ORANGE COUNTY
OC PublicWorks
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FINAL
SUBDIVISION COMMITTEE REPORT

DATE: November 14, 2012

TO: Orange County Subdivision Committee

FROM: OC Planning

SUBJECT: Vesting Tentative Tract Map 17388

PROPOSAL: A proposed vesting subdivision map of 113.7 acres to create 65 single-family lots. The map proposes 68 numbered lots (65 residential and three non-residential) and 21 lettered lots.

GENERAL PLAN: 1B "Suburban Residential"

ZONING: "Upper Aliso Residential" (UAR) District of the Foothill/Trabuco Specific Plan (F/TSP)

LOCATION: The project is located north of the junction of Live Oak Canyon Road with Santiago Canyon Road, across from Limestone Canyon and Whiting Ranch Wilderness Park, within the Third (3rd) Supervisorial District.

LANDOWNER/ SUBDIVIDER: Rutter Santiago, L.P., owner
Hunsaker & Associates (Ted Frattone), Civil Engineers

STAFF CONTACT: John Moreland, Contract Planner
Phone: 714.667.8806
Email: John.Moreland@ocpw.ocgov.com

SYNOPSIS: Staff recommends Orange County Subdivision Committee approval of Vesting Tentative Tract Map 17388 at a public hearing pursuant to the Orange County Subdivision Code, Orange County Codified Ordinances Subarticle 5 (Processing Procedures for Tentative Maps), subject to proposed findings and conditions.

BACKGROUND AND EXISTING CONDITIONS

At its October 2, 2012 meeting, the Orange County Board of Supervisors held a public hearing to consider the associated planning application, PA110027, proposing certain amendments to the General Plan and the Foothill/Trabuco Specific Plan (F/TSP), as well as, a proposed Area Plan for the subject property. The Board of Supervisors also considered Final EIR No. 661 that assessed the potential impacts of PA110027 and the subject map, Vesting Tentative Tract Map (VTTM) 17388. After receiving public testimony and discussion, the Board of Supervisors voted: 1) to certify that Final EIR No. 661 is adequate and satisfies the requirements of CEQA, 2) to adopt the General Plan Amendment, 3) to adopt the F/TSP Amendment, and 4) to approve PA110027 including the Area Plan. Since the Specific Plan Amendment was adopted by Ordinance, the amendments to the F/TSP went into effect on November 2, 2012.

Attached for the Subdivision Committee's information and reference is the Staff Report on PA110027 to the Planning Commission that provides additional and more complete information regarding the existing conditions of the site, as well as, a discussion of the requested General Plan and Specific Plan amendments and the analysis of impacts contained within Final EIR No. 661. The information contained within that staff report is included in this Staff Report on VTTM 17388 by reference and should be considered as a portion of this staff report.

In the event that the Committee's action on the map is appealed, it is anticipated that map appeal would be considered by the County Board of Supervisors. The forwarding of an appeal of a map directly to the Board is permitted by the Subdivision Code.

PROJECT PROPOSAL SUMMARY

Vesting Tentative Tract Map 17388 proposes the subdivision of 113.7 acres within the F/TSP area into 68 numbered lots and 21 lettered lots for the future development of 65 single-family residential dwellings to be served by private streets. The three non-residential numbered lots will serve as a Trabuco Canyon Water District reservoir site, a pump station and an entry gate facility. The 21 lettered lots will serve variously as landscape, fuel modification, open space, water quality and utility easement lots.

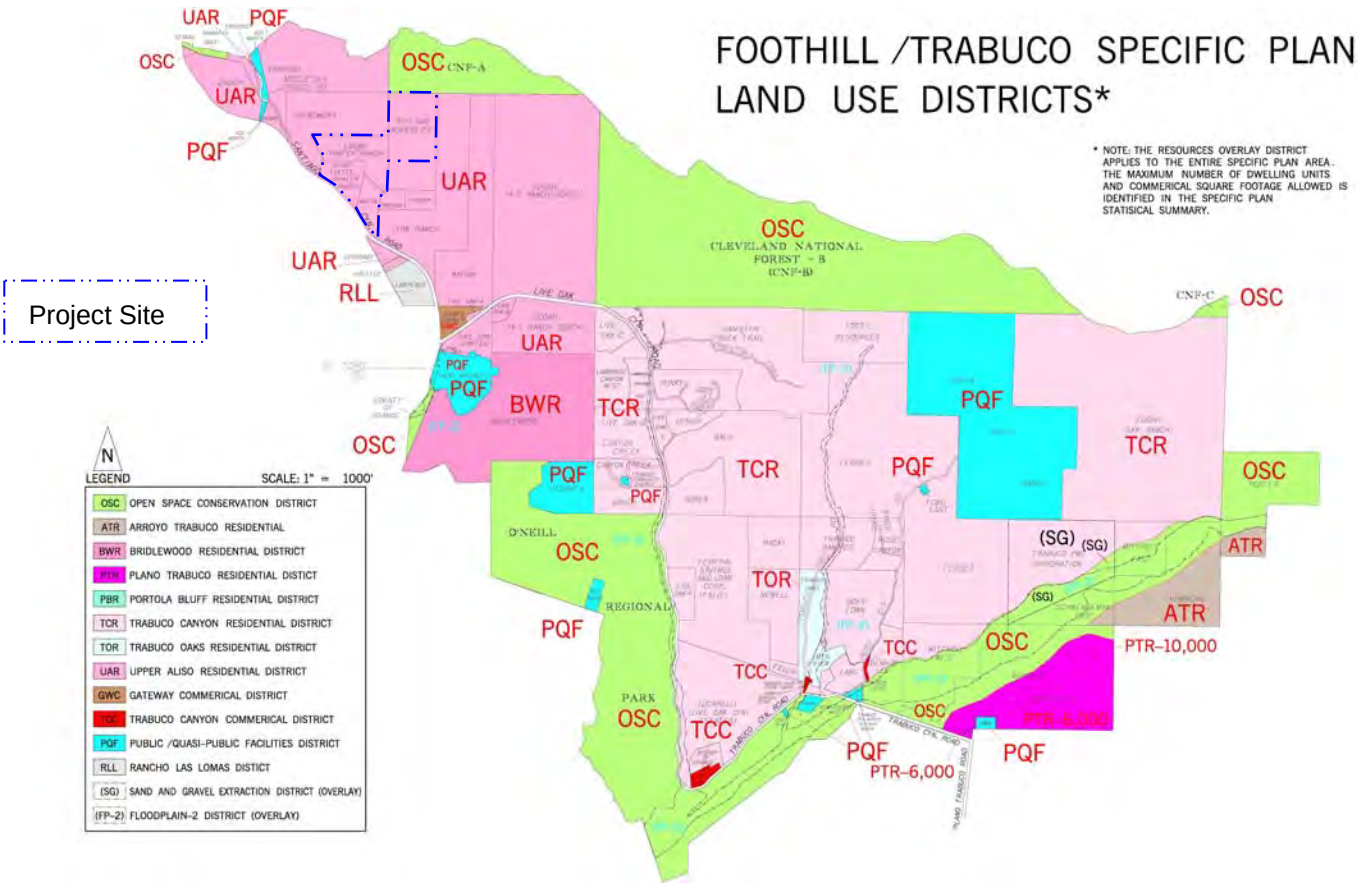
The proposed map is consistent with the General Plan and Specific Plan, as amended by PA110027. The map is also consistent with the Area Plan and its implementing measures, as approved by the County Board of Supervisors.

SURROUNDING LAND USE

The project site is zoned for residential use and is surrounded by residential and open space uses. The zoning for surrounding properties is as follows:

Direction	Zoning Designation	Existing Land Use
Project Site	"Upper Aliso Residential" (UAR) District	Vacant
North	"Upper Aliso Residential" (UAR) District; Open Space Conservation (OSC) District	Vacant; Cleveland National Forest
East	"Upper Aliso Residential" (UAR) District	Single-Family Dwellings; Open Space
South	"Open Space" (OS) District (City of Lake Forest)	Limestone Canyon and Whiting Ranch Wilderness Park
West	"Upper Aliso Residential" (UAR) District; "Open Space" (OS) District (City of Lake Forest)	Single-Family Dwelling; Limestone Canyon and Whiting Ranch Wilderness Park

Additional exhibits and discussion regarding the surrounding land uses can be found in the Planning Commission Staff Report, which is included as Appendix C.



REFERRAL FOR COMMENT AND PUBLIC NOTICE

Copies of the Vesting Tentative Tract Map were included with the proposed Area Plan and were distributed for review and comment to County Divisions, Orange County Fire Authority (OCFA), the F/TSP Review Board, the OC Planning Commission and the County Board of Supervisors.

A Notice of Public Hearing was mailed to all property owners of record within 300 feet of the subject site on November 2, 2012. Additionally, the applicant has voluntarily requested that the public notice extend beyond the typical 300-foot radius from the project site to include all property owners within the Foothill/Trabuco Specific Plan area. Furthermore, the notice was emailed to everyone that requested to receive electronic information in regards to the Saddle Crest project. This extended public notice was consistent with that used for the Board of Supervisor's hearing for PA110027.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

The proposed project is covered by Final EIR No. 661, which was certified by the Board of Supervisors on October 2, 2012 and satisfies the requirements of CEQA.

DISCUSSION/ANALYSIS

Staff recommends approval of the proposed Vesting Tentative Tract Map 17388 based on the following:

Consistency with General Plan and Zoning

The project is consistent with the associated PA110027 which has been approved by the Board of Supervisors at their meeting on October 2, 2012. PA110027 approved amendments to the General Plan and the Foothill/Trabuco Specific Plan. The Specific Plan Amendment became effective on November 2, 2012.

Consistency with County Design Requirements

The proposed map is consistent with County design requirements, with the following deviation requests:

Deviations from County Standards of Design

The developer may request deviations from County standard design criteria in accordance with Subdivision Code Section 7-9-291. In the absence of any specifically approved deviation request, the County-approved standard design criteria will prevail. The following deviations are requested:

1. Centerline radius less than 250 feet: proposed radius of 100 feet on “A” Street at entry
2. Deviation from Standard Plan 1107 for reduced parkway width – no sidewalks to be provided per the rural character theme identified in the Foothill/Trabuco Specific Plan.

County Traffic Engineering does not oppose the deviation for the entry street radius, and does not oppose the reduction in parkway width and no sidewalks for the private streets, provided that the subdivider demonstrates that the parkway is constructed with American with Disabilities Act (ADA) compliant material for pedestrian use.

Drainage

The subject property is not located within a Master Plan of Drainage.

Recreation and Open Space

The proposed map is not required to provide any improvements or dedications associated with the County Master Plan of Regional Recreation Facilities or Resources Element (Open Space Component). There are requirements regarding the Master Plan of Regional Riding and Hiking Trails and the OCTA Strategic Plan for Bikeways.

Master Plan of Regional Recreation Facilities

There are no regional park dedication requirements of the subject map.

Master Plan of Regional Riding and Hiking Trails

A 16-foot wide easement (Santiago Creek Regional Trail) will be provided along the Santiago Canyon Road frontage for a riding and hiking trail in accordance with the Master Plan of Regional Riding and Hiking Trails, as depicted in the County General Plan.

Local Park Code

The proposed map will mitigate the local park impacts of 65 new residential units (0.52 acres) with the payment of in-lieu fees at the time of issuance of building permits.

Resources Element - Open Space Component

While there is no regional open space requirement, the associated PA110027 includes amendments to the Foothill/Trabuco Specific Plan open space criteria/definition. Under the open space definition that is part of the approved Specific Plan Amendment, the project meets the Foothill/Trabuco Specific Plan criteria for open space dedication. Lots O and P, totaling 55.1 acres in size, are proposed for permanent conservation as part of VTTM 17388.

OCTA Strategic Plan for Bikeways

The existing Class-II bikeway within Santiago Canyon Road will be reconfigured to accommodate turning lanes being provided for the project entry.

Public Services and Utilities

Schools

This property is within the boundaries of the Saddleback Valley Unified School District. In September 1986, the State Legislature passed AB 2926 (Chapter 887, Statues of 1986). This bill granted school districts in California the power to levy fees on residential, commercial and industrial development for the purpose of financing construction of school facilities. The developer is subject to these provisions or other mitigating measures designed to provide for school facilities and/or funding, such as community facilities districts. Mitigation Measure No. 3.12-3 will require payment of applicable school fees prior to issuance of building permits.

Facilities Fee Programs

This project area is included within the Saddleback Branch Library benefit area and the Station 42 – Fire Station benefit area. Mitigation Measure No. 3.12-2 requires compliance with the library fee program. However, OCFA has verified that the funding requirements for the existing fire stations in the area have been fulfilled, therefore no fees would be required for fire station purposes.

Water/Sewer

This project is within the boundaries of the Trabuco Canyon Water District. The District stated in their updated "will-serve" letter, dated July 6, 2012, that they will be capable of providing water and sewage disposal service to this development.

Water Quality

This project will be required to operate in accordance with requirements prescribed by the California Regional Water Quality Control Board, San Diego Region. A conceptual Water Quality Management Plan (WQMP) has been approved by the County.

Fire Protection and Safety

Existing and proposed fire protection services will provide an adequate level of fire protection services to this development. The subdivider has submitted a Precise Fuel Modification Plan (approved by OCFA on January 11, 2010) and a Fire Master Plan (approved by OCFA on January 28, 2010). Mitigation Measures and Conditions of Approval on the associated PA110027 will ensure implementation of these safety measures.

County Service Area (CSA)

County Service Areas provides parks and recreation services. This property is within the boundaries of CSA No. 26

Circulation

Scenic Highway Corridors

The project site is located adjacent to Santiago Canyon Road, a designated Scenic Roadway Corridor. The F/TSP requires a 100-foot scenic setback and that a detailed viewshed analysis be provided. The map proposes a setback of approximately 110 feet. The required viewshed analysis was included within the Area Plan and EIR that were approved by the Board of Supervisors.

Access/Highways/Streets/Roads

Access to the site is via Santiago Canyon Road.

Major Thoroughfare and Bridge Fee Program

This project lies within the area of benefit of the Foothill/Eastern Transportation Corridor. The developer is required to pay Foothill/Eastern fees in accordance with the adopted program.

This project lies within the area of benefit of the Foothill Circulation Phasing Program. The developer is required to pay fees in accordance with the adopted program.

This project lies within the area of benefit of the Santiago Canyon Road Fee Program. The developer is required to pay fees in accordance with the adopted program.

CONCLUSION

Upon review of the subject submittal, staff supports approval of the applicant's proposed Vesting Tentative Tract Map 17388 (VTTM 17388) pursuant to the Orange County Subdivision Code, Orange County Codified Ordinances Subarticle 5 (Processing Procedures for Tentative Maps), and makes a recommendation as follows:

RECOMMENDED ACTION

OC Planning staff recommends that the Subdivision Committee:

a) Receive staff report and public comment, as appropriate;
b) Find that proposed project (VTTM 17388) is covered by Final EIR No. 661, certified by the Board of Supervisors on October 2, 2012; and,
c) Approve Vesting Tentative Tract Map 17388, subject to the attached Findings and Conditions of Approval (Appendices A and B).

NOTE: Per State Law, for any improvements required prior to the recordation of a final map, the developer may instead enter into an agreement with the County of Orange guaranteeing the improvements. Said agreement shall be accompanied by financial security.

Respectfully submitted,

Channary Leng
Manager, Current & Environmental Planning

CERTIFICATION

I hereby certify that Vesting Tentative Tract Map 17388 was approved by the Orange County Subdivision Committee on November 14, 2012, per the findings in Appendix A and the Conditions of Approval in Appendix B.

_____
Michael Balsamo
Chairman, Subdivision Committee

APPENDICES

A. Recommended Findings
B. Recommended Conditions of Approval
C. PA110027 Planning Commission Staff Report, Findings and Conditions of Approval, as approved by the Planning Commission on July 25, 2012
D. Mitigation and Monitoring Reporting Program – Final EIR No. 661

APPEAL PROCEDURE

Any interested person may appeal the decision of the Subdivision Committee within 10 calendar days of the decision upon submittal of required documents and a filing fee of $500.00 filed at the Development Processing Center, 300 N. Flower Street, Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to OC Planning.

ATTACHMENT A

Appendix A
Findings
VTTM 17388

GENERAL PLAN CONSISTENCY VTTM 17388

1. That the proposed map is consistent with the Orange County General Plan, as amended by PA110027.

DESIGN AND IMPROVEMENT VTTM 17388

2. That the design and improvement of the proposed subdivision is consistent with the Orange County General Plan, as amended by PA110027.

COMPATIBILITY VTTM 17388

3. That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.

PUBLIC FACILITIES VTTM 17388

4. That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).

DEVELOPMENT TYPE VTTM 17388

5. That the site is physically suitable for the proposed type of development.

PROJECT LEVEL EIR VTTM 17388

6. That Final EIR No. 661 was certified on October 2, 2012 by the Orange County Board of Supervisors as complete and adequate and has been completed in compliance with the requirements of CEQA for the proposed project. The proposed project, of which this action is a necessarily included element, was also approved, based on the following findings:

   A. The County of Orange, as Lead Agency, had reviewed and considered the information in the EIR;

B. The certification of the Final EIR for the project reflected the independent judgment and analysis of the lead agency.

C. The decision-maker adopted the resolution certifying Final EIR No. 661, which included:

1. Findings for each of the significant impacts identified in the Final EIR which are incorporated by this reference and made a part of this report;

2. A Mitigation Monitoring and Reporting Program.

DEVELOPMENT DENSITY VTTM 17388

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

ENVIRONMENTAL MONITORING VTTM17388

8. That the monitoring requirements of Public Resources Code Section 21081.6 (AB 3180) will be considered as having been met in that the design of the subject project, the satisfaction of the requirements of the County's building, grading, fire, and other codes and ordinances and the satisfaction of the conditions of approval applied to the project will implement the mitigation measures contained in EIR No. 661.

GENERAL WELFARE VTTM 17388

9. That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

PUBLIC EASEMENTS VTTM 17388

10. That the design of the subdivision and the type of improvements proposed will not conflict with easements of record or established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision; or, if such easements exist, that alternate easements for access or for use will be provided and that these will be substantially equivalent to ones previously acquired by the public.

ZONING CONSISTENCY VTTM 17388

11. That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning and specific plan regulations, as amended by the approved PA110027.

SEWER SYSTEM VTTM 17388

12. That the discharge of waste from the proposed subdivision into the existing sewer system of the Water District will not result in or add to a violation of existing requirements prescribed by the San Diego Regional Water Quality Control Board.

NATURAL HEATING AND COOLING VTTM 17388

13. That the design of the subdivision and its improvements do provide, to the extent feasible, for future passive or natural heating or cooling opportunities as specified in Section 664773.1 of the Government Code (Subdivision Map Act).

FEE PROGRAMS VTTM 17388

14. That the following determinations apply to fees required by Sections 7-9-700 through 713, Codified Ordinances of Orange County:

    A. Purpose of fees: Library, and general County services.

    B. Use of fees: Construction of new library, and general County facilities in newly developing areas which have inadequate service.

    C. Relationship between use of fees and type of development: Dwelling units and commercial/industrial structures and their occupants require library and general County services.

    D. Relationship between need for facilities and type of project: Project is located in newly developing area which has inadequate library services and general County facilities.

    E. Relationship between amount of fees and cost of the portion of the facilities attributable to the development: Fees represent project's pro rata share of the cost of the library and general County facilities.

STANDARD PLAN DEVIATIONS VTTM 17388

15. That each deviation from standard design plans has been individually considered and found to be justified based upon specific special circumstances which apply, specifically geographic constraints for the entry road radius and the rural character theme for the Foothill/Trabuco Specific Plan for parkway width reductions and no provision of sidewalks on internal private streets.

LOCAL PARK CODE VTTM 17388

16. That the Local Park Code Requirement can be met by the payment of in-lieu fees.

APPEAL OF EXACTIONS VTTM 17388

17. That the applicant is hereby provided notice that the fees, dedications, reservations or other exactions imposed on this project are as described in this approval as well as the reports and actions accompanying this approval and that the 90-day approval period in which the applicant may protect pursuant to Government Code Section 66020 has begun.

VERY HIGH FIRE HAZARD SEVERITY ZONE (VHFHSZ) VTTM 17388

18. That the Tract Map is completely located entirely within the VHFHSZ, as defined by the State Board of Forestry and Fire Protection and Orange County Fire Authority (OCFA). The Tract Map is located in an area designated as State or Federally Responsibility Area. Pursuant to SB1241, the following findings are made:

    A. That the Tract Map is a clustered design and includes fuel modification and fire walls and, as a subdivision as a whole, is consistent with all applicable regulations adopted by the State Board of Forestry and Fire Protection.

    B. That all proposed structures will be sprinklered and will comply with all OCFA requirements for structural fire protection and suppression services.

    C. That the Tract Map contains one ingress/egress point for 65 single-family structures and complies with all road standards for fire equipment access.

ATTACHMENT B

Appendix B
Conditions of Approval
VTTM 17388

1 BASIC/ZONING REG VTTM 17388

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Subdivision and Zoning Codes and any other applicable zoning regulations, as amended. Approval does not include any action or finding as to compliance of approval of the project regarding any other ordinance, regulation or requirement.

2 BASIC/TIME LIMIT VTTM 17388

This approval is valid for a period of 36 months from the date of final determination, unless an extension is otherwise allowable by State law. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 BASIC/COMPLIANCE VTTM 17388

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Subdivision Committee.

4 INDEMNIFICATION VTTM 17388

Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Subdivision Committee, Zoning Administrator, Director of OC Public Works, or Director of Planning concerning this application. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action or the County's participation in such defense. The County shall promptly notify the applicant of any such claim, action or proceeding.

5 BASIC APPEAL/EXACTIONS VTTM 17388

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

6 MAP NOTES VTTM 17388

Prior to recordation of a subdivision map (except maps for financing and conveyance purposes only), the following note shall be placed on the map and approved by the Manager, Permit Services:

"Conditions of Approval of Planning Application PA110027 shall be satisfied."

7 REQUEST FOR DEVIATIONS VTTM 17388

Prior to the recordation of a subdivision map, the subdivider shall place a note on the map, in a manner that meets the approval of the Manager, Permit Services. that states the following:

(1) Deviation to Orange County Public Works centerline radius of 250 feet for local streets.

(2) Deviation to Orange County Public Works Standard Plan 1107 for reduced parkway width – no sidewalks to be provided to be designed and constructed per the Foothill/Trabuco Specific Plan guidelines.

8 PRIVATE STREET NOTIFICATION VTTM 17388

Prior to the recordation of a subdivision map the subdivider shall place a note on the map, in a manner that meets the approval of the Manager, Permit Services, that states:

"The private streets constructed within this map shall be owned, operated and maintained by the developer, successors or assigns. The County of Orange shall have no responsibility therefore unless pursuant to appropriate sections of the Streets and Highways Code of the State of California the said private streets have been accepted into the County Road System by appropriate resolution of the Orange County Board of Supervisors."

9 INTERNAL CIRCULATION VTTM 17388

A. Prior to the recordation of a subdivision map or the issuance of any building permits, whichever occurs first, the subdivider shall provide plans and specifications meeting the approval of the Manager, Permit Services, for the design of the following improvements:

1) Internal street common private drive system.

2) Entrance to the site to emphasize that the development is private by use of signs and other features.

B. Prior to the recordation of a subdivision map, the applicant shall construct, or provide evidence of an acceptable form of financial security, the above improvements in a manner meeting the approval of the Manager, OC Planning.

C. Prior to the issuance of any building permits, the subdivider shall provide plans meeting the approval of the Manager, Permit Services, for the design of the internal pedestrian circulation system within the development.

10 REGIONAL TRAIL VTTM 17388

The subdivider shall provide a recreational trail along the project's frontage of Santiago Canyon Road for riding and hiking trail purposes in accordance with the following:

A. Prior to the recordation of an applicable subdivision map, the subdivider shall:

1. Irrevocably offer a recreation easement for riding and hiking trail purposes (IOD) in a location and in a manner meeting the approval of the Director, OC Parks. The subdivider shall not grant any easement(s) over the property subject to the recreation easement unless such easements are first reviewed and approved by the Director, OC Parks and are expressly subordinate to the recreation easement as required the 'Easement Subordination' Condition, below.

2. Design the necessary improvements for the trail, including, but not limited to grading, erosion control, signage, fencing, and a grade-separated crossing, as applicable, in a manner meeting the approval of the Director, OC Parks, in consultation with the Permit Services.

3. Enter into an agreement, accompanied by financial security, with the County of Orange, to insure the installation of the necessary improvements for the riding and hiking trail.

B. Prior to the issuance of a grading permit, applicant shall obtain approval from the Director, OC Parks that the proposed grading provides for and will not interfere with or preclude the installation of the recreational riding and hiking trail

C. Prior to the final inspection approval and the release of financial security guaranteeing the riding and hiking trail improvements, the applicant shall install the riding and hiking trail improvements in a manner meeting the approval of the Director, OC Parks, in consultation with the Manager, Inspection.

11 VECTOR CONTROL VTTM 17388

Prior to the issuance of any preliminary grading permits, the applicant shall provide evidence to the Manager, Permit Services, that the Vector Control District has surveyed the site to determine if vector control measures are necessary. If the District determines measures are warranted, the applicant shall conduct such measures in a manner meeting the approval of the Manager, Permit Services in consultation with the Vector Control District.

12 ACCESS GATES AND REMOTE GATE OPENING DEVICES VTTM 17388

A. Prior to the issuance of any grading or building permits allowing construction of any gate across an OCFA required emergency accessway, the applicant shall provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with Guideline B-09.

B. Prior to the issuance of any grading or building permits allowing construction of any gate across an OCFA required emergency accessway requiring a remote gate opening device, the applicant shall provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with Guideline B-06.

13 EASEMENT SUBORDINATION VTTM 17388

Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only), the applicant shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer to the County of Orange or the Orange County Flood Control District, unless such easements are expressly made subordinate to the easements to be offered for dedication to the County. Prior to granting any of said easements, the subdivider shall furnish a copy of the proposed easement to the Manager, Permit Services, for review and approval. Further, a copy of the approved easement shall be furnished to the Manager, Permit Services, prior to the final inspection approval.

14 SIGHT DISTANCE VTTM 17388

Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance per Standard Plan 1117 at all street intersections, in a manner meeting the approval of the Manager, Permit Services. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, Permit Services.

15 SCENIC EASEMENT VTTM 17388

Prior to the recordation of an applicable subdivision map, the subdivider shall provide a scenic easement along the project's frontage of Santiago Canyon Road, in a location and in a manner meeting the approval of the Manager, OC Planning. The subdivider shall not grant any easement(s) over the property subject to the recreation easement unless such easements are first reviewed and approved by the Manager OC

Planning and are expressly subordinate to the scenic easement as required the 'Easement Subordination' Condition, above.

16 PA 110027 CONDITIONS OF APPROVAL VTTM 17388

All Conditions of Approval of PA110027, as acted upon by the Board of Supervisors, are applicable to this map. If there is a conflict between the provisions or the required timing for compliance of Conditions of Approval for PA110027 and/or the Conditions of Approval VTTM 17388, the more restrictive interpretation shall apply, as determined by the Manager, OC Planning.

17 FINAL EIR 661 MITIGATION MEASURES VTTM 17388

All Mitigation Measures and Project Design Features of Final EIR 661 (Mitigation Monitoring and Reporting Program), as certified by the Board of Supervisors, are applicable to this map. If there is a conflict between the provisions or the required timing for compliance for Mitigation Measures of Final EIR 661, the Conditions of Approval for PA110027 and/or the Conditions of Approval for VTTM 17388, the more restrictive interpretation shall apply, as determined by the Manager, OC Planning.

18 VEHICLE ACCESS LOCATIONS VTTM 17388

Prior to the recordation of a subdivision map, the subdivider shall place notes on the final map which release and relinquish vehicular access rights to all arterial highways to the County of Orange, except for access locations approved by the County of Orange, in a manner meeting the approval of the Manager, Permit Services.

19 STREET IMPROVEMENTS VTTM 17388

Prior to the recordation of a subdivision map, the subdivider shall design and construct, or provide evidence of an acceptable form of financial security, the following improvements in accordance with plans and specifications meeting the approval of the Manager, Permit Services:

A. Streets, bus stops, on-road bicycle trails, street names, signs, striping and stenciling. All underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) and other appurtenances (e.g., pull boxes, etc.) needed for future traffic signal construction, and for future interconnection with adjacent intersections, all in accordance with plans and specifications meeting the approval of the Manager, Permit Services.

B. The water distribution system and appurtenances that shall also conform to the applicable laws and adopted regulations enforced by the County Fire Chief, or other Local Fire Agency (if applicable).

C. Underground utilities (including gas, cable, electrical and telephone), streetlights, and mailboxes.

20 WATER AND SEWER IMPROVEMENTS VTTM 17388

The subdivider shall design and construct all water and sewer facilities and systems in conformance with the standards of the Trabuco Canyon Water District, and in a manner consistent with the project's Subarea Master Plan (SAMP).

21 FIRE MASTER PLAN VTTM 17388

The subdivider shall comply with the approved Fire Master Plan, including the following measures:

A. Prior to the issuance of a grading permit, the applicant must provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating that a Fire Master Plan has been prepared that complies with Fire Code Chapter 5 and Guideline B-09.

B. Prior to the issuance of any grading permit (with the exception of initial mass grading of a large scale project), the applicant shall provide the Manager, Permit Services with a clearance from OCFA indicating that a Fire Master Plan has been prepared that complies with Guideline B-09 including identification of access to and within the project area. *Note-refer to the OCFA website to obtain a copy of Guideline B-09 for information regarding the submittal requirements.

C: Prior to the issuance of a building permit or the placement of combustible materials on site, whichever occurs first, the applicant must provide the Manager, Permit Services with a clearance from OCFA allowing the introduction of combustible materials into the project area.

D: Prior to the approval of final inspection, the applicant must provide the Manager, Permit Services with a clearance from OCFA confirming that the approved fuel modification plan has been installed and completed.

22 ADMINISTRATIVE SITE DEVELOPMENT PERMIT VTTM 17388

Prior to the recordation of a subdivision map, the subdivider shall place a note on the map, in a manner that meets the approval of the Manager, Permit Services, that states the following:

“An Administrative Site Development Permit shall be required for the development of each Project phase.”

ATTACHMENT C

ORANGE COUNTY
OC PublicWorks
Our Community. Our Commitment.

ITEM # 1

OC PLANNING REPORT

DATE: July 25, 2012

TO: Orange County Planning Commission

FROM: OC Planning

SUBJECT: Public Hearing on Planning Application PA110027 for General Plan Amendment, Specific Plan Amendment, and an Area Plan

PROPOSAL: General Plan Amendment, Specific Plan Amendment to the Foothill/Trabuco Specific Plan, and Area Plan to allow for development of Saddle Crest Homes, a gated community to include 65 detached single-family residential units located off of Santiago Canyon Road, with proposed open space dedication along the northeastern portion of the property.

ZONING: "Upper Aliso Residential" (UAR) District of the Foothill/Trabuco Specific Plan (F/TSP)

GENERAL PLAN: "Suburban Residential" (1B)

LOCATION: The project is located north of the junction of Live Oak Canyon Road with Santiago Canyon Road, across from Whiting Ranch Wilderness Park, within the Third (3rd) Supervisorial District.

APPLICANT: Rutter Santiago, LP

STAFF CONTACT: John Moreland, Contract Planner
Phone: (714) 667-8806
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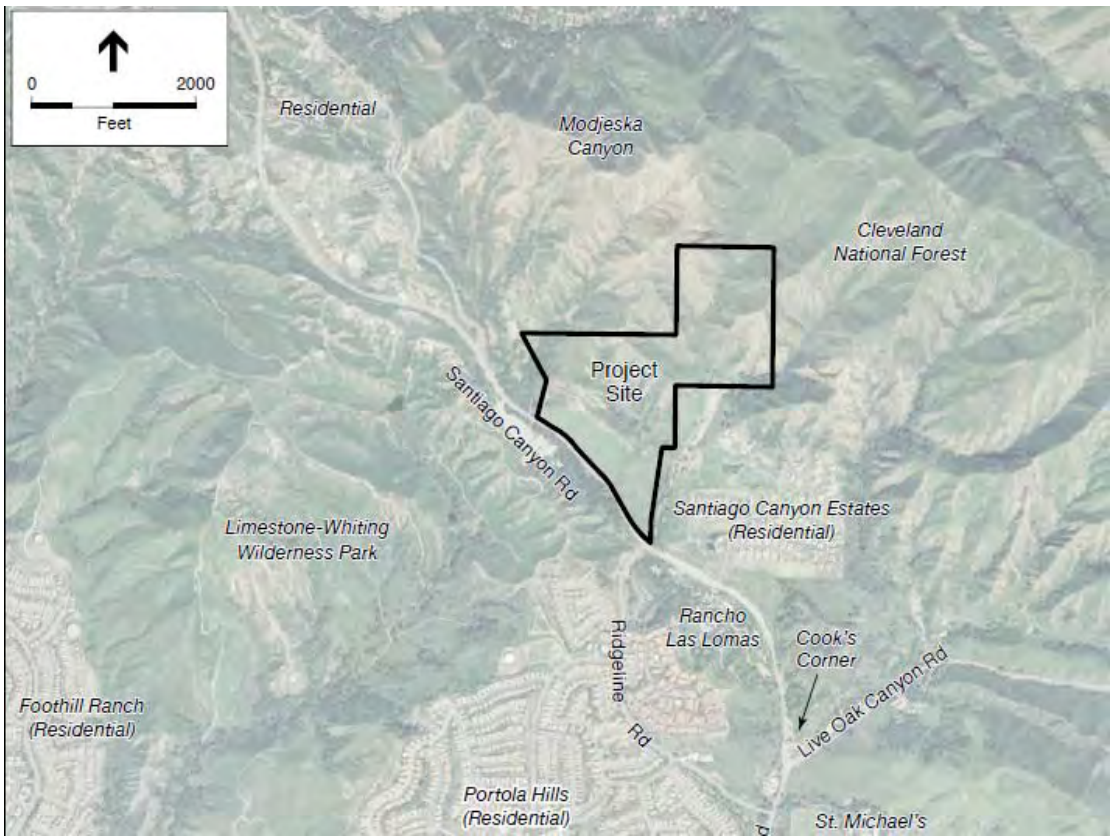
SYNOPSIS: Staff recommends Planning Commission to recommend approval of Planning Application PA110027 to the Board of Supervisors for the General Plan Amendment, Specific Plan Amendment to the Foothill/Trabuco Specific Plan, and Area Plan, subject to the attached recommended Findings and Conditions of Approval.

EXISTING SITE CONDITIONS:

The subject property is vacant and has been used for grazing over many years. It is located within the foothills of the Santa Ana Mountains. The existing site is comprised of eight lots, totaling 113.7 acres (See Exhibit 1 for an aerial of the site). Gentle slopes are featured along Santiago Canyon Road, with steeper slopes in the interior of the property. Slopes exceed 35 percent over about 60 percent of the project site. The highest point is at an elevation of about 1,800 feet on a ridge at the northeast corner

of the site and the lowest point is at an elevation of about 1,200 feet at the southeastern tip of the parcel.

Exhibit 1 - Aerial of Project Site



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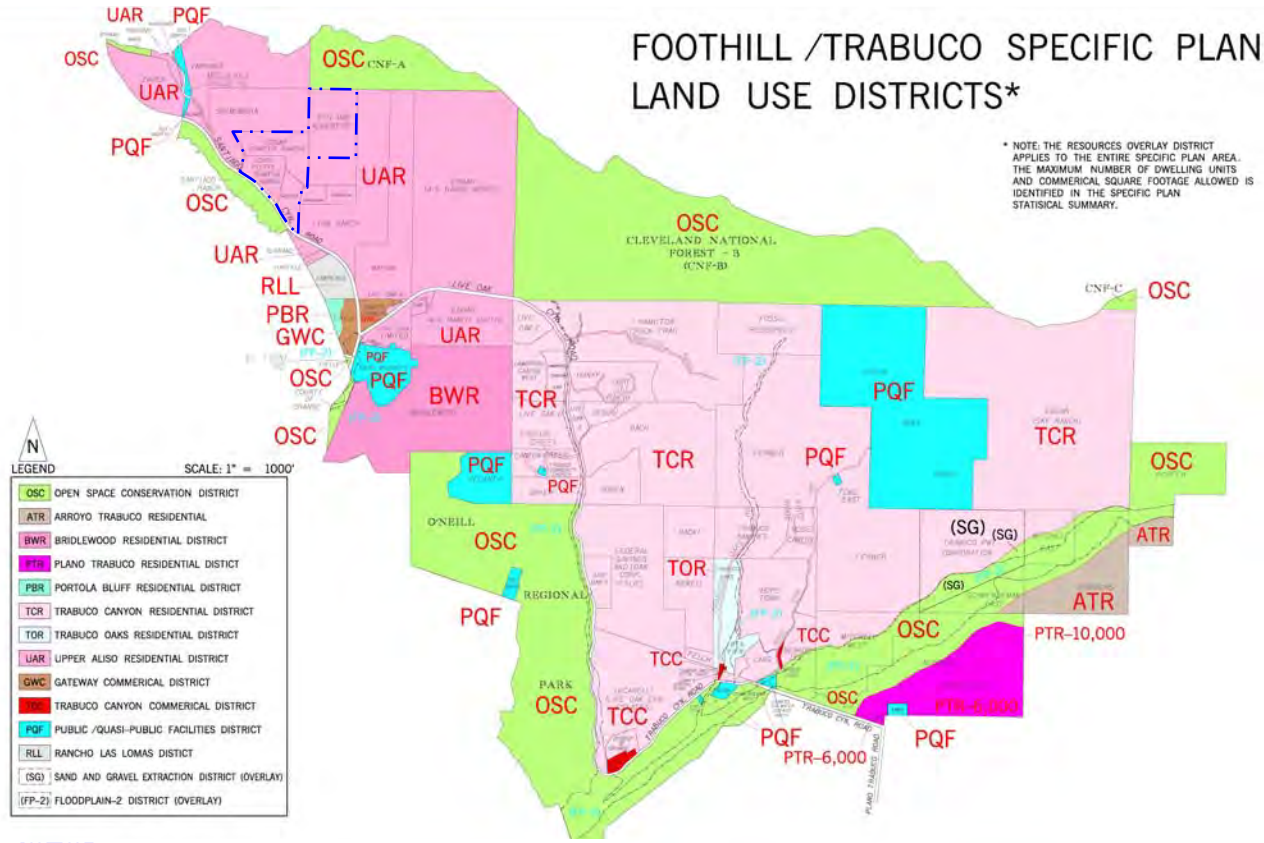
A north-south trending, blue line stream traverses the eastern portion of the project site. The site drains in a series of isolated canyons that flow in a southeasterly direction and ultimately collect at Aliso Creek, near the southeast corner of the property on the other side of Santiago Canyon Road. The project site is diverse and includes mildly flat grasslands to steep, densely-vegetated slopes. The site also includes coast live oaks and some sensitive plant species. Disturbance due to grazing is evident within the lower elevations of the southern portion of the project site, in addition to disturbance from the 2007 wildfire that impacted the site. There are no residential structures within the property boundary. The site is designated as "Suburban Residential" (1B) by the Orange County General Plan. The project site lies within the "Upper Aliso Residential" (UAR) District in the northwestern portion of the F/TSP (see Exhibit 2, below).

Exhibit 2 – Zoning Designation



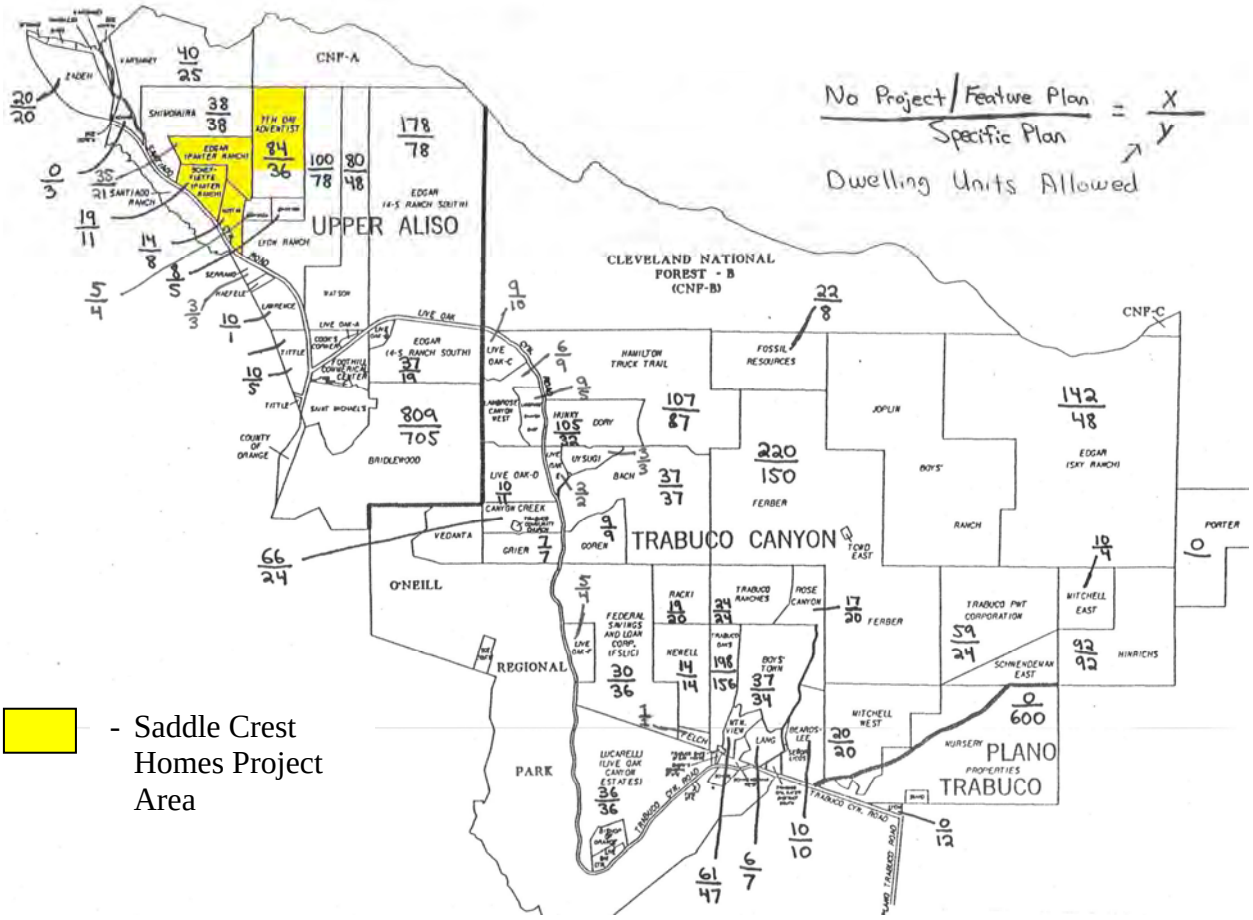
- Saddle Crest Homes Project Area

PROJECT AND F/TSP BACKGROUND:

On December 19, 1991, the Foothill/Trabuco Specific Plan (F/TSP) was adopted by the Board of Supervisors. The Board of Supervisors had directed the County to "1) develop a regulatory Specific Plan for the area to replace the existing, non-regulatory Foothill/Trabuco Feature Plan, 2) preserve the rural character of the area; and 3) implement the rural transition area policies of the Growth Management Plan Element of the County's General Plan, including the provision of a buffer between urban development and the Cleveland National Forest" (*Environmental Management Agency Report*, August 21, 1991, page 1). This Specific Plan included a development cap on all properties, a Resources Overlay Component and regulations and guidelines. Planning Commission Staff Reports between August 21, 1991 and October 24, 1991 are included as Attachment No. 1.

The adopted Specific Plan actually reduced the designated development capacity on a number of properties, including the Saddle Crest Homes project site. The previous zoning for the Saddle Crest Homes site before the adoption of the F/TSP was "Residential Hillside Estates" (RHE-10,000), which allowed about 4.3 dwelling units per acre. Additionally, the Foothill/Trabuco Feature Plan would have allowed a maximum development capacity of 125 units (see Exhibit 3, below).

Exhibit 3 – Allowable Development under F/T Feature Plan versus F/TSP



A goal of the F/TSP was to limit the development within the F/TSP area. Possibly, as a partial result of the F/TSP adoption, along with other factors, development nearly completely ceased within this area. Since the adoption of the F/TSP, a total of 92 new homes have been built within the F/TSP area (this does not include homes rebuilt as part of a demolition, or homes rebuilt that were destroyed by fire). Eighty-two (82) of these homes were constructed under the grandfathered communities of Santiago Canyon Estates or the Zadeh subdivision. Therefore, only ten (10) homes were constructed since December 1991 that followed the regulations of the F/TSP. A table indicating the address and date of building permit issuance is included as Attachment No. 2.

Within a few years, the County noticed deficiencies in the Specific Plan. The County initiated two Amendments in 1994 and 1998 (Zone Change Nos. ZC94-06 and ZC98-01). These amendments attempted to address the following issues:

- Sixty-six percent open space preservation requirement (reducing amount for some projects, exempting dedications for some projects)
- Dedication of natural resources (modifying requirements for one-house developments)
- Different processing requirements for single home projects
- Tree removal (allowing existing developments to remove some trees)

- Streamlining review of grading permits and clarifying grading regulations
- Permitting limited grading and additional uses within open space areas
- Density transfer and clustering
- Minor improvements for existing homeowners
- Updating inconsistencies in the F/TSP and State law
- Editorial corrections

The Staff Reports included as Attachment No. 3, include the concerns that some of the Commission had about the F/TSP. Some of the concepts in these reports (i.e. striking "natural" from "natural, open space", clustering) are the same concepts that will be discussed later in this report. However, none of these amendments were ever adopted.

The next proposed amendment to the F/TSP was initiated by the developer for the Saddleback Meadows in 1998 (Zone Change No. 98-3). This amendment modified the entire "Bridlewood Residential" (BWR) District (development standards, uses permitted, etc.) on Page III-20 of the F/TSP and was adopted by Ordinance No. 02-0028 in late 2002.

Another amendment, Zone Change No. 99-4, was initiated by the County in 1999. This amendment allows minor improvements to existing residences and accessory structures without going to the Planning Commission, or requiring open space dedication. This amendment was adopted by Ordinance No. 01-010 in the summer of 2001.

On January 28, 2003, the Orange County Board of Supervisors approved a 162 unit development on two non-contiguous properties, Saddle Creek and Saddle Crest. In addition to the 35 units approved on the Saddle Crest project site, 127 units were approved on the 402.5-acre Saddle Creek North and the 83.6-acre Saddle Creek South project site. Actions taken by the Board of Supervisors for the previous project included:

- Approval of Area Plan 99-07 for Saddle Crest and Area Plan 99-03 for Saddle Creek
- Certification of Environmental Impact Report No. 578
- Approval of an amendment the F/TSP

Subsequent to the approval by the Board of Supervisors, the EIR was challenged, and ultimately, the Fourth District Court of Appeal of the State of California overturned the decisions of the Board of Supervisors in the case of *Endangered Habitats League, Inc. vs. County of Orange*, (2005) 131 Cal. App. 4th 777. The Court overturned the approvals based on five main arguments:

- The project is inconsistent with the County's General Plan because it will cause an impermissible increase in traffic on Santiago Canyon Road.
- The Specific Plan Amendment is inconsistent with the General Plan in two other ways. First, it changes the rules to allow balancing of Specific Plan requirements, rather than compliance with all of them. Second, it exempts the project from otherwise mandatory Specific Plan requirements.
- The Environmental Impact Report (EIR) uses the wrong test for the threshold of significance of impacts on biological resources.

- The EIR improperly defers analysis and mitigation to one mitigation measure, construction interference from noise, supply depots, and vehicle staging areas.
- The EIR did not identify the traffic increase on Santiago Canyon Road as a significant environmental effect, and either adopting mitigation measures or finding mitigation is infeasible**.**

Since that time, 304.7 acres of the Saddle Creek North project site were transferred in December 2008 to The Conservation Fund (a non-profit entity whose purpose is land and water conservation). Additionally, the 83.6-acre Saddle Creek South project site was transferred to the Orange County Transportation Authority (OCTA) for conservation purposes in April 2011. The remaining 97.8 acres of Saddle Creek North (known as the Watson parcel) is not proposed for development and is not included in this application.

SURROUNDING LAND USE:

The project site is a residential use and is surrounded by residential and open space uses. The zoning for surrounding properties is as follows:

Direction	Zoning Designation	Existing Land Use
Project Site	"Upper Aliso Residential" (UAR) District	Vacant
North	"Upper Aliso Residential" (UAR) District; Open Space Conservation (OSC) District	Vacant; Cleveland National Forest
East	"Upper Aliso Residential" (UAR) District	Single-Family Dwellings; Open Space
South	Upper Aliso Residential" (UAR) District; "Open Space" (OS) District (City of Lake Forest)	Single-Family Dwellings; Whiting Ranch Regional Park
West	"Upper Aliso Residential" (UAR) District; "Open Space" (OS) District (City of Lake Forest)	Single-Family Dwelling; Whiting Ranch Regional Park

CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

Overview of Project Environmental Impact Report ("EIR")

The EIR for this project is comprised of the following documents:

- Draft EIR – This document was circulated for public review for 49 days between April 20, 2012 and June 4, 2012. In summary, it includes the project description, environmental analysis, discussion of significant impacts, alternatives analyses, discussion regarding impacts, and technical studies as part of the appendices. The Draft EIR is included as Attachment 4.
- Final EIR – This includes general responses to issues raised by multiple commenters, the comment letters received during the public review period, responses to comments, and revisions to the Draft EIR. The revisions to the Draft EIR contain additional or revised

information required to prepare a response to a specific comment; applicable updated information that was not available at the time of the Draft EIR publication; typographical errors and/or additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the Draft EIR. The Final EIR is included as Attachment 5.

The County determined that an EIR would be required for this project and issued a Notice of Preparation ("NOP") and Initial Study on August 8, 2011 (See Draft EIR Appendix A). Comments received during the public review period for the NOP, which extended from August 8, 2011 to September 7, 2011, are contained in Draft EIR Appendix A.

The County held one scoping meeting for the Draft EIR on August 31, 2011. Draft EIR Table 1.2 summarizes the issues identified during the scoping meeting along with a reference to the section(s) of the Draft EIR where the issues are discussed.

The County prepared and circulated the Draft EIR for public review and comment from April 20, 2012 to June 4, 2012. After public comments were received on the Draft EIR, responses to comments were prepared to respond to the comment letters received. As previously mentioned, the public comments and responses to comments are both contained in the Final EIR.

Categories Found to Have No Impact

The Initial Study, included as Draft EIR Appendix A, concluded that the project site does not have the potential to support agricultural activities and is not designated as containing mineral resource. Therefore, the following topical issues are considered to have no impact and are not addressed in the Draft EIR:

- Agriculture Resources
- Mineral Resources

Impacts Considered Less than Significant

The Initial Study, included as Draft EIR Appendix A, concluded that all impacts related to population and housing and recreation would be less than significant or have no impact. However, based on public comments received during the NOP comment period, a comprehensive discussion of population growth in the project area is included in the Draft EIR. In addition, although impacts related to recreation were determined to be less than significant the issue is also addressed in the Draft EIR due to public interest in the recreation areas in the project area. Thus, the following topical issues are addressed in the Draft EIR:

- Population and Housing
- Recreation

Unavoidable Significant Adverse Impacts

The Draft EIR analyzed 15 environmental categories. The Draft EIR Chapter 1, Introduction/Summary, contains Table 1-4, which summarizes the environmental impacts, mitigation measures, and levels of significance before and after mitigation.

From the 15 environmental factors analyzed in the Draft EIR, 3 impacts were found to be significant and unavoidable. Draft EIR Chapter 4, Remaining Significant Impacts discusses the remaining significant impacts of the project in detail. The following impacts would remain significant, unavoidable, and adverse after mitigation measures are applied:

- Air quality – Impact 3.2.2 Violate air quality standards or contribute to air quality violation.

  Construction activities would take approximately 3 years. Short-term construction related activities would result in violation of air quality standards related to NO_X, PM_{10} and $PM_{2.5}$ emissions. Implementation of Mitigation Measures MM 3.2-1 through 3.2-3 would reduce emissions of $PM_{2.5}$ below a level of significance. However, impacts related to NO_X and PM_{10} would remain after mitigation has been implemented. Consequently, Impact 3.2.2 would remain significant and unavoidable. Exceeding the SCAQMD regional thresholds is common for construction projects that require significant quantities of soil import/export, as is the case with this project, due to the amount of grading.

- Air quality – Impact 3.2.3 Result in cumulatively considerable increase of non-attainment criteria pollutants.

  Construction of the proposed project would violate air quality standards related to NO_X and PM_{10} resulting in a significant direct and cumulative air quality impact. Incorporation of Mitigation Measures 3.2.1 through 3.2.3 would reduce construction emissions of NO_X and PM_{10}. However, Impact 3.2.3 would remain significant after mitigation has been implemented.

- Traffic – Impact 3.14.1 Substantial increase in traffic in relation to existing traffic load and capacity, or conflict with transportation plans, policies or ordinances.

  The proposed project would increase traffic in the project area during construction and would generate approximately 780 daily trips during operation. Project impacts to traffic capacity would be less than significant and implementation of Mitigation Measures 3.14-1 through 3.14-3 would reduce the project's contribution to cumulative (Year 2035) intersection impacts to a less than significant level. Peak-hour traffic generated by the proposed project would represent up to about 7.0 percent of the growth in traffic from existing to Buildout (Year 2035) conditions at the Santiago Canyon Road/Live Oak Canyon Road intersection (Mitigation Measure 3.14-1) and up to about 3.6 percent at the El Toro Road/Glenn Ranch Road intersection (Mitigation Measure 3.14-2). However, the County does not have jurisdiction over proposed improvements (the adversely affected

intersections are located in the City of Lake Forest); therefore the traffic impacts associated with the proposed project cannot be assured to be mitigated to a level that is less than significant.

- Traffic – Impact 3.14.2: Exceed level of service standards established by congestion management agency, or conflict with congestion management program.

  The proposed project would increase traffic volumes at area intersections and on Santiago Canyon Road. Project impacts to LOS standards would be less than significant (no mitigation is necessary), and implementation of Mitigation Measures MM 3.14-1 and MM 3.14-2 would reduce the project's contribution to cumulative (Year 2035) intersection LOS impacts to a less than significant level. However, as the lead agency does not have jurisdiction over proposed improvements (the adversely affected intersections are located in the City of Lake Forest), these impacts associated with the proposed project cannot be assured to be mitigated to a level that is less than significant.

The City of Lake Forest has reviewed the Draft EIR and did not have any objections to the proposed mitigation measures; however, they will review the Street Improvement Plan for the proposed improvements within the City. If the County, as the Lead Agency, determines that unavoidable significant adverse impacts will result from the project, the County must prepare a "Statement of Overriding Considerations" before it can approve the project. A Statement of Overriding Considerations states that the decision-making body has balanced the benefits of the proposed project against its unavoidable significant environmental effects and has determined that the benefits of the project outweigh the adverse effects and, therefore, the adverse effects are considered to be acceptable. A Statement of Overriding Considerations will be prepared for the Board of Supervisors review.

Summary of Project Alternatives

CEQA states that "an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives" (14 Cal. Code of Reg. 15126.6(a)).

In addition to the non-clustered scenario discussed below, as described in Chapter 5 of the Draft EIR, four (4) project alternatives were identified and analyzed in detail for relative impacts as compared to the proposed project:

- No Project/No Build Alternative
- Reduced Project Alternative (28 units)
- Alternative Site/Density Transfer (113 units on east side of F/TSP)
- Alternative Use (religious facilities)

These alternatives were developed to avoid or substantially lessen the significant impacts of the project. The reduced project alternative (28 units) was determined by developing a plan that would only impact 34 percent of the site (including grading and fuel modification zones). The remainder of the project site would not be disturbed. Please refer to Chapter 5 of the Draft EIR for a complete discussion of how the alternatives were selected and the relative impacts associated with each alternative.

In addition, the non-clustered scenario was analyzed throughout the EIR to provide an evaluation of the impacts that would occur if the site were developed consistent with the existing F/TSP. The applicant's engineer has certified that the non-clustered scenario is compliant with all the F/TSP requirements that can be shown on a Site Plan. This certification is included as Attachment No. 6. The County does not have the technical engineering and design capabilities (i.e. AutoCAD) to certify whether the non-clustered scenario is compliant with all provisions of the F/TSP. However, the applicant is not proposing the non-clustered scenario as its project.

Specific Comments on the Draft EIR

The following are the main issues of concern that were raised by residents opposing this project proposal. Responses to all comments are included in the Final EIR, which is included as Attachment No. 5.

SPECIFIC COMMENTS	SECTION OF EIR/SUMMARY
Impacts of the General Plan and Specific Plan Amendments	**FEIR Chapter 2 – General Responses (Section 2.1)/DEIR** The potential environmental impacts of the proposed amendments that apply to the County, proposed amendments that apply to the F/TSP, and proposed amendments that apply to the F/TSP UAR District are discussed in this section of the FEIR for clarification and more details. In addition **DEIR Section 3.9 - Land Use** and **Section 3.14 - Transportation/Traffic** discuss potential impacts of the General Plan and Specific Plan Amendments.
The Project's Consistency with the Intent of the General Plan and F/TSP	**DEIR Table 3.9-2 Implementation of County of Orange General Plan and F/TSP Objectives** (Page 3.9-19) Shows how the proposed project would be consistent with the objectives of the General Plan and F/TSP. **FEIR Appendix B - Consistency Checklist** The Consistency Checklist displays that the proposed project is consistent with all of the F/TSP Regulations. It should be noted, that similar to the conclusion included in the Draft EIR, the analysis in the Consistency Checklist recognizes that without approval of certain of the proposed amendments the proposed project would be inconsistent with the F/TSP regulations. However, with the proposed amendments, the proposed project is in "overall compliance with the Specific Plan Guidelines and with the Goals and Objectives of the Specific Plan."

SPECIFIC COMMENTS	SECTION OF EIR/SUMMARY
Whether the Proposed Amendments will Set a Precedent for Future Amendments	**DEIR Chapter 8 Growth Inducing Impacts** (Page 8-8) Discusses the ability to update land use regulations is recognized as being within the general grant authority of local governments to regulate land use.
Whether the Specific Plan Protects Against Changes	**FEIR Chapter 2 – General Responses (Section 2.4)/County of Orange Zoning Code** The County's Zoning Code provides that "[a]ny specific plan may be amended by the same procedure as the plan was adopted (Zoning Code Section 7-9-156.3). In the case of the F/TSP, that means the Planning Commission must first hold a public hearing to recommend to the Board of Supervisors that a proposed specific plan amendment be approved, disapproved, or conditionally approved (Zoning Code Section 7-9-156(c)). The Board of Supervisors must then hold at least one public hearing to approve, disapprove, or conditionally approve the proposed specific plan amendment (Zoning Code Section 7-9-156(c)).
Environmental Advantages of Clustering Homes	**FEIR Chapter 2 – General Responses (Section 2.5)/DEIR** Throughout the DEIR, the potential impacts of the proposed project and the non-clustered scenario were analyzed, and in most instances, the proposed project would result in the similar or reduced impacts as compared to the non-clustered scenario.
Removal of "Natural" from the Open Space Regulation	**DEIR Section 3.9 - Land Use** Discussion is included on the proposed amendments in this section. The proposed amendment would delete the term "natural" to eliminate the ambiguity that now exists in this provision of the F/TSP. The second portion of the proposed amendment to the F/TSP is designed to make it clear that grading is allowed during development in areas that will be preserved as permanent open space, but is not allowed after initial development is complete.
Growth Inducing Effects	**DEIR Chapter 8 - Growth Inducing Impacts of the Project** Examines ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. In addition, an assessment of other projects that would foster activities which could affect the environment, individually or cumulatively was included.

SPECIFIC COMMENTS	SECTION OF EIR/SUMMARY
Oak Trees	**DEIR Appendix D.2 - Tree Management and Preservation Plan and Addendum** Details of the location, size, and health of each tree identified within the project development envelope are included. Tree monitoring for seven years, a woodland restoration plan, potential receiver sites and additional measures for the protection of oak trees during construction are included. **FEIR Appendix D - Examples of Oak Woodland Restoration Research** Examples of oak woodland restoration research supporting the restoration approach and the language from the state mitigation law is included.
Wildlife Corridor	**DEIR Section 3.3 - Biological Resources** Wildlife corridors, wildlife, open space preservation and habitat value are discussed. **FEIR Figure 2.1 - Wildlife Corridor Conservation Area Detail** (revised Figure 3.3-10 from the DEIR) Shows a view of the distances of the development to the edge of the wildlife corridor. This figure does not include new information but was revised to more clearly show the proposed project's compliance with the F/TSP setback requirements.
Non-Clustered Scenario	**DEIR Chapter 1 - Introduction** (Page 1-2 of the DEIR) The non-clustered scenario was included in order to provide a clear analysis of impacts associated with developing the project site consistent with the existing F/TSP. However, the non-clustered scenario is not proposed by the applicant to be developed. **FEIR Figure 2.2 - Conceptual Grading Plan, Non-Clustered Scenario** A Conceptual Grading Plan was prepared to illustrate the proposed design and highlight its adherence to the UAR Site Development Standards. The Conceptual Grading Plan certifies compliance with the F/TSP Baseline Grading Standards with a signed/stamped copy of the County's grading checklist for the F/TSP by a registered civil engineer incorporated into the plan's details.

SPECIFIC COMMENTS	SECTION OF EIR/SUMMARY
The EIR was Properly Noticed	**FEIR Chapter 2 – General Responses (Section 2.12)** Public Notice of Availability: The notice was published in the OC Register. The notice was mailed to parties that expressed interest in the project and property owners within the Upper Aliso Residential District of the F/TSP and within 300 feet of the project site. The DEIR review period lasted 49 days (45 days required by CEQA), from April 20, 2012 to June 4, 2012. The Notice of Availability contained a brief description of the project, location and review/comment period. The anticipated significant environmental effects were summarized in the notice and well as the locations of where the Draft EIR was available for public review. At the time of noticing there were no known scheduled public meetings or hearing and the site is not considered or near a hazardous site, therefore it was not necessary to include hazardous information in the notice. In addition, further notice will be provided in the manner specified by the Government Code for the General Plan and Specific Plan amendments.

DISCUSSION/ANALYSIS:

The applicant is requesting approval of an Area Plan for the development of 65 single-family residences on an approximate 113.7-acre site. In conjunction with the development request, the applicant is also requesting approval of three (3) General Plan Amendments and twelve (12) Specific Plan Amendments. It should be noted that the F/TSP has many redundant regulations within the Specific Plan. Even though the applicant is requesting amending 12 provisions of the F/TSP, only 5 of the amendments would change the development standards or procedures within the F/TSP. The remaining 7 amendments are to the Consistency Checklist or are to conform to other amendments. The applicant's requested Amendments are included as Attachment No. 7. The applicant's project description letter is included as Attachment No. 8.

General Plan Amendments

The applicant is proposing amendments to three (3) General Plan Elements and the Introduction Chapter of the General Plan. The Elements that will be amended are:

- The Growth Management Transportation Implementation Manual (Appendix IV-1) of the Transportation Element
- The Growth Management Element (Chapter XI)
- The Land Use Element (Chapter III)
- The Introduction (Chapter I)

Growth Management Transportation Implementation Manual of the Transportation Element

The applicant is proposing to amend the language in Section IV.G. of Appendix IV-1, the Transportation Implementation Manual of the Transportation Element (Page 19). The existing text in this section reads:

> "The majority of the road miles within the United States consist of two lane roadways. As a result, a great deal of work has been done throughout the country regarding the capacity of two lane roads. The most current information and practice are reflected in the 1997 'Highway Capacity Manual'.
>
> For GM Element traffic analyses of Santiago Canyon Road, the methodology described in the 1997 'Highway Capacity Manual' (or any subsequent revisions) for rural two lane highways shall be used, based upon peak hour volumes. The directional splits shall be as measured during the peak hours. All other adjustment factors shall be as described in the manual."

The methodology indicated in the 1997 "Highway Capacity Manual" (HCM) is known as "Percent Time Spent Following", or PTSF. This two-lane methodology addresses rural highways where the driving experience is heavily influenced by the ability to pass slower moving vehicles, rather than the actual physical capacity of the roadway.

Section I.I. of Appendix IV-1 (Page 15) requires that Santiago Canyon Road shall maintain Level of Service "C" on all uninterrupted links of three miles in length. However, according to the "Traffic Impact Study", existing traffic conditions on Santiago Canyon Road do not meet the Level of Service (LOS) requirement found in the General Plan. Refer to the table below for existing traffic conditions on Santiago Canyon Road.

Existing Santiago Canyon Road Segment Analysis (Highway Capacity Manual Methodology)

ROAD SEGMENT	AM PEAK HOUR PTSF*	AM PEAK HOUR LOS	PM PEAK HOUR PTSF*	PM PEAK HOUR LOS
North of Modjeska Grade Road	65.0%	C	71.2%	D
South of Modjeska Grade Road	67.6%	D	69.1%	D
North of Live Oak Canyon Road	67.0%	D	68.1%	D

***** PTSF = Percent Time Spent Following, which is based on the ability to pass slower vehicles on a two-lane roadway.

Source: RK Engineering Group, Inc, 2012.

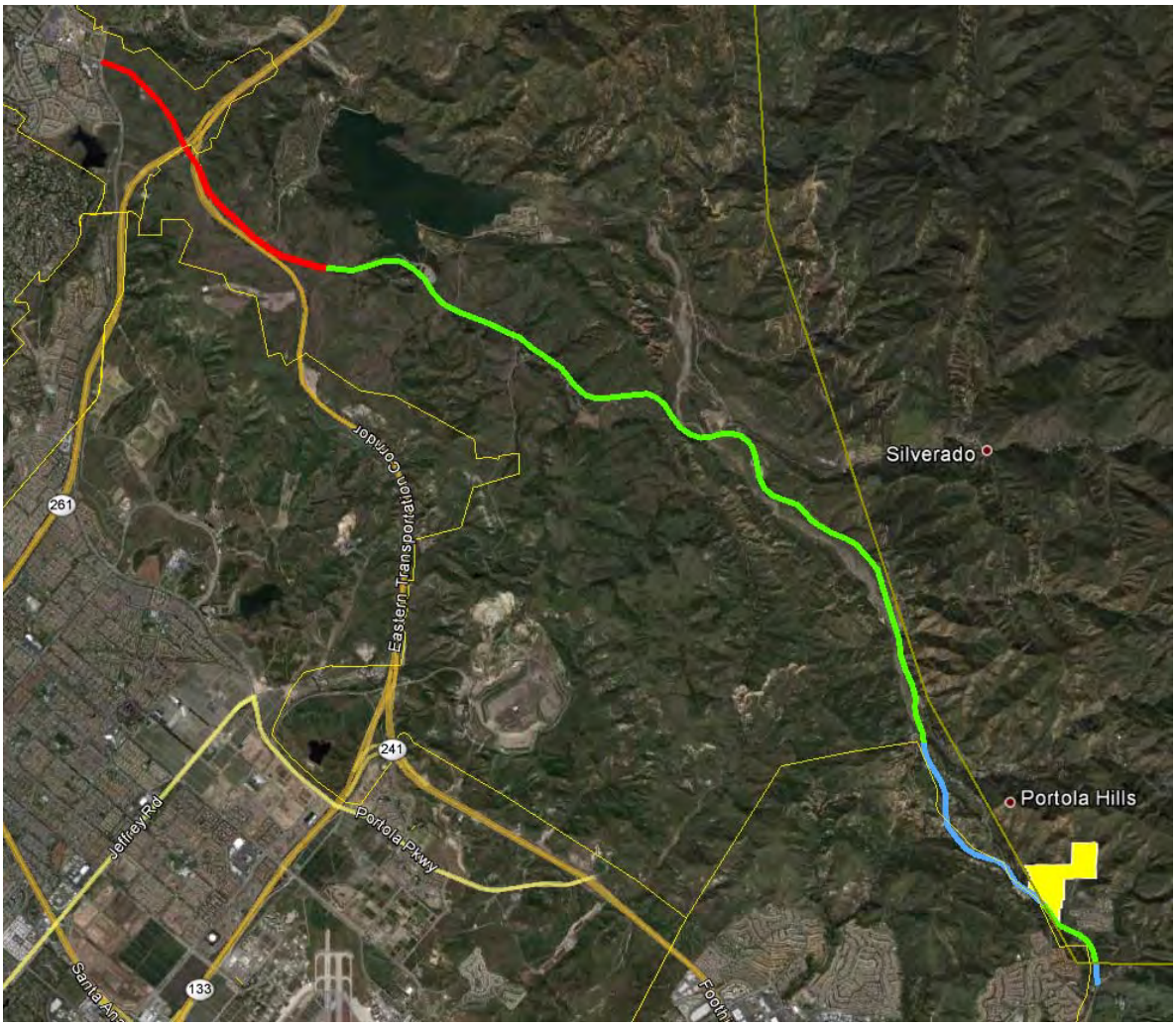
Based on this information, any project that requires a Traffic Study (which is a project that generates over 200 daily vehicle trips, about 19 new dwelling units) and that will generate new vehicle trips on Santiago Canyon Road, would not meet this General Plan policy and be inconsistent with the General Plan. Therefore, this policy is an obstacle to any significant development in most of the F/TSP area, the Silverado-Modjeska Specific Plan area and the unincorporated area east of the City of Orange.

The physical conditions that occur on Santiago Canyon Road (i.e. separate turning lanes, wide shoulders, limited heavy vehicles, etc.) do not match the road conditions for the type of rural roads for which the PTSF methodology is typically used. Passing is not permitted on the majority of Santiago Canyon Road. Only 0.63 miles of passing exist on the +/- 11 mile stretch of Santiago Canyon Road between Live Oak Canyon and State Route 241 (by Irvine Lake). For example, if a car was travelling behind another car at 60 miles per hour (mph), a low LOS would result since the second vehicle is unable to pass.

In order to determine whether the PTSF methodology is a good measure of the actual capacity of Santiago Canyon Road, the "Traffic Impact Analysis" includes travel runs on the uninterrupted roadway segment of Santiago Canyon Road between Live Oak Canyon Road and Modjeska Grade Road. Based on the PTSF analysis, existing conditions Santiago Canyon Road would be projected to operate at average speeds of 43 to 44 mph. In reality, the travel runs revealed average travel speeds of 52.4 mph during the A.M. peak hour and 51.0 mph during the P.M. peak hour, higher than the calculated average speeds of 44.0 mph, and indicative of little if any congestion or obstruction of flow. Santiago Canyon Road has a posted speed limit of 55 miles per hour (mph). However, some members of the public expressed that this trial run was too limited since it did not go north of Modjeska Grade Road. Observation by Staff is that the entire length of Santiago Canyon Road functions in a similar manner as described in the Traffic Impact Analysis. Based on this information, the PTSF methodology is not a good measure of actual operating capacity of Santiago Canyon Road.

In addition to the operating capacity, Santiago Canyon Road is controlled by two other jurisdictions, the Cities of Lake Forest and Orange. Lake Forest controls Santiago Canyon Road at the intersection of Live Oak Canyon Road to the southerly property line of Rancho Las Lomas. At this point, the road comes under the jurisdiction of the County. Then, very close to the proposed Saddle Crest Homes project entrance, the jurisdiction of Santiago Canyon Road goes back into the City of Lake Forest until just south of Modjeska Canyon Road. Santiago Canyon Road is once again in the County's jurisdiction until the eastern edge of Irvine Lake, when it enters into the City of Orange's jurisdiction. The remainder of Santiago Canyon Road is under the City of Orange's jurisdiction (to Jamboree Road). The City of Lake Forest controls approximately 1.92 miles of Santiago Canyon Road, the County controls approximately 7.51 miles and the City of Orange controls approximately 2.81 miles. See Exhibit 4 for a graphic display of this information.

Exhibit 4 – Jurisdictional Control of Santiago Canyon Road



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County of Orange (PTSF)
- City of Lake Forest (V/C)
- City of Orange (V/C)
- Saddle Crest Homes Project Area

Both the Cities of Lake Forest and Orange calculate LOS on Santiago Canyon road by using the "Volume to Capacity" ratio, or V/C. The V/C ratio is also used for all roads within the County of Orange, excluding Santiago Canyon Road. This methodology compares the traffic volume to the actual design capacity of a segment and determines how much capacity is being used. According to the "Traffic Impact Study", existing traffic conditions on Santiago Canyon Road, when measured using the V/C ratio, significantly exceeds LOS requirements found in both the County's General Plan and the City of Lake Forest's minimum LOS "D" requirement. Refer to the table below for existing traffic conditions on Santiago Canyon Road, utilizing the V/C ratio methodology, which results in LOS "A".

Existing Santiago Canyon Road Segment Analysis (Volume to Capacity Ratio Methodology)

ROAD SEGMENT	CAPACITY	AM PEAK HOUR VOLUME	AM PEAK HOUR RATIO	AM PEAK HOUR LOS	PM PEAK HOUR VOLUME	PM PEAK HOUR RATIO	PM PEAK HOUR LOS
N. of Modjeska Grade Rd (NB)	1,700	322	0.19	A	378	0.22	A
N. of Modjeska Grade Rd (SB)	1,700	292	0.17	A	328	0.19	A
S. of Modjeska Grade Rd (NB)	1,700	332	0.20	A	414	0.24	A
S. of Modjeska Grade Rd (SB)	1,700	320	0.19	A	342	0.20	A
N. of Live Oak Canyon (NB)	1,700	268	0.16	A	438	0.26	A
N. of Live Oak Canyon (SB)	1,700	357	0.21	A	293	0.17	A

NB = Northbound, SB = Southbound Source: RK Engineering Group, Inc, 2012.

Based on this information, existing traffic conditions within the City of Lake Forest on Santiago Canyon are acceptable at all measured locations. However, once the same level of traffic moves into the County's jurisdiction and is measured using the PTSF methodology, the existing LOS becomes inconsistent with the County's General Plan. This would mean that the Cities of Orange and Lake Forest could theoretically allow additional development that would increase traffic on Santiago Canyon Road. This would in turn worsen the measured traffic (using PTSF) on the County-controlled portions of Santiago Canyon Road. This would result in unfairly affecting property owners in the unincorporated County area.

The applicant is proposing an amendment to the Growth Management Transportation Implementation Manual of the Transportation Element that would change the methodology for evaluating the required LOS on Santiago Canyon Road based on the V/C ratio rather than based on the PTSF. The applicant is proposing to alter the language above to the following language:

> "For Growth Management Element traffic analyses of Santiago Canyon Road, the traffic level of service policy shall be implemented by evaluating peak hour volumes in relation to the physical capacity of the roadway, using the Volume-to-Capacity methodology. A lane volume of 1,360 vehicles per hour, which is 0.80 times the maximum directional lane capacity of 1,700 vehicles per hour, represents Level of Service "C". These lane capacity guidelines shall be used to ensure that the Level of Service "C" capacity of 1,360 vehicles per hour per lane will be maintained".

This proposed language would change the methodology so that the traffic analysis of Santiago Canyon Road is consistent throughout the three jurisdictions that control Santiago Canyon Road. It should be noted that the County will still require that the LOS is maintained at a LOS "C" or better, whereas in the Cities of Lake Forest and Orange, a minimum LOS "D" is required. Since this proposed amendment changes the existing PTSF traffic methodology into a methodology that measures the actual capacity of Santiago Canyon Road that is consistent with other jurisdictions' methodology of the same Road, as well as, the methodology used by the County on all other roads, staff is supportive of this amendment. As a practical consideration, the project's traffic study also

verifies that current traffic conditions are representative of LOS "A". It should be noted that the County would be supportive of this amendment regardless of the applicant. Additionally, the County has considered pursuing this amendment independently.

Growth Management and Land Use Elements

The applicant is proposing to remove language in the Growth Management Element (Chapter XI) and add similar language in the Land Use Element (Chapter III). The existing Policy No. 6 in the Growth Management Element reads, "New development within the Silverado-Modjeska Specific Plan and Foothill-Trabuco Specific Plan planning areas shall be rural in character and shall comply with the policies of these plans in order to maintain a buffer between urban development and the Cleveland National Forest" (Page XI-10). The proposed language in the Growth Management Element would strike the reference to the F/TSP in the above language.

The language pertaining to development policies for the F/TSP is proposed to be relocated from the Growth Management Element to the Land Use Element. The proposed amendment would add text after the last paragraph of Major Land Use Policy No. 6., New Development Compatibility on Page III-32, and read, "new development within the Foothill-Trabuco Specific Plan planning area shall be designed to maintain a buffer between urban development and the Cleveland National Forest, to be compatible with adjacent areas, and to reflect the goals of that Plan." This statement is more appropriately found in the Land Use Element.

The applicant proposes to remove language stating that new development in the F/TSP shall comply with "policies" of the F/TSP, as (unlike the Silverado-Modjeska Specific Plan) none of the provisions of the F/TSP are referred to in the F/TSP as "policies", only as "goals" or "objectives". This discrepancy was recognized by the Court of Appeals in the *Endangered Habitats League v County of Orange* decision.

The proposal will remove the policy language in the General Plan, requiring for development to be "rural in character" within the F/TSP area. However, this proposed amendment will not alter how projects within the F/TSP are processed. The first stated goal of the F/TSP is to "preserve the rural character of the area and provide a buffer between urban development and the Cleveland National Forest" (Section I.C.1.0.a, Page I-5). This goal will still apply to this project and future projects within the F/TSP area. The F/TSP also contains objectives that correspond to each of these goals, including objectives relating to rural character and the forest buffer. In reviewing a proposed project within the F/TSP, Planning Staff, the Planning Commission or the Board of Supervisors must consider the extent to which a proposed project implements these goals and objectives.

Since the term "rural character" is not specifically defined in either the General Plan or the F/TSP, the applicant is proposing to only remove the language from this location of the General Plan. Each discretionary application processed by the County must interpret the goals and objectives of the F/TSP relating to rural character.

Many members of the public have expressed their dissatisfaction with this proposed General Plan amendment and believe that the applicant is removing the term "rural in character" because the project is too dense to be rural. However, definitions of "rural in character", or just "rural" apply to

all densities, or do not include density at all. For example, in the Land Use Element of the Mariposa County General Plan, under Section 5.1.01, "Rural Character" states:

> "The General Plan creates a balance through which new residents, new property owners, visitors, and existing constituencies can enjoy quality of life aspects countywide. Privacy is reflected in community desires to maintain open space between homes in rural areas of the County. Effective design review guidelines created for planning areas can ensure rural character is maintained, even with higher densities and commercial and industrial uses."

Additionally, Merriam-Webster defines rural as, "of or relating to the country, country people or life, or agriculture." Having a "character" of rural would mean to have the appearance of the country or agriculture. Since commercial agricultural activities are not permitted by right in the F/TSP area, rural character would mean to have the appearance of the country. However, this is not specifically defined in the F/TSP or the General Plan and the interpretation of "rural character" could vary over time and be inconsistently applied.

The community of Trabuco Oaks, Tract 926, was subdivided in December 1928. This subdivision divided one piece of land into 275 lots. Some property owners purchased multiple lots to have a larger parcel and today, there are 190 parcels within this community. The average parcel size is 9,160 square feet and the median is 6,662 square feet. With a net density (density excluding roads and common areas) of approximately 4.75 dwelling units per acre, this community is more dense than the applicant's proposal, which has an approximate net density of 2.5 dwelling units per acre. Furthermore, the US Census considers Trabuco Oaks as part of the "Mission Viejo-Lake Forest-San Clemente Urban Area (Urban Area No. 57709). Since the Trabuco Oaks community is within the F/TSP area and due to the nature of this community, staff believes that the Trabuco Oaks community is "rural in character." Based on this information, the definition of "rural in character" in the F/TSP and in the existing General Plan does not apply to density.

Since the proposed amendment clarifies that the F/TSP does not have any "policies" and that this proposed amendment would not alter how projects are processed in the County, or in the F/TSP area, staff is supportive of this amendment without the term "rural in character" in this section of General Plan.

Sections II and V of the Saddle Crest Homes Area Plan contain general information on how the project is consistent with preserving the rural character of the F/TSP area. The applicant's proposal includes, but is not limited to, rolled curbs without sidewalks, variable setbacks, wide lot frontages, varying garage setbacks. Additionally, the applicant will be planting oak trees adjacent to Santiago Canyon right-of-way to enhance the scenic corridor.

<u>Introduction Chapter</u>

The applicant is proposing to add clarification language in Section I of the General Plan (Page I-3). The new section is proposed to read:

"**Interpretation and Implementation of the General Plan and Specific Plans**

The Board of Supervisors ("Board") as the legislative body of the County of Orange, has adopted the General Plan and supporting Specific Plans. As such, the Board retains authority to interpret the General Plan and supporting Specific Plans and all of their constituent provisions, including their goals, objectives, policies and implementation measures, such as programs, regulations, standards and guidelines. The provisions of the General Plan and each Specific Plan are to be interpreted in a manner that harmonizes their goals, objectives, policies and implementation measures in light of the purposes of those plans.

It is recognized that in determining plan consistency, no action is likely to be consistent with each and every goal, objective, policy and implementation measure contained in the General Plan or a Specific Plan and that the Board may give greater weight to some goals, objectives, policies and other provisions over other goals, objectives, policies and provisions in determining whether an action is in overall harmony with the General Plan and any applicable Specific Plan in light of the plan's purpose.

In its decision-making, the Board shall also consider the environmental consequences associated with a proposed action in applying provisions of the General Plan or a Specific Plan and whether the action will protect resources in a manner it determines best advances that plan's goals relating to environmental resources."

The amendment being proposed is to clarify that the Board of Supervisors has the authority to interpret its planning regulatory documents (i.e. General Plan and Specific Plans), and, in so doing, can give greater weight to some goals, objectives, policies or other provisions over other goals, objectives, policies or other provisions in a manner that harmonizes them in light of the purposes of those plans. The amendment also states that the Board shall consider the environmental consequences of its actions in applying the provisions of the General Plan or Specific Plans in a manner it determines best advances that plan's goals relating to environmental resources.

The proposed amendment reflects the language that courts have historically used to describe the authority that a Board of Supervisors or City Council has in determining consistency with a General or Specific Plan. In that process, it is also important to note that a General Plan takes precedence over a Specific Plan and therefore, while the Specific Plan must be consistent with the General Plan, the General Plan is not limited by or required to be consistent with a Specific Plan.

The proposed amendment to the General Plan is intended to describe the Board of Supervisor's authority to interpret the General Plan and supporting Specific Plans. This amendment is also intended to summarize existing State Law governing a legislative body's determination as to whether a proposed action is consistent with the jurisdiction's general plan and any applicable specific plan. The amendment does not change existing policy. It simply articulates well-established legal principles relating to interpretation and application of general plan provisions, including plan provisions relating to protection of environmental resources.

Judicial decisions have confirmed that "perfect conformity" with each and every policy in a General Plan is not required, as no proposed project can satisfy entirely every such policy (see, e.g., *Sequoyah Hills Homeowners Assn. v. City of Oakland*, 23 Cal. App.4th 704, 719 (1993)). Rather, a project is consistent with the General Plan if it furthers General Plan policies and objectives and does not obstruct their attainment (*Endangered Habitats League, Inc. v. County of Orange*, 131 Cal. App. 4th 777, 782 (2005)). As the court explained in *Sequoyah Hills Homeowners Assn. v. City of Oakland*:

> "[I]t is beyond cavil that no project could completely satisfy every policy stated in the [general plan], and that state law does not impose such a requirement. A general plan must try to accommodate a wide range of competing interests—including those of developers, neighboring homeowners, prospective homebuyers, environmentalists, current and prospective business owners, jobseekers, taxpayers, and providers and recipients of all types of city-provided services—and to present a clear and comprehensive set of principles to guide development decisions. Once a general plan is in place, it is the province of elected city officials to examine the specifics of a proposed project to determine whether it would be "in harmony" with the policies stated in the plan." Source: 23 Cal. App.4th at 719 (internal citations omitted).

The ability and necessity for a decision-making body to interpret its adopted General Plan and Specific Plans is an inherent part of the development review process, not only in Orange County, but in cities and counties throughout the state. The proposed amendment reflects the fact that decision-makers are often required to determine the relative priorities of the values upon which various policies or implementation actions in a plan are based, when interpreting and applying them. It does not change the way in which mandatory regulations must be applied. While it is explanatory, it will not change the way the County interprets or applies it General Plan and Specific Plans, therefore, staff is in support of this proposed amendment.

General Plan Consistency

The project site's General Plan Land Use Designation is "Suburban Residential" (1B). The Suburban Residential Land Use Designation is characterized by a wide range of housing types, from estates on large lots to attached dwelling units (townhomes, condominiums, and clustered developments). According to the General Plan, this Land Use Designation permits the greatest flexibility for residential development. Residential building intensity for Suburban Residential ranges from 0.5 to 18 dwelling units per acre. At 2.5 dwelling units per net acre, the proposed detached residential project is within the density limits considered by the Suburban Residential Land Use Designation and is therefore consistent with the General Plan's Land Use Designation. The F/TSP limits the number of dwelling units to 65 for the subject property, which represents the applicant's proposal.
A detailed analysis of the proposed project's consistency with the applicable goals and policies of the various elements of the County of Orange General Plan is provided in the corresponding section in the Draft EIR (i.e. Traffic Element Consistency is discussed in Chapter 3.14, Transportation and Traffic). The analysis in the DEIR concludes that the proposed project would be consistent with the applicable goals and policies of the County of Orange General Plan, subject to the approval of the proposed General Plan Amendments.

Regional Plan Consistency

Senate Bill (SB) 375 is a California state law that became effective January 1, 2009. It prompts California regions to work together to reduce greenhouse gas (GHG) emissions from cars and light trucks. This new law seeks to achieve this objective by requiring the integration of planning processes for transportation, land-use and housing. The plans emerging from this process will lead to more sustainable communities that will provide more transportation and housing choices for residents. SB 375 requires the California Air Resources Board (ARB) to develop regional reduction targets for GHG emissions from automobiles and light trucks. The regions, in turn, are tasked with creating a "Sustainable Communities Strategy" (SCS), which combines transportation and land use elements in order to achieve the emission reduction target, if feasible. Within the County of Orange, the SCS is created by the Southern California Association of Governments (SCAG).

On April 4, 2012, SCAG adopted the "2012-2035 Regional Transportation Plan/Sustainable Communities Strategy" (RTP/SCS) for the region. Policies in the RTP/SCS are developed at a regional level and are not intended to be applied to an individual project. Nonetheless, local planning agencies are encouraged to conform their various planning documents to the RTP/SCS. Additionally, the amount of residential development predicted in the RTP/SCS includes the development allowed in General Plans for all local jurisdictions, including the County of Orange. The 2012-2035 RTP/SCS anticipates an increase in the number of dwelling units in the "Traffic Analysis Zone" (TAZ) that includes the location of the proposed Saddle Crest Homes project. Since the proposed project is consistent with the land use designations in the County of Orange General Plan (as mentioned earlier), the project would also be consistent with the development projected in the RTP/SCS.

Foothill/Trabuco Specific Plan Amendments

The applicant is requesting to amend the F/TSP at 12 separate locations. As mentioned above, even though the applicant is requesting to amend 12 provisions of the F/TSP, only 5 of the amendments would change the development standards or procedures within the F/TSP. The remaining 7 amendments are to the Consistency Checklist or are to conform to other amendments. A summary of the 5 main amendments are listed below and will be discussed at greater detail later in the report:

1. Acknowledge the changes that have occurred with respect to environmental planning (such as biological mitigation, fire management and hydromodification) as well as changes that have occurred since the adoption of the F/TSP (Section I.A.).
2. Add an objective to the F/TSP to recognize that the plan provides for alternative approaches relating to grading in order to reduce impacts to biological resources, increase on-site open space, and/or further the F/TSP's goal of providing a buffer between urban development and the Cleveland National Forest, while ensuring that major ridgelines and major rock outcroppings are preserved as provided in the Resources Overlay Component (Section I.C.2.a.2).).
3. Modify F/TSP provisions relating to oak tree mitigation to modify the standards governing transplantation of oak trees so that large trees removed for development need not be transplanted if they would not survive transplantation or are in poor health and to allow oak trees to be replaced under either the tree replacement scale or an approved Tree Management and Preservation Plan that would provide equally effective mitigation (Sections II.C.3.3., III.E.1.c.3., and Appendix A).

4. Amend provisions of the UAR District Regulations to provide that the County has the authority to approve alternative Site Development Standards relating to building site area and grading if the development plan would result in greater overall protection of environmental resources than would result if the Development Plan fully complied with those Site Development Standards within the existing F/TSP. This amendment would provide the ability to cluster development to better accomplish goals of the F/TSP (Section III.D.8.8., and Appendix A)
5. Amend a provision in the UAR District Regulations to confirm that grading is allowed during initial development in areas that will be designated as open space after completion of development (Section III.D.8.8.i and Appendix A).

Introduction F/TSP Amendment

This proposed amendment adds the following clarifying language after the first paragraph in Section 1.A, "Authorization and Purpose", of the F/TSP (Page I-1):

> "Since the adoption of the Foothill/Trabuco Specific Plan, advances in scientific and technical information relating to oak tree mitigation/restoration, fire management, preservation of biological resources, hydrology and hydromodification, as well as changes in state laws, have led to the development of environmentally superior methods to protect resources and reduce potential environmental impacts associated with the implementation of projects within the Foothill/Trabuco Specific Plan area. Additionally, since the adoption of the Foothill/Trabuco Specific Plan, the County has undergone certain changes, including the elimination of the potential for the development of several large parcels anticipated by buildout in the Foothill/Trabuco Specific Plan area, as well as other changes."

Since the F/TSP was adopted in December 1991, State and Federal regulations have changed due to technological advancements, particularly in environmental planning. The proposed amendment acknowledges the understanding of environmentally superior methods to protect resources and reduce environmental impacts associated with the implementation of projects since 1991. Additionally, the County has undergone some changes to the F/TSP area, such as some portions of the F/TSP being annexed into the City of Lake Forest. This amendment is merely for clarification purposes only. Staff agrees with the information presented by the applicant and is supportive of this proposed amendment.

New F/TSP Specific Plan Objective Amendment

The applicant is proposing to add a new "Area-Wide Objective" to the F/TSP to recognize alternative grading approaches that yield an environmentally superior project. The proposal will add the following language to the "Resource Preservation" objective (Section I.C.2.a.2.)f.), on Page I-6:

> "Provide for alternative approaches relating to grading in order to reduce impacts to biological resources, increase on-site open space, and/or further the Plan's goal of providing a buffer between urban development and the Cleveland National Forest, while ensuring that significant landforms (defined as major ridgelines and major rock outcroppings) are preserved as provided in the Resources Overlay Component."

This amendment captures the range of alternative grading approaches already allowed by the F/TSP and that are proposed to be allowed within the UAR District. In several places in the F/TSP, alternative grading standards are allowed in the interest of achieving superior environmental outcomes. This proposed objective recognizes what the F/TSP already allows, and goes beyond the existing goals and objectives to promote grading alternatives that result in superior biological and other environmental outcomes.

This proposed amendment would only slightly alter future project reviews within the F/TSP. In the event that a future applicant proposes a project using an alternative grading method in the F/TSP, staff and the Approving Authority will need to ensure that the proposed project is consistent with the new objective of overall improved biological outcome. It is staff's opinion that this goal is necessary to ensure that the proposed grading amendment (discussed in detail later) is consistent with the goals and objectives of the F/TSP. Therefore, staff is supportive of this proposed amendment.

Alternative Oak Tree Mitigation Amendment

The applicant is proposing to amend the existing oak tree replacement provisions within the F/TSP to allow for more extensive and effective oak tree mitigation than the existing tree replacement scale found in Section II.C.3.3.a. (Page II-18) of the F/TSP. The applicant is proposing to amend the language in this Section (but on Page II-17) to read (in strikethrough format):

> "Any oak tree removed which is greater than five (5) inches in diameter at 4.5 feet above the existing grade shall be transplanted. If any oak tree over 5 inches in diameter is either in poor health or~~and~~ would not survive transplantation, as certified by an arborist, said tree shall be replaced either according to the replacement scale indicated below or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. If any oak tree dies within five years of the initial transplantation, it shall also be replaced according to the replacement scale indicated below or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation."

In order for the F/TSP to be consistent, the applicant is also proposing to amend Section III.E.1.0.c.3).a), (Page III-77); Appendix A (F/TSP Project Consistency Checklist), Section V.B.2. (Page A-9); and Appendix A (F/TSP Project Consistency Checklist), Section VI.C (Page A-13), all with the same change identified above.

The purpose of the F/TSP is to "preserve significant stands of oak woodlands (Page II-15). Even one of the objectives of the F/TSP is to "preserve significant biological resources, including oak woodlands…" (Objective a.2.)c.) Page I-6). Furthermore, the F/TSP states, "Oak Woodlands shall be preserved in an undisturbed state to the greatest extent possible while still allowing for reasonable development" (Page II-17). Based on these sections of the F/TSP it can be deduced that only "significant" oak woodlands are to be preserved (in addition to the oak tree canopy along Live Oak Canyon Road); therefore, non-significant oak woodlands and individual oak trees can be removed. The proposed amendment will not alter this threshold and future applicants will still be required to preserve "significant" oak woodlands and the oak tree canopy on Live Oak Canyon Road.

In the event that a tree is proposed to be removed, the F/TSP requires that it "shall be transplanted" (Page II-17). Only in the event that the oak tree is "in poor health and would not survive transplantation," may an oak tree be replaced with new, 15-gallon minimum size oak trees at the scale indicated in the F/TSP. However, recent studies have shown that both transplantation and by only planting minimum 15-gallon size trees is not the most effective mitigation.

Oak trees in urban areas can be more easily transplanted because they are relocated into urban settings where they may receive more care and an ample supply of irrigation for the remainder of their lives. Oak trees are not as readily transplanted when they are naturalized (grown in the field from an acorn) and even less likely to survive transplant when they are damaged (such as fire damage that occurred to most oaks on the project site). Even healthy oaks are very sensitive to root impacts, loss of roots, changes in position, torsional stresses, etc.

Naturalized oak trees grow under a much different regime then urban trees. They do not receive irrigation, relying on natural precipitation and ground water. Native oak trees are very sensitive to root disturbances. Tree relocation involves the removal of up to 90 percent of a tree's root mass. This is equivalent to removing the base from a wine glass and then expecting the glass to perform the same function. Trees that lose most of their root mass must then be cared for at an intensive level for at least a 5- to 10-year period. The trees will exist in a declining spiral, requiring diligent and costly monitoring and maintenance for the rest of their lives, and based on the prominent landscape locations they must be transplanted into, do not provide high level habitat value. Semi-mature and mature oak trees that are relocated often eventually die, rather than providing a valuable "oak woodland" area.

Planting only 15-gallon minimum size trees as replacement trees within existing "Oak Woodland" area introduces risks as the larger, new 15-gallon trees are typically more sensitive, require more water, and are harder to establish than planting acorns, seedlings, and smaller container trees. Since the F/TSP was written, research tends to point to restoring "Oak Woodlands" with the use of acorns and these performance enhancing techniques.

See Attachments 9 for10 for research on the low success rate of oak tree transplantation and on the use of acorns. Additional research on current oak tree mitigation practices and research can be found in Appendix D of the Final EIR. The establishment of oak trees as mitigation for impacted trees has occurred in various forms throughout California. Many mitigation efforts failed, because they were based on tree and woodland mitigation codes and requirements that were not supported by science. These failed mitigation efforts ultimately lead to establishment of a standard for oak tree mitigation in California, Public Resources Code Section 21083.4. See Attachment 9 for the language of this oak tree mitigation. Tree planting under the State Law is encouraged to be in the form of restoring former oak woodlands and monitoring and maintaining the oak trees for seven years. The proposed amendment would not alter the required tree replacement scale for sycamore trees (which is the same scale as oak trees) and all other trees.

The applicant's Tree Management and Preservation Plan, included in Appendix D2 of the Draft EIR, indicates that the proposal will protect and completely preserve 422 Coast Live Oak trees in place. An additional 46 oak trees will be protected and preserved, but would be subject to thinning for fuel modification. Lastly, the applicant will remove a total of 151 oak trees. The applicant's proposed mitigation for the removal of oak trees is to plant a total of 281 oak tree containers (ranging from 1-

gallon to 66-inch box in size) and to plant up to 2,000 acorns. Approximately 12 to 30 percent of the planting will occur in transition areas, such as fuel modification zones and perimeters of the project envelope. The remainder of the planting would likely occur in the preserved Oak Woodland areas in an effort to reforest these Oak Woodlands.

Staff is supportive of the proposed amendment, as the proposal reflects current oak tree mitigation methods recognized by multiple jurisdictions and the State of California (refer to Appendix D in the Final EIR). However, staff recommends that a Finding should be required so the Approving Authority can justify using the more effective mitigation measure rather than the replacement ratio presently found in the F/TSP. This new finding should be added to this Section of the F/TSP.

<u>"Upper Aliso Residential" District Site Development Standards Amendment</u>

The applicant is proposing to add alternative development standards to the "Upper Aliso Residential" (UAR) District in Section III.D.8.8. of the F/TSP. This proposal would eliminate the minimum and average lot size requirement, as well as, the grading standards within the UAR District as long as the alternative provided greater environmental protection than a project that adhered to the existing development standards within the UAR District. Specifically, the applicant is proposing to add the following language at the end of Page III-53:

> "n.
>
> (1) Alternatives to the Site Development Standards in section 8.8(a) (building site area) and section 8.8 (h) (grading standards) may be approved for an Area Plan if the Area Plan would result in greater overall protection of environmental resources than would be provided through compliance with those standards. Such alternatives may be approved if it is determined that the Area Plan or other plan for development implements the Foothill/Trabuco Specific Plan's goals relating to protection of biological resources, preservation of open space, provision of a buffer between development and the Cleveland National Forest, and protection of significant land form features in a manner that would provide greater overall environmental protection than would compliance with the Site Development Standards in sections 8.8(a) and 8.8(h). Approval of such alternative standards shall not be subject to the provisions of section III G 2.0 d.
>
> (2) To the extent that alternative site development standards relating to building site area and grading are approved for an Area Plan as provided in subsection (1), above, those alternative site development standards shall serve as the development and design guidelines for the development in place of the Development and Design Guidelines in section IV C that would otherwise apply."

In order for the F/TSP to be consistent, the applicant is also proposing to amend the language in Appendix A (F/TSP Consistency Checklist), Section IV.A.8. (Page A-4):

Below is a table comparing the existing development standards for "Upper Aliso Residential" District with the proposed development standards for the UAR District:

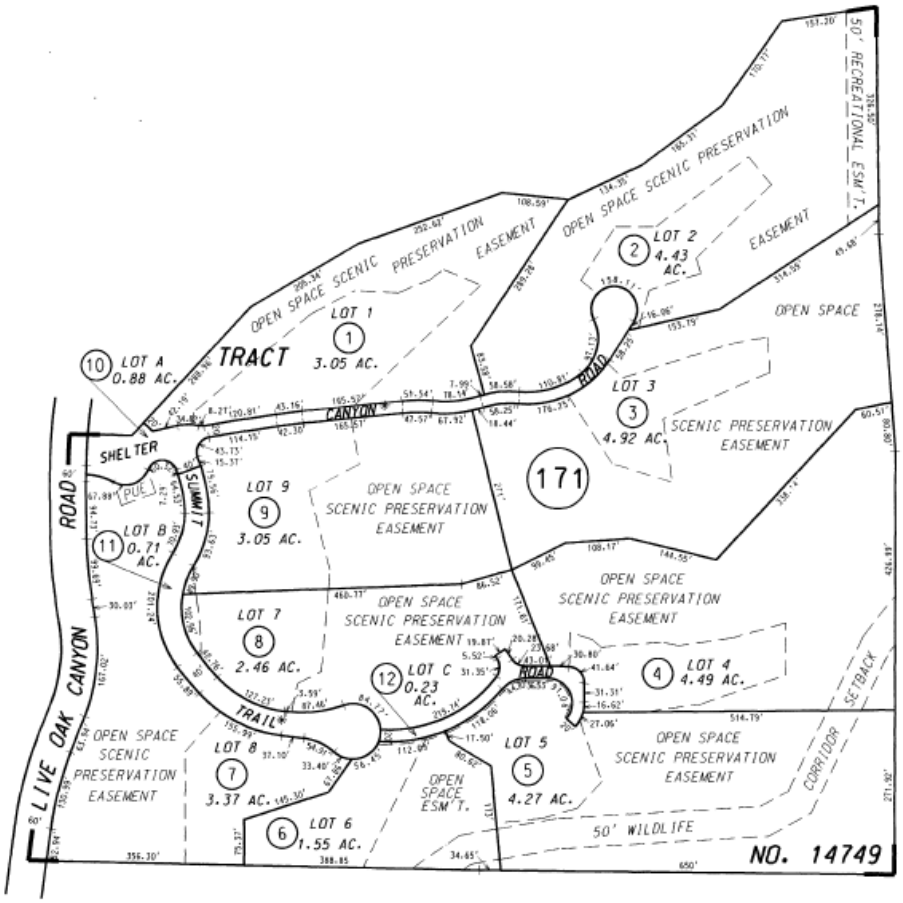
Project Comparison with "Upper Aliso Residential" District Site Development Standards

STANDARD	EXISTING UAR STANDARDS	PROPOSED UAR STANDARDS
Building Site Area	1 acre average; ½ acre min.	No average*; 8,000 sq. ft. min.
Scenic Roadway Setback (Santiago)	100 feet	100 feet
Building Site Depth	100 feet min.	100 feet min.
Building Site Width	80 feet min.	80 feet min.
Grading per Unit	3,000 C.Y.	None*
Maximum Height of Cut or Fill Slopes	30 feet for private roads serving two of more units 10 feet all other locations	None*
Front Setback	6 feet min., 20 feet average	6 feet min., 20 feet average
Side Setback	10 feet min., 25 feet aggregate	10 feet min., 25 feet aggregate
Rear Setback	20 feet	20 feet

***** If project would result in greater overall protection of environmental resources

This F/TSP amendment is proposed to allow for the approval of alternative grading standards and building site areas if the project's Area Plan shows that the approval of these alternatives would result in greater overall protection of environmental resources than would be provided through compliance with the existing F/TSP standards within the UAR District. Other development standards within the UAR District (i.e. setbacks, site coverage, building site depth and width) would not be modified. Allowing a greater amount of grading to accommodate development within a more compact footprint, rather than over a larger area, is likely to have less severe biological impacts than development alternatives involving a more disbursed development pattern. The existing UAR development standards require subdivisions with a minimum average building site area of 1 acre. Other regulations found in the F/TSP and State law would discourage development on sensitive biological communities. Because the UAR requires a minimum average "building site area" rather than an average "lot area", areas that contain sensitive biological communities would be incorporated into individual lots, rather than creating a separate lot specifically for open space preservation since these lots would not be considered in the average "building site area". An example of this type of subdivision, Tract No. 14749 (Goren Property) is shown in Exhibit 5, below.

Exhibit 5 – Tract No. 14749 Subdivision (Goren Property)



As shown in this exhibit, sensitive communities would be preserved as open space with a scenic preservation easement. However, the open space is fragmented and is owned by multiple property owners. Information provided by residents as a response to the Draft EIR, show that animals (in this study, cougars), "have large home ranges and…habitat must be either contiguous with or connected to at least several hundred square miles of suitable habitat" (Beier, Paul, Reginald H. Barrett. *The Cougar in the Santa Ana Mountain Range*, California Dept. of Forestry and Resource Management, University of California – 1993, Page 14; Appendix H4 in Attachment No. 5). This type of development preferred by the F/TSP is not the best way to preserve significant, contiguous portions of habitat.

The F/TSP does require that these open space areas be offered to OC Parks for dedication. However, due to limited resources at the County level, OC Parks does not typically accept these open space areas. Therefore, the open space preservation areas would be the responsibility of individual property owners.

Most property owners would likely keep these open space areas well maintained. However, some property owners may disregard or not be aware of the easement preservation areas and may alter these areas without the proper permits. If this were to happen, no private organization could legally stop the illegal activity on the private property. Only the County of Orange (by opening a Code

Enforcement violation) would be empowered to stop the illegal activity. Enforcing these violations is challenging given the remote location of the F/TSP area. Additionally, significant harm could have been done to the environment, which could take years to rectify. It would be beneficial to these sensitive biological communities to create a separate lot, which could be controlled by a Home Owner's Association, or a conservation group whose purpose would be to preserve and maintain these open space lots. In the event that someone was to attempt to alter the open space area without permission, the private entity controlling the open space lot would be able to address the issue.

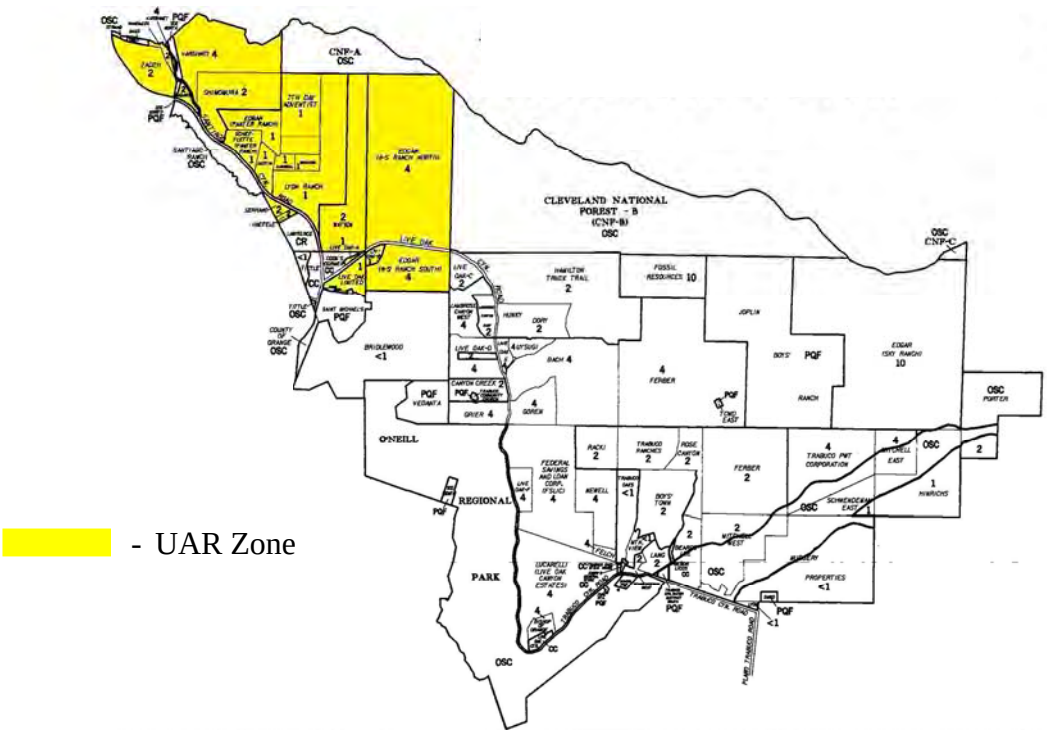
The proposed amendment, which would allow for the same amount of homes on a smaller footprint (increased project net density, same gross density) to avoid potential environmental impacts of a project with a larger footprint, is known as "clustering." Clustering is a relatively new Planning design concept that is beginning to be accepted and codified in numerous jurisdictions in Southern California. For example the County of Ventura established a "Residential Planned Development (RPD) Zone" that encourages "an efficient use of land particularly through the clustering of dwelling units and the preservation of natural features of site; variety and innovation in site design, density and housing unit options, including garden apartments, townhouses and single-family dwellings; lower housing costs through the reduction of street and utility networks…[and] a more varied, attractive and energy-effective living environment as well as greater opportunities for recreation that would be possible under other zone classifications" (Ventura County Code, Section 8104-3.3). The same code is also found within the regulations for the City of Moorpark (Section 17.16.040). It should be noted that densities do vary under this provision, but denser projects would be permitted in Ventura County and Moorpark than the maximum net density of 5.45 units per acre that could be allowed by the applicant's proposal (1 unit per 8,000 square feet).

Additionally, the County of San Luis Obispo has a "cluster" section in their code that allows for modifications to density requirements. Their code allows "[A]t the option of the land division applicant, the minimum parcel sizes established by this Chapter for the Rural Lands, Recreation, Residential Rural, Residential Suburban and Residential Single Family categories may be decreased" (County of San Luis Obispo Section 22.22.140). This Code allows for increased net density, but requires the same gross density. It also requires a minimum size open space parcel. The applicant's proposed amendment to the UAR District development standards is similar to this provision in the County of San Luis Obispo. This "Cluster Division" Code is included as Attachment No. 12. Clustering has also been incorporated into the Zoning and/or Subdivision Codes for the Counties of San Diego, Santa Barbara and Riverside.

Furthermore, the County of Orange has done a similar type of "clustering" for The Ranch project in South County. On June 9, 2005 and August 16, 2005, the County entered into a settlement agreement between the County, Rancho Mission Viejo, the City of Mission Viejo and concerned environmental groups. This agreement removed development from areas in the Ranch Plan and transferred the units lost in these areas by "concentrating development with lower biological resource values" (Addendum to FEIR No. 589, Page 4). A synopsis of this settlement agreement is included in Attachment No. 13.

Although this amendment covers the entire UAR District, in practicality, the effect of the amendment is limited. The parcels that have the "Upper Aliso Residential" land use designation are indicated in Exhibit 6, below.

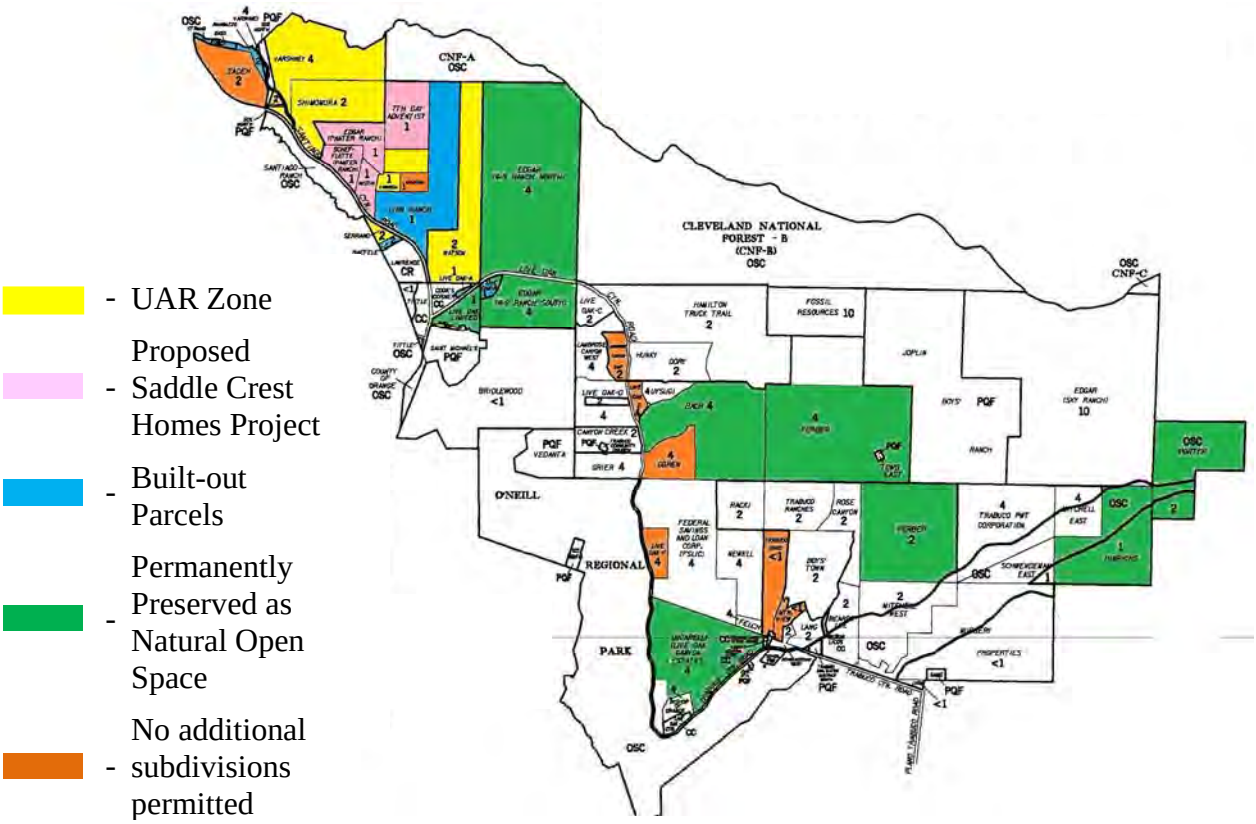
Exhibit 6 – UAR Designated Properties



Within the UAR District, the F/TSP allows for a maximum residential build-out of 429 dwelling units. It should be noted that throughout the F/TSP, it is very clear that this is a theoretical cap and does not promise a developer that this total will be achieved. As of July 2012, there are a total of 118 legal building sites within the UAR District. Of these 118 legal building sites, 104 are established single-family residences. The 14 remaining are vacant legal building sites. Therefore, at this time, the UAR District is only built out to 24.2 percent of the capacity envisioned within the F/TSP.

Additionally, since the adoption of the F/TSP, numerous properties have been completely or partially transferred to conservation agencies. See Exhibit 7, below, for a summary of development in the F/TSP.

Exhibit 7 – Summary of Development in the F/TSP



As shown on this exhibit, Edgar Ranch North, Edgar Ranch South, a portion of Live Oak B and Live Oak Limited have been transferred to a government or private entity with the purpose of preserving these areas as permanent open space. Additionally, the Varshney property has recently been acquired by the County of Orange for the purpose of being eventually transferred to the United States Department of Agriculture, Forest Service, which maintains the Cleveland National Forest (per Staff Report from Board of Supervisors Meeting on June 26, 2012, Item No. 58). Including the Varshney property, a total of 146 units have been removed from ever being built in the UAR District (34 percent of maximum development envisioned by the F/TSP). Therefore, including the Saddle Crest Homes project, only a maximum of 165 units would be able to be built using the alternative site development standards within the UAR District.

Based on this information, staff is supportive of the applicant's proposal to allow the clustering of units as long as it would result in a superior biological outcome than if a project was developed under the existing UAR Site Development Standards. However, staff recommends that a Finding should be required so the Approving Authority can justify using the Alternative Site Development Standards, rather than the existing UAR Site Development Standards. This new finding should be added to this Section of the F/TSP. Additionally, staff recommends that a title be added to subsection "n" for consistency purposes. Staff recommends the following change to the applicant's proposal (with staff's recommendation underlined):

"n. Alternative Site Development Standards.
(1) Alternatives to the Site Development Standards in section 8.8(a) (building site area) and section 8.8 (h) (grading standards) may be approved…"

"Upper Aliso Residential" District Open Space Amendment

The applicant is proposing to amend the open space requirements for the "Upper Aliso Residential" (UAR) District in Section III.D.8.8.i. of the F/TSP (Page III-52). The proposed amendment would delete the term "natural" to eliminate the ambiguity that exists in the UAR District regulations and to allow grading within the open space areas during initial site development. Specifically, the applicant is amending this section to read (in strikethrough format):

> "Each individual project proposal (excluding building sites of one (1) acre or less which were existing at the time of Specific Plan adoption) shall preserve a minimum of sixty-six (66) percent of the site in permanent~~, natural~~ open space which shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee…No grading, structures (including stables and corrals), walls (except for river rock walls not to exceed three feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the ~~natural~~ open space area. Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to open space areas are minimized. This provision does not prohibit grading during site development within areas that will remain as open space after development is completed.

In order for the F/TSP to be consistent, the applicant is also proposing to amend the language in Appendix A (F/TSP Consistency Checklist), Section IV.B. (Page A-4).

Use of the word "natural" in the existing F/TSP has led to different interpretations of this provision to prohibit any activities during development that would alter or disturb any open space area that will later be preserved as open space. For example, in 2005, the Fourth Appellate District defined "natural" as "not artificial or manufactured," (*Endangered Habitat League, Inc. v. County of Orange*, (2005) 131 Cal.App.4th 777 at p. 15). However, the County has not consistently interpreted this provision to completely prohibit all alteration to the open space areas. First, it should be noted that Section III.B (page III-1) of the F/TSP states that "[t]he meaning of words, phrases and terms used in the Specific Plan shall be the same as provided in Zoning Code sections 7-9-21 through 7-9-44, unless otherwise defined in Appendix C." Appendix C does not include a definition of open space, thus the Zoning Code definition of open space would apply. Based on this text, the definition of "open space" in the F/TSP area would use the same definition in the Zoning Code, which is:

> "Any parcel or area of land or water, public or private, which is reserved for the purpose of preserving natural resources, for the protection of valuable environmental features, or for providing outdoor recreation or education. For the purposes of measuring the amount of open space, it does not include public/private road right-of-way areas, driveway and parking areas not related to recreational uses, any buildings, building setback areas, or the required space between buildings, and surface utility

> facilities. Open space may include structures and impervious surfaces as identified in 'open space, useable'" (Section 7-9-36, page 16).

Additionally, "open space, usable" is defined as, "Open space without any slopes in excess of twenty (20) percent. Such open space may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, and greenbelts with walkways or bicycle trails" (page 16).

Thus, one interpretation of the term "natural open space" in the UAR Site Development Standards is that it refers to land preserved as open space that is not "usable" open space (i.e., open space that does not contain structures and impervious surfaces), and which is reserved to preserve or protect natural resources, environmental features or to provide other benefits to the environment. Other interpretations are also possible. This has resulted in inconsistent application of this provision in the past. Additionally, inconsistent interpretation could also have resulted from the fact that no other County specific plan or planned community text completely prohibits grading within open space areas. Even in the nearby community of Coto de Caza, the Coto de Caza Specific Plan states that "Grading in Resource Preservation areas should be prohibited except for trail and public safety purposes such as fuel modifications. Cut and fill should be limited to 10 feet in height" (page 16). The Zoning Code also allows remedial grading within open space, in neighboring communities developed under the County's jurisdiction, but now within the City of Lake Forest, such as Portola Hills and Foothill Ranch P.C. text. Refer to Attachment No. 14 for open space definitions throughout the County of Orange and in former County communities in the City of Lake Forest.

As a likely result of inconsistent definitions and inconsistent application of open space preservation throughout unincorporated areas, among the planning applications that were located and reviewed by County Staff, only two of eleven grading applications previously approved by the County within the F/TSP area meet the definition of "natural" open space, in which no development or construction activities were allowed within the open space areas. Of the nine applications that do not conform to this definition, two applications included grading within the open space preservation areas. Two applications included previous grading in the calculation of the open space areas. An additional five applications included other minor improvements within the open space preservation areas (utility easements, drainage and irrigation lines, etc.). The table below indicates the Planning Applications that were located and reviewed by County Staff within the F/TSP that included grading with the construction of a new house, or an addition in excess of 640 square feet. With the exception of two Planning Applications, the projects in the table below include some form of disturbance with the area calculated as "natural" open space.

Previously Approved and Constructed Planning Applications with Open Space Dedications

APPLICATION	LOCATION	COMMENTS
AP 93-003	30752 Hamilton Trail	No grading requested within "natural" open space areas.
PA940169	20091 Rose Canyon Drive	Previous grading was allowed in calculation of the "natural" open space areas.
PA990044	19601 Live Oak Canyon Road	"Natural" open space areas includes: a driveway, turnaround, grading, a septic tank with leach lines and a retaining wall up to 9 feet tall.
PA990054	30461 Hamilton Trail	No grading requested within "natural" open space areas, but "natural" open space areas contain irrigated fuel modification zone(s).
PA990201 & PA040084	18486 Country Home Road	No grading requested within "natural" open space areas, but "natural" open space areas contain irrigated fuel modification zone(s).
PA000015	19401 Oakie Dokie Lane	Previous grading was allowed in calculation of the "natural" open space areas.
PA010072 & PA070043	19878 Live Oak Canyon Road	No grading requested within "natural" open space areas, but "natural" open space areas contain irrigated fuel modification zone(s).
PA010093	19341 Oakie Dokie Lane	"Natural" open space areas includes: grading and one retaining wall - up to 12 feet tall.
PA020041	20502 Rose Canyon Road	No grading requested within "natural" open space areas, but "natural" open space areas include two SCE easements and existing driveway and retaining walls.
PA020074	19173 Live Oak Canyon	No grading requested within "natural" open space areas.
PA040004	30682 Hamilton Trail	No grading requested within "natural" open space areas, but "natural" open space areas contain irrigation and drainage pipelines (up to 8-inch PVC pipes) and a SCE tower and transmission lines (which requires ground clearance).

- Applications that requested no improvements with open space area (i.e. "natural")

One of the Planning Applications (PA010093), approved by the Planning Commission on December 19, 2001 states that, "It has been determined by the Planning Commission and the Board of Supervisors during the processing of other projects that approved grading and landscaping for original development may occur in open space areas." This Staff Report and Minutes from this Planning Commission hearing is included as Attachment No. 15.

Based on this information, staff is supportive of the applicant's proposal to amend the open space requirement to explicitly allow grading within initial site development as it is consistent with the historical practice of the County. Additionally, allowing grading during initial site development could yield in a more aesthetic design that is more compatible with the intent of the F/TSP. This

would not result in the loss of significant habitat as the F/TSP and State Law have additional regulations for grading within sensitive biological areas such as Streambeds and Wildlife Corridors.

However, residents at the F/TSP Review Board meetings on April 18, 2012 and May 9, 2012 have expressed that by removing of the word "natural" would allow golf courses and other recreational open space areas to be calculated as part of the open space requirement. Staff does not believe that it was the intent of the Specific Plan to allow for golf courses, tennis courts, etc. to be included in the open space calculation. Section III.D.8.7.d states that "Any use not expressly permitted above" are prohibited. Since golf courses and tennis courts are not expressly stated in any of the permitted principal or accessory uses in the UAR District, these facilities would be prohibited and therefore not allowed in the UAR District.

Conforming Amendments

The applicant is proposing two additional amendments to the F/TSP. These amendments are only proposed to be amended so that they can be consistent with the proposed General Plan Amendments. The first amendment is located in Section I.E., *Relationship to the General Plan, Transition Areas for Rural Communities*. The purpose of this amendment is so that the language is consistent with the amended General Plan.

The second amendment is located in Section II.F.1.a, *Growth Management Plan*. The purpose of this amendment is so that the language is consistent with the amended Growth Management Plan in the Transportation Implementation Manual. Since these amendments are only for conforming purposes, staff is supportive of both of these amendments.

Project Design

The applicant has presented to the Commission, two different plans for the subject property. The first is the applicant's proposal, which clusters the 65 units near Santiago Canyon Road and leaves a large area of undisturbed open space in the northeasterly section of the project area. The other is the "non-clustered scenario" which, according to the applicant's engineer, fully complies with all provisions of the F/TSP. This plan is included as Attachment No. 16. It should be noted that the non-clustered scenario is not the applicant's proposal and is used for comparison purposes only.

As mentioned above, the applicant is requesting approval of 3 General Plan Amendments, 12 Specific Plan Amendments and an Area Plan to allow for the development of 65 single-family residences on an approximate 113.7-acre site. The proposed building sites (lot size less easements) average 17,166 square feet in size, with a minimum building site size of 12,276 square feet and a maximum of 25,975 square feet. The project proposes one project entrance that is accessed via Santiago Canyon Road. As part of the project, improvements will be made to Santiago Canyon Road to allow for ingress and egress to and from Saddle Crest Homes in consideration of Santiago Canyon Road's design speed. The improvements, which will be included as part of the ultimate right-of-way for Santiago Canyon Road, include the installation of an exclusive northbound right turn pocket and one exclusive southbound left turn pocket on Santiago Canyon Road, and the installation of one westbound right turn lane and one westbound left turn lane for traffic exiting Saddle Crest Homes. Just northeast of the project entrance, the City of Lake Forest controls the entire Santiago Canyon Road right-of-way. Therefore, some of the proposed improvements discussed about will require

approval from the City of Lake Forest. Additionally, the project is gated and features a guardhouse. Internal access to the individual lots is provided by five rural residential streets.

The project includes a reservoir for use of the project site. The project also features two water detention basins, one used for hydromodification/water quality purposes and the other to be used for flood control. Additional details about the project design can be found in the Area Plan, Attachment No. 17, and in the applicable F/TSP Consistency discussions, below.

Project's F/TSP Consistency

Section III.G.2.0.c of the F/TSP requires that Planning Staff prepare a consistency checklist for all entitlements within the F/TSP. This document is included as Attachment No. 18

<u>Goals & Objectives</u>

The F/TSP contains the following five (5) goals that apply to all projects within the F/TSP area (page I-5):

a. Rural Character/Forest Buffer: To preserve the rural character of the area and provide a buffer between urban development and the Cleveland National Forest.
b. Resource Preservation: To preserve significant landform, biological and scenic resources.
c. Development Potential: To ensure at least some development potential on each individual property.
d. Circulation/Infrastructure: To provide for a circulation system and other infrastructure adequate to serve the ultimate level of development permitted.
e. Equestrian/Recreational Opportunities: To provide equestrian and other recreational opportunities.

Sections II and V of the Saddle Crest Homes Area Plan (Attachment No. 16) contain general information on how the project is consistent with preserving the rural character of the F/TSP area. In addition to this information, a detailed analysis of how the project responds to the concept of "rural" in the F/TSP has been prepared by the applicant. This document, "Rural Components of Saddle Crest Homes" is included as Attachment No. 19 and contains information on:

- Streetscape and site planning
- Land use planning components
- Architecture
- Signage and lighting

In order to ensure that these elements are incorporated into the design of the home, Condition of Approval No. 13 has been added requiring these rural elements to be incorporated into the applicable applications and/or permits for the project. Based on these rural components that the applicant is proposing, the discussion of density in relation to "rural character" earlier in this report, and that all proposed development is approximately 930 feet from property owned by the Forest Service, the project is consistent with the "rural character/forest buffer" goal and subsequent objectives.

The applicant is proposing to preserve and place a preservation easement over the 100-foot scenic setback from Santiago Canyon Road, the designated wildlife corridor and the large 51.1 acre open space parcel at the northeast corner of the subject site. Therefore, the project is consistent with the "resource preservation" goal and subsequent objectives.

The applicant is also proposing to subdivide the existing undeveloped property with the number of units permitted by the F/TSP. Therefore, the project is consistent with the "development potential goal" and subsequent objectives.

According to the Traffic Study (Appendix K of the Draft EIR), with approval of the proposed General Plan Amendment, the proposed project will be operating at LOS "A" at all locations along Santiago Canyon Road within the F/TSP area. Additionally, the project has adequate sewer and water capacity (further discussion later in the report). Therefore, upon approval of the General Plan Amendment, the project would be consistent with the "circulation/infrastructure" goal and subsequent objectives.

Lastly, the applicant is proposing to provide a riding and hiking trail adjacent to Santiago Canyon Road, as indicated in the F/TSP and as conceptually identified in the General Plan. No other recreational opportunities are identified in the F/TSP for the project site. Therefore, the project is consistent with the "equestrian/recreational opportunities" goal and subsequent objectives.

<u>Specific Plan Components</u>

Wildlife Corridors

According to Exhibit 8 below, a Wildlife Corridor, as defined by the F/TSP, passes through the westerly portion of the project site. Section II.C.2.0 (Pages II-10 through II-15) of the F/TSP requires a detailed, site specific delineation of the wildlife corridor. The Planning Commission has to make the determination that "the wildlife corridor analysis meets the requirement of this Component and the development proposal complies with the corridor protection policies identified [in this Section]" (Section II.C.2.2.a.), Page II-10). This has been included as Finding No. 5.

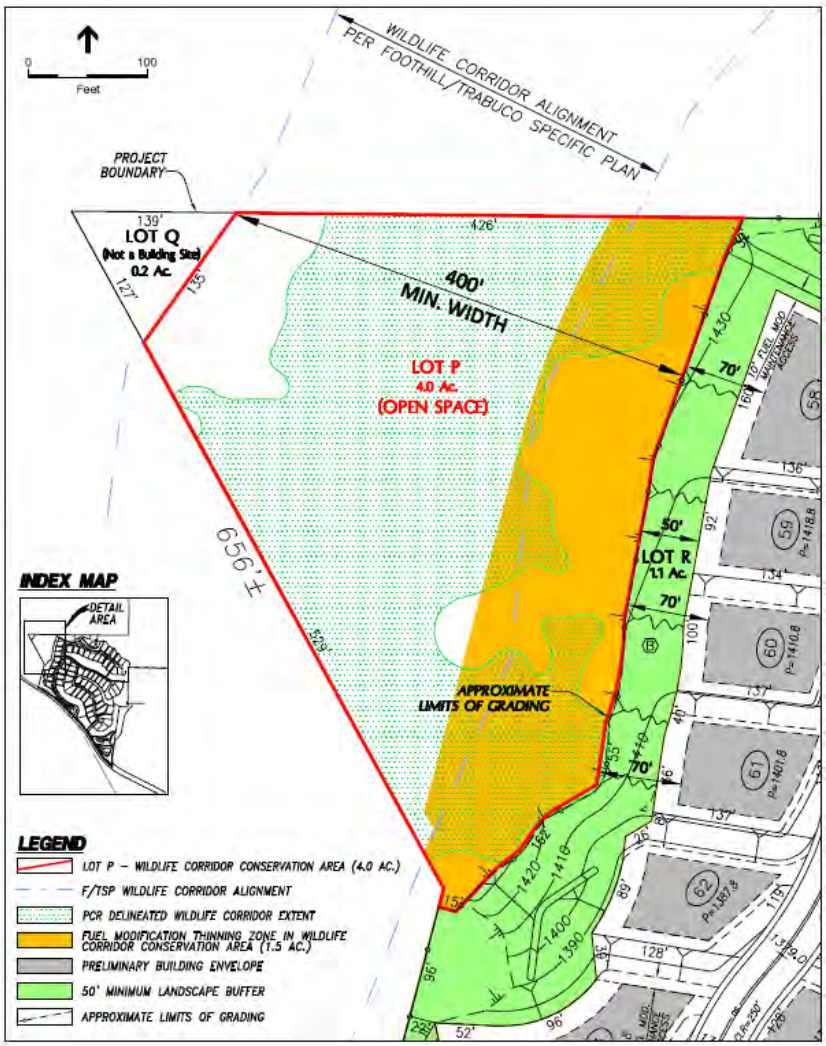
Exhibit 8 – Wildlife Corridor

©Aerial Express, 2009; PCR Services Corporation, 2012.

The corridor was mapped by PCR Services Corporation based on ground-truthing and fine-scale mapping of vegetation cover provided by the coast live oak woodland canopy. The map prepared by PCR was compared to a digitization of the F/TSP designated Wildlife Corridor. At its narrowest point, PCR's mapped corridor is approximately 250 feet in width. However, in accordance with the F/TSP, the width of the area to be conserved and offered for dedication was increased so that it met the minimum width of 400 feet. In total, a 4-acre parcel (Lot P) has been designated as the Wildlife Corridor and will have an open space preservation easement placed over the property. The applicant is not proposing any structures or grading within the Wildlife Corridor. The applicant is proposing a Fuel Modification thinning zone within a portion of the Wildlife Corridor. Since a "thinning" zone is the act of removing understory and trimming trees, that would be a permitted activity within the Wildlife Corridor. The F/TSP does not prohibit the removal of understory or trimming of trees within the Wildlife Corridor. In an effort to not disturb animals that would use the corridor at night, the fuel modification vegetation thinning and trimming of trees within the corridor shall be limited to daylight hours (Mitigation Measure No. 3.3-5)

The F/TSP also regulates uses, landscape and structures within 50 feet the designated Wildlife Corridor. The applicant is proposing the setback area to be a common area landscape buffer that will be maintained by a homeowner's association (HOA). The proposed landscape will be native and comply with the requirements in the F/TSP. No lights are proposed within this setback area and only open fences up to 40 inches in height would be allowed. Additionally, the development proposal will direct all lighting away from the wildlife corridor (see Project Design Feature No. PDF-42). Refer to Exhibit 9, below, for a detail of the Wildlife Corridor. At the edge of the 50-foot setback area, the applicant is proposing a solid wall for both fire safety and to prohibit access from the individual lots to the Wildlife Corridor. To ensure that openings from the individual lots are prohibited, Condition of Approval No. 7 has been added to prohibit any rear fence openings (including gates) facing the Wildlife Corridor, unless required for public safety, for Lots 58 through 62. With the incorporation of these Mitigation Measures, Project Design Features and Conditions of Approval, the applicant's proposal is consistent with the F/TSP Wildlife Corridor requirements.

Exhibit 9 – Wildlife Corridor Detail



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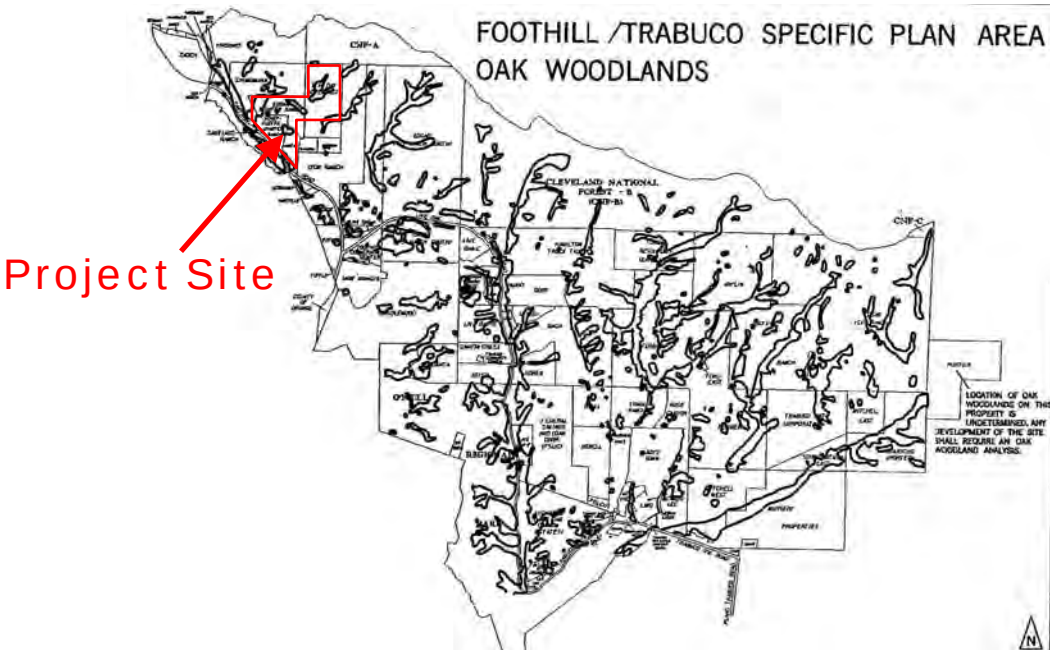
Oak Woodlands

According to Exhibit 10 (see below), the property contains Oak Woodlands designated areas. The Draft EIR on Page 3.3-53 indicates that a total of 619 oak trees are existing on the site. The applicant is proposing to remove 151 oak trees to accommodate the development. As discussed in detail in the F/TSP "Alternative Oak Tree Mitigation Amendment," the F/TSP does not prohibit the removal of oak trees. The applicant is proposing to mitigate the removal of 151 oak trees by planting 281 oak trees (of which 122 are 15-gallon or larger) and 2,000 acorns. The replacement ratio proposed by the applicant does not meet the existing F/TSP replacement requirement, but it is considered to be a more effective mitigation measure than the tree replacement ratio identified in the F/TSP.

Exhibit 10 – Oak Woodlands



Since the F/TSP was written, research tends to point to restoring oak woodlands with the use of acorns and these performance enhancing techniques. The accepted mitigation now focuses on conservation of existing resources (the proposed project would conserve over 70 percent of its oaks) and tree planting. Tree planting under the State Public Resources Code Section 21083.4 is encouraged to be in the form of restoring former oak woodlands and monitoring and maintaining it for seven years. The proposed project's preferred mitigation approach integrates the latest in restoration techniques and meets the state mitigation standards. This approach would result in habitat enhancements, woodland restoration and canopy replacement over time.

The Tree Management and Protection Plan recommends oak mitigation plan follows guidelines established by focused oak restoration research in California. For example, Bernhardt and Swiecky (2001) in their research paper Restoring Oak Woodlands in California: Theory and Practice provide a comprehensive view of oak restoration. They cite many benefits of using acorns, including: direct planting of acorns has several significant advantages over transplanting. Unlike acorns, container transplants require space for propagation and care in the nursery; container transplants require more

effort and care in planting than acorns; when direct-seeded in the field, seedlings of many California oak species produce a long taproot which can extract moisture from deep in the soil profile (Matsuda et al., 1989), whereas container-grown nursery stock may have impaired drought tolerance; container transplants normally require some irrigation, whereas direct-seeded acorns do not; non-indigenous soil-borne pathogens or insect pests from the nursery may be introduced with the transplants into the planting site, this risk is negligible for direct-seeded acorns.

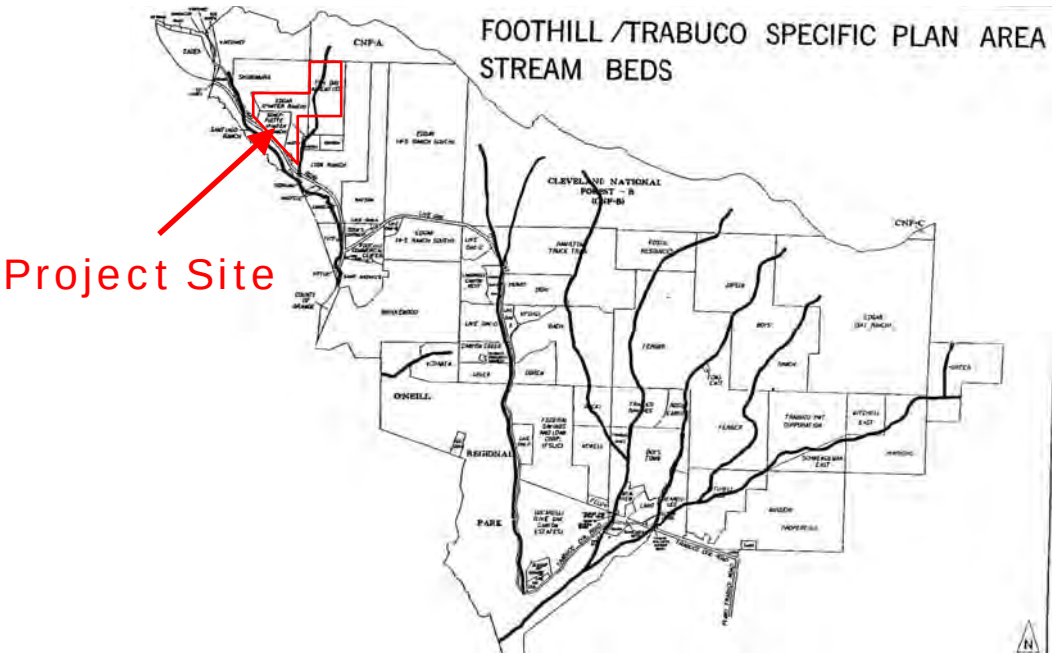
Since the applicant's Tree Management and Preservation Plan will plant container trees within the scenic corridor and in irrigated landscape areas, and use acorns to restore the preserved Oak Woodlands, the oak tree mitigation measures in the Tree Management and Preservation Plan are anticipated to be more effective than the existing replacement ratio found in the F/TSP. The applicant's arborist has estimated that between 30 to 75 percent of the acorns will develop into trees. By using a ratio of 60% the Tree Management and Preservation plan states, "Our conservative analysis results in a ratio that exceeds the F/TSP" (Page 6). In order to ensure that the "more effective" mitigation measure yields the same number of oak trees as the replacement ratio in the F/TSP, Condition of Approval No. 8 has been added that an annual report be provided to the County for seven (7) years after the initial installation of the oak trees. This report shall document the health and growth of the planted oak trees. In the event that at the end of 7 years, there are not 1,180 oak trees of 15-gallon equivalent size (e.g. minimum height of 6 feet, the applicant and/or homeowner's association for Saddle Crest Homes shall install the deficient amount of oak trees at a 15-gallon minimum size. A bond or other improvement security shall be provided as a guarantee for the proposed mitigation of losses of oak trees.

The F/TSP also has regulations regarding uses adjacent to the preserved oak trees. Project Design Feature No. PDF-45 will require the applicant to fence off from encroachment from grading and construction equipment, prohibit grading and fill within the dripline of a preserved oak tree, use retaining walls to protect the existing grade of oaks trees, and prohibit all surfaces within six feet of the trunk of an oak tree. With the incorporation of these Conditions of Approval and Project Design Features, the project is consistent with the amended Oak Woodland requirements.

Streambeds

According to Exhibit 11 (see below), there is a Streambed on the subject property. No improvements are proposed within the 100-year floodplain boundaries. By clustering the project, the proposal avoids all impacts (except for fuel modification) within the streambed and the 100-year floodplain. This design has several hydrologic benefits relative to preservation of existing, natural drainage patterns and compliance with current water quality regulations when compared with a non-clustered scenario. By concentrating (clustering) the development footprint, the site's main drainage along the easterly boundary would be preserved in its natural state. Therefore, the main drainage course's natural flow is maintained, decreasing the potential to affect downstream drainages with increased flows, velocities and sedimentation caused by filling drainages and conveying runoff through storm drain facilities. By incorporating two detention basins into the project design, the proposed run-off velocities will be at or below existing flows, therefore, the project is consistent with all provisions pertaining to Streambeds.

Exhibit 11 – Streambeds



Major Ridgelines and Major Rock Outcroppings

The proposed project is not located within 200 feet horizontally or 50 feet vertically of a major ridgeline or major rock outcropping, as identified on Exhibit II-6 of the F/TSP. Therefore, the requirements found in this section are not applicable to the subject property.

Scenic Roadway Corridors

The project is located along Santiago Canyon Road and therefore, the Scenic Roadway Corridor applies to the subject property. The F/TSP requires that a 100-foot scenic setback be required and to provide a detailed viewshed analysis from this public road. The applicant is proposing a setback of 140 feet.

Additionally, the applicant prepared a viewshed analysis and is located in Exhibits III-5 through III-8 of the attached Area Plan. Based on these simulations, the proposal will remove oak trees and unsightly overhead utility lines near the right-of-way. The applicant will landscape most of the 100-foot setback area, including the planting of new oak trees. Some homes, particularly lots 15 through 19 and 65 will be visible from Santiago Canyon Road. The slope and setback will only likely conceal about 5 feet of the proposed house (if it was built at the setback line). It is recommended that these homes have enhanced architectural detail and massing, rather than just a simple box design. The following architectural elements are included in Condition of Approval No. 9:

- Within 20 feet of side yards and 40 feet of rear yards facing the scenic corridor setback for Santiago Canyon Road, construction shall be limited to 15 feet in height.

- The articulation (window trim, colors, details, etc.) on the sides and rear elevations visible from Santiago Canyon Road shall have the same level of detail as the front elevation of the home.
- The side or rear elevations visible from Santiago Canyon road shall have a minimum of one (1) pop-out side hip, gable or side roof form (2 foot minimum dimension).

Based on a review of the view simulations and with the incorporation of this condition, staff finds the project to be consistent with the Scenic Roadway Corridor section of the F/TSP.

Water and Wastewater

The project is served by the Trabuco Canyon Water District (TCWD). As mentioned in Section II.D. of the F/TSP, Santiago Canyon Road has connections to adequate water and sewer services. The applicant has obtained a letter stating that they have the ability to provide water and sewer service to the project. This letter is included as Attachment No. 20. The proposal includes a two-million gallon water reservoir that will be used for the project site and possible provide emergency water services to existing residences in the area. As mentioned in Project Design feature No. 47, the proposed reservoir will be screened by landscape and the reservoir will be painted to blend into the surrounding environment.

Additionally, the applicant is proposing an off-site water line, which is recommended by TCWD as an alternative to an on-site pump station. This water line, if installed, will be required to obtain the proper approvals from the County. At this time, the applicant has indicated that no trees will be removed for the installation of this water line. However, Condition of Approval No. 10 has been added that in the event that a tree is to be removed, a Tree Management and Preservation Plan shall be submitted and reviewed by the County. With the incorporation of these Project Design Features and Conditions of Approval, the project is consistent with the Water and Wastewater sections of the F/TSP.

Schools

The project is served by Saddleback Valley Unified School District (SVUSD). According to Section II.D.3.0 of the F/TSP, all projects in excess of 75 gross acres or more shall be evaluated by the school district for the possible inclusion of an elementary school site. However, SVUSD has experienced declining enrollment since 2003. As stated on Page 3.12-10 of the Draft EIR, SVUSD has adequate capacity to handle the students anticipated to be generated by the proposed project. Additionally, Mitigation Measure No. 3.12-3 will require that prior to the issuance of a building permit, the applicant shall pay all applicable school fees in accordance with State Law. Therefore the project is consistent with the School section of the F/TSP.

Fire and Library Services

The F/TSP requires that all new developments participate in the fee for Fire and Library services. Mitigation Measure No. MM 3.12-2 will require that the applicant shall comply with the fee program for the Foothill Ranch Library. However, Orange County Fire Authority (OCFA) has verified that the development fee for the fire station (Station No. 42) has been fulfilled. Therefore, no development fee would be required for Fire Stations.

The proposed clustered design was created by using site-specific wildland fire protection measures, which are also utilized by the United States Forest Service. The specific tactics, known as MIST (Minimum Impact Suppression Tactics), were utilized to limit the wildland impacts of proposed project's fire protection measures (i.e., fuel modification zones). The Precise Fuel Modification Plan (Refer to Exhibit V-I in the Area Plan) for the proposed project uses state-of-the-art fire management tools to limit the amount of fuel modification for the project, while still ensuring the level of fire protection that is vital to the community. Through the use of BEHAVE (a fire behavior prediction and fuel modeling system), the proposed project's fuel modification zones were specifically tailored to maximize the protection of the site and the surrounding area, and to minimize impact on the wildland area. The resulting site plan clusters the home sites on the project site.

This type of design is preferred by OCFA as there is less vegetation to burn in between the dwellings (refer to comment no. A5 in the Final EIR). The non-clustered scenario, which fully complies with the F/TSP, increases the response time and would expose more dwellings to burnable vegetation (i.e. fuel). It would be more difficult to provide fire protection to a project that incorporates the non-clustered scenario (which complies with the F/TSP) than it would to provide fire protection to the proposed project. With the incorporation of these Mitigation Measures, the proposal is consistent with the Fire and Library Services sections of the F/TSP.

Recreation Component

The F/TSP indicates that a Class II Bikeway, Santiago Canyon Road Bikeway, and the Santiago Creek Riding and Hiking Trail run through or adjacent to the project site. Santiago Canyon Road presently has a Class II Bikeway. The applicant's proposal will slightly alter the design and location of the bikeway to accommodate the proposed turn lanes.

The applicant is also proposing a 16-foot wide trail easement adjacent to the Santiago Canyon Road right-of-way. Within this trail is an open rail fence, a 10-foot wide decomposed granite base and a 'v' ditch adjacent to the other side of the trail. Even though this trail is required by the F/TSP, it does not connect to another trail once it leaves the project site. As described in Mitigation Measure No. 3.9-1, the proposed trail will need to meet OC Parks' requirements for trails. The applicant has committed to fully constructing the riding and hiking trail. In order to ensure that this is completed in a timely manner, Condition of Approval No. 11 has been added that the riding and hiking trail shall be constructed to the satisfaction of the Manager, OC Parks, prior to the issuance of a certificate of occupancy for the first residence. With the incorporation of these Conditions of Approval and Mitigation Measures, the project is consistent with the Recreation Component of the F/TSP.

Phasing Component

Since the project's main access is from Santiago Canyon Road and the project is located outside of the Subareas indicated in Exhibit II-9, the requirements for the phasing component are not applicable to the proposed project.

Development Standards

Below is a table comparing the existing and amended site development standards for "Upper Aliso Residential" (UAR) District with project proposed by the applicant:

Project Comparison with "Upper Aliso Residential" District Site Development Standards

STANDARD	EXISTING UAR STANDARDS	PROPOSED UAR STANDARDS	PROPOSED PROJECT
Building Site Area	1 acre average; ½ acre min.	No average*; 8,000 sq. ft. min.	17,166 sq. ft. avg.; 12,276 sq. ft. min.
Scenic Roadway Setback (Santiago)	100 feet	100 feet	+/- 140 feet
Building Site Depth	100 feet min.	100 feet min.	+/- 123 feet
Building Site Width	80 feet min.	80 feet min.	+/- 85 feet
Grading per Unit	3,000 C.Y.	None*	13,077 C.Y.
Maximum Height of Cut or Fill Slopes	30 feet for private roads serving two of more units 10 feet all other locations	None*	93 feet 93 feet
Open Space (OS)	66% "natural" OS	66% OS	49.0% "natural" OS 70.2% OS

***** If project would result in greater overall protection of environmental resources

The proposed lot sizes with a minimum building site area of 12,276 square feet and an average of 17,166 square feet are larger than the adjacent Santiago Canyon Estates development. Even though that development was grandfathered into the F/TSP, it has a minimum lot size of 10,005 square feet and average lot size of 15,724 square feet. The other subdivision that was grandfathered into the UAR district was the Zadeh subdivision. This subdivision has a minimum lot size of 14,531 square feet and an average lot size of 46,114 square feet.

It should be noted that individual home setbacks are not proposed at this time. The applicant will submit Site Development Permits for the construction of individual homes later. With the applicant's proposed amendments, it needs to be determined that a proposal can demonstrate "superior environmental protection" when compared to a project that complied with the standard requirements of the F/TSP.

By clustering the homes, the proposed project is responding to more recently developed environmental planning techniques, especially in relation to oak tree preservation/mitigation, low impact development hydrological techniques, and fire management techniques that have evolved since the 2007 wildfire, as mentioned above. By preserving larger, connected areas of open space, the proposal would limit the overall extent of land disturbance and preserve some sensitive natural communities. Additionally, the California Department of Fish and Game has indicated that the "Project would result in a larger contiguous block of preserved habitat adjacent to the [Cleveland National Forest], and thereby avoids the most disruptive edge-effects of the non-clustered scenario" (See Comment A1 in the Final EIR).

Based on the information above, the proposal is consistent with the amended development standards in the Upper Aliso District.

Landscape Guidelines

The F/TSP requires that an applicant submit a preliminary landscape plan with an Area Plan (Section III.E.1.0.b., Page III-76). The applicant's preliminary landscape plan is Exhibit V-2 in the Area Plan. This identifies a plant list and indicates which plants are to be used in Fuel Modification zones. The landscape architect has indicated that the Preliminary Landscape Plan has generally chosen plants from the F/TSP Plant Palette. However, the F/TSP Plant Palette is only a guideline rather than regulatory. Lastly, Plants within the fuel modification area are subject to the review and approval of OCFA, whose plant palette supersedes the F/TSP. Condition of Approval No. 12 has been added, requiring landscape plan check prior to grading permit issuance and requiring that the landscape be installed prior to issuance of a Certificate of Use and Occupancy. This condition is required in Section III.E.1.0.b. of the F/TSP. With the incorporation of this Condition of Approval, the proposal is consistent with this section of the F/TSP.

REFERRAL FOR COMMENT AND PUBLIC NOTICE

A Notice of Hearing was mailed to all property owners of record within 300 feet of the subject site, all property owners within the F/TSP, and all interested parties for the project on July 13, 2012. Additionally, a notice was posted at the County Hall of Administration and at the 300 N. Flower Osborne Building, and a notice was published in the Orange County Register, as required by established public hearing posting procedures. Copies of the planning application were distributed for review and comment to County Divisions, Orange County Fire Authority and the F/TSP Review Board.

It should be noted that the applicant has voluntarily requested that the public notice extend beyond the typical 300-foot radius from the project site. A Notice of Draft EIR Availability was mailed to all property owners within the UAR District and the notice for public hearing was mailed to all property owners within the F/TSP area. The applicant has also done extensive outreach for this project, including voluntarily noticing portions of Portola Hills, within the City of Lake Forest. A summary of their outreach is provided as Attachment No. 21

As mentioned in the CEQA section above, staff has received 68 comments on the Draft EIR, mostly in opposition to the project. Between the publication of the Final EIR and the date of this report, staff has received one comment letter in support of the project. This letter is included is Attachment No. 22.

The F/TSP Review Board held two public hearings for the project on April 18, 2012 and on May 9, 2012. The Review Board recommended denial of the project by a 4-0 vote. As of the date of this Staff Report, the F/TSP Review Board has not provided minutes to the County for either of these meetings. However, transcripts for both of these meeting are included in the Final EIR, Transcripts Nos. 1 and 2.

The project was also heard before the Regional Recreational Trails Advisory Committee on May 21, 2012. The Committee discussed the project and informally recommended that the applicant install some form of barrier separating the proposed trail from Santiago Canyon Road right-of-way and that the 'v' ditch adjacent to the trail have a rounded bottom to protect horses and cyclists that may

accidentally step off of the trail. As a result, the applicant added Project Design Feature Nos. 51 and 52 incorporating these recommendations.

NEXT STEPS FOR PROJECT

Should the Planning Commission recommend approval to the Board of Supervisors, Vesting Tentative Tract Map No. 17388 would be heard before the Subdivision Committee, prior to the Board of Supervisors hearing.

Within a few days before the publishing of this Staff Report, the applicant has requested that the County publish and disperse a voluntary Notice of Availability of the Final EIR soliciting further comments on three issues (refer to Attachment No. 23). The applicant and staff request the Planning Commission proceed with the scheduled hearing. If the voluntary solicitation of further comments results in any significant new environmental issues or the necessity of recirculation of the EIR as required by CEQA, the project would be brought back to the Planning Commission for further proceedings. Otherwise, it would proceed to the Board of Supervisors for Public Hearing.

CONCLUSION:

Staff has reviewed the applicant's General Plan Amendment, Specific Plan Amendment and Area Plan requests and found them to be compliant with the intent of the General Plan, County of Orange Zoning Code and the Foothill/Trabuco Specific Plan. Staff is recommending approval of the proposed project.

RECOMMENDED ACTION:

OC Planning recommends that the Planning Commission:

a) Receive staff report and public testimony as appropriate;
b) Recommend to the Board of Supervisors that FEIR 661 is adequate and satisfies the requirements of CEQA; and
c) Recommend approval to the Board of Supervisors of Planning Application PA110027 for the General Plan Amendment, Specific Plan Amendment to the Foothill/Trabuco Specific Plan, and Area Plan, subject to the attached recommended Findings and Conditions of Approval.

Respectfully submitted,

Rick LeFeuvre, Director
OC Planning

APPENDICES:

A. Recommended Findings
B. Recommended Conditions of Approval

ATTACHMENTS:

1. 1991 F/TSP Staff Reports
2. F/TSP Building Permit Issuance Table
3. Zone Change No. ZC98-1 Staff Reports
4. Draft Environmental Impact Report
5. Final Environmental Impact Report
6. Engineer's Certification of Non-Clustered Scenario
7. Proposed General Plan and Specific Plan Amendments
8. Project Description Letter
9. "Status of Transplanted Coast Live Oaks in California"
10. "Native Oak Tree Planting Project"
11. California Public Resources Code Section 2108.3
12. County of San Luis Obispo, "Cluster Division" Code
13. Addendum to FEIR 589 (The Ranch), Pages 3-4.
14. Orange County Open Space Definitions
15. PA010093 Staff Report
16. Non-Clustered Scenario Plan
17. Area Plan
18. Consistency Checklist
19. Rural Components of Saddle Crest Homes
20. Trabuco Canyon Water District Service Letter
21. Applicant Outreach Summary
22. Letter of Support from Dr. Victor Rafa
23. Voluntary Notice of Availability

Appendix A
Findings
PA110027

1	**DEVELOPMENT AND DESIGN GUIDELINES**	**PA110027 (Custom)**

That the proposed project is in compliance with the Foothill/Trabuco Specific Plan Development and Design Guidelines, as amended.

2	**F/TSP GOALS AND OBJECTIVES**	**PA110027 (Custom)**

That the proposed project is consistent with the goals and objectives of the Foothill/Trabuco Specific Plan, as amended.

3	**UPPER ALISO RESIDENTIAL DISTRICT**	**PA110027 (Custom)**

That the proposed project is consistent with the purpose and intent of the Upper Aliso Residential (UAR) District, as amended.

4	**TREE MANAGEMENT AND PRESERVATION PLAN**	**PA110027 (Custom)**

That the Tree Management and Preservation Plan satisfies the related requirements of the Foothill/Trabuco Specific Plan, as amended.

5	**WILDLIFE CORRIDOR**	**PA110027 (Custom)**

That the wildlife corridor analysis meets the requirements of the Resources Overlay Component and that the development proposal complies with the corridor protection policies identified in the same Component.

6	**SPECIFIC PLAN COMPONENTS**	**PA110027 (Custom)**

The proposed project is in compliance with the applicable F/TSP Specific Plan Components.

7	**AA01**	**GENERAL PLAN**	**PA110027 (Custom)**

That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan (as amended), including the intent Transportation Element including the Viewscape Corridor component, adopted pursuant to the State Planning and Zoning Law.

8 **AA02** **ZONING** **PA110027**

That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.

9 **AA03** **COMPATIBILITY** **PA110027**

That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.

10 **AA04** **GENERAL WELFARE** **PA110027**

That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

11 **AA05** **PUBLIC FACILITIES** **PA110027**

That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).

12 **ED10** **PROJECT LEVEL EIR** **PA110027 (Custom)**

That Final EIR No. 661 is recommended to be complete and adequate and has been completed on compliance with the requirements of CEQA for the proposed project, and the proposed project is recommended to be approved, based on the following findings:
A. The County of Orange, as Lead Agency, has reviewed and considered the information in the EIR;
B. The certification of the Final EIR for the project reflects the independent judgment and analysis of the lead agency.

C. The decision-maker adopts the proposed resolution, which include(s):

1. Findings for each of the significant impacts identified in the Final EIR;

2. A Statement of Overriding Consideration (if one or more impacts cannot be mitigated to a level below significant); and,

3. A Mitigation Monitoring and Reporting Program.

13 **EF02** **FISH & GAME - SUBJECT** **PA110027 (Custom)**

That pursuant to Section 711.4 of the California Fish and Game Code, this project is subject to the required fees as it has been determined that potential adverse impacts to wildlife resources may result from the project. However, with the incorporation of the project´s Mitigation Measures and Project Design Features, the impact will be considered to be less than significant.

14 **EN02** **NCCP SIGNIFICANT** **PA110027 (Custom)**

That the project has the potential of adversely affecting significant Coastal Sage Scrub habitat and therefore, with the incorporation of the applicable Mitigation Measures and Project Design Features, does not preclude the ability to implement the subregional Natural Communities Conservation Planning (NCCP) Program.

Appendix B
Conditions of Approval
PA110027

1 **Z01** **BASIC/ZONING REGULATIONS** **PA110027**

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirement.

2 **Z02** **BASIC/TIME LIMIT** **PA110027**

This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 **Z03** **BASIC/PRECISE PLAN** **PA110027**

Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, OC Planning, for approval. If the Director, OC Planning, determines that the proposed change complies with the provisions and the spirit and intent of the original approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

4 **Z04** **BASIC/COMPLIANCE** **PA110027**

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

5 **Z05** **INDEMNIFICATION** **PA110027**

Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Zoning Administrator, Director of OC Public Works, or Director of Planning concerning this application. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

6 **Z06** **BASIC/APPEAL EXACTIONS** **PA110027**

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7 **REAR YARD FENCE OPENING PROHIBITION** **PA110027 (Custom)**

Fence openings (including gates) shall be prohibited in the rear yard facing the Wildlife Corridor for Lots 58, 59, 60, 61 and 62, unless required for public safety purposes. This shall be clearly indicated in the precise grading and building plan checks for these lots.

8 **OAK TREE ANNUAL REPORT AND REPLACEMENT** **PA110027 (Custom)**

After the initial installation of the oak trees per the approved Tree Management and Preservation Plan, a report shall be provided to the County on an annual basis for seven (7) years. This report shall document the health and growth of the planted oak trees, including the acorns. In the event that at the end of 7 years, there are not 1,180 oak trees of 15-gallon equivalent size (e.g. minimum height of 6 feet), the applicant and/or homeowner's association for Saddle Crest Homes shall install the deficient amount of oak trees in accordance with the professional arborist's recommendation.

Prior to the issuance of a rough grading permit, a bond or other improvement security shall be provided as a guarantee for the proposed mitigation of losses of oak trees, subject to the satisfaction of the Manager, OC Planning.

9	**SCENIC CORRIDOR ARCHITECTURAL ELEMENTS**	**PA110027 (Custom)**

Prior to the issuance of a building permit for Lots nos. 15, 16, 17, 18, 19 and 65, the applicant shall demonstrate to the satisfaction of the Manager, OC Planning, that the following architectural features are incorporated into the houses on these six (6) lots:

- Within 20 feet of the side yard property line facing the scenic corridor setback and 40 feet of rear yard property line facing the scenic corridor setback for Santiago Canyon Road, construction shall be limited to 15 feet in height (measured from finished grade).
- The articulation (window trim, colors, details, etc.) on the sides and rear elevations visible from Santiago Canyon Road shall have the same level of detail as the front elevation of the home.
- The side or rear elevations visible from Santiago Canyon road shall have a minimum of one (1) pop-out side hip, gable or side roof form (2 foot minimum dimension).

10	**TREE REMOVAL FOR OFF-SITE WATER LINE**	**PA110027 (Custom)**

In the event that one or more trees is to be removed to accommodate the off-site water line, a Tree Management and Preservation Plan prepared in accordance to the requirements found in the F/TSP shall be submitted and reviewed by the County, subject to the satisfaction of the Manager, OC Planning.

11	**RIDING AND HIKING TRAIL INSTALLATION TIMING**	**PA110027 (Custom)**

Prior to the issuance of precise grading permits, plans for the riding and hiking trail shall be approved by the Manager, OC Planning in consultation with the Manager, OC Parks.

The riding and hiking trail shall be constructed to the satisfaction of the Manager, OC Parks, prior to the issuance of a certificate of occupancy for the first residential dwelling (not including a model home complex).

12 **LANDSCAPE PLAN CHECKS AND INSTALLATION** **PA110027 (Custom)**

All areas as identified as "Revegetated/Graded Open Space", "Fuel Modification Open Space" (except for Fuel Modification thinning zones), and "Water Quality Open Space" in the Open Space Plan in the approved Area Plan (Exhibit III-9) shall be landscaped, equipped for irrigation, and improved in accordance with an approved plan as stated below:

A. Agreement and Surety: Prior to the recordation of a subdivision map (except maps for financing and conveyance only), the subdivider shall enter into an agreement and post financial security guaranteeing installation and maintenance of landscape improvements.

B. Preliminary Plan: Prior to recordation of a subdivision map, the subdivider shall obtain approval from the Manager, Permit Services of a preliminary landscape plan showing major plant material and uses, and a cost estimate for the landscape improvements. Said plan shall take into account the previously approved landscape plan for Saddle Crest Homes, the County Standard Plans for landscape areas, adopted plant palette guides, applicable scenic and specific plan requirements, water conservation measures contained in the County of Orange Landscape Code (Ord. No. 09-010).

C. Detailed Plan: Prior to the issuance of any building permits(s) (except for model home sites) for a particular phase, the applicant shall submit a detailed landscape plan showing the detailed irrigation and landscaping design for said phase for approval to the Manager, Permit Services.

D. Installation Certification: Prior to approval of final inspection and the release of the financial security guaranteeing the landscape improvements, the applicant shall install said improvements for the particular phase and have the installation certified by a licensed landscape architect or licensed landscape contractor, as having been installed in accordance with the approved detailed plans.

E. Prior to final inspection approval, the applicant shall furnish said installation certification, including an irrigation management report for each landscape irrigation system, and any other required implementation report determined applicable, to the Manager, Construction, and the Manager, Permit Services.

F. Prior to the issuance of the first certificate of occupancy for the first house (except for model sites), the applicant shall install said improvements within the Santiago Canyon Road Scenic Corridor Setback and have the installation certified by a licensed landscape architect or licensed landscape contractor, as having been installed in accordance with the approved detailed plans.

13 **RURAL COMPONENTS** **PA110027 (Custom)**

Prior to the issuance of a building permit, the applicant shall provide documentation to the Manager, OC Planning detailing compliance with Attachment No. 19, "Rural Components of Saddle Crest Homes."

14 **MITIGATION MONITORING** **PA110027 (Custom)**

Applicant shall comply with the adopted Mitigation Monitoring and Reporting Program, including all Mitigation Measures and Project Design Features, for subject project as provided in EIR No. 661.

15 **PARK FEES** **PA110027 (Custom)**

Prior to the issuance of each Building Permit, applicable Park Fees for the new houses will be required to be paid to the County.

16 **STREET IMPROVEMENTS** **PA110027 (Custom)**

Prior to the recordation of a subdivision map, the subdivider shall design the public and private improvements indicated on the Vesting Tentative Tract Map No. 17388 and dedicate to the County of Orange any right-of-way necessary to accomplish this, all in a manner meeting the approval of the Manager, Traffic Engineering.

Prior to the recordation of a subdivision map, the subdivider shall design and construct, or provide evidence of an acceptable form of financial security, the following improvements in accordance with plans and specifications meeting the approval of the Manager, Permit Services:

A. Streets, bus stops, on-road bicycle trails, street names, signs, striping and stenciling. All underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) and other appurtenances (e.g., pull boxes, etc.) needed for future traffic signal construction, and for future interconnection with adjacent intersections, all in accordance with plans and specifications meeting the approval of the Manager, Permit Services.

B. The water distribution system and appurtenances that shall also conform to the applicable laws and adopted regulations enforced by the County Fire Chief, or other Local Fire Agency (if applicable).

C. Underground utilities (including gas, cable, electrical and telephone), streetlights, and mailboxes.

Said improvements shall be constructed to the satisfaction of the Manager, OC Inspection prior to the first certificate of use and occupancy.

17 **INTERNAL PROJECT CIRCULATION PA110027 (Custom)**

A. Prior to the recordation of a subdivision map, the subdivider shall provide plans and specifications meeting the approval of the Manager, Permit Services, for the design of the internal street common private drive system.

B. Prior to the issuance of building permits, on a phased basis, the applicant shall construct the above improvements in a manner meeting the approval of the Manager, OC Inspection.

18 **ADMINISTRATIVE SITE DEVELOPMENT PERMIT PA110027 (Custom)**

Approval of an Administrative Site Development Permit shall be required for the development of each phase, or grouping of phases, and a note to this effect shall be included on the recorded Tentative Tract Map, subject to review and approval by the Manager, OC Planning.

A Conceptual Landscape Plan shall be submitted and approved as part of the Administrative Site Development Permit process. The Conceptual Landscape Plan shall consist of vegetation species that are included on the approved list of native landscaping materials permitted within the project area, per Exhibit V-2 of the Area Plan for this proposed project.

19 **MANUFACTURED SLOPES PA110027 (Custom)**

Prior to the issuance of a grading permit, it shall be demonstrated to the satisfaction of the Manager, Permit Services, that all manufactured slopes greater than 30 vertical feet will require a 6 foot wide terrace drain (at mid-slope); slopes 60 vertical feet (or greater) will require a 12 foot wide terrace drain (at the lowest terrace) if two terraces are required.

20 **RETAINING WALL PERMIT REQUIRED PA110027 (Custom)**

Retaining wall permits will be required for conventional retaining walls adjacent to the proposed water tanks.

21 **RETENTION BASINS SCREENING AND SECURITY PA110027 (Custom)**

Prior to the issuance of a grading permit, it shall be demonstrated that security and screening for the retention basins shall be provided, subject to the satisfaction of the Manager, Permit Services.

22 **PROJECTS IN AREAS WITH STEEP SLOPES** **PA110027 (Custom)**

Prior to the issuance of any grading or building permits, the applicant shall include an analysis of any proposed drainage facilities when the average slope exceeds 25% and discharges onto adjacent property to compare the pre- and post-project manner and volume in which natural runoff crosses the adjacent property, in a manner meeting the satisfaction of the Manager, Permit Services.

23 **D03** **DRAINAGE IMPROVEMENTS** **PA110027**

A. Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the issuance of any grading permits, whichever comes first, the applicant shall in a manner meeting the approval of the Manager, Permit Services:

1) Design provisions for surface drainage; and
2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and
3) Dedicate the associated easements to the County of Orange, if determined necessary.

B. Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the approval of final inspection, whichever occurs first, said improvements shall be constructed, or provide evidence of financial security (such as bonding), in a manner meeting the approval of the Manager, Inspection.

24 **D04** **DRAINAGE OFFSITE** **PA110027**

Prior to the recordation of a subdivision map or prior to the issuance of any grading permit, whichever comes first, and if determined necessary by the Manager, Permit Services, the applicant shall record a letter of consent, from the upstream and/or downstream property owners permitting drainage diversions and/or unnatural concentrations. The form of the letter of consent shall be approved by the Manager, Permit Services prior to recordation of the letter.

25 **FP05** **FUEL MODIFICATION PLAN** **PA110027 (Custom)**
Service Codes: PR120-PR124

A. Prior to the recordation of a subdivision map (except for conveyance purposes) or the issuance of a preliminary grading permit (whichever occurs first), the applicant must provide the Manager, Permit Services with a clearance from OCFA demonstrating approval of a conceptual fuel modification plan.

B. Prior to the issuance of a precise grading permit, the applicant must provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), demonstrating approval of a precise fuel modification plan.

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26 **FP13** **FIRE MASTER PLAN** **PA110027 (Custom)**

A. TENTATIVE TRACT MAP: Prior to the issuance of a grading permit, the applicant must provide the Manager, Permit Services with a clearance from OCFA indicating that a Fire Master Plan has been prepared that complies with Fire Code Chapter 5 and Guideline B-09.

B. SITE ACCESS: Prior to the issuance of any grading permit (with the exception of initial mass grading of a large scale project), the applicant shall provide the Manager, Permit Services with a clearance from OCFA indicating that a Fire Master Plan has been prepared that complies with Guideline B-09 including identification of access to and within the project area. *Note-refer to the OCFA website to obtain a copy of Guideline B-09 for information regarding the submittal requirements.

C: LUMBER DROP: Prior to the issuance of a building permit, the applicant must provide the Manager, Permit Services with a clearance from OCFA allowing the introduction of combustible materials into the project area.

D: Prior to the approval of final inspection, the applicant must provide the Manager, Permit Services with a clearance from OCFA confirming that the approved fuel modification plan has been installed and completed.

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27 **FP14** **AUTOMATIC FIRE SPRINKLER SYSTEMS** **PA110027 (Custom)**

A. Prior to the issuance of a building permit, the applicant shall provide the Manager, Permit Services with a copy of the OCFA approved Fire Master Plan or site plan indicating that an approved automatic fire sprinkler system will be provided.

B. Prior to the final inspection approval, this system shall be operational in a manner meeting the approval of the Fire Chief.

28 **G02** **CROSS LOT DRAINAGE** **PA110027**

Prior to the recordation of a subdivision map or prior to the issuance of any grading permit, whichever comes first, and if determined necessary by the Manager, Permit Services, the applicant shall record a letter of consent from the affected property owners permitting offsite grading, cross lot drainage, drainage diversions and/or unnatural concentrations. The applicant shall obtain approval of the form of the letter of consent from the Manager, Permit Services before recordation of the letter.

29 **WQ04** **STORMWATER POLLUTION PREVENTION PLAN** **PA110027**

Prior to the issuance of any grading or building permits, the applicant shall demonstrate compliance with California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number; or other proof of filing in a manner meeting the satisfaction of the Manager, Permit Intake. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for County review on request.

30 **WQ05** **EROSION AND SEDIMENT CONTROL PLAN** **PA110027 (Custom)**

Prior to the issuance of any grading or building permit, the applicant shall submit a Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Permit Services, to demonstrate compliance with the County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. The ESCP shall be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP shall be kept at the project site and be available for County review on request.

31 **WQ08** **INTERIM HYDROMODIFICATION CRITERIA FOR PRIORITY PROJECTS IN SAN DIEGO** **PA110027 (Custom)**

Effective December 16, 2010, all priority projects located in the San Diego Region of the California Water Quality Control Board shall be subject to the Interim Hydromodification Criteria set forth in Order No. R9-2009-0002.

Prior to issuance of grading or building permits, studies or reports that demonstrate one of the following shall be submitted to and approved by the Manager, Permit Services:
1. The project is exempt from the Criteria; or
2. Compliance with the Interim Hydromodification Criteria contained in this Order and requirements of the Interim Hydromodification program adopted by the County of Orange.

ATTACHMENT D

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
Aesthetics				
MM 3.1-1	Prior to the issuance of building permits, the applicant shall demonstrate that all exterior lighting has been designed and located so that all direct rays are confined to the property in a manner meeting the approval of the Manager, OC Planning, or designee.	Plan Check	Prior to the issuance of building permits	Manager, OC Planning, or designee.
MM 3.1-2	Prior to the recordation of an applicable subdivision map which creates building sites, the subdivider shall dedicate an easement for scenic/resource preservation purposes over Lots F-L, M, O, P, Q, R, S, T, U, V and a portion of Lot 68 to the County of Orange or its designee in a manner approved by the Manager, OC Parks. The subdivider shall not grant any easements over the property subject to the resource preservation easement unless such easements are first reviewed and approved by the County. Maintenance of the resource preservation easement area shall be the responsibility of the subdivider or assigns and successors and shall not be included in said easement offer.	Plan Check	Prior to the recordation of an applicable subdivision map	Manager, OC Parks
Air Quality				
MM 3.2-1	The following measures are required to reduce emissions of fugitive dust, including PM_{10} during construction activities for the proposed project and the non-clustered scenario. Prior to the issuance of any preliminary grading permits, the applicant shall provide evidence to the Manager, Permit Services that the following measures are compliant with SCAQMD Rule 403 for best available control measures. • Haul trucks shall be covered when loaded with fill (applicable only to non-clustered scenario). • Paved streets shall be swept at least once per day where there is evidence of dirt that has been carried on to the roadway. • Watering trucks shall be used to minimize dust. Watering should be sufficient to confine dust plumes to the project work areas. • Active disturbed areas shall have water applied to them three times daily. • Inactive disturbed areas shall be revegetated as soon as feasible to prevent soil erosion. • For disturbed surfaces to be left inactive for four or more days and that will not be revegetated, a chemical stabilizer shall be applied per manufacturer's instruction. • For unpaved roads, chemical stabilizers shall be applied or the roads shall be watered once per hour during active operation. • Vehicle speed on unpaved roads shall be limited to 15 miles per hour.	Site Inspection	Prior to the issuance of any preliminary grading permits.	Manager, Permit Services

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	• For open storage piles that will remain on-site for two or more days, water shall be applied once per hour, or coverings shall be installed. • For paved road track-out, all haul vehicles shall be covered, or shall comply with vehicle freeboard requirements of Section 23114 of the California Vehicle Code for both public and private roads. • During high wind conditions (wind speeds in excess of 25 miles per hour), all earthmoving activities shall cease or water shall be applied to soil not more than 15 minutes prior to disturbing such soil.			
MM 3.2-2	The following mitigation measure shall be incorporated to minimize emissions of NO_X associated with construction activities for the proposed project and the non-clustered scenario: • All construction equipment used on-site and for on-road export of soil shall meet USEPA Tier II or Tier III certification requirements.	Site Inspection	Prior to the issuance of any preliminary grading permits.	Manager, Permit Services
MM 3.2-3	The project shall comply with all applicable SCAQMD regulations, i.e. Rule 401 – Visible Emissions, Rule 402 – Nuisance, and Rule 1113 – Architectural Coatings to minimize criteria air pollutant emissions (NO_X and PM_{10}).	Site Inspection	Prior to the issuance of any preliminary grading permits.	Manager, Permit Services
Biological Resources				
MM 3.3-1A	Special-Status Plants: To mitigate impacts to special-status plant species, the applicant shall implement the following measures: • Impacts to foothill mariposa lilies shall be mitigated through off-site translocation and/or seed collection and off-site seeding onto a suitable location such as the preserved Saddle Creek North property. • Impacts to chaparral nolina shall be mitigated through off-site translocation and/or seed collection/off-site seeding at a suitable off-site location (e.g., onto the preserved Saddle Creek North property). • Impacts to Disturbed/Opuntia shall be mitigated for via salvage and translocation of prickly pear to an on- and/or off-site (i.e., Saddle Creek North) receptor area to the benefit of coastal cactus wren. All prickly pear on-site shall be salvaged and replanted, and planted in a density and configuration where they would represent potential habitat for cactus wren. Mitigation for the Disturbed/Opuntia shall be monitored in conjunction with the mitigation for sensitive plant communities which is proposed to take place on the Saddle Creek North property or other suitable location. Prior to implementation of the above measures, sensitive plant surveys shall be	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	conducted to ensure no native plants will be impacted.			
MM 3.3-1B	Special-Status Plant Planting and Monitoring Plan: Prior to any ground disturbance, the applicant shall prepare a Special Status Plant Planting Plan for the foothill mariposa lily and the chaparral nolina. The plan shall include adaptive management practices that will ensure a minimum 90 percent survivorship which will be verified by the monitoring biologist. At a minimum, the plan shall include a description of the existing conditions of the receiver site(s), goals and timeline, transplanting and/or seed collection/off-site seeding or installation methods, monitoring procedures, plant spacing, adaptive management strategies, and maintenance requirements which will be reviewed and approved by the monitoring biologist.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning
MM 3.3-1C	Environmental Awareness Program: As part of the mitigation plan to mitigate indirect impacts to special-status plants, sensitive natural communities, preserved open space and wildlife corridors, the applicant shall implement the following measures: • The applicant shall implement a resident Environmental Awareness Program intended to increase awareness to residents of the sensitive plants, wildlife and associated habitats that occur in the preserved open space areas. The intention of the program shall be to encourage active conservation efforts among the residents to help conserve the habitats in the preserved open space. The program shall address inadvertent impacts from the introduction of invasive plant species (including escapees). At a minimum, the Environmental Awareness Program shall include the following components: – Informational kiosks shall be constructed at entrance points to hiking and equestrian trails and at various locations along the fence line that separates the project site and the open space area to inform residents and trail users on the sensitive flora and fauna that rely on the habitats found within the preserved open space. The intent of these kiosks is to bring awareness to the sensitive plants, wildlife and associated habitats which occur in the area. – The applicant shall provide residents or the Home Owners Association (if applicable) with a brochure which includes a list of plant species to avoid in residential landscaping to prevent the introduction of invasive plant species to the surrounding natural communities.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning
MM 3.3-1D	Preconstruction Surveys for Special-Status Wildlife: Prior to disturbance activities, clearance surveys for special-status animal species shall be performed by a qualified biologist within the boundaries of disturbance. If any special-status animals are found on the site, a qualified biologist(s) with a CDFG Scientific Collection Permit shall relocate these species to suitable habitats within surrounding open space areas that would remain undisturbed, unless the biologist determines that such relocation cannot reasonably be accomplished, at which point CDFG will be consulted. Relocation methods (e.g., trap and release) and receiver sites shall be verified and approved by	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	the CDFG prior to relocating any animals. Active Sand Diego woodrat dens (i.e., houses or nests) shall be flagged and avoided whenever it is feasible to do so, as determined by a qualified biologist. If avoidance is not feasible, the houses shall be dismantled by hand under the supervision of the biologist. If young are encountered during the dismantling process, the material shall be placed back on the house and the house shall remain unmolested for two to three weeks in order to give the young enough time to mature and leave the house on their own accord. After two to three weeks, the nest dismantling process may begin again. Nest material shall be moved to suitable adjacent areas (oak woodland, scrub, or chaparral) that shall not be disturbed.			
MM 3.3-1E	Nesting Bird Surveys: All vegetation clearing for construction and fuel modification shall occur outside of the breeding bird season, between September 1 and February 14 (fall and winter) to ensure that no active nests would be disturbed. If clearing and/or grading activities cannot be avoided during the nesting season, all suitable habitats shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist prior to removal. Suitable nesting habitat on the project site includes grassland, scrub, chaparral, and woodland communities. If any active nests are detected, the area shall be flagged, along with a 300-foot buffer (or appropriate buffer as determined by the monitoring biologist), and shall be avoided until the nesting cycle is complete or it is determined by the monitoring biologist that the nest is no longer active.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning
MM 3.3-1F	Use of Buffers Near Active Bat Roosts: During the November 1 to March 31 hibernation season, work shall not be conducted within 100 feet of woodland habitat that provides suitable bat roosting habitat. Bat presence is difficult to detect using emergence surveys during this period due to decreased flight and foraging behavior. If a qualified bat biologist determines that woodland areas do not provide suitable hibernating conditions for bats and they are unlikely to be present in the area, work may commence as planned.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning
MM 3.3-1G	Bat Maternity Roosting Season: Night-time evening emergence surveys and/or internal searches within large tree cavities shall be conducted by a qualified biologist during the maternity season (April 1 to August 31) to determine presence/absence of bat maternity roosts near wooded project boundaries. All active roosts identified during surveys shall be protected by a buffer to be determined by a qualified bat biologist. The buffer will be determined by the type of bat observed, topography, slope, aspect, surrounding vegetation, sensitivity of roost, type of potential disturbance, etc. Each exclusion zone would remain in place until the end of the maternity roosting season. If no active roosts are identified then work may commence as planned. Survey results are valid for 30 days from the survey date. Should work commence later than 30 days from the survey date, surveys should be repeated.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	Operations may continue for many years. Surveys do not need to be repeated annually unless additional clearing of potential roosting or hibernation habitat may occur outside of the non-roosting season.			
MM 3.3-1H	Bat Roost Replacement: All special-status bat roosts that are destroyed by the project shall be replaced at a 1:1 ratio onsite with a roost suitable for the displaced species (e.g., bat houses for colonial roosters). The design of such replacement habitat shall be coordinated with CDFG. The new roost shall be in place prior to the time that the bats are expected to use the roost (e.g., prior to April 1 if the roost destroyed by the project was used by a maternity colony), and shall be monitored periodically for five years to ensure proper roosting habitat characteristics (e.g., suitable temperature and no leaks). The roost shall be modified as necessary to provide a suitable roosting environment for the target bat species.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning
MM 3.3-2	Sensitive Natural Communities: To mitigate impacts to coastal sage scrub, white sage scrub and needlegrass grassland, the applicant shall implement the following mitigation measures: • Impacts to coastal sage scrub may be mitigated through payment into the NCCP/HCP in-lieu fee program. This shall only apply to those areas within the property that are located within the in-lieu fee coverage area and will comply with the NCCP/HCP's Construction Related Mitigation Measures. As an alternative to payment into the NCCP/HCP in-lieu fee program, impacts to coastal sage scrub within the in-lieu fee coverage area may be mitigated through off-site restoration/enhancement. • Prior to approval of grading plans, the project biologist shall review the contract specifications to verify that the NCCP/HCP's Construction Related Minimization/Mitigation Measures relating to removal of coastal sage scrub will be complied with and will provide written evidence to Manager, OC Planning or designee in the form of a note on the grading plans that this condition has been completed. • Impacts to coastal sage scrub and white sage scrub located on the site, but outside of the in-lieu fee coverage area shall be mitigated through off-site restoration/enhancement. The applicant shall acquire mitigation land off-site for restoration and enhancement of similar habitat at a ratio of at least 1:1 for coastal sage scrub and white sage scrub and a ratio of at least 0.75:1 for needlegrass off-site. Off-site mitigation for impacts to sensitive plant communities may include mitigation opportunities on Saddle Creek North. • A habitat restoration plan shall be prepared prior to any ground disturbance. The plan shall include adaptive management practices to achieve the specified ratio for restoration/ enhancement. At a minimum, the plan shall include a description of the existing conditions of the receiver site(s), goals and timeline, installation methods,	Mitigation Plan	Prior to any ground disturbance and prior to approval of grading plans.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	monitoring procedures, plant spacing, adaptive management strategies, and maintenance requirements which will be reviewed and approved by the monitoring biologist to ensure the sensitive communities referred to above are re-established successfully at the ratios set forth above.			
MM 3.3-3	Jurisdictional Waters: To mitigate for impacts to jurisdictional waters, the applicant shall adopt the following measures in consultation with the regulating agencies (USACOE, CDFG, and RWQCB, where applicable): • The applicant shall provide on- and off-site replacement and/or restoration/enhancement of USACOE, RWQCB and CDFG jurisdictional waters and wetlands at a ratio no less than 1.5:1. Off-site replacement may include mitigation on Saddle Creek North and/or include the purchase of mitigation credits at an agency approved off-site mitigation bank. If replacement and/or restoration/enhancement would occur, a restoration plan shall be prepared that describes the location of restoration and provides for replanting and monitoring for a three year period following construction.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning
MM 3.3-4	Coast Live Oak Trees: For impacts to coast live oak trees, the applicant shall incorporate the following mitigation measures (many of which have been addressed in the Tree Management and Preservation Plan for the proposed project (included as Appendix D.2 of the Draft EIR). • The applicant shall plant various sized trees, seedlings, and site-collected acorns within the landscaped portion of the proposed development as well as within the oak woodlands to be preserved on-site to restore/enhance these “receiver areas.” The planting of 15-gallon oak trees along with a variety of other sized oak trees would add diversity to the restoration areas and improve the health and sustainability of all trees in the mitigation program. Trees shall be replaced at a 5:1, 8:1, 10:1, 12:1, or 15:1 replacement ratio depending on the size of the tree. • A total of 2,281 coast live oak trees shall be planted, including up to 2,000 acorns and 281 saplings and young trees ranging in size from one-gallon containers to 66-inch boxes. Approximately 12 to 30 percent of the mitigation tree planting (a minimum of 250 trees and a maximum of 300 trees) shall occur in transition areas, such as the perimeter areas of the development and within the fuel modification areas. The remaining 70 to 88 percent of the mitigation trees shall be planted within receiver areas within and around the oak woodlands that are to be preserved on-site. • Coast live oak trees located within the fuel modification zones that require pruning shall comply with Orange County Fire Authority requirements. Trees shall be pruned by a qualified arborist specializing in the management and care of this tree species in consultation with the County Biological Resources Monitor.	Mitigation Plan	Prior to any ground disturbance.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	• Prior to the issuance of any grading permits or recordation of a subdivision map which creates building sites, whichever occurs first, the applicant shall obtain the approval of the Manager, OC Planning, of a tree preservation plan for the property. The Manager of OC Parks is to be consulted if the plan involves off-site tree mitigation in an OC Parks facility. • A seven-year monitoring program shall be prepared that includes performance standards and criteria for evaluating success. • Plant species commonly associated with oak woodlands shall be included as woodland enhancement as specified in an oak restoration plan prepared by a restoration specialist.			
MM 3.3-5	Wildlife Movement Corridor: • Vegetation thinning shall occur only during daylight hours. • During all excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the wildlife movement corridor and preserved habitat areas. • The construction contractor shall stage equipment in areas that will create the greatest distance between construction-related noise sources (the wildlife movement corridor and preserved habitat areas during all project construction. • All construction work will occur during the daylight hours. In addition, construction activities shall not be permitted outside the hours of 7:00 AM and 8:00 PM, Monday through Saturday, excluding federal holidays. • The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. • A native vegetation buffer shall be installed to serve as a barrier to minimize the risk of introducing invasive, exotic plant species near the corridor. Signs shall be installed to educate future residents of the project about the wildlife corridor and ensure that trash, debris, and disturbance by trespassing or dogs are not permitted within or near the corridor.	Mitigation Plan	Prior to approval of grading plans	Manager, OC Planning
Cultural Resources				
MM 3.4-1	Prior to the issuance of any grading permit, the applicant shall provide written evidence to the Manager, OC Planning, that applicant has retained a County-certified archaeologist to observe grading activities and salvage and catalogue archaeological	Field Monitoring	Prior to the issuance of any grading permit.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	resources as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. The County-certified archaeologist shall monitor all ground-disturbing activities, including brush clearance and grubbing, in areas within 100 feet of a known cultural resource and in areas where slope does not exceed 45 percent. The duration and timing of monitoring shall be determined by the archaeologist in consultation with the County and based on the grading plans.			
MM 3.4-2	If a cultural resource is encountered, the archaeologist shall be empowered halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated and appropriate treatment determined. If an archaeological monitor is not present, and if a cultural resource is encountered, construction activities shall be redirected away from the immediate vicinity of the find until it can be evaluated by a qualified archaeologist. If the resource is found by the archaeologist to be an historical resource, as defined in PRC Section 21084.1, or a unique archaeological resource as defined in PRC Section 21083.2(g), and if avoidance is not feasible, a detailed treatment plan shall be prepared and implemented by a qualified archaeologist in consultation with the County and appropriate Native American group(s) (if the find is a prehistoric or Native American resource). At minimum, the treatment plan prepared shall include sample excavation, surface artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall also include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals. Construction activities shall be redirected to other work areas until the treatment plan has been implemented or the qualified archaeologists determines work can resume in the vicinity of the find. Prior to the release of the grading bond the applicant shall obtain approval of the archaeologist's follow-up report from the Manager, OC Planning. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. The final report shall also be provided to the South Central Coastal Information Center. The applicant shall prepare excavated material to the point of identification. Applicant shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. If the County does not accept the finds, they shall be curated at an accredited curation facility that has been approved by the County. These actions, as well as final mitigation and disposition of	Field Monitoring	Prior to the issuance of any grading permit.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	the resources, shall be subject to the approval of the Manager, OC Planning.			
MM 3.4-3	Prior to the issuance of any grading permit, the applicant shall retain County-certified paleontologist. The paleontologist shall prepare and submit to the County for approval a Paleontological Mitigation and Monitoring Plan that provides for the treatment of paleontological resources in accordance with the mitigation guidelines for areas of high potential outlined by the Society for Vertebrate Paleontology. The mitigation and monitoring plan shall address pre-construction salvage and reporting; pre-construction contractor sensitivity training; procedures for paleontological resources monitoring; microscopic examination of samples where applicable; the evaluation, recovery, identification, and curation of fossils, and the preparation of a final mitigation report. All earth moving activities in the Ladd Formation, Williams Formation, Silverado Formation, Santiago Formation, and Sespe/Vaqueros Formation shall be monitored full time, unless the paleontologist determines that sediments are previously disturbed or there is no reason to continue monitoring in a particular area due to other depositional factors, which would make fossil preservation unlikely or deemed scientifically insignificant. If it becomes apparent to the paleontologist that bedrock will not be impacted in an area, monitoring may be suspended temporarily until bedrock is impacted again. Spot-checking by the paleontologist will be allowed to determine if bedrock is being impacted. If impacts to bedrock resume, full-time monitoring will resume. In the event fossils are exposed during earth moving, construction activities shall be redirected to other work areas until the procedures outlined in the Paleontological Mitigation and Monitoring Plan have been implemented or the paleontologist determines work can resume in the vicinity of the find. Prior to the release of the grading bond the applicant shall submit the paleontologist's follow up report for approval by the Manager, OC Planning. The report shall include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. Applicant shall prepare excavated material to the point of identification. The applicant shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by Manager, OC Planning. The applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County of Orange or its designee, all in a manner meeting the approval of the Manager, OC Planning.	Mitigation Plan and Site Inspection	Prior to the issuance of any grading permit.	Manager, OC Planning
MM 3.4-4	If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify a Most Likely Descendent who will provide recommendations as to the future disposition of the remains. Per Public Resources	Site Inspection	During grading.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	Code 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices and taking into account the possibility of multiple human remains, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the Most Likely Descendent, as prescribed in this section (PRC 5097.98).			
Geology and Soils				
MM 3.5-1	Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Permit Services, for approval. The report shall include the information and be in the form as required by the Grading Code and Grading Manual.	Plan Check	Prior to the issuance of any grading permit.	Manager, Permit Services
MM 3.5-2	The applicant shall adhere to all recommendations included in the Geotechnical Report prepared for the project.	Plan Check	Prior to the issuance of any grading permit.	Manager, Permit Services
Greenhouse Gas Emissions				
MM 3.6-1	The following measures shall be implemented by the project developer to reduce GHG emissions: • Construction equipment idling shall be limited, exceeding regulation requirements. • Recycle or reuse 75 percent of the clearing and grubbing waste (existing building and construction materials and green waste). This measure exceeds the requirements under the CALGreen Code which mandates the recycling and/or salvaging a minimum of 50 percent of the nonhazardous construction and demolition debris. • Common area landscaping shall be equipped with irrigation controller with rain shutoff. Automatic irrigation system controllers for landscaping shall comply with the following: – Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change. – Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.	Plan Check	Prior to construction.	Manager, OC Planning
MM 3.6-2	The following measures shall be implemented by the builder to reduce GHG emissions: • Energy usage shall be reduced by at least 10 percent below Title 24 baseline	Plan Check	Prior to the issuance of a certificate of use and occupancy.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	• A schedule of plumbing fixtures and fixture fittings that will reduce the overall use of potable water within the building by at least 20 percent shall be provided. The reduction shall be based on the maximum allowable water use per plumbing fixture and fitting as required by the *California Building Standards Code*. The 20 percent reduction in potable water use shall be demonstrated by one of the following methods: – Each plumbing fixture and fitting shall meet reduced flow rates specified in Table 4.303.2 of the CALGreen Code (the table is included in Appendix G); or – A calculation demonstrating a 20 percent reduction in the building "water use" baseline as established in Table 4.303.1 of the CALGreen Code shall be provided. The calculation shall be limited to the following plumbing fixture and fitting types: water closets, urinals, lavatory faucets and showerheads, per CALGreen Code instructions for low-rise residential units. • The project shall reduce indoor and outdoor water consumption through the use of low flow fixtures and water-efficient appliances. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall meet the standards referenced in Table 4.303.3 of the CALGreen Code. • Openings in the building envelope separating conditioned space from unconditioned space needed to accommodate gas, plumbing, electrical lines and other necessary penetrations must be sealed in compliance with the California Energy Code. • Light emitting diode lighting and other energy-efficient lighting technologies shall be incorporated into the project. • The project shall employ the use of at least 50 percent Energy Star rated appliances • The project shall utilize passive energy efficiency strategies, such as roof overhangs, porches and inner courtyards. • The project shall incorporate light-colored roof materials to deflect heat and reduce energy demand for building cooling purposes • At the time of rough installation or during storage on the construction site and until final startup of the heating and cooling equipment, all duct and other related air distribution component openings shall be covered with tape, plastic, sheet-metal or other methods acceptable to the County to reduce the amount of dust or debris which may collect in the system. • The builder shall conduct a preconstruction kick-off meeting with rater and subcontractors.			

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	• Programmable thermostat timers shall be installed to regulate energy use. • Any installed gas fireplace shall be a direct-vent sealed-combustion type. Any installed woodstove or pellet stove shall comply with USEPA Phase II emission limits, where applicable. • Adhesives, adhesive bonding primers, adhesive primers, sealants, sealant primers, and caulks shall comply with SCAQMD Rule 1168 VOC limits. • Mechanical exhaust fans which exhaust directly from bathrooms shall comply with the following: – Fans shall be ENERGY STAR compliant and be ducted to terminate outside the building. – Unless functioning as a component of a whole house ventilation system, fans must be controlled by a humidistat which shall be readily accessible. Humidistat controls shall be capable of adjustment between a relative humidity range of 50 to 80 percent. • Whole house exhaust fans shall have insulated louvers or covers which close when the fan is off. Covers or louvers shall have a minimum insulation value of R-4.2. • Additional measures from the GreenPoint rated checklist shall be included on building blueprints.			
MM 3.6-3	The CC&Rs for Saddle Crest Homes shall include the following: • Include occupant recommendations for green building features and benefits, such as Energy Star rated equipment, planting shade trees, high efficiency HVAC filters, installing carbon monoxide alarms and using low to no-VOC paint. • Include occupant recommendations to reduce landfill-bound solid waste through avoidance, composting, and recycling (including installation of a built-in recycling center). • Provide homeowner education to limit outdoor lighting by using energy efficient low-voltage systems, photo sensors, solar and light emitting diode. • Adopt a water conservation strategy to be implemented by the homeowner, including providing homeowner education on designing water-efficient landscapes, reducing turf in landscapes and lawns, and planting native or drought-resistant trees and vegetation. • At the time of final inspection, a manual, compact disc, web-based reference or other media acceptable to the County which includes all of the following shall be	Plan Check	Prior to the issuance of a certificate of use and occupancy.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	placed on the property: – Directions to the owner or occupant that the manual shall remain with the building throughout the life cycle of the structure. – Operation and maintenance instructions for the following: ▪ Equipment and appliances, including water-saving devices and systems, HVAC systems, water-heating systems and other major appliances and equipment. ▪ Roof and yard drainage, including gutters and downspouts. ▪ Space conditioning systems, including condensers and air filters. ▪ Landscape irrigation systems. ▪ Water reuse systems. ▪ Information from local utility, water and waste recovery providers on methods to further reduce resource consumption, including recycle programs and locations. ▪ Public transportation and/or carpool options available in the area. ▪ Educational material on the positive impacts of an interior relative humidity between 30 to 60 percent and what methods an occupant may use to maintain the relative humidity level in that range. ▪ Information about water-conserving landscape and irrigation design and controllers which conserve water. ▪ Instructions for maintaining gutters and downspouts and the importance of diverting water at least five feet away from the foundation. ▪ Information on required routine maintenance measures, including, but not limited to, caulking, painting, grading around the building, etc. ▪ Information about state solar energy and incentive programs available. ▪ A copy of all special inspection verifications required by the County			
Hazards and Hazardous Materials				
MM 3.7-1	At least three business days prior to any lane closure, the construction contractor shall notify Orange County Fire Authority of construction activities that would impede	Site Inspection	At least three business days	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	movement along roadways immediately adjacent to the project area, to allow for uninterrupted emergency access and maintenance of evacuation routes.		prior to any lane closure.	
MM 3.7-2	Prior to the issuance of grading permit, the project applicant shall enter into a Secured Fire Protection Agreement with Orange County Fire Authority.	Plan Check	Prior to the issuance of grading permit.	Manager, OC Planning
MM 3.7-3	All gates within the project shall include installation of emergency opening devices as approved by Orange County Fire Authority.	Plan Check	Prior to the issuance of a certificate of use and occupancy.	Manager, OC Planning
MM 3.7-4	For the safety of construction personnel, neighboring homes, and firefighting safety in wildland areas, the project applicant, under the supervision of the Fire Chief, shall have completed the necessary portions of the fire access roads in the area prior to building permit issuance.	Site Inspection	Prior to the issuance of building permit.	Manager, OC Planning
MM 3.7-5	Prior to the issuance of any preliminary grading permits, the applicant shall provide evidence to the Manager, Permit Services, that the Vector Control District has surveyed the site and approved the project's Water Quality Management Plan, Grading Plans, and Storm Drain Improvement Plans for vector control measures.	Plan Check	Prior to the issuance of grading permit.	Manager, Permit Services
Hydrology and Water Quality				
MM 3.8-1	Prior to the recordation of a subdivision map (except maps for financing and conveyance purposes only) or prior to the issuance of any grading permits, whichever comes first, the following drainage studies shall be submitted to and approved by the Manager, Permit Services: 1) A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; and 2) When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and 3) Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.	Plan Check	Prior to the recordation of a subdivision map.	Manager, Permit Services
MM 3.8-2	Prior to the issuance of any grading permits, the applicant shall in a manner meeting the approval of the Manager, Permit Services: 1) Design provisions for surface drainage; and 2) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and	Plan Check	Prior to the issuance of any grading.	Manager, Permit Services

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	3) Dedicate the associated easements to the County of Orange, if determined necessary.			
MM 3.8-3	Prior to the recordation of a subdivision map (except for financing and conveyance purposes only), whichever comes first, the applicant shall participate in the applicable Master Plan of Drainage in a manner meeting the approval of the Manager, Permit Services, including payment of fees and the construction, or provide evidence of financial security (such as bonding), of the necessary facilities.	Plan Check	Prior to the recordation of a subdivision map.	Manager, Permit Services
MM 3.8-4	Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Permit Services, a final Water Quality Management Plan (WQMP) specifically identifying best management practices (BMPs) that will be used on-site to control predictable pollutant runoff. The applicant shall utilize the Orange County Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Manual for reference, and the County's WQMP template for submittal. This final WQMP shall update the project's Conceptual Water Quality Management Plan based on the final design and include the following: • Detailed site and project description; • Potential stormwater pollutants; • Post-development drainage characteristics; • Low impact development (LID) BMP selection and analysis; • Structural and non-structural source control BMPs; • Site design and drainage plan (BMP Exhibit); • GIS coordinates for all LID and treatment control BMPs; • Operation and Maintenance (O&M) Plan that: (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs; and • The BMP Exhibit from the approved WQMP shall be included as a sheet in all plan sets submitted for plan check and all BMPs shall be depicted on these plans. Grading and building plans must be consistent with the approved BMP exhibit.	Plan Check	Prior to the issuance of any grading or building permits.	Manager, Permit Services
MM 3.8-5	Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the County's NPDES Implementation Program in a manner meeting the satisfaction of the Manager, OC Inspection: • Demonstrate that all structural best management practices (BMPs) described in the	Plan Check and Site Inspection	Prior to the issuance of a certificate of use and occupancy.	Manager, OC Inspection

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	BMP exhibit from the project's approved WQMP have been implemented, constructed and installed in conformance with approved plans and specifications; • Demonstrate that the applicant has complied with all non-structural BMPs described in the project's WQMP; • Submit for review and approval, an Operations and Maintenance Plan for all structural BMPs (the plan shall become an attachment to the WQMP); • Demonstrate that copies of the project's approved WQMP (with attached Operations and Maintenance Plan) are available for each of the initial occupants; • Agree to pay for a Special Investigation from the County for a date 12 months after the issuance of a Certificate of Use and Occupancy for the project to verify compliance with the approved WQMP and Operations and Maintenance Plan; • Demonstrate that the applicant has RECORDED one of the following: – The CC&R's (that must include the approved Water Quality Management Plan and Operations and Maintenance Plan) for the project's Homeowner's Association; – A water quality implementation agreement that has the approved Water Quality Management Plan and Operations and Maintenance Plan attached; or – The final approved Water Quality Management Plan and Operations and Maintenance Plan.			
MM 3.8-6	Prior to the issuance of any grading or building permits, the applicant shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number; or other proof of filing in a manner meeting the satisfaction of the Manager, Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for County review on request.	Plan Check	Prior to the issuance of any grading or building permits.	Manager, Permit Services
MM 3.8-7	Prior to the issuance of any grading or building permit, the applicant shall submit a Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Permit Services, to demonstrate compliance with the County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The	Plan Check	Prior to the issuance of any grading or building permits.	Manager, Permit Services

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	ESCP shall also describe how the applicant will ensure that all BPMs will be maintained during construction of any future public right-of-ways. A copy of the current ESCP shall be kept at the project site and be available for County review on request.			
Land Use and Planning				
MM 3.9-1	Prior to the recordation of an applicable subdivision map, the subdivider shall: • Irrevocably offer a recreation easement for riding and hiking trail purposes in a location and in a manner meeting the approval of the Manager, OC Parks. The subdivider shall not grant any easement(s) over the property subject to the recreation easement unless such easements are first reviewed and approved by the Manager OC Parks. Design the necessary improvements for the trail, including, but not limited to grading, erosion control, signage, fencing, and a grade-separated crossing, as applicable, in a manner meeting the approval of the Manager, OC Parks.	Plan Check	Prior to the recordation of an applicable subdivision map.	Manager, OC Parks
Noise				
MM 3.10-1	Prior to the issuance of any grading permits, the applicant shall produce evidence that the following noise control measures are in place: • Construction shall not take place between the hours of 8:00 PM and 7:00 AM on weekdays, including Saturday, or at any time on Sunday or a federal holiday. • Signs will be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number with the County of Orange in the event of problems. • An on-site complaint and enforcement manager shall track and respond to noise complaints. • All construction vehicles or equipment, fixed or mobile shall be equipped with properly operating and maintained mufflers. • All construction operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control). • Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.	Site Inspection	Prior to the issuance of any grading permits.	Manager, OC Planning
MM 3.10-2	The applicant shall sound attenuate all residential dwellings against present and projected noise (which shall be the sum of all noise impacting the project) so that the composite interior standard of 45 dBA CNEL for habitable rooms and a source specific exterior standard of 65 dBA CNEL for outdoor living areas is not exceeded. The applicant shall provide a report prepared by a County-certified acoustical consultant,	Plan Check	Prior to the issuance of any grading permits.	Manager, Permit Services

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	which demonstrates that these standards will be satisfied in a manner consistent with Zoning Code Section 7-9-137.5, as follows. Prior to the issuance of any building permits for residential construction, the applicant shall submit an acoustical analysis report describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards to the Manager, Permit Services, for approval along with satisfactory evidence which indicates that the sound attenuation measures specified in the approved acoustical report have been incorporated into the design of the project.			
Public Services				
MM 3.12-1	Prior to the issuance of building permits the applicant shall comply with the development fee program for sheriff substation facilities or, if an applicable fee program has not been adopted by the Board of Supervisors, shall enter into a secured agreement with the County of Orange to pay development fees for a sheriff substation, as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange.	Plan Check	Prior to the issuance of building permits.	Manager, Permit Services
MM 3.12-2	Prior to the issuance of building permits, the applicant shall comply with the development fee program for Foothill Ranch Branch Library as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Board Resolution 87-1684.	Plan Check	Prior to the issuance of building permits.	Manager, Permit Services
MM 3.12-3	Prior to the issuance of building permits, the applicant shall pay all applicable school fees in accordance with state law.	Plan Check	Prior to the issuance of building permits.	Manager, Permit Services
Transportation and Traffic				
MM 3.14-1	Prior to project occupancy, the project applicant shall contribute their fair share of the cost to install traffic signals and signal-related equipment at the intersection of Santiago Canyon Road and Live Oak Canyon Road.	Plan Check	Prior to project occupancy.	Manager, OC Planning
MM 3.14-2	Prior to project occupancy, the project applicant shall contribute their fair share of the cost to the following improvements at the intersection of El Toro Road and Glenn Ranch Road: • Eastbound Glenn Ranch Road: Install a second left turn lane • Westbound Glenn Ranch Road: Install a second receiving lane	Plan Check	Prior to project occupancy.	Manager, OC Planning
MM 3.14-3	Prior to the issuance of building permits, the applicant shall pay fees for the Major Thoroughfare and Bridge Fee Program listed below, in a manner meeting the approval of the Manager, Subdivision and Grading: • Foothill/Eastern Transportation Corridor	Plan Check	Prior to the issuance of building permits.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	• Foothill Circulation Phasing Program • Santiago Canyon Road			
MM 3.14-4	Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance per Standard Plan 1117 at all street intersections, in a manner meeting the approval of the Manager, Permit Services. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, Subdivision and Grading Services.	Plan Check	Prior to the issuance of any grading permits	Manager, Permit Services and Manager, Subdivision and Grading Services
Utilities and Service Systems				
MM 3.15-1	Prior to the issuance of any precise grading permit, the applicant shall obtain approval from the Manager, OC Planning of a site plan delineating the capacity, number, and location of all proposed solid waste and recyclable collection areas.	Plan Check	Prior to the issuance of any precise grading permit.	Manager, OC Planning
PDF-1	Open space within Saddle Crest Homes accounts for 70 percent of the project site (approximately 79.8 acres). Approximately 51 acres of that open space will be offered for dedication to the County and is adjacent to the Cleveland National Forest, providing a forest buffer, which is a goal of the F/TSP.	Plan Check	Prior to approval of grading plans.	Manager, OC Parks
PDF-2	Interior private streets have been designed to rural street standards. Depending on whether the street is dual loaded or single loaded with residential lots, the paved widths of interior streets have been designed to vary as follows: • Single loaded streets where on-street parking is prohibited to one side of the street: Minimum paved width of 28 feet to 30 feet (measured flowline to flowline). Dual loaded streets with parking on both sides of the street: Minimum paved width of 36 feet to 40 feet (measured flowline to flowline).	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-3	The project has been designed to cluster development at the urban edge along Santiago Canyon Road where development already exists to the south and southeast.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-4	The vesting tentative tract map for the project has been designed to provide easements for scenic/resource preservation purposes over Lots F-L, M, O, P, Q, R, S, T, U, V and a portion of Lot 68 to preserve the areas as open space. The project's homeowners association or a conservation organization will be responsible for the maintenance and upkeep of the open space areas in a manner meeting the approval of the Manager, OC Parks.	Plan Check	Prior to the recordation of an applicable subdivision map.	Manager, OC Parks
PDF-5	The F/TSP scenic corridor setback requirements of 100-feet from Santiago Canyon Road will be maintained. The project is consistent with the design component of the General Plan-adopted Viewscape Typical Section, including an enlarged parkway, a riding and hiking trail and a lack of curbs.	Plan Check	Prior to the recordation of an applicable subdivision map.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
PDF-6	A detailed landscape plan for the project area has been prepared by a licensed landscape architect taking into account County Standard Plans for landscape areas, adopted plant palette guides, applicable scenic and specific plan requirements, and water conservation measures contained in the County of Orange Landscape Code (Ord. No. 09-010). The landscape plan will not include invasive or escapee species in the plant palette.	Landscape Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF-7	In accordance with the F/TSP, a Tree Management Preservation Plan has been developed by certified arborists.	Tree Management Preservation Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF-8	In accordance with the Tree Management Preservation Plan, oak tree monitoring will be performed following all tree plantings and relocations within the project site and directly adjacent to the site for a period of seven years. Oak trees will be maintained by the homeowners association as part of the project's CC&Rs.	Tree Management Preservation Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF-9	New slope areas along the exterior of the proposed development area will be revegetated with drought tolerant species. Plant species for revegetation will be in accordance with the F/TSP and Orange County Fire Authority plant palettes and use predominantly native species.	Landscape Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF 10	The project has been designed to avoid impacts to cultural resources.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-11	The project has been designed to be contained within a well-defined perimeter. This proposed configuration uses similar slope gradients as the existing conditions; however, the hills will be lowered and the valleys raised. The project grading makes for a more efficient project plan while still maintaining similar topographic characteristics as the existing condition.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-12	The project has been designed so that home sites are situated within areas surrounded by proposed grading which allows for commonly utilized solutions to remediate potential adverse geologic conditions.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-13	The project has been designed so that home sites are situated to avoid adjacency to steep unstable natural slopes; resulting in less remedial grading necessary to stabilize potential geologic hazards.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-14	The project design incorporates rolled curbs and gutters (instead of conventional curb, gutter and sidewalk).	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-15	As determined in consultation with the Orange County Fire Authority, the project includes a mid-point flat recovery area for turn-around of fire apparatus on long cul-de-sacs to assure adequate ingress and egress during emergency events.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-16	The project includes a *Precise Fuel Modification Plan that* has been developed to provide a landscape transition area along the interface between residential	Fuel Modification Plan	Prior to the issuance of any grading or building permits.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	development and adjacent open space to provide wildfire protection.			
PDF-17	Automatic fire sprinkler systems will be installed for all homes.	Site Inspection	Prior to building occupancy.	Manager, OC Planning
PDF-18	The project has been designed with fire hydrants spaced at 300-foot intervals instead of the minimum 600-foot spacing required for homes with automatic fire sprinkler systems.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-19	The project includes a Fire Master Plan that has been approved by the Orange County Fire Authority providing enhanced construction features in certain areas adjacent to fuel modification zones. These include enhanced fire sprinkler systems and construction features per California Building Code Chapter 7A.	Fire Master Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF-20	In order to minimize project hazards relative to vector control and public health concerns, the water quality basin (dry extended detention basin) will be designed for a maximum 72-hour draw down period for retained runoff. The hydromodification basin will employ approved vector control treatment measures as specified in the California Department of Public Health's recommendations for best management practices for mosquito control in collaboration with the Orange County Vector Control District to mitigate potential vector issues.	Plan Check	Prior to the recordation of a subdivision map.	Manager, Permit Services
PDF-21	The project has been designed so each building site will accommodate three on-site parking spaces to minimize parking along roadways that could interfere with emergency vehicle access.	Plan Check	Prior to approval of grading plans.	Manager, Permit Services
PDF-22	The project has been designed to cluster homes into a single defensible location, creating a single line of defense around the community, which makes fire protection more effective.	Plan Check	Prior to approval of grading plans.	Manager, Permit Services
PDF-23	The project has been designed to mimic the hydrological characteristics of the site in its natural, undeveloped state through clustering the home sites, controlling development flows (runoff) with a hydromodification basin and water quality basin (PDF-24), and preserving the site's main drainage along the easterly boundary, thereby adhering to current hydromodification requirements established by the current MS4 permit.	Plan Check	Prior to the recordation of a subdivision map.	Manager, Permit Services
PDF-24	The project has been designed to treat development flows (runoff) with a dry extended detention water quality basin, while implementing the following low impact development techniques: • Conservation of natural areas, including existing trees, other vegetation and soils. • Keeping streets at minimum widths and eliminating paved sidewalks in parkways. • Minimizing the impervious footprint of the project.	Plan Check	Prior to the recordation of a subdivision map.	Manager, Permit Services

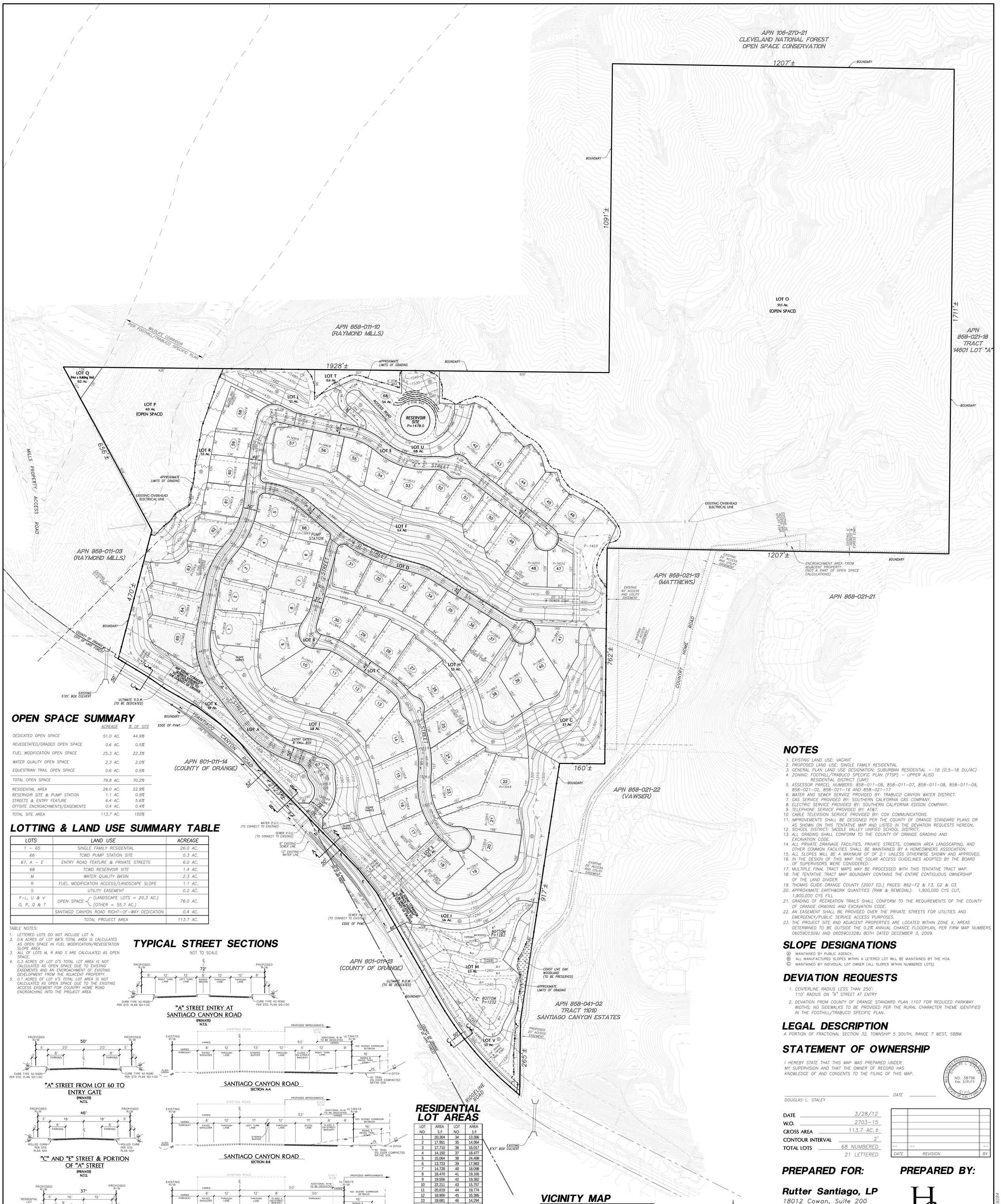
MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	Minimizing disturbances to natural drainages.			
PDF-25	The project will be designed to include the following best management practices to promote infiltration and slow down surface flows: • Impervious area dispersion. Native drought-tolerant landscaping/efficient irrigation.	Plan Check	Prior to the recordation of a subdivision map.	Manager, Permit Services
PDF-26	The project has been designed so that residences include a setback of at least 100 feet from Santiago Canyon Road and would be situated on large depth pads providing enough area for increased setbacks to reduce the impact of roadway noise.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-27	The project has been designed to include landscaping providing additional noise attenuation to homes situated closest to Santiago Canyon Road.	Landscape Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF-28	The existing bi-directional Class-II bikeway (on-road striped lanes with parking prohibited) within Santiago Canyon Road will be reconfigured within Santiago Canyon Road to accommodate the turning lanes being provided for the project entry and will vary between five to eight feet, and a 16-foot-wide easement would be provided along the Santiago Canyon Road frontage for the riding and hiking trail.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-29	Interior private streets have been designed to incorporate rural street standards with no sidewalks and rolled curbs (except at the main entry where standard curbs will be used to control drainage).	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-30	The project has been designed to include a southbound left-turn lane (300-foot storage length), a northbound right-turn lane (320-foot storage length) and northbound acceleration lane at the project access point on Santiago Canyon Road.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-31	Roads within the project site will be privately owned and maintained and an entry passage feature will be constructed at the project entry. The entry passage feature will be setback from Santiago Canyon Road at a distance that complies with the Orange County Standard Plan No. 1107 (i.e., a minimum of 100 feet from the curb line of Santiago Canyon Road), to provide adequate vehicle stacking space.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-32	A stop sign, stop bar and stop legend will be provided on the project access road at Santiago Canyon Road.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-33	The project has been designed to be consistent with the following design components of the General Plan-adopted Viewscape Typical Section including: an enlarged parkway, a riding and hiking trail, and a lack of curbs.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-34	The project includes a Hydrology Analysis that demonstrates that the proposed development will not overload existing drainage facilities downstream of the project site or exceed existing runoff velocities and peak discharge at discharge points for the	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	2-, 5-, 10-, 25-, and 100-year storm events.			
PDF-35	The project includes a Conceptual Water Quality Management Plan (CWQMP) that has been prepared to identify preliminary best management practices (BMPs), which may be used on-site to control predictable pollutant runoff. The CWQMP has been based on the Orange County Drainage Area Management Plan (DAMP), Model WQMP, Technical Guidance Manual, and the County's WQMP template. The CWQMP includes the following: • Detailed site and project description. • A description of potential stormwater pollutants. • Post-development drainage characteristics. • Low impact development (LID) BMP preliminary selection and analysis. • Preliminary structural and non-structural source control BMPs. • Preliminary site design and drainage plan (BMP Exhibit). • GIS coordinates for all proposed LID and treatment control BMPs. Preliminary Operation and Maintenance Plan that: (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs.	Conceptual Water Quality Management Plan	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-36	In order to comply with the MS4 permit, the water quality basin (dry extended detention basin) will be designed for a maximum 72-hour draw down period for retained runoff to mitigate potential vector issues. The hydromodification basin will employ approved vector control treatment measures as specified in the California Department of Public Health's recommendations for best management practices for mosquito control in collaboration with the Orange County Vector Control District to mitigate potential vector issues.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-37	The project will incorporate the use of pervious pavers and roof drains connected to pervious areas.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-38	The project has been designed to include a recreational trail for riding and hiking purposes along Santiago Canyon Road.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-39	Homes within the project site will include the installation of a fire alarm system.	Site Inspection	Prior to building occupancy.	Manager, OC Planning
PDF-40	The project has been designed to include either an on-site pump station or upgrading and connecting to the off-site Topanga Booster Station to provide sufficient fire flow	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	pressure for the upper portions of the project.			
PDF-41	The project includes a water storage tank, to provide emergency storage to the residents of the project. The site may also be expanded to provide the Trabuco Canyon Water District with additional capacity to help achieve their emergency storage goals.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-42	Best management practices will be incorporated into the project to ensure that indirect impacts (i.e., edge effects) are avoided or minimized to the maximum extent possible. Lighting will be pointed away from the wildlife corridor and ambient light levels will be minimized to the maximum extent practicable. Additionally, the project's Water Quality Management Plan and Stormwater Pollution Prevention Plan will ensure that project runoff will not adversely affect the drainage within the wildlife corridor. Noise standards will follow County Codes and General Plan Policies. In addition, exterior lighting will not be used in the 50-foot setback area for the wildlife corridor and fencing will be limited to open fencing that does not exceed 40 inches in height. Vegetation thinning within the fuel modification area that is encroaching into the corridor will only occur on occasion and during daylight hours.	Plan Check	Prior to the recordation of a subdivision map.	Manager, OC Planning
PDF-43	Short-term construction-related noise impacts will be reduced by the implementation of a number of measures including the following: • During all excavation and grading on-site, the construction contractors will equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards to reduce construction equipment noise to the maximum extent practicable. The construction contractor will place all stationary construction equipment so that emitted noise is directed away from the wildlife movement corridor staging areas will not be placed in proximity to the wildlife corridor. • The construction contractor will stage equipment in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors (the wildlife movement corridor and preserved habitat areas) during all project construction. • All construction work will occur during the daylight hours. The construction contractor will limit all construction-related activities that would result in high noise levels according to the construction hours to be determined by the County. The construction contractor will limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes will not pass through sensitive land uses or residential dwellings	Plan Check and Site Inspection	During construction.	Manager, OC Planning
PDF-44	The preliminary plant list was reviewed, and with the proposed plant palette, a native plant species buffer will serve as a barrier to minimize the risk of introducing invasive, exotic species near the corridor. In addition, signs will be installed to educate future	Landscape Plan	Prior to approval of grading plans.	Manager, OC Planning

MM/PDF No.	Mitigation Measure/Project Design Feature	Method of Verification	Timing of Implementation	Responsibility
	residents of the project about the wildlife corridor and ensure that trash, debris, and disturbance by trespassing or dogs are not permitted within or near the corridor.			
PDF-45	Protection measures for oak trees include fencing and protection of oak trees adjacent to construction areas. In addition, placement of fill, storage of equipment, and grading shall be prohibited within the dripline of any tree proposed for preservation. Retaining walls will be used to protect oaks proposed for preservation from surrounding cut and fill, and no surfaces will be places within a six-foot radius of oak tree trunks per the requirements of the F/TSP; any retaining walls will be placed outside of the root zone of the oak tree to be preserved.	Tree Management Preservation Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF-46	Although portions of the study area are within the Congressional boundaries of the Cleveland National Forest and therefore are not covered under the NCCP/HCP, the removal of coastal sage scrub communities will be conducted in compliance with the Construction Minimization Measures identified in the NCCP/HCP.	Plan Check	Prior to approval of grading plans.	Manager, OC Planning
PDF-47	The project reservoir will be visually screened with native/drought-tolerant landscaping and will be painted a neutral tone to blend with the surrounding environment. Landscaping will not exceed the height of the reservoir.	Landscape Plan	Prior to approval of grading plans.	Manager, OC Planning
PDF-48	The project has been designed so that stormwater will be collected and cleansed through a first flush treatment system.	Plan Check	Prior to the recordation of an applicable subdivision map.	Manager, OC Planning
PDF-49	The Preliminary Landscape Plan for the project has been designed to: • Preserve open space areas and create new landscaping that would assist in carbon intake and minimize surface water runoff. • Incorporate the use of native/drought tolerant plant materials. Utilize only a small percentage of turf in the common area landscape.	Landscape Plan	Prior to the recordation of an applicable subdivision map.	Manager, OC Planning
PDF-50	The project site is located adjacent to a Class II bikeway.	Plan Check	Prior to the recordation of an applicable subdivision map.	Manager, OC Planning
PDF-51	The riding and hiking trail located along Santiago Canyon Road will be fenced along the roadway side of the trail.	Plan Check	Prior to the recordation of an applicable subdivision map.	Manager, OC Planning
PDF-52	The V-ditch aligned with the trail will have a rounded bottom to protect horses and cyclists who may step off to the side.	Plan Check	Prior to the recordation of an applicable subdivision map.	Manager, OC Planning

TRACT MAP



OPEN SPACE SUMMARY

	ACREAGE	% OF SITE
DEDICATED OPEN SPACE	51.0 AC.	44.9%
REVEGETATED/GRADED OPEN SPACE	0.6 AC.	0.5%
FUEL MODIFICATION OPEN SPACE	25.3 AC.	22.3%
WATER QUALITY OPEN SPACE	2.3 AC.	2.0%
EQUESTRIAN TRAIL OPEN SPACE	0.6 AC.	0.5%
TOTAL OPEN SPACE	79.8 AC.	70.2%
RESIDENTIAL AREA	26.0 AC.	22.9%
RESERVOIR SITE & PUMP STATION	1.1 AC.	0.9%
STREETS & ENTRY FEATURE	6.4 AC.	5.6%
OFFSITE ENCROACHMENTS/EASEMENTS	0.4 AC.	0.4%
TOTAL SITE AREA	113.7 AC.	100%

LOTTING & LAND USE SUMMARY TABLE

LOTS	LAND USE	ACREAGE
1 – 65	SINGLE FAMILY RESIDENTIAL	26.0 AC.
66	TCWD PUMP STATION SITE	0.3 AC.
67, A – E	ENTRY ROAD FEATURE & PRIVATE STREETS	6.0 AC.
68	TCWD RESERVOIR SITE	1.4 AC.
M	WATER QUALITY BASIN	2.3 AC.
R	FUEL MODIFICATION ACCESS/LANDSCAPE SLOPE	1.1 AC.
S	UTILITY EASEMENT	0.2 AC.
F–L, U & V O, P, Q & T	OPEN SPACE { (LANDSCAPE LOTS = 20.3 AC.) (OTHER = 55.7 AC.)	76.0 AC.
	SANTIAGO CANYON ROAD RIGHT-OF-WAY DEDICATION	0.4 AC.
	TOTAL PROJECT AREA	113.7 AC.

TABLE NOTES:

1. LETTERED LOTS DO NOT INCLUDE LOT N.
2. 0.6 ACRES OF LOT 68'S TOTAL AREA IS CALCULATED AS OPEN SPACE IN FUEL MODIFICATION/REVEGETATION SLOPE AREA.
3. ALL OF LOTS M, R AND S ARE CALCULATED AS OPEN SPACE.
4. 0.3 ACRES OF LOT O'S TOTAL LOT AREA IS NOT CALCULATED AS OPEN SPACE DUE TO EXISTING EASEMENTS AND AN ENCROACHMENT OF EXISTING DEVELOPMENT FROM THE ADJACENT PROPERTY.
5. 0.1 ACRES OF LOT V'S TOTAL LOT AREA IS NOT CALCULATED AS OPEN SPACE DUE TO THE EXISTING ACCESS EASEMENT FOR COUNTRY HOME ROAD ENCROACHING INTO THE PROJECT AREA.

TYPICAL STREET SECTIONS

NOT TO SCALE

"A" STREET ENTRY AT SANTIAGO CANYON ROAD
(PRIVATE)
N.T.S.

"A" STREET FROM LOT 60 TO ENTRY GATE
(PRIVATE)
N.T.S.

SANTIAGO CANYON ROAD
SECTION A-A

"C" AND "E" STREET & PORTION OF "A" STREET
(PRIVATE)
N.T.S.

SANTIAGO CANYON ROAD
SECTION B-B

"B" STREET & PORTION OF "D" STREET
(PRIVATE)
N.T.S.

SANTIAGO CANYON ROAD
SECTION C-C
TYPICAL EXISTING SECTION

PORTION OF "D" STREET
(PRIVATE)
N.T.S.

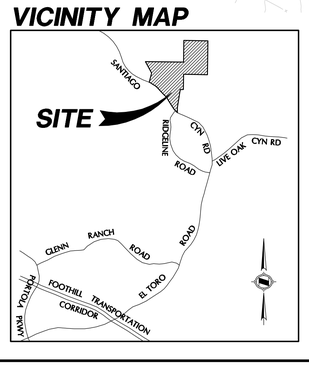
RESIDENTIAL LOT AREAS

LOT NO.	AREA S.F	LOT NO.	AREA S.F
1	20,304	34	13,366
2	17,951	35	14,064
3	17,710	36	16,017
4	14,150	37	18,477
5	15,064	38	24,498
6	13,723	39	17,983
7	14,728	40	18,098
8	18,470	41	19,165
9	19,556	42	19,362
10	22,211	43	15,757
11	20,619	44	19,774
12	18,900	45	16,385
13	18,681	46	14,294
14	22,024	47	12,303
15	18,380	48	17,592
16	14,971	49	18,855
17	16,304	50	18,026
18	13,645	51	14,169
19	20,440	52	14,140
20	19,677	53	13,925
21	22,575	54	13,261
22	28,756	55	14,453
23	25,975	56	14,435
24	18,600	57	17,368
25	18,969	58	17,714
26	16,436	59	12,276
27	17,801	60	13,614
28	16,440	61	15,330
29	15,805	62	15,255
30	15,104	63	24,465
31	15,319	64	21,678
32	13,431	65	21,279
33	13,173		

TOTAL 1,133,276 S.F.
26.016 Acres
AVERAGE 17,435 S.F.

NOTE: LOT AREAS ARE APPROXIMATE AND SUBJECT TO CHANGE WITH FINAL MAPPING.

VICINITY MAP



NOTES

1. EXISTING LAND USE: VACANT
2. PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
3. GENERAL PLAN LAND USE DESIGNATION: SUBURBAN RESIDENTIAL – 1B (0.5–18 DU/AC)
4. ZONING: FOOTHILL/TRABUCO SPECIFIC PLAN (FTSP) – UPPER ALISO RESIDENTIAL DISTRICT (UAR)
5. ASSESSOR PARCEL NUMBERS: 858–011–06, 858–011–07, 858–011–08, 858–011–09, 858–021–02, 858–021–16 AND 858–021–17
6. WATER AND SEWER SERVICE PROVIDED BY: TRABUCO CANYON WATER DISTRICT.
7. GAS SERVICE PROVIDED BY: SOUTHERN CALIFORNIA GAS COMPANY.
8. ELECTRIC SERVICE PROVIDED BY: SOUTHERN CALIFORNIA EDISON COMPANY.
9. TELEPHONE SERVICE PROVIDED BY: AT&T.
10. CABLE TELEVISION SERVICE PROVIDED BY: COX COMMUNICATIONS.
11. IMPROVEMENTS SHALL BE DESIGNED PER THE COUNTY OF ORANGE STANDARD PLANS OR AS SHOWN ON THIS TENTATIVE MAP AND LISTED IN THE DEVIATION REQUESTS HEREON.
12. SCHOOL DISTRICT: SADDLE VALLEY UNIFIED SCHOOL DISTRICT.
13. ALL GRADING SHALL CONFORM TO THE COUNTY OF ORANGE GRADING AND EXCAVATION CODE.
14. ALL PRIVATE DRAINAGE FACILITIES, PRIVATE STREETS, COMMON AREA LANDSCAPING, AND OTHER COMMON FACILITIES SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION.
15. ALL SLOPES WILL BE A MAXIMUM OF OF 2:1 UNLESS OTHERWISE SHOWN AND APPROVED.
16. IN THE DESIGN OF THIS MAP THE SOLAR ACCESS GUIDELINES ADOPTED BY THE BOARD OF SUPERVISORS WERE CONSIDERED.
17. MULTIPLE FINAL TRACT MAPS MAY BE PROCESSED WITH THIS TENTATIVE TRACT MAP.
18. THE TENTATIVE TRACT MAP BOUNDARY CONTAINS THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND DIVIDER.
19. THOMAS GUIDE ORANGE COUNTY (2007 ED.) PAGES: 862–F2 & F3, G2 & G3.
20. APPROXIMATE EARTHWORK QUANTITIES (RAW & REMEDIAL): 1,900,000 CYS CUT, 1,900,000 CYS FILL
21. GRADING OF RECREATION TRAILS SHALL CONFORM TO THE REQUIREMENTS OF THE COUNTY OF ORANGE GRADING AND EXCAVATION CODE.
22. AN EASEMENT SHALL BE PROVIDED OVER THE PRIVATE STREETS FOR UTILITIES AND EMERGENCY/PUBLIC SERVICE ACCESS PURPOSES.
23. THE PROJECT SITE AND ADJACENT PROPERTIES ARE LOCATED WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAN, PER FIRM MAP NUMBERS 06059C0309J AND 06059C0328J BOTH DATED DECEMBER 3, 2009.

SLOPE DESIGNATIONS

Ⓐ MAINTAINED BY PUBLIC AGENCY.
Ⓑ ALL MANUFACTURED SLOPES WITHIN A LETERED LOT WILL BE MAINTAINED BY THE HOA.
Ⓒ MAINTAINED BY INDIVIDUAL LOT OWNER (ALL SLOPES WITHIN NUMBERED LOTS).

DEVIATION REQUESTS

1. CENTERLINE RADIUS LESS THAN 250': 110' RADIUS ON "A" STREET AT ENTRY
2. DEVIATION FROM COUNTY OF ORANGE STANDARD PLAN 1107 FOR REDUCED PARKWAY WIDTHS; NO SIDEWALKS TO BE PROVIDED PER THE RURAL CHARACTER THEME IDENTIFIED IN THE FOOTHILL/TRABUCO SPECIFIC PLAN.

LEGAL DESCRIPTION

A PORTION OF FRACTIONAL SECTION 32, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SBBM.

STATEMENT OF OWNERSHIP

I HEREBY STATE THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION AND THAT THE OWNER OF RECORD HAS KNOWLEDGE OF AND CONSENTS TO THE FILING OF THIS MAP.

REGISTERED PROFESSIONAL ENGINEER DOUGLAS L. STALEY NO. 38796 Exp. 3/31/13 CIVIL STATE OF CALIFORNIA

DOUGLAS L. STALEY — DATE

DATE 3/28/12
W.O. 2703-15
GROSS AREA 113.7 AC.±
CONTOUR INTERVAL 2'
TOTAL LOTS 68 NUMBERED
21 LETTERED

DATE	REVISION	BY
--	--	--

PREPARED FOR:

Rutter Santiago, LP
18012 Cowan, Suite 200
Irvine, CA 92614
(949) 863-1298

PREPARED BY:

HUNSAKER & ASSOCIATES
IRVINE, INC.
PLANNING • ENGINEERING • SURVEYING
Three Hughes • Irvine, CA 92618
FX: (949) 583-0759 • PH: (949) 583-1010

FEET 0 50 100 200
0 1/2 1 2
INCHES

MAP DATE IDENTIFIER
DATE OF LATEST CHANGE BY THIS MAP: 3/28/12 BY: JAM
DATE OF THIS PLOT: 03/29/12

Saddle Crest
VESTING
TENTATIVE TRACT NO. 17388

TT 17388 WO: 2703-15 BIN: 252B RM: 269 DOC: 68284

F:\0569\Planning\SA_SaddleCrest\TTM\TTM-17388.dwg