesting Tentative Tract Map 17666 (File No. 00583914-PTT) 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".

- X 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.
- X c. Storm drain facilities.
- X d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- X 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 1.4

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 1.7

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 1.14

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 Homeowners 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 1.15

SECURED FIRE PROTECTION AGREEMENT

Prior to issuance of a final map the applicant or responsible party shall enter into a secured fire protection agreement with OCFA Strategic Services (714-573-6199) to mitigate additional fire service impacts resulting from the project.

**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 8771(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 (modified)**

**ARCHAEOLOGIST / PALEONTOLOGIST**

*(PPP 4-1)*

Prior to the issuance of the first preliminary or precise grading permits for each planning area, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters documenting retention of an archaeologist and a paleontologist for the project. The letters shall state that the applicant has retained these individuals, and that the consultants will be on call during all grading and other significant ground-disturbing activities. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange. 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, 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. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers. Persons performing this work shall be Orange County Certified Professional Archaeologists/Paleontologists

**Standard Condition 2.6**

**SITE SPECIFIC GEOTECHNICAL STUDY**

*(PPP 5-3)*

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

*(PPP 7-2)*

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

*(PPP 7-3)*

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

*(PPP 7-4)*

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 2.24

SOLID WASTE RECYCLING

Prior to the issuance of grading permits for a project that involves the demolition of an asphalt or concrete parking lot on site, the applicant shall submit a waste management plan demonstrating compliance with the requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of 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 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

CONSTRUCTION EQUIPMENT

*(PDF 2-6)*

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor utilize off-road construction equipment that conforms to Tier 3 of the United States Environmental Protection Agency, or higher emissions standards for construction equipment over 50 horsepower that are commercially available. The construction contractor shall be made aware of this requirement prior to the start of construction activities. Use of commercially available Tier 3 or higher offroad equipment, or:

- Year 2006 or newer construction equipment for engines rated equal to 175 horsepower (hp) and greater;
- Year 2007 and newer construction equipment for engines rated equal to 100 hp but less than 175 hp; and
- 2008 and newer construction equipment for engines rated equal to or greater than 50 hp.

The use of such equipment shall be stated on all grading plans. The construction contractor shall maintain a list of all operating equipment in use on the project site. The construction equipment list shall state the makes, models, and numbers of construction equipment on-site.

Condition 2.27

CONSTRUCTION EQUIPMENT  
(PDF 2-7)

Prior to the issuance of a grading permit, the following note shall be placed on the plans: Applicants for new developments in the Irvine Business Complex shall require that the construction contractor to properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Nonessential idling of construction equipment shall be restricted to 5 minutes or less in compliance with California Air Resources Board's Rule 2449.

Condition 2.28

DUST CONTROL PLAN  
(PDF 2-8)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor prepare a dust control plan and implement the following measures during ground-disturbing activities in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM10 and PM2.5 emissions. To assure compliance, the City shall verify compliance that these measures have been implemented during normal construction site inspections:

- During all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering. This would achieve a minimum control efficiency for PM10 of 5 percent.
- During all construction activities, the construction contractor shall sweep streets with Rule 1186 compliant PM10-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.
- During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other suitable means. This would achieve a control efficiency for PM10 of 91 percent.
- During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day. This would achieve an emissions reduction control efficiency for PM10 of 61 percent.
- During all construction activities, the construction contractor shall limit on-site vehicle speeds on unpaved roads to no more than 15 miles per hour. This would achieve a control efficiency for PM10 of 57 percent.
- The construction contractor shall apply chemical soil stabilizers to reduce wind erosion. This would achieve a control efficiency of up to 80 percent.

Condition 2.29

HUMAN REMAINS  
(PPP 4-2)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, one of the following steps shall be taken:

- a. 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 descendent 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.
  
- b. Where the following conditions occur, the land owner or his/her 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 descendent or on the property in a location not subject to further subsurface disturbance:
  - 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.
  - The identified descendent fails to make a recommendation; or
  - The landowner or his/her authorized representative rejects the recommendation of the descendent, and mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. (CEQA Guidelines Section 15064.5[e])

Condition 2.30

HYDROLOGY AND HYDRAULIC ANALYSIS

(PPP 7-1)

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit a hydrology and hydraulic analysis of the entire site. The analysis shall be prepared by a professional civil engineer versed in flood control analysis and shall include the following information and analysis:

- a. Hydrology/hydraulic analysis of 100-year surface water elevation at the project site to determine building elevation or flood proofing elevation.
- b. Analysis of existing and post-development peak 100-year storm flow rates, including mitigation measures to reduce peak flows to existing conditions.
- c. An analysis demonstrating that the volume of water ponded on the site and stored underground in the drainage system outside of the building envelope in the proposed condition is greater than or equal to the corresponding volume in the existing condition. The water surface used to determine the ponded volume shall be based on the water.



Condition 2.31

NOISE SEPARATION  
(PDF 9-2)

Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.

- Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
- Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site, whenever feasible.
- Construction of sound walls that have been incorporated into the project design prior to construction of the building foundation; or installation of temporary sound blankets (fences typically composed of poly-vinyl-chloride-coated outer shells with adsorbent inner insulation) placed along the boundary of the project site during construction activities.

Condition 2.32

SOLID WASTE FOR RECYCLING  
(PPP 14-4)

This project will result in new construction that will generate solid waste. Prior to the issuance of precise grading permits, the applicant shall show on the site plans the location of receptacle(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 permitted to contract with a waste recycler for offsite materials recovery. In this case the applicant must provide a letter verifying that recycling will be conducted off site in an acceptable manner.

Condition 2.33

OCFA APPROVAL

Prior to the issuance of a grading permit, the applicant shall submit to the Orange County Fire Authority (OCFA) for review and approval the following:

- Fire Master Plan (Service Code PR145)
- Underground piping for private hydrants and fire sprinkler systems (Service Codes PR 470-475)

Condition 2.34

CONSTRUCTION WORKERS  
(PDF 15-1)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor provide alternative transportation mode incentives, such as bus passes and/or carpooling for workers to and from the worksite on days that construction activities require 200 or more workers. These requirements shall be noted on the grading plan cover sheet.

Condition 2.35

IRWD RECYCLED WATER SYSTEM  
(PPP 14-1)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall incorporate the use of a recycled water system if available by Irvine Ranch Water District (IRWD). Irvine Ranch Water District (IRWD) will identify customers in a zone identified in the Plan ("the Plan" collectively refers to the Water Resources Master Plan, Sewer Master Plan, Natural Treatment System Master Plan, and addenda thereto) as an area capable of receiving service from the IRWD's recycled water system, and will determine the feasibility of providing recycled water service to these customers. IRWD will also review applications for new permits to determine the feasibility of providing recycled water service to these applicants. If recycled water service is determined by IRWD to be feasible, applicants for new water service shall be required to install on-site facilities to accommodate both potable water and recycled water service in accordance with these Rules and Regulations. IRWD may also require existing customers to retrofit existing on-site water service facilities to accommodate recycled water service. If IRWD does not require the use of recycled water service, the customer may obtain recycled water service upon request but only if IRWD has determined that recycled water service to the customer is feasible and authorizes such use.

Condition 2.36

RECLAIMED WATER ON MASTER LANDSCAPED AREAS  
(PDF 15-12)

If recycled water service is determined by IRWD to be feasible (see PPP 14-1), applicants for new developments in the Irvine Business Complex shall use reclaimed water in all master landscaped areas. This will include master landscaped commercial, multifamily, common, roadways, and park areas. Master landscapes will also incorporate weather-based controllers and efficient irrigation system designs to reduce overwatering, combined with the application of a California-friendly landscape palette.

Condition 2.37

VIBRATION-INTENSIVE CONSTRUCTION ACTIVITIES  
(PDF 9-1)

Prior to the issuance of a grading permit, applicants for individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall submit a noise vibration

analysis. If construction-related vibration is determined to exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime, additional requirements, such as use of less vibration intensive equipment or construction techniques shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).

Condition 2.38

IRWD CONNECTION FEE  
(PPP 14-2)

Prior to the issuance of a grading permit, future project applicants in the IBC shall enter into agreement or agreements as necessary with IRWD to establish the appropriate financial fair share costs to be borne by the project proponent. Fair share costs may include, but are not limited to, those associated with the preparation of studies and infrastructure expansion necessary to analyze and serve the project.

Condition 2.39

FIRE FLOW ANALYSIS  
(PPP 14-3)

Prior to the issuance of a grading permit, in accordance with IRWD requirements, each redevelopment project in the IBC must provide a fire flow analysis. If the analysis identifies any deficiencies, the developer will be responsible for any water system improvements associated with the development project required to rectify the deficiencies and meet IRWD fire flow requirements.

Condition 2.40

LEAD EXPOSURE  
(PPP 6-2)

During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code. California Code of Regulations Section 1532.1, California Health and Safety Code

Condition 2.41

LEAD BASED PAINT  
(PPP 6-4)

Prior to site demolition activities, building materials shall be carefully assessed for the presence of lead-based paint, and its removal, where necessary, must comply with state and federal regulations, including Occupational Safety and Health Administration (OSHA) 29 CFR Part 1926. The OSHA rule establishes standards for occupational health and environmental controls for lead exposure. The standard also includes requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs,

recordkeeping, and observation of monitoring. Furthermore, the requirements of California Code of Regulations, Title 17, Division 1, Chapter 8, identify procedures that must be followed for accreditation, certification, and work practices for lead-based paint and lead hazards. Section 36100 thereof specifically sets forth requirements for lead-based paint abatement in public and residential buildings.

Condition 2.42

ASBESTOS CONTAINING MATERIAL REMOVAL

*(PPP 6-5)*

Prior to site demolition activities, building materials must be carefully assessed for the presence of ACM, and removal of this material, where necessary, must comply with state and federal regulations, including SCAQMD Rule 1403, which specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACMs. The requirements for demolition and renovation activities include asbestos surveying; notification; ACM removal procedures and time schedules; ACM handling and cleanup procedures; and storage, disposal, and landfill disposal requirements for asbestos containing waste materials.

Condition 2.43

SCAQMD RULE 1403

*(PPP 2-4)*

Prior to issuance of grading permits, the project applicant shall incorporate the following a note on the plan: SCAQMD Rule 1403: Asbestos Emissions from Demolition/Renovation Activities - This rule specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

Condition 2.44

HAZARDOUS WASTES REMOVAL

*(PPP 6-6)*

During site decommissioning and demolition activities, hazardous wastes must be managed in accordance with the requirements of Title 22, Division 4.5 of the California Code of Regulations. Title 22 sets forth the requirements with which hazardous-waste generators, transporters, and owners or operators of treatment, storage, or disposal facilities must comply. These regulations include the requirements for packaging, storage, labeling, reporting, and general management of hazardous waste prior to shipment. In addition, the regulations identify standards applicable to transporters of hazardous waste such as the requirements for transporting shipments of hazardous waste, manifesting, vehicle registration, and emergency accidental discharges during transportation.

Condition 2.45

ASBESTOS CONTAINING MATERIAL EXPOSURE

(PPP 6-7)

During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

Condition 2.46

SOIL AND/OR GROUNDWATER CONTAMINATION

(PPP 6-8)

Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to address the discovery of soil and/or groundwater contamination unrelated to above/underground storage tank releases: The appropriate agency (e.g., OCHCA, DTSC, or the Regional Water Quality Board) shall be notified if soil and/or water contamination unrelated to above/underground storage tank releases are encountered during grading or construction activities. With their oversight, an environmental site assessment would be completed and a determination shall be made as to whether a cleanup is required. Cleanup activities would be consistent with all applicable state and local rules, regulations, and laws. A cleanup would not be considered complete until confirmatory samples of soil and/or groundwater reveal levels of contamination below the standards established by the oversight agency. Alternatively, a risk assessment may be prepared for the site to determine that there are no human or environmental risks associated with leaving contamination below specific levels in place. Construction in the impacted area shall not proceed until a "no further action" clearance letter or similar determination is issued by the oversight agency, or until a land use covenant is implemented.

Condition 2.47

SCAQMD RULE 402- NUISANCE ODORS

(PPP 2-2)

Prior to issuance of grading permits, the project applicant shall incorporate the following a note on the plan: The SCAQMD prohibits the discharge of any quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property to be emitted within the South Coast Air Basin (SoCAB).

Condition 2.48

SCAQMD RULE 403 – FUGITIVE DUST (PM10 AND PM2.5)

(PPP 2-3)

Prior to issuance of grading permits, the project applicant shall incorporate the following a note on the plan: The SCAQMD prohibits any person to cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area such that: (a) the dust remains visible in the atmosphere beyond the property line of the emission source; or (b) the dust emission exceeds 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook) if the dust emission is the result of movement of a motorized vehicle.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT (NEW CATEGORY)**

*"Approval" refers to finalization of work completed under a preliminary and/or precise grading, landscaping or improvement permit*

Standard Condition 3.27

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 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 6.9** HOMEOWNER ASSOCIATIONS – STREET SWEEPING

The project applicant or subsequent home builder shall include language in the recorded Covenants, Conditions, and Restrictions (CC&Rs) for this project that requires the homeowners association (HOA) to cooperate with the City regarding the City's sweeping of public streets within and/or adjacent to the project. The HOA shall inform residents of when the City sweeps the public streets and request residents and their guests not to park on these streets during street sweeping hours. Information from the HOA regarding street sweeping times shall be provided to residents on at least a quarterly basis in newsletters, billing statements, web sites, and/or other communication methods. If requested by the City, the HOA shall increase the frequency of the information.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 27<sup>th</sup> day of August 2014 by the following roll call vote:

AYES: 0 COMMITTEE MEMBERS:

NOES: 0 COMMITTEE MEMBERS:

ABSENT: 0 COMMITTEE MEMBERS:

ABSTAIN: 0 COMMITTEE MEMBERS:

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CHAIR OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE

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SECRETARY OF THE SUBDIVISION  
COMMITTEE FOR THE CITY OF IRVINE




AGENDA ITEM NO 3



# REQUEST FOR SUBDIVISION COMMITTEE ACTION

**MEETING DATE:** AUGUST 27, 2014

**TITLE:** VESTING TENTATIVE TRACT MAP 17614 (FILE NO. 00571126-PTT) FOR RESIDENTIAL CONDOMINIUM PURPOSES IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)

  
\_\_\_\_\_  
Principal Planner

## RECOMMENDED ACTION:

1. Open public meeting; receive public input; Committee comments and questions.
2. Close public meeting.
3. Adopt Resolution No. 14-932 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17614 (FILE NO. 00571126-PTT) TO SUBDIVIDE 3.56 NET-ACRES INTO ONE NUMBERED LOT FOR DEVELOPMENT OF 280 ATTACHED RESIDENTIAL UNITS FOR CONDOMINIUM PURPOSES LOCATED AT NORTHWEST CORNER OF MURPHY AVENUE AND MCGAW AVENUE IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY 360° RESIDENTIAL

## **EXECUTIVE SUMMARY**

360° Residential has submitted Vesting Tentative Tract Map 17614 for residential condominium purposes at the northwest corner of McGaw Avenue and Murphy Avenue in the Irvine Business Complex (IBC) of Planning Area 36. The purpose of the condominium map is to allow the applicant the ability to sell as residential condominium units in the future. However, it is the applicant's intent to operate the project as a 280-unit residential apartment project.

Staff has reviewed the vesting tentative tract map and determined it complies with the Irvine Subdivision Ordinance, Zoning Code, and the Irvine Business Complex Residential/ Mixed-Use Design Criteria, therefore, staff recommends the Subdivision Committee recommend approval of this project (SC Attachment 3).

## **COMMISSION/ADVISORY BOARD RECOMMENDATION**

None.

## **ANALYSIS**

### *Project Description*

The project includes a 5-story residential building wrapped around a parking garage. The project is located at the northwest corner of McGaw Avenue and Murphy Avenue (SC Attachment 1). The properties are currently improved with three buildings totaling 61,500 square feet with surface parking lots. Surrounding land uses include office and light industrial uses to the west and south, Irvine Onnuri Church (17200 Jamboree Road) to the north, future 2801 Kelvin Residential (381 units) to the west, and Murphy Avenue post office to the east.

Vesting Tentative Tract Map 17614 will allow for the total development of 280 (224 base units plus 56 density bonus units) attached residential condominium units on a 3.56 net acre site. The proposed map will create one numbered lot to support residential development, which includes vehicular access and future street right-of-way dedications. Proposed net density is 78.7 units per acre, which conforms to the City's standards that require a minimum density of 30 units to the acre for IBC residential projects. For further information on this application, see the Subdivision Information Sheet (SC Attachment 2).

There will be two points of access (one each for enter and exit) into the parking garage along Murphy Avenue to serve the project. The applicant will construct six-foot wide sidewalks along the Murphy and McGaw Avenue frontages. The applicant has also agreed to provide future public use easements intended as future "walking streets" along the entire east and southern boundaries of the project. The site and surrounding areas are fully improved with water, gas, electric, sewer, roads, and drainage facilities.

The project site has a General Plan land use designation of Urban and Industrial, a 5.1 IBC Multi-use Zoning Code Designation, and is also located within the Urban Neighborhood per the IBC Residential Mixed-Use Overlay Zoning Code. The tract map application is being reviewed concurrently with park plan and conditional use permit applications, which include a transfer of development rights and affordable housing plan components, is intended to be heard by the Planning Commission on September 4, 2014.

### *Parks*

A Park Plan was submitted to lay out how park requirements for this project will be met. The proposed development will generate an estimated population of 364 residents, and will require park credits of 0.71 acres of Community Park and 1.06 acres of Private/Public Neighborhood Park. The project will satisfy park requirements with private recreation facilities and payment of in-lieu fees. The Community Services Commission will review and provide recommendations on the Park Plan at the August 20, 2014 Community Services Commission meeting.

### *Traffic Study*

A traffic study was prepared to analyze the potential impacts associated with construction and operation of the 280 unit residential project. The project proposes a transfer of development rights (TDR) from Park Place (3333 Michelson Drive) in the amount of 43,077 square feet office equivalency. Based on the results of this traffic analysis, the project and requested TDR can be implemented without impacting the design or operation of the surrounding roadway system. The project traffic will not create significant impacts within the study area intersection and roadway segment level of service (LOS) during existing and future 2017, 2035, and post-2035 years.

An access analysis, consistent with the City's Transportation Design Procedures (TDP) was conducted for the proposed project. Based on that analysis, all applicable TDPs were met with the exception of TDP-10 (distance between driveways and intersections) and TDP-15 (vehicle stacking and gate stacking). The Transportation Services Development Administrator granted approval of the applicant's TDP deviation requests.

### *Public Outreach*

Public meeting notices were published in the *Irvine World News* August 14, 2014, mailed to all property owners and apartment occupants within 500 feet of the project site, and posted at City-designated locations. To date, no comments have been received.

## **ENVIRONMENTAL DETERMINATION**

The IBC Vision Plan and Mixed Use Overlay Zoning Code Environmental Impact Report (EIR) (SCH No. 200071014) considered impacts associated with, at ultimate build out, placing 15,000 base and 2,038 density bonus residential units in the IBC at an area-wide level. The addition of the residential project will not exceed the maximum residential cap. Pursuant to Section 15162 of the State California Environmental Quality Act Guidelines, an Addendum to the IBC Vision Plan EIR was prepared to analyze any potential local and area-wide impacts this project may have in the IBC. The Addendum concluded the project would not result in significant new impacts to the environment and all previous mitigation measures, project design features and programs, policies, and procedures, as applicable, would continue to apply to this project.

## **ALTERNATIVES CONSIDERED**

The proposed map complies with the City of Irvine's Subdivision Ordinance, Zoning Code, and Irvine Subdivision Manual. However, the Subdivision Committee may choose to not recommend to the Planning Commission approval of Vesting Tentative Tract Map 17614.

## **FINANCIAL IMPACT**

Not applicable.

**REPORT PREPARED BY** Stacy Tran, Senior Planner

## **ATTACHMENTS**

1. Vicinity Map
2. Subdivision Committee Information Sheet
3. Subdivision Committee Resolution No. 14-932 recommending approval of Vesting Tentative Tract Map 17614 (File No. 00571126-PTT)

cc (via email):

Jeff Warshaw, 360° Residential, [jwarshaw@360RES.com](mailto:jwarshaw@360RES.com)

Andrea Maloney, Sapetto Real Estate Solutions, Inc. [amaloney@sapettorealestate.com](mailto:amaloney@sapettorealestate.com)

Andrew Pham, Development Engineering

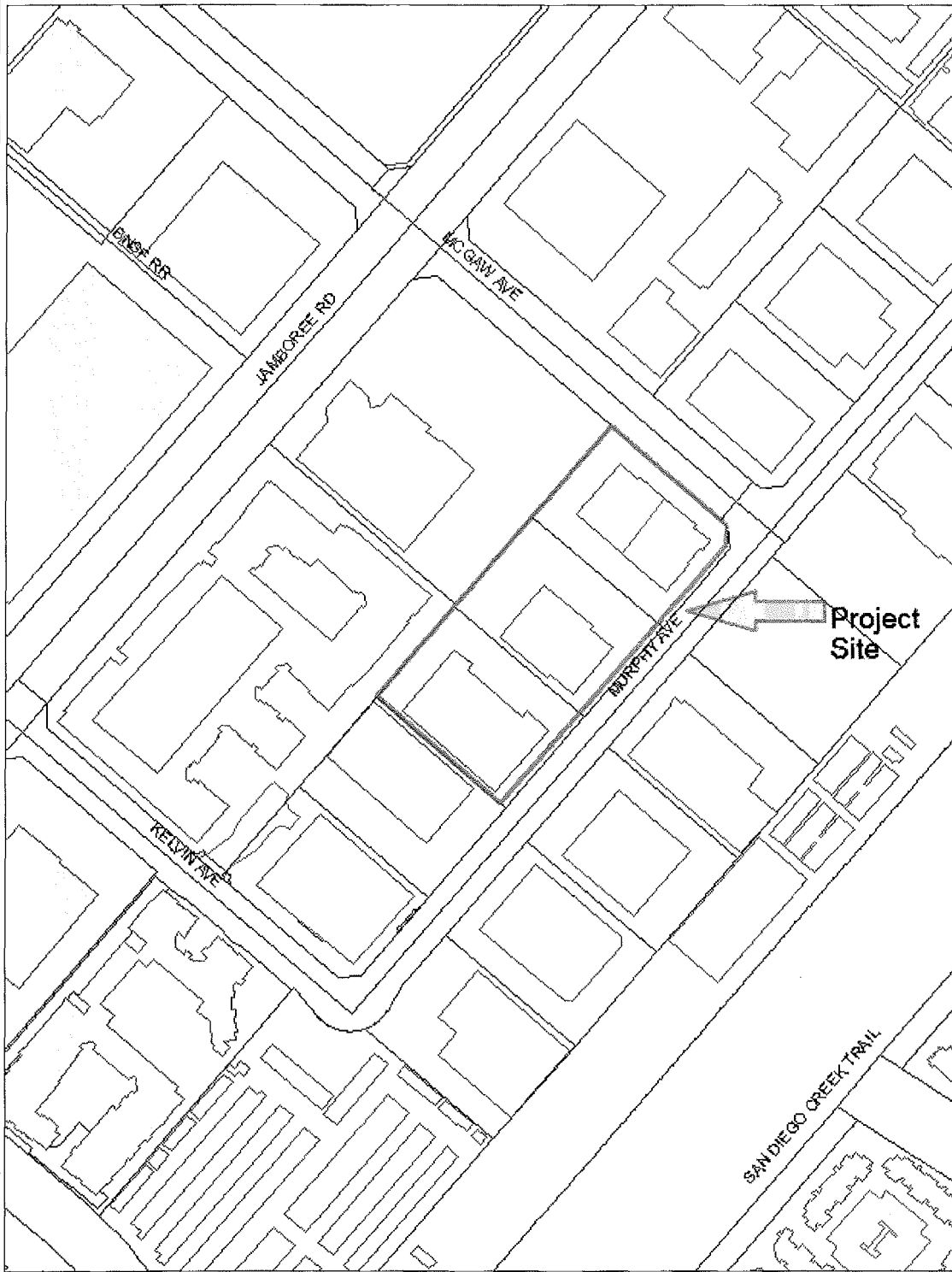
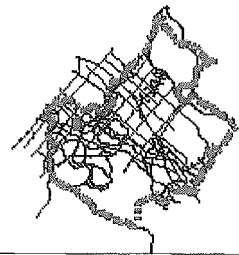
Tran Tran, Development Engineering

Karen Urman, Transportation Analysis

File: 00571126-PTT



# Vicinity Map



### Legend

- CITY BOUNDARY
- BUILDINGS
- LAND INFORMATION
  - <all other values>
  - Public ROW
  - Private ROW
  - Lakes
  - Freeway ROW
- PUBLIC AND PRIVATE RC
- PRIVATE STREET
- DRIVEWAYS
- IRVINE CENTERLINES

1: 2,821



### Notes

352.6 0 176.28 352.6 Feet

NAD\_1983\_StatePlane\_California\_VI\_FIPS\_0406\_Feet  
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Printed: 7/28/2014

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

**SUBDIVISION COMMITTEE INFORMATION SHEET  
 VESTING TENTATIVE TRACT MAP NO. 17614  
 (FILE NO. 00571126-PTT)  
 PLANNING AREA 36 (IRVINE BUSINESS COMPLEX)**

**Meeting Date:** August 27, 2014

**Applicant:** 360° Residential

**Staff Recommends:** Approval of Tentative Tract Map No. 17614 for one numbered lot subdivision for the development of 280 residential condominium units

**Legal Description:** Lot 6 of Tract 7905; Lots 19 and 20 of Tract 8018

**Site Size:** 3.56 net acres

**Location:** Northwest corner of Murphy Avenue and McGaw Avenue

**Topography:** Flat, previously graded

**General Plan:** Urban and Industrial

**Existing Zoning:** 5.1 IBC Multi-Use, Urban Neighborhood IBC Overlay Zone

**Existing Land Use:** Office and Industrial building (61,500 square feet)

**ADJACENT ZONING/ LAND USES:**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	5.1 IBC Multi-Use, Urban Neighborhood Overlay Zone	Church
East:	5.1 IBC Multi-Use, Urban Neighborhood Overlay Zone	Post Office
South:	5.1 IBC Multi-Use, Urban Neighborhood Overlay Zone	Office/Industrial
West:	5.1 IBC Multi-Use, Urban Neighborhood Overlay Zone 5.1 IBC Multi-Use, Urban Neighborhood Overlay Zone	Office/Industrial Future Residential

**DEVELOPMENT STANDARDS:**

	<u>Required</u>	<u>Provided</u>
Minimum Site Size:	30,000 square feet	155,100 square feet

SUBDIVISION COMMITTEE RESOLUTION NO. 14-932

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17614 (FILE NO. 00571126-PTT) TO SUBDIVIDE 3.56 NET-ACRES INTO ONE NUMBERED LOT FOR DEVELOPMENT OF 280 ATTACHED RESIDENTIAL UNITS FOR CONDOMINIUM PURPOSES LOCATED AT NORTHWEST CORNER OF MURPHY AVENUE AND MCGAW AVENUE IN PLANNING AREA 36 (IRVINE BUSINESS COMPLEX); FILED BY 360° RESIDENTIAL

WHEREAS, Vesting Tentative Tract Map No. 17614 (00571126-PTT) has been filed by 360° Residential to subdivide a 3.56 net-acre site into one numbered lot for the development of 280 residential units for condominium purposes; and

WHEREAS, the project has a General Plan land use designation of Urban and Industrial, a Zoning Code designation of 5.1 IBC Multi-Use, and is located within the Urban Neighborhood IBC Overlay Zone; and

WHEREAS, the neighborhood and community parkland dedication requirements for development within Vesting Tentative Tract Map No. 17614 have been addressed through Park Plan 00571125-PPP, and was considered for recommendation by the Community Services Commission on August 20, 2014 and will be considered for approval by the Planning Commission on September 4, 2014; and

WHEREAS, the subject Vesting Tentative Tract Map No. 17614 conforms with the City of Irvine Subdivision Ordinance, Local Park Code, Zoning Code, and IBC Residential/Mixed-Use Design Criteria; and

WHEREAS, Vesting Tentative Tract Map 17614 is considered a "project" as defined by the California Environmental Quality Act (CEQA); and

WHEREAS, the IBC Vision Plan Program Environmental Impact Report (SCH No. 2007011024) was prepared and certified by the City of Irvine City Council as adequate; and

An Addendum to the previously certified Environmental Impact Report for the IBC Vision Plan (SCH No. 2007011024) was prepared pursuant to Section 15164 of the CEQA Guidelines, and concluded that the proposed project will not have a significant effect on the environment; and

WHEREAS, the Subdivision Committee of the City of Irvine considered information presented by the applicant, Community Development Department, and



NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES HEREBY RECOMMEND that the Planning Commission find as follows:

SECTION 1. 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/Eastern 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 establishing the connection between this and other identified development projects and the above identified public improvements based on the following nexus:
  - 1. The area of benefit charges for the Foothill/Eastern 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 developments 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.
  - 2. 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 which 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.
  - 3. The implementation of a systems development charge 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 facilities and the development project has been identified:
1. The purpose of the fees has been identified.
  2. The public and private facilities to be implemented as a result of this project have been identified in the conditions of approval.
  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 proposed subdivision creates the need for circulation system improvements to accommodate traffic generated by the project. The public and private facilities identified above are needed to support this development, are justified because 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 2. That, in accordance with Subarticle 3 of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map has been established:

- A. That the proposed map is consistent with applicable general and specific plans and the zoning ordinance.

The project site has a General Plan designation of Urban and Industrial, which provides for offices, industry, and support commercial, mixed with high-density housing. The project site is also designated 5.1 IBC Multi-Use in the Zoning Code. This land use district is intended as an area in which a wide variety of uses are allowed. Specific institutional uses, particularly those proposed to serve the needs of the residential and employee populations of this district, such as schools, parks, libraries and theaters, are encouraged in this area. Moreover, the project site is subject to the IBC Vision Plan's Urban Neighborhood Overlay Zone, which promotes a range of land uses, including residential. Each of these designations support the introduction of residential land uses into the IBC.

The proposed project consists of a high density residential condominium project and is consistent with the objectives of the General Plan's Urban and Industrial designation; Zoning Code's 5.1 IBC Multi-Use designation; and the IBC Vision Plan's Urban Neighborhood Overlay Zone district. The project will subdivide land to accommodate a residential project of 280 units on 3.56 net- acres.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The design and improvements of the subdivision are consistent with the applicable general plan in that onsite improvements will be completed according to City of Irvine standards. Further, the project design provides adequate pedestrian and vehicular circulation among the land uses onsite and adjacent uses in those appropriate connections from the site to local roadways and sidewalks have been incorporated into the design of the project.

- C. That the site is physically suitable for the type of development.

The project site is located in a fully developed part of town and is relatively flat. All necessary infrastructure exists in the immediate area to serve the proposed project. The proposed subdivision's lot dimensions, lot sizes, and topography are of a size, shape, and condition suitable for its proposed development with a residential condominium project of 280 units, recreation area, parking facilities, and landscaping.

- D. That the site is physically suitable for the proposed density of the development.

In the Irvine Business Complex, the City has established a minimum density requirement of 30 units to the acre. The project proposes 280 residential units on 3.56 net-acres. This translates into a net density of 78.7 units per net-acre. The site itself is relatively flat and the proposed subdivision will create parcels that are of a size, shape, and topography that can accommodate the proposed density for the residential building, parking facility, and on-site recreational amenities.

- 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.

Based upon adopted City standards, applicable mitigation measures, and conditions imposed by this resolution, the design of this subdivision and types of improvements proposed for the project are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. Furthermore, the project site is located in a fully improved area of the City. There is no native habitat or water bodies present on or near the project site that would be damaged or substantially impaired due to the project's scope.

- 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 to the project site is

not likely to cause serious public health problems in that all proposed building and infrastructure improvements will be completed in compliance with all applicable City Standards and requirements in accordance with all local building and safety Codes.

- 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.

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 the property in that there are no such easements on the subject property. In fact, the project provides for potential future easements for public pedestrian access along the northern and western boundaries of the project to be developed into a public walking street with the intention of transitioning Kelvin Avenue and McGaw Avenue block into a more walkable neighborhood.

- 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

Any discharge of water 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 in that any such use of the existing sewer system by the project shall be in conformance with all the applicable regional and state requirements including compliance with the project's Water Quality Management Plan.

- I. That the requirements of the California Environmental Quality Act have been satisfied.

The project is within the scope of the certified Irvine Business Complex Vision Plan and Mixed Use Overlay Zoning Code Environmental Impact Report (SCH No. 2007011024) and Addendum, which satisfies the requirements of the California Environmental Quality Act. The EIR contains mitigation measures to reduce the potential environmental impacts of the proposed development. The applicable mitigation measures adopted with the EIR has been applied to the project and adopted as conditions.

- J. For subdivisions of 500 or more units, sufficient water supply will be available to serve the proposed subdivision.

Vesting Tentative Tract Map 17614 creates a single lot for future condominium development of up to 280 residential units. Since this subdivision will not result in 500 or more units, a project-specific analysis of sufficient water supplies is not required and this finding is not applicable.

K. For any subdivision for which a modification is granted pursuant to Section 5-5-107 of the Subdivision Ordinance, all of the following additional findings:

1) 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 others in the vicinity.

Vesting Tentative Tract Map 17614 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

2) Granting the modification sought by the subdivider will not result in undue detriment to surrounding property or residents.

Vesting Tentative Tract Map 17614 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

3) Granting the modification sought by the subdivider will not constitute the grant of a special privilege.

Vesting Tentative Tract Map 17614 does not seek any modifications from the City's Subdivision Ordinance; therefore, this finding is not applicable.

L. That the proposed vesting tentative tract 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.

As demonstrated through each of the above findings, Vesting Tentative Tract Map 17614 is consistent with Irvine's General Plan, Zoning Code, IBC Vision Plan, and design and improvements requirements for subdivisions. The map does not seek any modifications from the Subdivision Ordinance and therefore is found to be in compliance with applicable plans, ordinances, and policies of the City of Irvine.

SECTION 3. 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 Planning Commission approval of Vesting Tentative Tract Map 17614 (File No. 00571126-PTT) 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".

- X 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.
- X c. Storm drain facilities.
- X d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- X 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 1.4**

**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 1.7

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 1.13

OFFER OF DEDICATION

Prior to the release of a final map by the City, the applicant shall submit to the City Engineer an irrevocable offer of dedication along the western (minimum 25 feet) and southern (minimum 22 feet) boundaries of the project site to allow these areas to be used for public access purposes as depicted on the map. The landowner, or agent, will not be responsible for costs related to removal of existing improvements or any new construction within the future easement areas. The irrevocable offer of dedication shall be in the form approved by the City Attorney and prepared to the satisfaction of the City Engineer.

Condition 1.14

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 Homeowners 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 1.15

SECURED FIRE PROTECTION AGREEMENT

*(PPP 11-2)*

Prior to the issuance of a final map for the individual development within the IBC, the applicant shall have executed a Secured Fire Protection Agreement with the Orange County Fire Authority (OCFA).

**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 8771(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 (modified)**

**ARCHAEOLOGIST / PALEONTOLOGIST  
(PPP 4-1)**

Prior to the issuance of the first preliminary or precise grading permits for each planning area, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters documenting retention of an archaeologist and a paleontologist for the project. The letters shall state that the applicant has retained these individuals, and that the consultants will be on call during all grading and other significant ground-disturbing activities. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange. 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, 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. Unanticipated discoveries shall be evaluated for significance by an Orange County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers. Persons performing this work shall be Orange County Certified Professional Archaeologists/Paleontologists

**Standard Condition 2.6**

**SITE SPECIFIC GEOTECHNICAL STUDY  
(PPP 5-3)**

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  
(PPP 7-2)

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  
(PPP 7-3)

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  
(PPP 7-4)

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 2.24

SOLID WASTE RECYCLING  
(PPP 15-1)

Prior to the issuance of grading permits for a project that involves the demolition of an asphalt or concrete parking lot on site, the applicant shall submit a waste management plan demonstrating compliance with the requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of 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 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

CONSTRUCTION EQUIPMENT  
(PDF 2-6)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor utilize off-road construction equipment that conforms to Tier 3 of the United States Environmental Protection Agency, or higher emissions standards for construction equipment over 50 horsepower that are commercially available. The construction contractor shall be made aware of this requirement prior to the start of construction activities. Use of commercially available Tier 3 or higher offroad equipment, or:

- Year 2006 or newer construction equipment for engines rated equal to 175 horsepower (hp) and greater;
- Year 2007 and newer construction equipment for engines rated equal to 100 hp but less than 175 hp; and
- 2008 and newer construction equipment for engines rated equal to or greater than 50 hp.

The use of such equipment shall be stated on all grading plans. The construction contractor shall maintain a list of all operating equipment in use on the project site.

The construction equipment list shall state the makes, models, and numbers of construction equipment on-site.

Condition 2.27

CONSTRUCTION EQUIPMENT  
(PDF 2-7)

Prior to the issuance of a grading permit, the following note shall be placed on the plans: Applicants for new developments in the Irvine Business Complex shall require that the construction contractor to properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Nonessential idling of construction equipment shall be restricted to 5 minutes or less in compliance with California Air Resources Board's Rule 2449.

Condition 2.28

DUST CONTROL PLAN  
(PDF 2-8)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor prepare a dust control plan and implement the following measures during ground-disturbing activities in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM10 and PM2.5 emissions. To assure compliance, the City shall verify compliance that these measures have been implemented during normal construction site inspections:

- During all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering. This would achieve a minimum control efficiency for PM10 of 5 percent.
- During all construction activities, the construction contractor shall sweep streets with Rule 1186 compliant PM10-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.
- During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other suitable means. This would achieve a control efficiency for PM10 of 91 percent.
- During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day. This would achieve an emissions reduction control efficiency for PM10 of 61 percent.
- During all construction activities, the construction contractor shall limit on-site vehicle speeds on unpaved roads to no more than 15 miles per hour. This would achieve a control efficiency for PM10 of 57 percent.
- The construction contractor shall apply chemical soil stabilizers to reduce wind erosion. This would achieve a control efficiency of up to 80 percent.

Condition 2.29

HUMAN REMAINS  
(PPP 4-2)

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, one of the following steps shall be taken:

- a. 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 descendent 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.
- b. Where the following conditions occur, the land owner or his/her 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 descendent or on the property in a location not subject to further subsurface disturbance:
  - 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.
  - The identified descendent fails to make a recommendation; or
  - The landowner or his/her authorized representative rejects the recommendation of the descendent, and mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. (CEQA Guidelines Section 15064.5[e])

Condition 2.30

HYDROLOGY AND HYDRAULIC ANALYSIS  
(PPP 7-1)

Prior to the issuance of preliminary or precise grading permits, the applicant shall submit a hydrology and hydraulic analysis of the entire site. The analysis shall be prepared by a professional civil engineer versed in flood control analysis and shall include the following information and analysis:

- a. Hydrology/hydraulic analysis of 100-year surface water elevation at the project site to determine building elevation or flood proofing elevation.

- b. Analysis of existing and post-development peak 100-year storm flow rates, including mitigation measures to reduce peak flows to existing conditions.
- c. An analysis demonstrating that the volume of water ponded on the site and stored underground in the drainage system outside of the building envelope in the proposed condition is greater than or equal to the corresponding volume in the existing condition. The water surface used to determine the ponded volume shall be based on the water.

Condition 2.31

NOISE SEPARATION  
(PDF 9-2)

Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.

- Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
- Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site, whenever feasible.
- Construction of sound walls that have been incorporated into the project design prior to construction of the building foundation; or installation of temporary sound blankets (fences typically composed of poly-vinyl-chloride-coated outer shells with adsorbent inner insulation) placed along the boundary of the project site during construction activities.

Condition 2.32

SOLID WASTE FOR RECYCLING  
(PPP 14-4)

This project will result in new construction that will generate solid waste. Prior to the issuance of precise grading permits, the applicant shall show on the site plans the location of receptacle(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 permitted to contract with a waste recycler for offsite materials recovery. In this case the applicant must provide a letter verifying that recycling will be conducted off site in an acceptable manner.

Condition 2.33

OCFA APPROVAL

Prior to the issuance of a grading permit, the applicant shall submit to the Orange County Fire Authority (OCFA) for review and approval the following:

- Fire Master Plan (Service Code PR145)
- Alternate Methods and Materials plan (Service Code PR910)

Condition 2.34

CONSTRUCTION WORKERS  
(PDF 15-1)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall require that the construction contractor provide alternative transportation mode incentives, such as bus passes and/or carpooling for workers to and from the worksite on days that construction activities require 200 or more workers. These requirements shall be noted on the grading plan cover sheet.

Condition 2.35

IRWD RECYCLED WATER SYSTEM  
(PPP 14-1)

Prior to the issuance of a grading permit, applicants for new developments in the Irvine Business Complex shall incorporate the use of a recycled water system if available by Irvine Ranch Water District (IRWD). Irvine Ranch Water District (IRWD) will identify customers in a zone identified in the Plan (“the Plan” collectively refers to the Water Resources Master Plan, Sewer Master Plan, Natural Treatment System Master Plan, and addenda thereto) as an area capable of receiving service from the IRWD’s recycled water system, and will determine the feasibility of providing recycled water service to these customers. IRWD will also review applications for new permits to determine the feasibility of providing recycled water service to these applicants. If recycled water service is determined by IRWD to be feasible, applicants for new water service shall be required to install on-site facilities to accommodate both potable water and recycled water service in accordance with these Rules and Regulations. IRWD may also require existing customers to retrofit existing on-site water service facilities to accommodate recycled water service. If IRWD does not require the use of recycled water service, the customer may obtain recycled water service upon request but only if IRWD has determined that recycled water service to the customer is feasible and authorizes such use.

Condition 2.36

RECLAIMED WATER ON MASTER LANDSCAPED AREAS  
(PDF 15-12)

If recycled water service is determined by IRWD to be feasible (see PPP 14-1), applicants for new developments in the Irvine Business Complex shall use reclaimed water in all master landscaped areas. This will include master landscaped commercial, multifamily, common, roadways, and park areas. Master landscapes will also incorporate weather-based controllers and efficient irrigation system designs to reduce overwatering, combined with the application of a California-friendly landscape palette.

Condition 2.37

VIBRATION-INTENSIVE CONSTRUCTION ACTIVITIES

*(PDF 9-1)*

Prior to the issuance of a grading permit, applicants for individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall submit a noise vibration analysis. If construction-related vibration is determined to exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime, additional requirements, such as use of less vibration intensive equipment or construction techniques shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).

Condition 2.38

IRWD CONNECTION FEE

*(PPP 14-2)*

Prior to the issuance of a grading permit, future project applicants in the IBC shall enter into agreement or agreements as necessary with IRWD to establish the appropriate financial fair share costs to be borne by the project proponent. Fair share costs may include, but are not limited to, those associated with the preparation of studies and infrastructure expansion necessary to analyze and serve the project.

Condition 2.39

FIRE FLOW ANALYSIS

*(PPP 14-3)*

Prior to the issuance of a grading permit, in accordance with IRWD requirements, each redevelopment project in the IBC must provide a fire flow analysis. If the analysis identifies any deficiencies, the developer will be responsible for any water system improvements associated with the development project required to rectify the deficiencies and meet IRWD fire flow requirements.

Condition 2.40

LEAD EXPOSURE

*(PPP 6-2)*

During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code. California Code of Regulations Section 1532.1, California Health and Safety Code

Condition 2.41

LEAD BASED PAINT  
(PPP 6-4)

Prior to site demolition activities, building materials shall be carefully assessed for the presence of lead-based paint, and its removal, where necessary, must comply with state and federal regulations, including Occupational Safety and Health Administration (OSHA) 29 CFR Part 1926. The OSHA rule establishes standards for occupational health and environmental controls for lead exposure. The standard also includes requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation of monitoring. Furthermore, the requirements of California Code of Regulations, Title 17, Division 1, Chapter 8, identify procedures that must be followed for accreditation, certification, and work practices for lead-based paint and lead hazards. Section 36100 thereof specifically sets forth requirements for lead-based paint abatement in public and residential buildings.

Condition 2.42

ASBESTOS CONTAINING MATERIAL REMOVAL  
(PPP 6-5)

Prior to site demolition activities, building materials must be carefully assessed for the presence of ACM, and removal of this material, where necessary, must comply with state and federal regulations, including SCAQMD Rule 1403, which specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACMs. The requirements for demolition and renovation activities include asbestos surveying; notification; ACM removal procedures and time schedules; ACM handling and cleanup procedures; and storage, disposal, and landfill disposal requirements for asbestos containing waste materials.

Condition 2.43

SCAQMD RULE 1403  
(PPP 2-4)

Prior to issuance of grading permits, the project applicant shall incorporate the following note on the plan: SCAQMD Rule 1403: Asbestos Emissions from Demolition/Renovation Activities - This rule specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.



Condition 2.44

HAZARDOUS WASTES REMOVAL  
(PPP 6-6)

During site decommissioning and demolition activities, hazardous wastes must be managed in accordance with the requirements of Title 22, Division 4.5 of the California Code of Regulations. Title 22 sets forth the requirements with which hazardous-waste generators, transporters, and owners or operators of treatment, storage, or disposal facilities must comply. These regulations include the requirements for packaging, storage, labeling, reporting, and general management of hazardous waste prior to shipment. In addition, the regulations identify standards applicable to transporters of hazardous waste such as the requirements for transporting shipments of hazardous waste, manifesting, vehicle registration, and emergency accidental discharges during transportation.

Condition 2.45

ASBESTOS CONTAINING MATERIAL EXPOSURE  
(PPP 6-7)

During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

Condition 2.46

SOIL CONTAMINATION

Soil contamination was discovered at 17351 Murphy Avenue as identified by the Limited Site Investigation prepared by Terracon Consultants, Inc. (dated August 12, 2013). The TPH-affected soil (located in the vicinity of TSW-2) shall be excavated and disposed of following waste characterization. Once characterization of soil has occurred, transport of contaminated material will be conducted by a state-certified hazardous material hauler to a state-certified disposal or recycling facility licensed to accept and treat hazardous waste. The removal action will be conducted under the oversight of the County of Orange Environmental Health under the Certified Unified Program Agency program.

Additional sampling and testing may be needed of the TPH-affected soil (located in the vicinity of TSW-2) to determine the horizontal and vertical extent of onsite contamination prior to removal action. Excavation of contaminated soil would be subject to oversight by the Orange County Environmental Health Division (EHD) through the department's Site Mitigation- Industrial Cleanup Program (ICP). Oversight activities conducted by the ICP would include - review of required site assessment and remediation work plans; review of required sampling operations; analysis of sampling data; and establishment of site cleanup criteria. The EHD would

notify the State Department of Toxic Substances Control (DTSC) and applicable Regional Water Quality Control Board (RWQCB) to determine if these agencies have regulatory involvement with the site. If involvement by the State agencies is determined to be unnecessary, an EHD representative will oversee the remediation of the project site. After determining that the necessary steps have been completed (such as submittal of a Site Assessment Work Plan, Site Assessment Report and a Remedial Action Plan) and remediation has been achieved, EHD will provide the Responsible Party (RP) with a letter describing the remedial actions taken to mitigate the contamination and to certify that cleanup goals were accomplished.

Additionally, provide the following note on the plans: During excavation of affected shallow soil, the contractor shall employ use of the following handling and disposal best management practices (BMPs) to minimize human exposure to soil contaminants. BMPs for handling and disposal of contaminated soil can include but are not be limited to the following:

- Contractor employees working on site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training.
- Contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation.
- Contractor will water/mist soil as its being excavated and loaded onto transportation trucks.
- Contractor will place stockpiled soil in areas shielded from prevailing winds.
- Contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
- Excavated soil will be subject to soil disposal procedures of the County of Orange Waste and Recycling program, which include:
  - Review of proper documentation (Soil Information Form) by a County Materials Regulation Specialist.
  - Laboratory analysis of soil.

Condition 2.47

SOIL/WATER CONTAMINATION  
(PPP 6-8)

Prior to the issuance of a preliminary grading permit, the project applicant shall incorporate the following as a note on the grading plan cover sheet to address the potential for discovery of soil and/or groundwater contamination unrelated to above/underground storage tank releases: The appropriate agency (e.g., OCHCA, DTSC, or the Regional Water Quality Board) shall be notified if soil and/or water contamination unrelated to above/underground storage tank releases are encountered during grading or construction activities. With their oversight, an environmental site assessment would be completed and a determination shall be made as to whether a cleanup is required. Cleanup activities would be consistent

with all applicable state and local rules, regulations, and laws. A cleanup would not be considered complete until confirmatory samples of soil and/or groundwater reveal levels of contamination below the standards established by the oversight agency. Alternatively, a risk assessment may be prepared for the site to determine that there are no human or environmental risks associated with leaving contamination below specific levels in place. Construction in the impacted area shall not proceed until a "no further action" clearance letter or similar determination is issued by the oversight agency, or until a land use covenant is implemented.

Condition 2.48

SCAQMD RULE 402- NUISANCE ODORS  
(PPP 2-2)

Prior to issuance of grading permits, the project applicant shall incorporate the following note on the plan: The SCAQMD prohibits the discharge of any quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property to be emitted within the South Coast Air Basin (SoCAB).

Condition 2.49

SCAQMD RULE 403 – FUGITIVE DUST (PM10 AND PM2.5)  
(PPP 2-3)

Prior to issuance of grading permits, the project applicant shall incorporate the following note on the plan: The SCAQMD prohibits any person to cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area such that: (a) the dust remains visible in the atmosphere beyond the property line of the emission source; or (b) the dust emission exceeds 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook) if the dust emission is the result of movement of a motorized vehicle.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

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.

- X a. Information on Noise resulting from aircraft and/or helicopter operations from John Wayne Airport.
- X b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist (949) 724-7148.
- n/a c. Map of Special Flood Hazard Area information 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.
- n/a 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  
(PPP 9-2)

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  
(PPP 1-2)

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  
(PPP 15-1)

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 3.11 (modified)

PARK DESIGN CONSISTENCY

Prior to the issuance of a building permit for any portion of the rooftop recreation area (pool, fitness center, multipurpose room, etc.), the applicant shall submit and have approved a Park Design for the recreation area(s). The Park Design shall demonstrate compliance with the approved Park Plan to the satisfaction of the Director of Community Development. All related construction plans shall be consistent with the approved Park Design.

Standard Condition 3.12

PRIVATE PARK RESERVATION

Prior to the issuance of building permits on land required as a private park by local and/or state development standards, the applicant shall submit and the Directors of Community Development shall have approved an instrument reserving such required park land in perpetuity.

Standard Condition 3.17

EMERGENCY ACCESS PLAN  
(PPP 11-4)

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.

Standard Condition 3.26

AFFORDABLE HOUSING MONITORING

Prior to the issuance of building permits, the project proponent shall submit a pre-application (PPA case type) with required deposit for the purpose of defraying the City's cost of reviewing affordable housing implementing forms and agreements resulting from the approval of land use entitlements associated with a conditional use permit and/or master plan, or density bonus for a housing development providing on or off-site affordable housing units or the use of other options approved by the Planning Commission that result in the review of implementing documents.

Condition 3.27

ARCHITECTURAL COATINGS

*(PDF 2-9)*

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall require that the construction contractor use coatings and solvents with a VOC content lower than required under Rule 1113 (i.e., Super Compliant Paints). All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency. The construction contractor shall also use precoated/natural colored building, where feasible. Use of low-VOC paints and spray method shall be included as a note on architectural building plans.

Condition 3.28

BUILDING AND ENERGY EFFICIENCY STANDARDS

*(PPP 14-5, 15-2)*

The proposed project shall comply with all State Energy Insulation Standards and City of Irvine codes in effect at the time of application for building permits. (Commonly referred to as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Title 24 covers the use of energy efficient building standards, including ventilation, insulation and construction and the use of energy saving appliances, conditioning systems, water heating, and lighting.) Plans submitted for building permits shall include written notes demonstrating compliance with energy standards and shall be reviewed and approved by the Building and Safety Department prior to issuance of building permits.

Condition 3.29

FIRE PROTECTION ACCESS EASEMENTS

*(PPP 11-3)*

Prior to the issuance of the first building permit, all fire protection access easements shall be approved by the Orange County Fire Authority and irrevocably dedicated in perpetuity to the City.

Condition 3.30

LIBRARY IMPACT FEE

*(PDF 11-3)*

Prior to issuance of building permits for new development, developer shall pay a Citywide library impact fee in the event this fee is adopted and in force.

Condition 3.31

COMMUNITY PARK FEES

*(PPP 12-1)*

Prior to the issuance of the first residential building permit, the applicant shall pay the community park in lieu fee calculated pursuant to the approved Park Design. This fee shall be deposited into an account designated by the City of Irvine's Fiscal Services Division for funding of community parks to serve this project, including the Orange County Great Park, as determined by the City Manager. In determining this in-lieu fee, the then-applicable approved fair market land value appraisal for the Irvine Business Complex shall be utilized to determine the in lieu fee.

Condition 3.32

NEIGHBORHOOD PARK FEES

*(PPP 12-1)*

Prior to the issuance of the first residential building permit, the applicant shall pay the neighborhood park in lieu fee the amount calculated pursuant to the approved Park Design. In determining this in-lieu fee, the then-applicable

amenity/improvement credit tables and approved fair market land value appraisal for the Irvine Business Complex shall be utilized to determine acreage equivalent credits and the remaining in lieu fee.

Condition 3.33

PLAYGROUND PLAN

Prior to the issuance of a building permit for any park that includes a playground/tot lot, the applicant shall submit for review and obtain approval of a Playground Plan by the Director of Community Development. The Playground Plan shall include all information specified in City of Irvine Park/Public Facility Standards, Section VII-B.3.4 or an approved successor guideline.

Condition 3.34

RECREATION AREA SURVEILLANCE

Prior to issuance of a building permit for that portion of a building or structure containing rooftop recreation, the plans shall include a Recreation Surveillance Camera Plan showing the presence of color cameras fully covering the roof top recreation space and that are capable of being monitored by the management office. Camera images are to be stored on a digital DVR for a minimum of 30 days.

Condition 3.35

IBC DISCLOSURE  
(PDF 6-2)

Prior to the issuance of building permits, the applicant shall submit the following documents to the City for review and approval by the Director of Community Development or his or her designee:

1. A copy of the rental/lease agreement or sales contract for the proposed project, which provides:
  - a. That the Declaration of Covenants, Conditions, and Restrictions are incorporated therein by reference; and
  - b. The renter/lessee or buyer has received and accepts the following disclosure statement:

“This residential development is located in an area of the City of Irvine known as the Irvine Business Complex (IBC). The IBC is primarily a place of employment and is developed with office parks and industrial/manufacturing/warehouse land uses. This area is transitioning to a mixed use village, in which housing opportunities are provided close to employment sites in the area. The goals of this transition to mixed use are to create a more active 24-hour community in which uses are located in close proximity as to minimize traffic, decrease the distance from jobs to housing, and provide convenience to residents. The mixed use nature of the IBC as an evolving urban core and downtown area includes a number



of inherent land use characteristics of which residents should be aware:

- The location of housing in close proximity to jobs assumes a greater population concentrated in the area throughout the day.
- Preservation of the existing job base is an important goal of the City. These existing businesses include operations which may cause disturbance to nearby residences.
- People choosing to live in a vibrant, active, busy mixed use community are willing to accept a greater mix of surrounding land uses, unlike surrounding suburban residential villages/tracts that separate land uses.
- This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

Given the existing and evolving nature of the IBC into a mixed-use area with a significantly more urbanized character than other villages in the City, it is not uncommon for residential uses in the IBC to be located in close proximity to a wide variety of business uses, including shopping centers or industrial uses.

Therefore, as a buyer or renter of a residential unit in the IBC, you are advised of the following:

To support the business and residential populations in this area, a number of shopping centers have either been built or will be constructed and will contain a mixture of retail, restaurant, and resident-serving commercial uses (e.g. grocery stores). Public spaces and commercial ventures that would serve a broader population base are also anticipated to accompany the growth of the IBC. These uses and associated additional population may create disturbances to nearby residences. In addition, your residence may also be located near a business that is engaged in activities where normal operations may be around the clock and also create disturbances to nearby residences. Disturbances from these commercial and industrial operations include, but are not limited to: equipment noise, truck deliveries, odors, trash dumping, and construction activities.

Also, while the IBC's street system encourages the use of expressways and major highways as the primary means to navigate through the area, the roadways are interconnected and overflow traffic may rely upon local streets within the larger network to bypass congestion at various times throughout the day.

The mix of business activities that exist as the IBC matures will vary greatly as part of this evolving urban neighborhood. There is no guarantee that the land uses currently existing in immediate proximity to this residential development will remain unchanged into the future. Land uses may change or expand as permitted by the City's Zoning ordinance. The nature of businesses is that they must be responsive to their markets; therefore, the businesses are free to change the nature of their operations (e.g. character, hours of operation, and/or intensity) at any time in a manner consistent with applicable governing regulations. Existing businesses may cease operations and be replaced with a business or activity of an entirely different nature that could be more or less intense, noxious, or compatible with this residential development than that which currently exists.

In addition, the following additional notice is provided pursuant to Section 11010 of the California Business and Professions Code:

Notice of Airport in Vicinity

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

By my signature below, I fully acknowledge that I have received, read, understand, and accept the above disclosure statement:

\_\_\_\_\_  
Printed name of tenant or purchaser

\_\_\_\_\_  
Signature of tenant or purchaser

The disclosure form shall be provided in a form that is separate and distinct from other disclosure documents, so that the buyer/tenant is readily aware of this disclosure:

1. A Declaration of Covenants, Conditions, and Restrictions providing for:
  - a. the above disclosure statement to be provided to all subsequent buyers and/or renters.
  - b. all rental/lease agreements and/or sales contracts that include this disclosure statement to be maintained in perpetuity with the property manager and/or homeowner's association or their legal successor-in-interest.
  - c. These documents, as described above, to be made available to the City of Irvine for inspection upon 24 hours advance written notice for the sole purpose of verifying that all tenants/owners of the residential development have been made aware of, understood, and consented to the above disclosure statement.

Condition 3.36

OCFA APPROVAL

Prior to the issuance of a building permit, the applicant shall submit to the Orange County Fire Authority (OCFA) for review and approval the following:

- Architectural plans (service codes PR200 - PR285)
- Underground piping for private hydrants and fire sprinkler systems (service code PR470 - PR475)
- Fire sprinkler system (service code PR400 - PR465)
- Chemical classification for pool chemicals (service code PR320)

Condition 3.37

IBC TRAFFIC IMPROVEMENT FEE

Prior to the issuance of building permits, the applicant shall pay the IBC Traffic Improvement fees (City Council Resolution No. 11-13) effective at the time of permit issuance.

Condition 3.38

IBC NEIGHBORHOOD INFRASTRUCTURE FEE

Prior to the issuance of building permits, the property owner shall pay to the City all IBC Neighborhood Infrastructure Improvement Program fees payable pursuant to Irvine Zoning Code 9-36-15, and City Council Resolution 11-14 ("IBC Infrastructure Fee"). If the units are marketed in the first instance as rental units that are not available for purchase by occupants, the "for rent" IBC Infrastructure Fee shall be paid by the owner. If the units are marketed in the first instance as units that are available for purchase by occupants, the "for sale" IBC Infrastructure Fee shall be paid by the owner. If the "for rent" fee is paid in the first instance, but at a later point in time the

owner or its successor in interest seeks to convert the units to “for sale” products, then prior to the first sale of any unit, the owner or its successor in interest shall pay to the City, for the entirety of the development project, the difference between (i) the then-current “for sale” IBC fees applicable to the Project and (ii) the IBC Infrastructure Fee already paid by the owner or its predecessor in interest to the City for the Project. On July 1 of each year, following the issuance of the first building permit, and until such time as the City receives the full payment of “for sale” IBC Infrastructure Fee, the owner or its successor in interest shall certify to the City in writing it has not sold any unit in the Project. This condition shall be noted on the tentative tract map (VTTM No. 17616) for the project.

Condition 3.39

TDR AGREEMENT

Prior to the issuance of building permits, the applicant shall record development intensity value (DIV) transfer agreements for the applicable square footage of office equivalency and corresponding DIVs in accordance with Zoning Code Section 9-36-18.G for transfer of development rights. Furthermore, the applicant shall submit a draft DIV transfer agreement for review/approval by City staff and Attorney prior to actual execution and recordation of the trip transfer agreement.

Condition 3.40

TDR FEE

Prior to the issuance of building permits, the applicant shall pay the transfer of development rights fee per Irvine Zoning Code 9-36-18.E.

Condition 3.41

DENSITY BONUS AGREEMENT

Prior to the issuance of building permits, the Applicant shall submit all applicable affordable housing implementing forms and agreements, including but not limited to a Density Bonus Housing Agreement, Memorandum of the Density Bonus Agreement, Regulatory Agreement and Declaration of Covenants and Restrictions, and Termination and Release of the Regulatory Agreement and Memorandum for review and approval by the City’s Housing Manager and the City Attorney. Upon approval of the form documents, the Irvine City Council, as the legislative body will approve the Density Bonus Agreement.

Condition 3.42

AFFORDABLE UNITS – LEASING FORMS

Prior to the issuance of building permits for the project, the applicant shall have submitted, and the Housing Manager or his/her designee shall have approved, leasing forms and a marketing plan for the advertising and selection of residents of the affordable units.

Condition 3.43

RECYCLED MATERIALS  
(PDF 15-2)

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall submit evidence to the satisfaction of the Director of Community Development or the Director of Public Works that the project uses recycled materials for at least 20 percent of construction materials. Recycled materials may include salvaged, reused, and recycled content materials. Recycled and/or salvaged building materials shall be shown on building plans and product cut sheets submitted to the City.

Condition 3.44

ULTRA-LOW-FLOW FIXTURES  
(PDF 15-10)

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall submit evidence to the satisfaction of the Director of Community Development that toilets, urinals, sinks, showers, and other water fixtures installed on-site are ultra-low-flow water fixtures that exceed the Uniform Plumbing Code. Examples are: 1.28 average gallons per flush high efficiency toilets, 2 gallon per minute (gpm) efficient bathroom faucets, 2.2 gpm efficient kitchen faucets, and 2.2 gpm efficient shower heads.

Condition 3.45

LANDSCAPING / IRRIGATION SYSTEMS  
(PDF 15-11)

Prior to the issuance of building permits, applicants for new developments in the Irvine Business Complex shall submit evidence to the satisfaction of the Director of Community Development that landscaping irrigation systems installed in the project are automated, high-efficient irrigation systems that reduce water use, such as an evapotranspiration “smart” weather-based irrigation controller, dual piping for recycled water, and bubbler irrigation; low-angle, low-flow spray heads; moisture sensors; and use of a California-friendly landscape palette. These features will make the project consistent with the intent of the California Water Conservation in Landscaping Act of 2006 (AB 1881), including provisions to reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of water.

Condition 3.46

OUTDOOR LIGHTING  
(PPP 1-1)

Prior to the issuance of building permits, applicant shall demonstrate that outdoor lighting is designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare as required by Chapter 3-16, Lighting of the City’s Zoning Ordinance. The level of lighting on the site shall comply with the requirements of the City’s Uniform Security Code.

Condition 3.47

PARKING SURVEILLANCE CAMERA

Prior to the issuance of building permits, provide a Parking Surveillance Camera Plan showing color cameras capable of monitoring the parking structure entrance, capturing a picture of vehicles entering/exiting including views of license plates. Camera images are to be stored on a digital DVR for a minimum of 30 days.

Condition 3.48

BIKE RACKS

Prior to the issuance of building permits for the parking garage, the applicant shall demonstrate that bicycle racks are enclosed with a floor to ceiling fence and locked either with an access control system locking device or mechanical door lock (no padlocks).

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

Standard Condition 3.49

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 AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

Standard Condition 4.3

PLAYGROUND INSPECTION

Prior to authorization to use, occupy, and/or operate the playground, the applicant shall submit to the Chief Building Official a letter stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacturer's specifications, and that it complies with minimum playground safety regulations, adopted by the State of California (CA Code of Regulations, Title 22, Division 4, Chapter 22, Article 1-4).

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 4.12

TEMPORARY/FINAL OCCUPANCY INSPECTION

Prior to temporary or final authorization to use, occupy, and/or operate, all 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. Inspections shall be scheduled at least two days in advance by calling OCFA Inspection Scheduling at 714-573-6150

Condition 4.13

OCFA - HAZARDOUS MATERIALS DISCLOSURE

Prior to authorization to use, occupy, and/or operate, the facility manager or other qualified employee familiar with the chemicals used, handled, or stored at this facility shall complete and submit an OCFA Hazardous Materials Disclosure. The Hazardous Materials Disclosure is available at OCFA headquarters (1 Fire Authority Road, Irvine) or on-line at [www.ocfa.org](http://www.ocfa.org). Contact OCFA Safety and Environmental Services at 714-573-6250 for more information.

Condition 4.14

DENSITY BONUS HOUSING AGREEMENT

Prior to authorization to use, occupy, and/or operate; or any other City issued document evidencing satisfactory completion of construction, the Density Bonus agreement shall be recorded (or the Memorandum of Agreement). Following execution of agreements by all parties, any completed agreement, or memorandum thereof, shall be recorded in the office of the County Recorder of the County of Orange, California and the resulting conditions filed and recorded on the parcel or parcels designated for the construction of target units. All agreements shall be binding to all future owners and successors in interest per the terms of those agreements.

Condition 4.15

PARKING SURVEILLANCE CAMERA PLAN INSPECTION

Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passes an inspection, to be performed by the Police Department, to ensure compliance with the Parking Surveillance Camera Plan. The inspector shall verify the cameras capture and store the images of vehicles and their license plates when enter/exiting the parking facility.

**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.

Standard Condition 5.4

PRIVATE PARK RESERVATION

Prior to the exoneration of any security for a private park, the applicant shall submit to the Director of Community Development a copy of the recorded instrument reserving in perpetuity any private park.

**MISCELLANEOUS CONDITIONS**

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 6.3

RIGHT-OF-WAY EASEMENTS

Any easement that lies within or crosses rights-of-way proposed to be deeded or dedicated to the City shall be subordinated to the City prior to City acceptance of the rights-of-way, unless otherwise exempted by the City Engineer in writing.

Condition 6.19

TOT LOT REMOVAL

If the Tot Lot within this project is at any time closed to the residents or replaced with another use, prior to closing the tot lot, another tot lot minimum 596 square feet in size and with similar or superior play equipment shall be provided within the project, unless an adequate tot lot open to the public is at that time available within one quarter mile walking distance from the project. This change will require modification of this Park Plan per Section 2-22-10 of the Zoning Code.

Condition 6.20

AFFORDABLE UNITS ANNUAL REPORT

The applicant or developer shall provide the City with an annual report in a form acceptable to the Housing Manager detailing compliance with the adopted affordable housing plan including the Density Bonus Agreement for the project. The report shall include income verifications for all tenants in affordable units, rent rolls and confirmation of rents charged including utility allowances used for the rental project. Failure to comply with the terms of the adopted affordable housing plan may result in the revocation of a conditional use permit for the project or similar exercises of the City's enforcement powers. The City, or its designee, with written notice at least 10 days in advance shall have the right at no cost, to enter onto the project to conduct a monitoring of the affordable units and inspect all files associated with each unit.

Condition 6.21

AHP - CONDO CONVERSION

Should the project be converted to condominiums at a later date, a new affordable housing plan outlining the pricing of the affordable units consistent with State

Density Bonus Law (Govt. Codes 65915-65918) and all referenced codes in effect at the time the project was approved by the City Council shall be submitted for review and approval by the Housing Manager or his/her designee. The pricing shall include monthly housing cost of a purchaser (average of estimated costs for the next twelve months). The schedule shall include all of the following associated with that housing unit:

(a) Principal and interest on a mortgage loan including any rehabilitation loans, and any loan insurance fees associated therewith.

(b) Property taxes and assessments.

(c) Fire and casualty insurance covering replacement value of property improvements.

(d) Property maintenance and repairs.

(e) A reasonable allowance for utilities, including garbage collection, sewer, water, electricity, gas, and other heating, cooking, and refrigeration fuels. Utilities do not include telephone service. Such an allowance shall take into consideration the cost of an adequate level of service.

(f) Homeowner association fees.

(g) Space rent, if the housing unit is situated on rented land.

(h) Communities Facility District (CFD) fees, if applicable.

(i) Purchase price down payment (subject to verification by the City).

Condition 6.22 AFFORDABLE HOUSING AGREEMENT - CONDO CONVERSION

Should the project be converted to condominiums at a later date, the developer and all buyers of affordable for-sale units shall sign and record if necessary all affordable housing agreements deemed applicable by the Housing Manager. These documents may include, but are not limited to, Loan Agreements, Promissory Notes, Deeds of Trust, Regulatory Agreements, Requests for Notice of Default and Sale, Buyer Disclosure Statements, Truth in Lending Statements, Notice of Right to Cancel Statements and/or Right of First Refusal.

Condition 6.23 AFFORDABLE UNITS - CITY MONITORING FEE

For purposes of defraying the monitoring activities required to ensure compliance with recorded affordability covenants governing the affordable units, the owner(s) of the project, or their successor(s) in interest, shall pay a City Monitoring Fee of \$25 per affordable unit per year increasing annually based on the Consumer Price Index

or such other City accepted index as may exist during the term of affordability no later than December 31 of each year. The City shall deliver to the owner(s) of the project an invoice for the City Monitoring Fee no later than November 30 of the same year for which payment will be due on December 31. In the event that City fails to deliver an invoice for the applicable year, then that failure shall relieve the owner(s) of the project of their obligation to pay the City Monitoring Fee for that year only. Such failure to deliver the invoice for the applicable year shall not relieve said owner(s) of their obligation to pay any future City Monitoring Fees for which City timely delivers an invoice or to provide annual monitoring reports. Upon City's written request to Developer, Developer shall provide within fifteen (15) days of delivery of City's written request the mailing and delivery information for any owner of a project for which the City has not received mailing and delivery information.

Condition 6.24

OCFA APPROVAL

Prior to concealing interior construction, the applicant shall submit to the Orange County Fire Authority (OCFA) for review and approval the following:

- Sprinkler monitoring system (service code PR500)
- Fire Alarm System (service code PR500-PR520)
- Hood and Duct Extinguishing System (service code PR335)

Condition 6.25

CONSTRUCTION HOURS  
(PPP 9-1)

City of Irvine Municipal Code Section 6-8-205(a), 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 may occur between 7:00AM and 7:00 PM Mondays through Fridays, and 9:00AM and 6:00 PM 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 will be permitted outside of these hours except in emergencies including maintenance work on the City rights-of-way that might be required.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 27<sup>th</sup> day of August 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION COMMITTEE

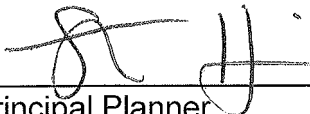
**AGENDA ITEM NO 4**



# REQUEST FOR SUBDIVISION COMMITTEE ACTION

**MEETING DATE:** AUGUST 27, 2014

**TITLE:** VESTING TENTATIVE TRACT MAPS 17710 (FILE NO. 00595880-PTT), 17722 (FILE NO. 00596588-PTT), AND 17746 (FILE NO. 00598615-PTT) FOR PHASES TWO THROUGH FOUR OF NEIGHBORHOOD 1 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. 14-926 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17710 (FILE NO. 00595880-PTT) TO SUBDIVIDE 233.71 GROSS-ACRES INTO 185 NUMBERED LOTS AND 52 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 185 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
4. Adopt Resolution No. 14-927 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17722 (FILE NO. 00596588-PTT) TO SUBDIVIDE 115.30 GROSS-ACRES INTO 374 NUMBERED LOTS AND 128 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 373 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS AND ONE PRIVATE NEIGHBORHOOD PARK; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY
5. Adopt Resolution No. 14-928 - A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17746 (FILE NO. 00598615-PTT) TO SUBDIVIDE 340.40 GROSS-ACRES INTO 223 NUMBERED LOTS AND 104 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 223 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

## **EXECUTIVE SUMMARY**

Irvine Community Development Company (ICDC) has submitted applications for Vesting Tentative Tract Maps (VTTM) 17710, 17722 and 17746 for Phases 2 through 4 of Neighborhood 1 in Orchard Hills (Planning Area 1). The three tract maps under consideration will ultimately allow for the overall development of 373, 185, and 223 dwelling units or a total of 781 units within Phases 2, 3 and 4 respectively in the northerly portions of Neighborhood 1. Neighborhood 1 is located in the western portion of Planning Area 1, north of Portola Parkway and east of the Eastern Transportation Corridor (SR-261).

Planning Area 1 is a 3,911-acre planning area 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. The Planning Area is primarily comprised of residential development, open space preservation areas, and agricultural orchards with other supporting land uses, including the Orchard Hills Village Center (retail), Northwood High School (Irvine Unified School District), Orchard Hills K-8 School (Tustin Unified School District), and a future child care site.

Staff has reviewed the vesting tentative tract maps and has determined, with the exception of the engineering variance for VTTM 17746 as detailed below, the maps comply with the requirements of the Irvine Subdivision Ordinance, Irvine Subdivision Manual, the Zoning Code and the Park Standards Manual. Therefore, staff recommends the Subdivision Committee recommend approval to the Planning Commission of these maps subject to the findings, conditions of approval, and mitigation measures in the attached Resolutions (Attachments 6-8).

## **COMMISSION/ADVISORY BOARD RECOMMENDATION**

None.

## **ANALYSIS**

### *Project Description*

On October 20, 2005, the Planning Commission approved Tentative Tract Map 16529, Park Plan, and Master Landscape and Trails Plan to establish the backbone infrastructure and overall development intensity for Neighborhoods 1 and 2 of Planning Area 1.

On September 4, 2014, the Planning Commission is scheduled to review VTTM 17710 (Phase 3) and 17722 (Phase 2) with their associated master plans as well as VTTM 17746 (Phase 4). In association with VTTM 17710, two corresponding master plans (i.e., lots 1-49 and 143-185, lots 50-142) have been submitted. Additionally, for VTTM 17722, three associated master plans (lots 1-128, lots 129-263, and lots 264-373) have been submitted. No master plans were submitted in conjunction with VTTM 17746. Each master plan establishes site-level building layouts and architectural design and covers a portion of the larger phases to create separate, but connected residential tracts for single-family detached homes throughout the northerly portions (Phases 2 through 4) of Neighborhood 1 of Planning Area 1.

All project sites lie north of and gain access off of the Settlers/Furrow loop road, which is gated. VTTM 17710 & 17722 are directly adjacent to Settlers/Furrow and whereas the residential portion of VTTM 17746 lies at the northern-most extent of Neighborhood 1. Internal circulation is provided via Woody Knoll/Leafy Pass loop road, which extends northward from Settlers/Furrow loop road. Local roads in loop and cul-de-sac formations provide access to all residential lots. The design and layout of the roadways meets City transportation standards (with the exception of variances for VTTM 17746) and are well-designed for public circulation and safety. All VTTMs are zoned for low-density residential in a hillside environment. Dwelling units are interspersed amongst landscape lots and existing avocado orchards, maintaining the characteristics and intent of the low-density zoning designation. The attached project vicinity map included as Attachment 1 provides further details.

#### VTTM 17710 (Phase 3)

The proposed VTTM 17710 will create 185 numbered lots for future single-family residential development and 52 lettered lots for landscaping or vehicular access on 76.32-net acres. The residential units are divided into three subsections, 49 units at the northern portion of site bordering the Eastfoot Retarding Basin, 93 units in the center, and the remaining 43 units along the southern boundary at the northeast corner of Leafy Pass and Furrow. The central 93 units are a different product type than the end cap areas.

Internal circulation will be provided via two main arterials: Trailmaster and Bighorn, private streets intersecting on the eastern side of Leafy Pass. Additional looping streets and private drives ending in cul-de-sacs are connected off Trailmaster and Bighorn providing direct access to the residences and designated visitor parking areas. All proposed streets are private streets to be maintained by the local Homeowner's Association.

VTTM 17710 also includes a 155.02-acres open space/orchards (Lots A and LL) and a 2.37-acres public trailhead (Lot KK). The lots are located directly east of the residential lots and north of Furrow and Orchard Hills Drive. All the orchard lots will be dedicated to the City as open space; however, all on-going avocado orchard operations will continue



to be maintained by ICDC in accordance with the recorded Irrevocable Offer of Dedication for the Western Portion of Preservation Area B-1.

VTTM 17710 is bordered by Eastfoot Retarding Basin to the north, existing avocado orchards to the east and west, and Neighborhood 1 South (i.e., Phase 1) and Neighborhood 2 to the south. For additional details on the map acreage, development standards, and adjacent land uses, refer to the Subdivision Information Sheet VTTM 17710 (Attachment 2).

#### VTTM 17722 (Phase 2)

The proposed VTTM 17722 will create 374 numbered lots for future single-family residential development and one 1.40-acre private neighborhood park and 128 lettered lots for landscaping, open space, utility, debris basins and vehicular access on 115.30-gross acres. Of the roughly 115-acres proposed, 15-acres of land will be dedicated to the City to be maintained as open space, and water quality and debris basins.

Access to the site will be provided at Fallen Branch, Saddlebrooke and Royal Pine off of the Woody Knoll, which connects to Settlers/Furrow to the south. Additional looping streets and private drives ending in cul-de-sacs are provided off of Fallen Branch, Saddlebrooke and Royal Pine, providing direct access to the residences and designated visitor parking areas. All proposed streets are private streets to be maintained by the local Homeowner's Association.

The tentative tract map has been divided into three master plans. The first master plan (00596673-PMP) consisting of Lots 1-128 is for the development of 128 single-family detached homes in a 47' x 80' lot configuration. The second master plan (00596677-PMP), consisting of Lots 129-262 is for the development of 135 single-family detached homes in a 65' x 55' lot configuration. The remaining master plan (00596680-PMP) is for Lots 263-373 for 110 single-family detached homes in a 55' x 80' configuration.

The project site is bordered by proposed residential (Phase 4), future 4.17-acre private neighborhood pool park and existing avocado orchards to the north, existing avocado orchards and Woody Knoll to the east, approved/under construction/existing residential (Neighborhood 1 South) and Settlers to the south, and Eastern Transportation Corridor (SR-261) to the west. For additional details on the map acreage, development standards, and adjacent land uses, refer to the Subdivision Information Sheet VTTM 17722 (Attachment 3).

VTTM 17746 (Phase 4)

The proposed VTTM 17746 will create 223 numbered lots for future single-family residential development and 104 lettered lots for landscaping, open space, fuel modification, debris basins and vehicular access on 340.40-gross acres. Of the roughly 340-acres proposed, 99.26 acres of land will be dedicated to the City as open space with on-going avocado orchard operations maintained by the Irvine Company and debris basins to be maintained by the City.

Although no master plan applications were filed concurrently with this map, the residential units are located at the center of the map, generally surrounded on all sides by open space/avocado orchard lots. Access to the residences and internal circulation are provided by the Woody Knoll/Leafy Pass loop street. Additional cul-de-sac streets are provided off Woody Knoll and Leafy Pass providing direct access to the residences and designated visitor parking areas. All proposed streets are private streets to be maintained by the local Homeowner's Association. In conjunction with the map, the applicant also requested engineering variances detailed below.

VTTM 17746 is bordered by City-owned open space areas to the north, State Route 261 (Eastern Transportation Corridor) to the west, open space to the east, and approved Phase 1 as well as proposed Phases 2 and 3 of Neighborhood 1 to the south. For additional details on the map acreage, development standards, and adjacent land uses, refer to the Subdivision Information Sheet VTTM 17746 (Attachment 4).

*Engineering Deviations*

The City of Irvine Design Manual and Standard Plans set forth the requirements for design of streets within the City. As part of the VTTM 17746 application, the applicant proposed a deviation from City of Irvine Standard Plan No. 104, which requires a design speed of 25 miles per hour and a centerline curve radius of 300' minimum. The applicant is requesting to allow a minimum centerline design radius of 285' for the Woody Knoll/Leafy Pass loop street. Section 203.2 Caltrans Design Manual indicates that the minimum centerline radius for 25 miles per hour design speed is 215 feet, which is less than the proposed 250' for the loop street. Additionally, a minimum radius of 150' is requested for cul-de-sac streets due to the physical terrain as short segments are proposed to minimize the hillside grading.

The applicant is further requesting to deviate from Section 101.4.C, Vertical Alignment, which requires street grades to not exceed 7% unless approved by the City Engineer. The applicant proposed a centerline maximum grade of 9.661 percent for Woody Knoll/Leafy Pass loop street for an approximate segment of approximately 210 feet because the street crosses over existing large water transmission lines and cannot support larger fill required in order to reduce the grade of the street below nine percent.

The proposed grade is within the criteria set for mountain terrain of less than 11 percent. With the aforementioned justifications, the City Engineer approved the variance requests on August 13, 2014.

#### *Maximum Dwelling Units*

The Village of Orchard Hills has been approved for 4,088 dwelling units. A total of 781 units are proposed for Phases 2, 3 and 4 of Neighborhood 1 North. Combined with the 1,119 existing/approved units in Neighborhood 1 South and 809 existing/approved units in Neighborhood 2, 66 percent of the total units in Planning Area 1 would be used if the 781 units under consideration are approved. Since the total dwelling unit count remains below the established maximum, the project complies with the maximum number of dwelling units for the planning area.

#### *Parks and Trails*

The Planning Area 1 Park Plan was originally approved by the Planning Commission on October 20, 2005 (00375358-PPP) and established the park requirements for Planning Area 1. Park Plan modifications were subsequently approved by the Planning Commission on July 20, 2006 (00411351-PPK), by the Director of Community Services on September 16, 2013 (00574499-PPK) and by the Director of Community Development on August 11, 2014 (00600432-PPK).

The Community Services Commission approved Park Design modification 00571750-PPD for the 6.04-acre primary private neighborhood pool park ("The Resort at West Grove") at 50 Furrow on September 18, 2013 and construction of the park is completed. A 6.04-acre active public neighborhood park ("Settlers Park") at 35 Settlers located directly south of Orchard Hills School was completed in 2007. Depending on market conditions, the 1.40-acre tot lot park within VTTM 17722 is anticipated to commence construction in April 2017 in conjunction with Phase 2 residential construction and the 4.17-acre pool park at the northwest corner of Woody Knoll and Fallen Branch is estimated to begin construction in September 2017.

#### *Traffic Study and Vehicular Access*

A traffic study was approved with Master TTM 16529 as part of the previous "A" map approval and subsequent Traffic Study Addendum for Neighborhood 2 was completed to update the access and internal circulation within the original traffic study. The original traffic study analyzed the development of a total of 679 units, comprised of 581 single-family detached homes and 98 condominium dwelling units, within Neighborhood 1 North of Planning Area 1. The proposed roadway network is generally consistent with the previous traffic study with the exception of the proposed land use revisions.

A technical memorandum and supplemental analysis analyzed the proposed land use/trip generation and concluded that the currently proposed maps for Neighborhood 1 North (i.e., Phases 2 through 4 anticipated in Neighborhood 1) will have 102 additional dwelling units that will generate 1,126 more daily trips, 85 more AM, and 124 more PM peak hour trips. The project sites in Neighborhood 1 North contain 102 more units whereas the project sites in Neighborhood 1 South contain 118 less dwelling units than previously analyzed. A total of 1,400 dwelling units are proposed behind the two gated entries for Neighborhood 1 compared to a total of 1,416 dwelling units in the aforementioned traffic study and addendum. The memorandum concluded that there will be no adverse impact on the project access drives and adjacent intersections since these facilities have a greater capacity than the project traffic volume at build-out. Additionally, there is adequate vehicular gate stacking distance at the northerly and southerly access point on the Settlers/Furrow loop road to accommodate the project traffic volumes and no adverse impacts on the flow of traffic on-site or off-site are anticipated.

#### *Tree Removal Permit for Eucalyptus*

A Windrow Maintenance and Removal Exhibit was approved with Master TTM 16529 to satisfy a Special Development Requirement for Planning Area 1 (Zoning Code Section 9-1-7.13), which generally requires the preservation of existing (healthy) eucalyptus windrows.

Section 5-7-410.B.7, Tree Removal, of Chapter 4 ("Urban Forestry Ordinance") of the City's Municipal Code indicates "Trees that are significantly inhibiting the utilization of the property and removal can be determined to provide public benefit. The Planning Commission will evaluate (tree removal) permits submitted under this criterion." Due to the proposed remapping of phases 2 through 4 of Neighborhood 1, the applicant submitted a tree removal permit requesting removal and replacement of 322 existing eucalyptus trees due to their proximity to the proposed development and the associated benefit of fire hazard reduction and retained windrow enhancement in the long-term for the following:

VTTM	PHASE	WINDROW NO.	REMOVAL QUANTITY DUE TO GRADING IMPACTS
17722	2	14	112
17722	2	37	1
17722	2/4 (Park)	23	21
17710	3	29	12
17710	3	30	31
17710	3	32	27
17710	3	63	9
17746	4	2	6
17746	4	8	27
17746	4	10	46
17746	4	21	25
17746	4	69	5
<b>TOTAL</b>			<b>322</b>

Additionally, Sections 5-7-410.B.1 through 4 allows the City Arborist to grant approval for of a tree removal permit for trees that are dead or in significant and irreversible decline, potentially hazardous and incorrecable structure, stunted or malformed due to crowding and/or have untreatable insect or disease infestation. The applicant submitted a tree report documenting the removal and replacement of 698 trees total where 635 trees are dead, dying, or exhibiting poor structural condition and 63 trees are identified as having a high potential for significant wood rot based on sampling results. No action is required by the Subdivision Committee or Planning Commission for these 698 trees, but this information is being provided for informational purposes only.

Based on the certified arborist report revised July 31, 2014 (PC Attachment 17), the removal of 1,020 trees (including the 322 trees for grading-related impacts) out of a total of 2,520 trees will be mitigated with the replanting of 1,020 new eucalyptus trees (one-gallon size) at the 1:1 replacement ratio spaced at a minimum 20 foot on center from an existing or proposed eucalyptus tree within one of the 27 windrows in Phases 2 through 4 of Neighborhood 1 of Orchard Hills in the accordance with the City's Urban Forestry Ordinance. The City Arborist reviewed the tree report and determined it to be in compliance with the technical aspects of the City's Urban Forestry Ordinance and companion Urban Forestry Guideline Manual criteria.

*Public Outreach*

Public meeting notices were published in the *Orange County Register* on August 15, 2014, mailed to all property owners and apartment occupants within 500 feet of the project site, and posted at City-designated locations. To date, no comments have been received.

**ENVIRONMENTAL DETERMINATION**

Pursuant to Section 15162 of the State of California Environmental Quality Act (CEQA) Guidelines, this project is within the scope of the project covered by the 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). The effects of the project were examined in the EIR and all feasible mitigation measures and alternatives developed in the EIR are incorporated into the resolutions approving the project. A copy of the Environmental Evaluation based on the EIR is attached (Attachment 5).

**ALTERNATIVES CONSIDERED**

With the exception of the City engineering standard variance requests for VTTM 17746, 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**

Melissa Chao, Senior Planner  
Dat Tran, Assistant Planner

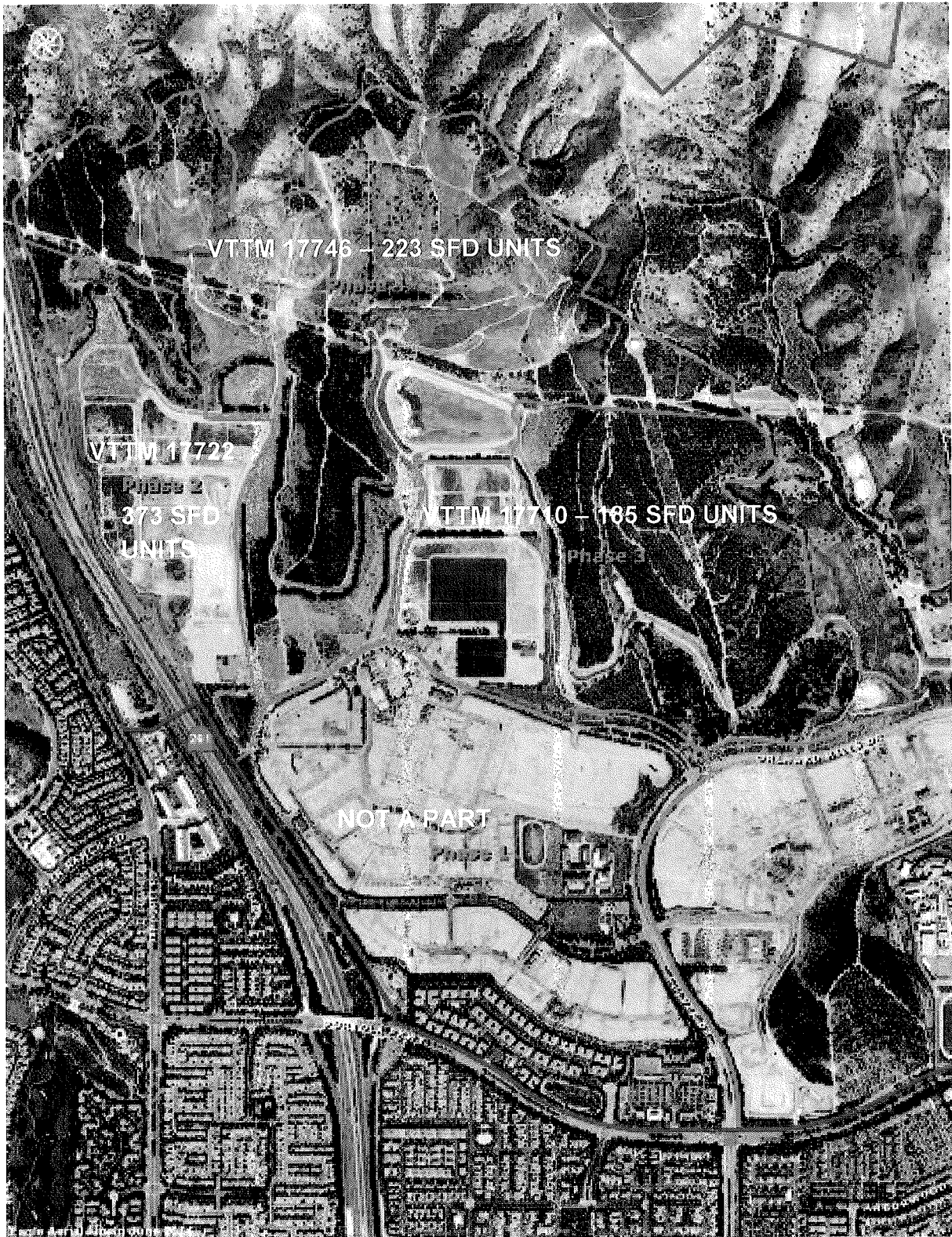
## ATTACHMENTS

1. Vicinity Map
2. Subdivision Information Sheet VTTM 17710
3. Subdivision Information Sheet VTTM 17722
4. Subdivision Information Sheet VTTM 17746
5. Environmental Evaluation
6. Subdivision Committee Resolution No. 14-926 recommending approval of VTTM 17710
7. Subdivision Committee Resolution No. 14-927 recommending approval of VTTM 17722
8. Subdivision Committee Resolution No. 14-928 recommending approval of VTTM 17746

cc: Terri Moss, ICDC ([tmoss@irvinecompany.com](mailto:tmoss@irvinecompany.com))  
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Files: 17710: 00595880-PTT, 00595873-PMP, 00595874-PMP  
17722: 00596588-PTT, 00596673-PMP, 00596677-PMP, 00596680-PMP  
17746: 00598615-PTT

# VICINITY MAP – ORCHARD HILLS NEIGHBORHOOD 1 NORTH





**SUBDIVISION COMMITTEE INFORMATION SHEET  
 VESTING TENTATIVE TRACT MAP 17710  
 (FILE NO. 00595880-PTT)  
 PLANNING AREA 1, NEIGHBORHOOD 1 NORTH**

Meeting Date: August 27, 2014

Applicant: C&V Consulting, Inc. on behalf of Irvine Community Development Company

Staff Recommends: Approval of Vesting Tentative Tract Map 17710 to create 185 numbered lots and 52 lettered lots to allow for development of 185 single-family detached residential units and accompanying landscape, private street and open space lots.

Legal Description: Parcel C of Lot Line Adjustment No. 459244-LL recorded June 11, 2008 as Instrument No. 2008000281595 of Official Records, together with Parcel D of Lot Line Adjustment No. 450965-LL recorded September 18, 2007 as Instrument No. 2007000568059 of Official Records, together with Lots 33-35, inclusive, WWWW, AAAAA-HHHH, inclusive, JJJJ, VVVV, WWWW 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: 233.71 gross acres (76.32 net acres)

Location: The project is located at the northeast corner of Leafy Pass and Furrow comprising Phase 3 of Neighborhood 1 of Planning Area 1, Orchard Hills

Topography: Generally flat in hillside setting

General Plan: Low Density Residential

Existing Zoning: 2.2D Low Density Residential

Existing Land Use: Farming and Vacant

**ADJACENT ZONING/ LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential	Existing Eastfoot Retarding Basin
West:	1.1 Exclusive Agriculture	Existing Orchards and Leafy Pass
East:	1.1 Exclusive Agriculture	Existing Orchards
South:	2.2D Low Density Residential	Approved & Under Construction Residential (Neighborhood 1 South) and Furrow

## DEVELOPMENT STANDARDS

	<u>Required</u>	<u>Provided</u>
Density:	0-6.5 du/net acre	2.42 du/net acre
Max. dwelling units:	4,088 units	185 units (proposed) for Phase 3 1,119 units (built/approved) for Neighborhood 1 South 809 units (built/approved) for Neighborhood 2

**SUBDIVISION COMMITTEE INFORMATION SHEET  
 VESTING TENTATIVE TRACT MAP 17722  
 (FILE NO. 00596588-PTT)  
 PLANNING AREA 1, NEIGHBORHOOD 1 NORTH**

Meeting Date: August 27, 2014

Applicant: Hunsaker and Associates on behalf of Irvine Community Development Company

Staff Recommends: Approval of Vesting Tentative Tract Map 17722 to create 374 numbered lots to allow for development of 373 single-family detached residential units and one 1.40-acre private neighborhood park and 128 lettered lots for landscaping, open space, debris/water quality basins and private streets.

Legal Description: A portion of Tract 17004 Lots 22-30, K-P, YYY, ZZZ, AAAA-PPPP, RRRRR and portion of lot QQQQQ as per Map recorded in Book 891, pages 1 through 53, inclusive of Miscellaneous Maps, Recorded June 12, 2007 as instrument no. 2007000371942 of Official Records, Records of County of Orange, State of California

Site Size: 115.30 gross acres (90.47 net acres)

Location: The project is located at the northwest corner of Woody Knoll and Settlers comprising Phase 2 of Neighborhood 1 of Planning Area 1, Orchard Hills

Topography: Generally flat in hillside setting

General Plan: Low Density Residential

Existing Zoning: 2.2D Low Density Residential

Existing Land Use: Vacant

**ADJACENT ZONING/ LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	2.2D Low Density Residential 1.1 Exclusive Agriculture	Future Residential/Neighborhood Park Existing Orchards
East:	1.1 Exclusive Agriculture	Existing Orchards and Woody Knoll
West:	N/A	Eastern Transportation Corridor (State Route 261)

South: 2.2D Low Density Residential

Approved & Under Construction  
Residential (Neighborhood 1 South) and  
Settlers

**DEVELOPMENT STANDARDS**

	<u>Required</u>	<u>Provided</u>
Density:	0-6.5 du/net acre	4.12 du/net acres
Max. dwelling units:	4,088 units	373 units (proposed) for Phase 2 1,119 units (built/approved) for Neighborhood 1 South 809 units (built/approved) for Neighborhood 2

**SUBDIVISION COMMITTEE INFORMATION SHEET  
 VESTING TENTATIVE TRACT MAP 17746  
 (FILE NO. 00598615-PTT)  
 PLANNING AREA 1, NEIGHBORHOOD 1 NORTH**

Meeting Date: August 27, 2014

Applicant: Irvine Community Development Company

Staff Recommends: Approval of Vesting Tentative Tract Map 17746 to create 223 numbered lots and 104 lettered lots to allow for development of 223 single-family detached residential units and accompanying landscape and private streets lots.

Legal Description: Portions of Blocks 41, 42, 65, 66, 67, 81, 82 and 83, all of Irvine's Subdivision as per Map recorded in Book 1, page 88 of Miscellaneous Record Maps, Records of County of Orange, State of California

Site Size: 340.40 gross acres (160.12 net acres)

Location: The project comprises Phase 4 of Neighborhood 1 and is located to the west of SR-261 and to the north of proposed Phases 2 & 3 of Neighborhood 1 of Planning Area 1, Orchard Hills

Topography: Generally flat in hillside setting

General Plan: Low Density Residential and Agricultural

Existing Zoning: 2.2D Low Density Residential and 1.1 Exclusive Agriculture

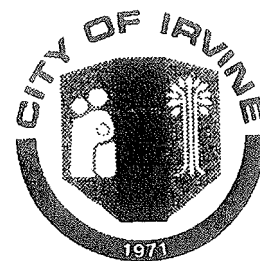
Existing Land Use: Vacant/farming

**ADJACENT ZONING/ LAND USES**

	<u>Zoning Designation</u>	<u>Land Use</u>
North:	1.4 Preservation	Existing Open Space – City of Irvine
East:	1.4 Preservation	Existing Open Space – City of Irvine
West:	N/A	Eastern Transportation Corridor (State Route 261)
South:	2.2D Low Density Residential 1.1 Exclusive Agriculture	Approved & Under Construction Residential Phases 1, 2 and 3 Existing Avocado Orchards

## DEVELOPMENT STANDARDS

	<u>Required</u>	<u>Provided</u>
Density:	0-6.5 du/net acre	1.39 du/net acre
Max. dwelling units:	4,088 units	223 units (proposed) for Phase 4 1,119 units (built/approved) for Neighborhood 1 South 809 units (built/approved) for Neighborhood 2



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: Residential Portions of Neighborhood 1 North of Planning Area 1 (Orchard Hills) as follows:

Vesting Tentative Tract Map 17710 (File No. 00595880-PTT) and two associated master plans (00595873-PMP and 00595874-PMP); and  
Vesting Tentative Tract Map 17722 (File No. 00596588-PTT) and three associated master plans (00596673-PMP, 00596677-PMP and 00596680-PMP); and  
Vesting Tentative Tract Map 17746 (File No. 00598615-PTT)

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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), which is generally situated between the City's northern boundary and Portola Parkway. Neighborhood 1 is the western-most portion of Planning Area 1. It is bounded on the south by Portola Parkway, the Eastern Transportation Corridor for the SR-261 toll road to the west, the Lomas de Santiago Ridge to the north, and Culver Drive/Orchard Hills loop road as well as Neighborhood 2 of Planning Area 1 to the east.

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PROJECT LOCATION (CITY):  
Irvine

PROJECT LOCATION (COUNTY):  
Orange

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PROJECT DESCRIPTION:

Tentative Tract Map 17710 creates 185 numbered lots for residential development and 52 lettered lots for vehicular access and landscape uses on 233.71 gross acres. The first master plan (00595873-PMP) is for the development of 92 single-family residential units. The second master plan (00595874-PMP) is for the remaining 93 single-family residential units; and

Tentative Tract Map 17722 creates 374 numbered lots for residential development and a 1.40 acre private neighborhood park, and 128 lettered lots for vehicular access and landscape uses on 115.30 gross acres. The first master plan (00596673-PMP) is for the development of 128 single-family residential units. The second master plan (00596677-PMP) is for the development of 135 single-family residential units. The third master plan (00596680-PMP) is for the remaining 110 single-family residential units; and

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SC ATTACHMENT 5

Tentative Tract Map 17746 creates 223 numbered lots for residential development and 50 lettered lots for vehicular access and landscape on 340.40 gross acres.

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GENERAL PLAN LAND USE DESIGNATION: The General Plan Designation for the project site is Low Density Residential.

ZONING DESIGNATION OF SITE: The Zoning Designation for the project site is 2.2D Low Density Residential.

PREPARED BY: \_\_\_\_\_  
Name: Melissa Chao                      Title: Senior Planner

DATE: August 6, 2014

APPROVED BY: \_\_\_\_\_  
Principal Planner

DATE: August 6, 2014



**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.

	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</u> , 93, 94, 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
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3. **AIR RESOURCES.** Will the proposal:

A Conflict with or obstruct implementation of the applicable air quality plan?	Yes / <u>No</u> _____ X _____		
B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Yes / No _____	X _____	SOC <u>11, 12, 13, 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, 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. **BIOLOGICAL RESOURCES.** 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, 75, 76, 77, 78, 79, 80, 81, 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. <b><u>CULTURAL/SCIENTIFIC RESOURCES.</u></b> 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, <u>88</u> , 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>

	<u>Project related impact</u>	<u>Impact DOES NOT require mitigation through EIR analysis</u>	<u>Impact DOES require mitigation through EIR analysis**</u>	<u>Assigned mitigation measures</u>
<b>6. <u>GEOLOGY AND SOILS.</u> Will the proposal:</b>				
<b>A Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>				
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?	Yes / <u>No</u>		X	34, 40
<b>B. Result in substantial soil erosion or loss of topsoil?</b>				
	<u>Yes</u> / No		X	34, <u>37</u> , 38,39
<b>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?</b>				
	<u>Yes</u> / No		X	34, 35, 36, <u>37</u> , 39, 40, 41, 43
<b>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?</b>				
	Yes / <u>No</u>		X	36, 37
<b>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?</b>				
	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>		X	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>		X	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>		X	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?	Yes / <u>No</u>		X	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>	X		
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>	X		
G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Yes / <u>No</u>		X	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>		X	30

Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
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**8. HYDROLOGY AND WATER QUALITY.** Would the project:

A. Violate any water quality standards or waste discharge requirements?

Yes / No		X	55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67
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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)?

Yes / No	X		
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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?

Yes / No		X	45, 48, 50, 51, 52
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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?

Yes / No		X	45, 48, 50, 53
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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?

Yes / No		X	45, 48, 50, 51, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67
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	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?	Yes / <u>No</u>		X	55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67
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 / <u>No</u>		X	46, 47
H. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Yes / <u>No</u>		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 / <u>No</u>		X	49, 54
J. Inundation by seiche, tsunami, or mudflow?	Yes / <u>No</u>		X	45, 48, 50, 52
9. <b>LAND USE.</b> Will the proposal:				
A. Physically divide an established community?	Yes / <u>No</u>	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 / <u>No</u>		X	1, 2, 3, 4
C. Conflict with any applicable habitat conservation plan or natural community conservation plan?	Yes / <u>No</u>	X		
10. <b>MINERAL RESOURCES.</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?	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. 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, 21, <u>22</u> , <u>23</u> , <u>24</u> , <u>25</u> , <u>26</u> , 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?	<u>Yes</u> / No		X	<u>24</u> , 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?	<u>Yes</u> / No		X	<u>17</u> , <u>18</u> , 20, <u>23</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 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		
12. <b><u>POPULATION AND HOUSING.</u></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		



	Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
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><u>PUBLIC SERVICES.</u></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>
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

Project related impact	Impact DOES NOT require mitigation through EIR analysis	Impact DOES require mitigation through EIR analysis**	Assigned mitigation measures
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15. TRANSPORTATION/CIRCULATION.

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 / No	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 / No	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 / No	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 / No	X	
E. Result in inadequate emergency access?	Yes / No	X	
F. Result in inadequate parking capacity?	Yes / No	X	

6. UTILITIES, SERVICE SYSTEMS AND ENERGY.

Will the proposal:

A. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Yes / No	X	
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 / No	X	

	<b>Project related impact</b>	<b>Impact DOES NOT require mitigation through EIR analysis</b>	<b>Impact DOES require mitigation through EIR analysis**</b>	<b>Assigned mitigation measures</b>
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	X		
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	X		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	X		
F. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<u>Yes</u> / No	X		110
G. Comply with federal, state, and local statutes and regulations related to solid waste?	<u>Yes</u> / No	X		
H. Result in wasteful use of fuel or energy?	Yes / <u>No</u>	X		
I. Abnormally increase demand for existing sources of energy, or require the development of new sources of energy?	Yes / <u>No</u>	X		

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 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.	_____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: Planning Area 1, Neighborhood 1 North  
 File Numbers: VTTM 17710: 00595880-PTT, 00595873-PMP, 00595874-PMP;  
 VTTM 17722: 00596588-PTT, 00596673-PMP, 00596677-PMP,  
 00596680-PMP;  
 VTTM 17746: 00598615-PTT  
 Case Planner: Melissa Chao, Senior Planner  
 Date: August 6, 2014

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

- A** - Previously applied mitigation measures
  - B** - Mitigation measures for this project
  - C** - 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
  - S** - Mitigation Measures satisfied for entire Planning Area 1, 2, & 9B
  - N/A** - Not applicable mitigation measures for this project
  
  - PPP** - Plans, Programs, and Policies
  - PDF** - Project Design Feature
  - MM** - Mitigation Measures
- 

**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.
  
- S 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.

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)

S 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.

B 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

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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.

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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.

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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.

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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**

S 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."

S 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.

S 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.

S 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.

C 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).

S 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].

S 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

- S 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)
- S 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)
- S 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)
- S 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.
- S 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.

S 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)

B 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.

S 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

N/A 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).

S 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.

S 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.

S 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

S 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

S 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.

S 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.

S 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.

S 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.

S 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

S 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

S 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.

C 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.
- C 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**

- C 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.
- N/A 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)

S 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

S 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 Project 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 permitted to contract with a waste recycler for off-site materials recovery provided that the landowner or subsequent Project Applicant provides a letter verifying that recycling will be conducted off-site in an acceptable manner.

SUBDIVISION COMMITTEE RESOLUTION NO. 14-926

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17710 (FILE NO. 00595880-PTT) TO SUBDIVIDE 233.71 GROSS-ACRES INTO 185 NUMBERED LOTS AND 52 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 185 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map 17710 (00595880-PTT) has been filed by the Irvine Community Development Company to subdivide a 233.71 gross-acre site into 185 numbered lots and 52 lettered lots for the development of 185 single-family detached residential units; and

WHEREAS, Vesting Tentative Tract Map 17710 has a General Plan land use designation of Low Density Residential and a Zoning Designation of 2.2D Low Density Residential; and

WHEREAS, Vesting Tentative Tract Map 17710 is for residential purposes; and

WHEREAS, the neighborhood and community parkland dedication requirements have been addressed through compliance with Park Plan Modification 00600432-PPK; and

WHEREAS, the applicant is applying for a tree removal permit to remove and replace 79 eucalyptus trees within four preserved windrows; and

WHEREAS, the subject Vesting Tentative Tract Map 17710 conforms with the City of Irvine Subdivision Ordinance and Zoning Code; and

WHEREAS, Vesting Tentative Tract Map 17710 (00595880-PTT) is considered a "project" under regulations of the State of California Environmental Quality Act; and

WHEREAS, a Program Environmental Impact Report (SCH No. 2004041080) was prepared for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change and certified by the City of Irvine City Council as adequate; and

WHEREAS, the Subdivision Committee of the City of Irvine reviewed the subject application at a public meeting on August 27, 2014.

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 15162 of the State CEQA Guidelines, this project is covered by a previously certified Program EIR (SCH No. 2004041080) for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change, 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 7.11.4 (C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

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:
1. 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.
  2. 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.
  3. The implementation of a systems development charge for development in Planning Area 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 Planning Area 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 Subarticle 3 of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map has been established:

- A. That the proposed plan is consistent with applicable general and specific plans, and the zoning ordinance.

The proposed VTTM 17710 is consistent with the policies set forth in the General Plan's Low Density Residential Land Use designation and complies with all of the development standards of the 2.2D Low Density Residential zoning district in which it is located. Orchard Hills (Planning Area 1) was approved for 4,088 residential units; with an existing 1,928 units currently built, under construction, or approved. This project will bring the current total to 2,113 units, and remains below the maximum unit count. This map is also designed in accordance with the special development standards applicable to Planning Area 1. The proposed map is consistent with the master subdivision map TTM 16529 approved October 20, 2005.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general, applicable specific plans, and the zoning ordinance.

The design and improvements of the proposed VTTM 17710 are consistent with the applicable previous plans and approvals, and the onsite improvements will be completed according to City standards and the specific requirements of Planning Area 1 and the master subdivision TTM 16529. The project design provides adequate pedestrian and vehicular circulation to surrounding land uses, as required in the approved master landscape and trails plan.

- C. That the site is physically suitable for the type of development.

The site is physically suitable for future development based on the fact that the geotechnical analysis prepared for the site in conjunction with the Program EIR demonstrated that residential development, and the assorted accessory land uses, can be physically accommodated on the subject site. In addition, standard City development standards and code requirements 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 site is physically suitable for the proposed density of development in that the Program EIR evaluated the physical and environmental constraints of the subject property, and through that process, identified a maximum residential intensity for Planning Area 1 of 4,088 dwelling units. This map, covering approximately 234 acres within Planning Area 1, allows for 185 dwelling units, and is within the unit maximum.

- 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 the proposed VTTM 17710 is in accordance with the certified Program EIR (SCH No. 2004041080) for the Planning Areas 1, 2 and 9B General Plan and Zone Change. Based upon adopted City standards, applicable mitigation measures, and conditions imposed by this Resolution, the design of this subdivision and types of improvements proposed for the project are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

- 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 are not likely to cause serious public health problems as the proposed onsite building and infrastructure improvements will be constructed in compliance with all City and 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.

The design of the subdivision and type of improvements will not conflict with any easements acquired by the public at large for access through the property. Access within this project is provided through private sidewalks and roadways.

- 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

Any discharge of waste from the proposed subdivision into an existing sewer system would not 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 in that the project will include additions to the existing sewer system and the additions have been designed and sized to accommodate the projected waste output of the development. 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, the tentative tract map is a subsequent activity under a previously certified Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change. 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).

SECTION 6. Vesting Tentative Tract Map 17710 subdivides 233.71 gross-acres into 185 numbered lots and 52 lettered lots for the development of 185 single-family detached residential units in Planning Area 1.

SECTION 7. That the Secretary to the Subdivision Committee of the City of Irvine shall certify to the passage and adoption of this Resolution and enter it 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 Vesting Tentative Tract Map 17710 (00595880-PTT) 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) as set forth by the Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change, 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".

- a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, and signing and striping.
- b. Traffic signal systems, interconnect and other traffic control and management devices as follows:
  - 1) \_\_\_\_\_, etc.
- c. Storm drain facilities
- d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- 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.
- f. Monumentation
- g. Riding, hiking and bicycle trails adjacent to or through the project site.
- h. Undergrounding of existing overhead and proposed utility distribution lines.
- i. Transit-related improvements depicted on the approved tentative map or as follows: \_\_\_\_\_, etc.



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 1.7

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 1.13

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 homeowners association will ensure through its 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 1.14

FIRE PROTECTION ACCESS EASEMENTS  
*(Mitigation Measure PPP-99)*

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.

**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 2.25

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

CONSTRUCTION RELATED NOISE MITIGATION PLAN  
*(Mitigation Measure PPP-18)*

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.

Condition 2.29

STORM WATER POLLUTION PREVENTION PLAN  
*(Mitigation Measure PPP-58)*

Prior to the issuance of grading permits, the landowner or subsequent Project Applicant shall prepare a Storm Water Pollution Prevention Plan (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.

Condition 2.31

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 2.32

OCFA CONCEPTUAL FUEL MODIFICATION

Prior to issuance of a preliminary grading permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the conceptual fuel modification plan (Service Code PR120).

Condition 2.33

OCFA FIRE MASTER PLAN

Prior to issuance of a precise grading permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of a fire master plan (Service Code PR145).

**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 from John Wayne Airport.
- X b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist 949-724-7148.
- n/a c. Map of Special Flood Hazard Area information 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.
- X 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.
- X h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.
- X i. Notice that the property is located near major roadways which may elevate ambient noise levels and require sound attenuation measures for any residential units identified in the Final Acoustical Report as an impacted site.



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 3.20

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 3.28

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)
- Precise fuel modification plan (Service Code PR124)

Condition 3.29

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 3.30

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 3.31      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 3.32      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 3.33      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.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

Standard Condition 3.27

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 AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

Condition 4.12

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. Copies of buyer or builder signed emergency and maintenance access easements shall be presented upon occupancy final.

**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.

Condition 6.19

OCFA LUMBER-DROP

After installation of required fire access roadways and hydrants, the applicant shall receive clearance via a lumber-drop inspection from the Orange County Fire Authority prior to bringing combustible building materials on-site.

Condition 6.20

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. The CC&R language for maintenance must also be provided and approved by the OCFA.

Condition 6.21

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. 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 6.22

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to bringing lumber or other combustible materials into the area, applicant shall provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. The developer/builder shall implement those portions of the approved fuel modification plan determined to be necessary by the OCFA.

Condition 6.23

COMPLIANCE WITH MAP CONDITIONS

Development of this project shall also comply with all applicable conditions of approval for overall Vesting Tentative Tract Map 16529 for Planning Area 1 (Orchard Hills) as set forth in Planning Commission Resolution No. 05-2646 for Case Number 00375340-PTT.

Condition 6.24

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.

Condition 6.25

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

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 6.26

EUCALYPTUS TREE REMOVAL PERMIT

Applicant shall obtain a tree removal permit for 79 eucalyptus trees within windrow numbers 29, 30, 32 and 63. Seventy-nine (79) replacement trees (minimum one-gallon size) shall be planted at a 1:1 ratio spaced at a minimum of 20-foot on-center from an existing or proposed eucalyptus tree within the 27 windrows in Phases 2 through 4 of Neighborhood 1 of Planning Area 1. Replacement plantings shall be completed in accordance with the Tree Report for Planning Area 1, Phases 2 through 4 of Neighborhood 1 prepared by Dudek, dated July 31, 2014, or at alternate locations determined acceptable by the City of Irvine.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 27<sup>th</sup> day of August 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

CHAIR OF THE SUBDIVISION COMMITTEE

SUBDIVISION COMMITTEE RESOLUTION NO. 14-927

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17722 (FILE NO. 00596588-PTT) TO SUBDIVIDE 115.30 GROSS-ACRES INTO 374 NUMBERED LOTS AND 128 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 373 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS AND ONE PRIVATE NEIGHBORHOOD PARK; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map 17722 (00596588-PTT) has been filed by the Irvine Community Development Company to subdivide a seven gross-acre site into 374 numbered lots and 128 lettered lots for the development of 373 single-family detached residential units and a 1.40-acre private neighborhood park; and

WHEREAS, Vesting Tentative Tract Map 17722 has a General Plan land use designation of Low Density Residential and a Zoning Designation of 2.2D Low Density Residential; and

WHEREAS, Vesting Tentative Tract Map 17722 is for residential purposes; and

WHEREAS, the neighborhood and community parkland dedication requirements have been addressed through compliance with Park Plan Modification 00600432-PPK; and

WHEREAS, the applicant is applying for a tree removal permit to remove and replace 134 eucalyptus trees within three preserved windrows; and

WHEREAS, the subject Vesting Tentative Tract Map 17722 conforms with the City of Irvine Subdivision Ordinance and Zoning Code; and

WHEREAS, Vesting Tentative Tract Map 17722 (00596588-PTT) is considered a "project" under regulations of the State of California Environmental Quality Act; and

WHEREAS, a Program Environmental Impact Report (SCH No. 2004041080) was prepared for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change and certified by the City of Irvine City Council as adequate; and

WHEREAS, the Subdivision Committee of the City of Irvine reviewed the subject application at a public meeting on August 27, 2014. NOW, THEREFORE,



WHEREAS, the Subdivision Committee of the City of Irvine reviewed the subject application at a public meeting on August 27, 2014.

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 15162 of the State CEQA Guidelines, this project is covered by a previously certified Program EIR (SCH No. 2004041080) for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change, 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 7.11.4 (C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

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:
1. 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.
  2. 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.
  3. The implementation of a systems development charge for development in Planning Area 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 Planning Area 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 Subarticle 3 of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map has been established:

- A. That the proposed plan is consistent with applicable general and specific plans, and the zoning ordinance.

The proposed VTTM 17722 is consistent with the policies set forth in the General Plan's Low Density Residential Land Use designation and complies with all of the development standards of the 2.2D Low Density Residential zoning district in which it is located. Orchard Hills (Planning Area 1) was approved for 4,088 residential units; with an existing 1,928 units currently built, under construction, or approved. This project will bring the current total to 2,301 units, and remains below the maximum unit count. This map is also designed in accordance with the special development standards applicable to Planning Area 1. The proposed map is consistent with the master subdivision map TTM 16529 approved October 20, 2005.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general, applicable specific plans, and the zoning ordinance.

The design and improvements of the proposed VTTM 17722 are consistent with the applicable previous plans and approvals, and the onsite improvements will be completed according to City standards and the specific requirements of Planning Area 1 and the master subdivision TTM 16529. The project design provides adequate pedestrian and vehicular circulation to surrounding land uses, as required in the approved master landscape and trails plan.

- C. That the site is physically suitable for the type of development.

The site is physically suitable for future development based on the fact that the geotechnical analysis prepared for the site in conjunction with the Program EIR demonstrated that residential development, and the assorted accessory land uses, can be physically accommodated on the subject site. In addition, standard City development standards and code requirements 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 site is physically suitable for the proposed density of development in that the Program EIR evaluated the physical and environmental constraints of the subject property, and through that process, identified a maximum residential intensity for Planning Area 1 of 4,088 dwelling units. This map, covering approximately 115-acres within Planning Area 1, allows for 373 dwelling units, and is within the unit maximum.

- 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 the proposed VTTM 17722 is in accordance with the certified Program EIR (SCH No. 2004041080) for the Planning Areas 1, 2 and 9B General Plan and Zone Change. Based upon adopted City standards, applicable mitigation measures, and conditions imposed by this resolution, the design of this subdivision and types of improvements proposed for the project are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

- 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 are not likely to cause serious public health problems as the proposed onsite building and infrastructure improvements will be constructed in compliance with all City and 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.

The design of the subdivision and type of improvements will not conflict with any easements acquired by the public at large for access through the property. Access within this project is provided through private sidewalks and roadways.

- 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

Any discharge of waste from the proposed subdivision into an existing sewer system would not 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 in that the project will include additions to the existing sewer system and the additions have been designed and sized to accommodate the projected waste output of the development. 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, the tentative tract map is a subsequent activity under a previously certified Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change. 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).

SECTION 6. Vesting Tentative Tract Map 17722 subdivides 115.30 gross-acres into 374 numbered lots and 128 lettered lots for the development of 373 single-family detached residential units and a 1.40-acre private neighborhood park in Planning Area 1.

SECTION 7. That the Secretary to the Subdivision Committee of the City of Irvine shall certify to the passage and adoption of this Resolution and enter it 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 Vesting Tentative Tract Map 17722 (00596588-PTT) 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) as set forth by the Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change, 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".

a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, and signing and striping.

b. Traffic signal systems, interconnect and other traffic control and management devices as follows:

1) \_\_\_\_\_, etc.

c. Storm drain facilities

d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).

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.

f. Monumentation

g. Riding, hiking and bicycle trails adjacent to or through the project site.

h. Undergrounding of existing overhead and proposed utility distribution lines.

i. Transit-related improvements depicted on the approved tentative map or as follows:

1) \_\_\_\_\_, etc.

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), 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 1.13

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 homeowners association will ensure through its 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 1.14

FIRE PROTECTION ACCESS EASEMENTS  
(Mitigation Measure PPP-99)

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.

**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 2.21

PARK PLAYGROUND

Prior to the issuance of the first precise grading permit for any park that includes a playground, the applicant shall submit for review and obtain approval of a Playground Plan by the Director of Community Development. The Playground Plan shall include all information specified in City of Irvine Park/Public Facility Standards, Section VII-B.3.4.

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

CONSTRUCTION RELATED NOISE MITIGATION PLAN  
(Mitigation Measure PPP-18)

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.

Condition 2.29

STORM WATER POLLUTION PREVENTION PLAN  
(Mitigation Measure PPP-58)

Prior to the issuance of grading permits, the landowner or subsequent Project Applicant shall prepare a Storm Water Pollution Prevention Plan (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.

Condition 2.30

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 2.31

OCFA CONCEPTUAL FUEL MODIFICATION

Prior to issuance of a preliminary grading permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the conceptual fuel modification plan (Service Code PR120).

Condition 2.32

OCFA FIRE MASTER PLAN

Prior to issuance of a precise grading permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of a fire master plan (Service Code PR145).

Condition 2.33

OUTDOOR ACOUSTICAL STUDY  
*(Mitigation Measure MM-24)*

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.

Condition 2.34

PARK DESIGN

Prior to the issuance of the first precise grading permit for any park, the applicant shall submit for review and obtain approval of a Park Design in accordance with Zoning Code Section 2-22-4.

**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 from John Wayne Airport.
- X b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist 949-724-7148.
- n/a c. Map of Special Flood Hazard Area information 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.
- X 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.
- X h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.
- X i. Notice that the property is located near major roadways which may elevate ambient noise levels and require sound attenuation measures for any residential units identified in the Final Acoustical Report as an impacted site.

Standard Condition 3.5

FINAL ACOUSTICAL REPORT  
*(Mitigation Measures PPP-19 and MM-26)*

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 3.11

PARK DESIGN CONSISTENCY

Prior to the issuance of a building permit for any park, the applicant shall demonstrate that all related construction plans are consistent with the approved Park Design.

Standard Condition 3.12

PRIVATE PARK RESERVATION

Prior to the issuance of building permits on land required as a private park by local and/or state development standards, the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required park land in perpetuity.



Standard Condition 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (directional) Plan (for lots 165 and 190) 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 3.28

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).
- Precise fuel modification plan (Service Code PR124).

Condition 3.29

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 were possible.

Condition 3.30

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 3.31

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 3.32

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 3.33

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 3.34

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 3.35

PARK CONSTRUCTION

Prior to the issuance of the 260<sup>th</sup> building permit (33 percent) within Phases 2 through 4 of Neighborhood 1 of Planning Area 1 (781 dwelling units total), construction of the Park on Lot 60 shall commence.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

Standard Condition 3.27

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 AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

Condition 4.12

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. Copies of buyer or builder signed emergency and maintenance access easements shall be presented upon occupancy final.

**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.

**Condition 6.19**

**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 6.20**

**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. The CC&R language for maintenance must also be provided and approved by the OCFA.

Condition 6.21

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. 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 6.22

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to bringing lumber or other combustible materials into the area, applicant shall provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. The developer/builder shall implement those portions of the approved fuel modification plan determined to be necessary by the OCFA.

Condition 6.23

COMPLIANCE WITH MAP CONDITIONS

Development of this project shall also comply with all applicable conditions of approval for overall Tentative Tract Map 16529 for Planning Area 1 (Orchard Hills) as set forth in Planning Commission Resolution No. 05-2646 for Case Number 00375340-PTT.

Condition 6.24

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.

Condition 6.25

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

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 6.26

EUCALYTPUS TREE REMOVAL PERMIT

Applicant shall obtain a tree removal permit for 134 eucalyptus trees within windrow numbers 14, 23 and 37. One hundred thirty four (134) replacement trees (minimum 1-gallon size) shall be planted at a 1:1 ratio spaced at a minimum of 20-foot on-center from an existing or proposed eucalyptus tree within the 27 windrows in Phases 2 through 4 of Neighborhood 1 of Planning Area 1. Replacement plantings shall be completed in accordance with the Tree Report for Planning Area 1, Phases 2 through 4 of Neighborhood 1 prepared by Dudek, dated July 31, 2014, or at alternate locations determined acceptable by the City of Irvine.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 27<sup>th</sup> day of August 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION COMMITTEE

SUBDIVISION COMMITTEE RESOLUTION NO. 14-928

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17746 (FILE NO. 00598615-PTT) TO SUBDIVIDE 340.40 GROSS-ACRES INTO 223 NUMBERED LOTS AND 104 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 223 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

WHEREAS, an application for Vesting Tentative Tract Map 17746 (00598615-PTT) has been filed by the Irvine Community Development Company to subdivide a 340.40 gross-acre site into 223 numbered lots and 1204 lettered lots for the development of 223 single-family detached residential units; and

WHEREAS, Vesting Tentative Tract Map 17746 has a General Plan land use designation of Low Density Residential and a Zoning Designation of 2.2D Low Density Residential; and

WHEREAS, Vesting Tentative Tract Map 17746 is for residential purposes; and

WHEREAS, the neighborhood and community parkland dedication requirements have been addressed through compliance with Park Plan Modification 00600432-PPK; and

WHEREAS, the applicant is applying for a tree removal permit to remove and replace 109 eucalyptus trees within five preserved windrows; and

WHEREAS, the subject Vesting Tentative Tract Map 17746 conforms with the City of Irvine Subdivision Ordinance and Zoning Code; and

WHEREAS, Vesting Tentative Tract Map 17746 (00598615-PTT) is considered a "project" under regulations of the State of California Environmental Quality Act; and

WHEREAS, a Program Environmental Impact Report (SCH No. 2004041080) was prepared for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change and certified by the City of Irvine City Council as adequate; and

WHEREAS, the Subdivision Committee of the City of Irvine reviewed the subject application at a public meeting on August 27, 2014.

NOW, THEREFORE, the Subdivision Committee of the City of Irvine DOES



SUBDIVISION COMMITTEE RESOLUTION NO. 14-928

A RESOLUTION OF THE SUBDIVISION COMMITTEE OF THE CITY OF IRVINE, CALIFORNIA, RECOMMENDING PLANNING COMMISSION APPROVAL OF VESTING TENTATIVE TRACT MAP 17746 (FILE NO. 00598615-PTT) TO SUBDIVIDE 340.40 GROSS-ACRES INTO 223 NUMBERED LOTS AND 104 LETTERED LOTS FOR THE TOTAL DEVELOPMENT OF 223 SINGLE-FAMILY DETACHED RESIDENTIAL UNITS; LOCATED IN PLANNING AREA 1 (ORCHARD HILLS); FILED BY IRVINE COMMUNITY DEVELOPMENT COMPANY

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WHEREAS, the neighborhood and community parkland dedication requirements have been addressed through compliance with Park Plan Modification 00600432-PPK; and

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WHEREAS, the Subdivision Committee of the City of Irvine reviewed the subject application at a public meeting on August 27, 2014.

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 15162 of the State CEQA Guidelines, this project is covered by a previously certified Program EIR (SCH No. 2004041080) for the Planning Areas 1, 2 and 9B General Plan Amendment and Zone Change, 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 7.11.4 (C), all required Fish and Game filing fees have been paid subsequent to certification of the Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change.

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 Planning Area 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 Planning Area 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 Subarticle 3 of the City of Irvine Subdivision Manual, the following findings for approving a Vesting Tentative Tract Map has been established:

- A. That the proposed plan is consistent with applicable general and specific plans, and the zoning ordinance.

The proposed VTTM 17722 is consistent with the policies set forth in the General Plan's Low Density Residential Land Use designation and complies with all of the development standards of the 2.2D Low Density Residential zoning district in which it is located. Orchard Hills (Planning Area 1) was approved for 4,088 residential units; with an existing 1,928 units currently built, under construction, or approved. This project will bring the current total to 2,151 units, and remains below the maximum unit count. This map is also designed in accordance with the special development standards applicable to Planning Area 1. The proposed map is consistent with the master subdivision map TTM 16529 approved October 20, 2005.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general, applicable specific plans, and the zoning ordinance.

With the exception of the Engineering Variance to deviate from Standard Plan 104, which was approved by the City Engineer as well as Section 101.4.C (Vertical Alignment), which was approved by the City Engineer, the design and improvements of the proposed VTTM 17746 are consistent with the applicable previous plans and approvals, and the onsite improvements will be completed according to City standards and the specific requirements of Planning Area 1 and the master subdivision TTM 16529. The project design provides adequate pedestrian and vehicular circulation to surrounding land uses, as required in the approved master landscape and trails plan.

- C. That the site is physically suitable for the type of development.

The site is physically suitable for future development based on the fact that the geotechnical analysis prepared for the site in conjunction with the Program EIR demonstrated that residential development, and the assorted accessory land uses, can be physically accommodated on the subject site. In addition, standard City development standards and code requirements 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 site is physically suitable for the proposed density of development in that the Program EIR evaluated the physical and environmental constraints of the subject property, and through that process, identified a maximum residential intensity for Planning Area 1 of 4,088 dwelling units. This map, covering approximately 340 acres within Planning Area 1, allows for 223 dwelling units, and is within the unit maximum.

- 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 the proposed VTTM 17746 is in accordance with the certified Program EIR (SCH No. 2004041080) for the Planning Areas 1, 2 and 9B General Plan and Zone Change. Based upon adopted City standards, applicable mitigation measures, and conditions imposed by this resolution, the design of this subdivision and types of improvements proposed for the project are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

- 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 are not likely to cause serious public health problems as the proposed onsite building and infrastructure improvements will be constructed in compliance with all City and 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.

The design of the subdivision and type of improvements will not conflict with any easements acquired by the public at large for access through the property. Access within this project is provided through private sidewalks and roadways.

- 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

Any discharge of waste from the proposed subdivision into an existing sewer system would not 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 in that the project will include additions to the existing sewer system and the additions have been designed and sized to accommodate the projected waste output of the development. 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, the tentative tract map is a subsequent activity under a previously certified Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change. 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).

SECTION 6. Vesting Tentative Tract Map 17746 subdivides 340.40 gross-acres into 223 numbered lots and 104 lettered lots for the development of 223 single-family detached residential units in Planning Area 1.

SECTION 7. That the Secretary to the Subdivision Committee of the City of Irvine shall certify to the passage and adoption of this Resolution and enter it 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 Vesting Tentative Tract Map 17746 (00598615-PTT) 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) as set forth by the Program EIR (SCH No. 2004041080) for the Planning Area 1, 2 and 9B General Plan Amendment and Zone Change, 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".

- a. Street improvements including, but not limited to, pavement, curb and gutter, medians, sidewalks, drive approaches, street lighting, and signing and striping.
- b. Traffic signal systems, interconnect and other traffic control and management devices as follows:
  - 1) \_\_\_\_\_, etc.
- c. Storm drain facilities
- d. Landscaping and computerized irrigation control system (for all public streets, parks and public areas).
- 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.
- f. Monumentation
- g. Riding, hiking and bicycle trails adjacent to or through the project site.
- h. Undergrounding of existing overhead and proposed utility distribution lines.
- i. Transit-related improvements depicted on the approved tentative map or as follows:
  - 1) \_\_\_\_\_, etc.

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 1.7

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 1.13

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 homeowners association will ensure through its 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 1.14

FIRE PROTECTION ACCESS EASEMENTS  
*(Mitigation Measure PPP-99)*

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.



**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 2.25

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

CONSTRUCTION RELATED NOISE MITIGATION PLAN  
(Mitigation Measure PPP-18)

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.

Condition 2.29

STORM WATER POLLUTION PREVENTION PLAN  
(Mitigation Measure PPP-58)

Prior to the issuance of grading permits, the landowner or subsequent Project Applicant shall prepare a Storm Water Pollution Prevention Plan (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.

Condition 2.30

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 2.31

OCFA CONCEPTUAL FUEL MODIFICATION

Prior to issuance of a preliminary grading permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of the conceptual fuel modification plan (service code PR120).

Condition 2.32

OCFA FIRE MASTER PLAN

Prior to issuance of a precise grading permit, the applicant shall submit to the Orange County Fire Authority and obtain approval of a fire master plan (service code PR145).

Condition 2.33

OUTDOOR ACOUSTICAL STUDY  
*(Mitigation Measure MM-24)*

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.

**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 from John Wayne Airport.
- X b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist 949-724-7148.
- n/a c. Map of Special Flood Hazard Area information 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.
- X 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.
- X h. Notice that the property is located near and/or adjacent to public trails and/or related improvements and operations.
- X i. Notice that the property is located near major roadways which may elevate ambient noise levels and require sound attenuation measures for any residential units identified in the Final Acoustical Report as an impacted site.

Standard Condition 3.5

FINAL ACOUSTICAL REPORT  
(Mitigation Measures PPP-19 and MM-26)

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 3.18

WAYFINDING (DIRECTIONAL) PLAN

Prior to the issuance of the first building permit, a Wayfinding (directional) Plan (for lots 7 and 8) 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 3.28

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)
- Precise fuel modification plan (Service Code PR124)

Condition 3.29

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 were possible.

Condition 3.30

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 3.31

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 3.32

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 3.33

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 3.34

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.

**PRIOR TO FINAL APPROVAL OF COMPLETED WORK AUTHORIZED BY GRADING, LANDSCAPING OR IMPROVEMENT PERMIT**

Standard Condition 3.27

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 AUTHORIZATION TO USE, OCCUPY, AND/OR OPERATE**

Condition 4.12

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. Copies of buyer or builder signed emergency and maintenance access easements shall be presented upon occupancy final.

## **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.

Condition 6.19

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 6.20

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. The CC&R language for maintenance must also be provided and approved by the OCFA.

Condition 6.21

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. 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 6.22

OCFA VEGETATION CLEARANCE INSPECTION/RELEASE

Prior to bringing lumber or other combustible materials into the area, applicant shall provide to the local building department confirmation of proper vegetation clearance issued by the OCFA. The developer/builder shall implement those portions of the approved fuel modification plan determined to be necessary by the OCFA.

Condition 6.23

COMPLIANCE WITH MAP CONDITIONS

Development of this project shall also comply with all applicable conditions of approval for overall Tentative Tract Map 16529 for Planning Area 1 (Orchard Hills) as set forth in Planning Commission Resolution No. 05-2646 for Case Number 00375340-PTT.

Condition 6.24

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.

Condition 6.25

SANTIAGO CANYON ROAD FEES  
(Mitigation Measure PPP-7)

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 6.26

EUCALYPTUS TREE REMOVAL PERMIT

Applicant shall obtain a tree removal permit for 109 eucalyptus trees within windrow numbers 2, 8, 10, 21 and 69. One hundred nine (109) replacement trees (minimum 1-gallon size) shall be planted at a 1:1 ratio spaced at a minimum of 20-foot on-center from an existing or proposed eucalyptus tree within the 27 windrows in Phases 2 through 4 of Neighborhood 1 of Planning Area 1. Replacement plantings shall be completed in accordance with the Tree Report for Planning Area 1, phases 2 through 4 of Neighborhood 1 prepared by Dudek, dated July 31, 2014, or at alternate locations determined acceptable by the City of Irvine.

PASSED AND ADOPTED by the Subdivision Committee of the City of Irvine at a regular meeting held on the 27<sup>th</sup> day of August 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR OF THE SUBDIVISION COMMITTEE