Resolution No. ________


WHEREAS, on July 17, 2008, Madison Investors, LP filed Tentative Tract Map and Site Development Permit applications for a new residential development (Pinnacle at Serrano Highlands) on a 24.6 acre site located north and east of the Peachwood/Tamarisk street intersection; and

WHEREAS, the project site was part of the City of Lake Forest Opportunities Study Area (OSA), which re-designated five properties to allow for residential development; and

WHEREAS, the City Council certified a Program Environmental Impact Report for the City of Lake Forest Opportunities Study on June 3, 2008 (State Clearinghouse Number 2004071039) (OSA PEIR); and

WHEREAS, the City Council approved General Plan Amendment 2008-02E, which changed the General Plan Designation for the project site from Open Space to Low-Density Residential, on June 17, 2008; and

WHEREAS, the City Council approved Zone Change 2008-05, which changed the zoning for the project site from Serrano Highlands Planned Community – Open Space/High-Density Residential to Serrano Highlands Planned Community – Medium-Density Residential, on June 17, 2008; and

WHEREAS, on July 1, 2008, the City Council adopted an ordinance approving a Development Agreement between the City of Lake Forest and the Pinnacle at Serrano Highlands project site property owner; and

WHEREAS, Section 8.5 of the approved Development Agreement between the
City of Lake Forest and the Pinnacle at Serrano Highlands project site property owner requires approval of a Tentative Tract Map for the project by the City Council; and

WHEREAS, pursuant to State CEQA Guidelines section 15168(c)(4), the City prepared a written checklist to document its evaluation of the Pinnacle at Serrano Highlands project and the project site to determine whether the environmental effects of the Project were covered in the OSA PEIR; and

WHEREAS, pursuant to the State of California CEQA Guidelines and City's Local Guidelines for Implementing CEQA, an Initial Study and Draft Subsequent Mitigated Negative Declaration was prepared for the Pinnacle at Serrano Highlands project; and

WHEREAS, on May 11, 2012, the City gave public notice by advertisement in a newspaper of general circulation, and posted the public notice at City Hall and the El Toro and Foothill Ranch branches of the Orange County Public Library, and mailed to all property owners within 300 feet of the project boundary; and

WHEREAS, on May 24, 2012, the Planning Commission conducted a duly-noticed public hearing and recommended that the City Council adopt the Subsequent Mitigated Negative Declaration for the Pinnacle at Serrano Highlands project; and

WHEREAS, on May 24, 2012, the Planning Commission conducted a duly-noticed public hearing at which time interested persons had an opportunity to testify in support of or against, and during which the Planning Commission considered TTM 15594 and SDP 2008-11 for a recommendation to the City Council.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE FOREST DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. TENTATIVE TRACT MAP FINDINGS. With regard to Tentative Tract Map 15594, the Lake Forest Planning Commission hereby finds, based on consideration of the whole record before it, as follows:

1. The proposed map is consistent with the General Plan.
The project site is designated Low-Density Residential on the General Plan Land Use Map. This designation provides for detached single-family dwellings at a density of 2 to 7 dwelling units per net acre. The project proposes 85 single family residential lots on 19.84 net acres resulting in a density of 4.28 dwelling units per net acre, which is consistent with the General Plan land use designation.

2. The design and improvement of the proposed subdivision is consistent with the General Plan.

The proposed project is consistent with the General Plan, including the following General Plan Policies:

**Land Use Policy 2.2:** Promote high quality in the design of all public and private development projects

**Land Use Policy 4.1:** Ensure that all development proposals within the planned community areas conform to applicable development plans and agreements.

The proposed development features high quality architectural design, detailing and building materials, including varied and multiple roof lines and wall planes, stone veneers, balconies, decorative garage doors and shutters, recessed multi-paned windows and tile roofing. In addition, the project includes community amenities such as private parks, decorative paving treatments, decorative bollards, landscaping, and common open space areas. The project is consistent with the provisions of the Serrano Highlands Planned Community and the Pinnacle at Serrano Highlands Development Agreement.

Furthermore, the project is consistent with the following General Plan Goals and Policies:

**Land Use Policy Goal 3.0:** New development that is compatible with the community.

**Land Use Policy 3.1:** Ensure that new development fits within existing the existing setting and is compatible with the physical characteristics for available land, surrounding land uses, and public infrastructure availability.

**Land Use Policy 3.2:** Preserve and enhance the quality of Lake Forest residential neighborhoods by avoiding or abating the intrusion of disruptive non-conforming buildings and uses.
Land Use Policy 3.3: Ensure that affected public agencies can provide necessary facilities and services to support the impact and intensity of development in Lake Forest and in areas adjacent to the City.

The proposed subdivision is located in an area that contains a variety of residential neighborhoods, including single-family homes. The design of the subdivision is consistent with the mixed density character of the surrounding neighborhood. Furthermore, the developer has demonstrated that necessary facilities and infrastructure are available or can be provided to support the new development by submittal of "will serve" letters from utility service providers.

3. The site is physically suitable for the proposed type of development.

The project site can accommodate the proposed development in compliance with applicable regulations and development standards, such as street right-of-way widths, off-street and guest parking requirements and minimum building setbacks. The project site is not located in a flood zone, earthquake fault zone, high fire hazard zone or other safety risk zone. The project is accessible via existing public streets and will be served by the extension of existing public utilities and infrastructure. A geotechnical analysis of the project site concluded that the site's soils are suitable for the type of development proposed. The project will balance soil cut and fill on-site and provide necessary Fuel Modification zones.

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

The proposed project was Site 6 of seven sites analyzed in the Lake Forest Opportunities Study Area (OSA) Program Environmental Impact Report (PEIR). The OSA PEIR considered changes to the site's General Plan and zoning designations and development of the site generally consistent with that proposed in conjunction with TTM 15594 and SDP 2008-11. The OSA PEIR was certified by the City Council in July 2008, along with the adoption of a Mitigation Monitoring Program and a Statement of Overriding Considerations.

Furthermore, in accordance with State CEQA Guidelines sections 15153 and 15168, the City evaluated the proposed Project (a subsequent activity in the OSA program) in light of the OSA PEIR by preparing an Initial Study, modified to reflect the standards for subsequent environmental review set forth in Public Resources Code section 21166 and State CEQA Guidelines section 15162 ("Modified Initial Study"), to evaluate whether further
environmental review for the Project would be required in light of the OSA PEIR.

Based on the information contained in the Modified Initial Study, it was determined that new information of substantial importance, which was not known and could not have been known at the time the OSA PEIR was certified as complete, showed that the proposed Project would have one or more significant effects not discussed in the OSA PEIR but that those impacts could be mitigated to a less than significant level with the mitigation measures incorporated into the Subsequent Mitigated Negative Declaration and outlined in the Mitigation Monitoring and Reporting Program.

The Initial Study and Subsequent Mitigated Negative Declaration were prepared in compliance with all applicable provisions of the California Environmental Quality Act, including public noticing and conference with responsible agencies. Accordingly, the Planning Commission has recommended that the City Council approve a Subsequent Mitigated Negative Declaration.

5. The site is physically suitable for the proposed density of development.

The project site will be developed at density of 4.28 dwelling units per net acre in compliance with the applicable General Plan Low-Density Residential density standard of 2 to 7 dwelling units per net acre, and the Serrano Highlands Planned Community – Medium Density Residential density standard of 5.0 dwelling units per gross residential acre. The project also complies with applicable off-street parking, building setbacks and lot coverage standards, and includes common open space and private parks not required by any City standard. See also Finding No. 3 above.

6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

The project is located in an urbanized area, contiguous to existing and approved future residential development, a public park, and open space. The Initial Study prepared for the project demonstrates that the proposed project, with adopted mitigation measures, does not degrade the quality of the environment, reduce habitat for wildlife species, or endanger threatened plant or animal species.

The project will comply with the applicable mitigation measures contained in the Opportunities Study Area Program Environmental Impact Report (OSA PEIR) and the Pinnacle at Serrano Highlands Supplemental Initial
Study/Mitigated Negative Declaration pertaining to the removal of native vegetation. As a result of those measures, all impacts to wildlife and habitat will be mitigated to less than significant levels.

7. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

The project’s potential to contribute to public health problems were fully assessed in the Opportunities Study Area Program Environmental Impact Report (OSA PEIR) and the Pinnacle at Serrano Highlands Supplemental Initial Study/Mitigated Negative Declaration, including air quality, noise, and hazards and hazardous materials related impacts. The Initial Study concluded that all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects will be reduced to below a level of significance with incorporation of mitigation measures agreed to by the developer.

In addition, the project, as conditioned, will be in compliance with all applicable State, County, and City design, building, and other safety related laws, codes, and regulations, including, but not limited to, the California Building Code and Uniform Fire Code. Furthermore, the proposed subdivision and related improvements have not been designated as a hazardous or ultra hazardous use, will not involve the generation, disposal, use, release, or transportation of a significant amount of toxic or hazardous substances, and will not create noxious or offensive odors. Therefore, it is not anticipated that the proposed subdivision will cause serious public health problems.

8. The design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or 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 these will be substantially equivalent to ones previously acquired by the public.

The project includes the vacation of an existing public right-of-way easement over a portion of Peachwood which the City of Lake Forest Planning Commission has determined to be unnecessary for public access purposes and in conformance with the General Plan; and a scenic preservation easement in favor of the City of Lake Forest over a privately-owned parcel which has also been deemed unnecessary, as the parcel will be maintained as open space in perpetuity by virtue of lettered lot and Fuel
Modification Zone designations established by the Tentative Tract Map and Tract Map. Additionally, all necessary public and private utility easements will be maintained, including easements over lettered lots designated for passive park use. Therefore, design of the subdivision and proposed improvements will not conflict with such easements of record.

9. 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 regulations pursuant to Section 7.05.055.

The design and improvement of the proposed subdivision has been reviewed and found to be in compliance with the applicable zoning regulations for the Serrano Highlands Planned Community – Medium Density Residential zoning district, including lot size, building site coverage, building setbacks, parking, and landscaping requirements. The proposed use of the subdivision is one dwelling unit per lot, which is a permitted use in the Serrano Highlands Planned Community – Medium Density Residential zoning district. The design of the proposed subdivision, as conditioned, is suitable for the proposed development in that adequate access, pedestrian and vehicular circulation, lot sizes, drainage provisions, utilities, sight distances at intersections, fuel modification area and other appropriate and desired features have been incorporated in the subdivision design.

10. The subdivision is not located in a fee area or, if located in a fee area, the subdivider has met the requirements for payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required.

Per the executed Development Agreement and applicable City and County regulations, the developer is required to pay development impact fees prior to the construction of any homes. Therefore, the subdivision would not allow the development of a project which would contribute a need for facilities for which the project has not paid.

11. If the Planning Commission approves or conditionally approves a tentative map which deviates from any standard of design as allowed by Section 7.08.155, the Planning Commission shall make a finding or findings that each such deviation has been individually considered and found to be justified based upon specific special circumstances which apply.
The developer is requesting a deviation to Section 7.08.055(C) of the Lake Forest Municipal Code, which requires that private streets serving five parcels or more as access to a public street provide a minimum pavement width of 40'-0" within a minimum 56'-0" wide right-of-way. The developer is proposing a deviation that would allow a 36'-0" street pavement width and a 52'-0" right of way width (including a 3'-0" public utility easement along each side) for an approximately 280' segment of private right-of-way within the proposed subdivision designated "A" Street.

This deviation has been considered and found to be justified for the following reasons:

- “A” street directly serves only six lots (lots #30-35);
- All of the streets within the proposed project will be private and maintained by an HOA;
- All utilities will be accommodated underground within the proposed 52'-0" right of way;
- “A” street will have sidewalks on both sides of the street allowing for pedestrian travel along the sidewalk without using the street;
- “A” street would include a minimal amount of traffic as there would be no thru traffic beyond the proposed subdivision;
- “A” street would be consistent as proposed with the Lake Forest standard plans for public street right-of-way with the inclusion of the proposed 3'-0" public utility easement along each side of the right-of-way.

SECTION 2. SITE DEVELOPMENT PERMIT FINDINGS. With regard to Site Development Permit 2008-11, the Lake Forest Planning Commission hereby finds, based on consideration of the whole record before it, as follows:

1. **General Plan:** The use or project proposed is consistent with the General Plan.

   The project site is designated Low-Density Residential on the General Plan Land Use Map. This designation provides for detached single-family dwellings at a density of 2 to 7 dwelling units per net acre. The project proposes 85 single family residential lots on 24.4 net acres resulting in a density of 4.28 dwelling units per net acre, which is consistent with the General Plan’s land use designation.
In addition, the project is consistent with the following General Plan Policies:

**Land Use Policy 2.2: Promote high quality in the design of all public and private development projects**

**Land Use Policy 4.1: Ensure that all development proposals within the planned community areas conform to applicable development plans and agreements.**

The proposed development features high quality architectural design, detailing and building materials, including varied and multiple roof lines and wall planes, stone veneers, balconies, decorative garage doors and shutters, recessed multi-paned windows and tile roofing. In addition, the project includes community amenities such as private parks, decorative paving treatments, decorative bollards, landscaping, and common open space areas. The project is consistent the provisions of the Serrano Highlands Planned Community and the Pinnacle at Serrano Highlands Development Agreement.

Therefore, the proposed project, as conditioned, is consistent with the General Plan and applicable goals and policies.

2. **Zoning Code:** The use, activity, or improvement(s) proposed by the application is consistent with the provisions of the Zoning Code.

The design and improvement of the proposed subdivision has been reviewed by City staff and found to be in compliance with the applicable zoning regulations for the Serrano Highlands Planned Community – Medium Density Residential zoning district, including: minimum lot size, building setbacks, off-street and guest parking; and maximum lot coverage, and building height. The proposed use of the subdivision is single-family residential, which is a permitted use in the Serrano Highlands Planned Community – Medium Density Residential zoning district.

3. **CEQA:** The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act.

The proposed project was Site 6 of seven sites analyzed in the Lake Forest Opportunities Study Area (OSA) Program Environmental Impact Report (PEIR). The OSA PEIR considered changes to the site’s General Plan and zoning designations and development of the site generally consistent with that proposed in conjunction with TTM 15594 and SDP 2008-11. The OSA PEIR was certified by the City Council in July 2008, along with the adoption
of a Mitigation Monitoring Program and a Statement of Overriding Considerations.

Furthermore, in accordance with State CEQA Guidelines sections 15153 and 15168, the City evaluated the proposed Project (a subsequent activity in the OSA program) in light of the OSA PEIR by preparing an Initial Study, modified to reflect the standards for subsequent environmental review set forth in Public Resources Code section 21166 and State CEQA Guidelines section 15162 ("Modified Initial Study"), to evaluate whether further environmental review for the Project would be required in light of the OSA PEIR.

Based on the information contained in the Modified Initial Study, it was determined that new information of substantial importance, which was not known and could not have been known at the time the OSA PEIR was certified as complete, showed that the proposed Project would have one or more significant effects not discussed in the OSA PEIR but that those impacts could be mitigated to a less than significant level with the mitigation measures incorporated into the Subsequent Mitigated Negative Declaration and outlined in the Mitigation Monitoring and Reporting Program.

The Initial Study and Subsequent Mitigated Negative Declaration were prepared in compliance with all applicable provisions of the California Environmental Quality Act, including public noticing and conference with responsible agencies. Accordingly, the Planning Commission has recommended that the City Council approve a Subsequent Mitigated Negative Declaration.

4. Compatibility: The location, size, design and operating characteristics of the proposed use will not create significant noise, traffic, or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.

The proposed subdivision is compatible with the surrounding development in the vicinity with respect to street alignments, grades, and widths; drainage and sanitary facilities and utilities, including alignment of grades thereof; location and size of all required easements and right-of-ways; fire roads and breaks, lot size and configuration; vehicular access; and such other specific requirements necessary to insure compatibility with other permitted uses in the vicinity. In addition, the proposed single-family residential development is similar in density and character to surrounding residential land uses. Furthermore, the project traffic study found that there was adequate roadway and intersection capacity for the project. Lastly, the
Initial Study determined that the proposed subdivision will not result in noise impacts that violate the City’s Noise Ordinance.

5. **General Welfare:** The application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

The proposed subdivision, as conditioned, will be in compliance with all applicable State, County, and City design, building, and other safety related laws, codes, and regulations. The use proposed has not been designated as a hazardous or ultra hazardous use, will not involve the generation, disposal, use, release, or transportation of a significant amount of toxic or hazardous substances, and will not create noxious or offensive odors. Furthermore, the project will be in compliance with Municipal Code.

6. **Development Fees for Provision of Public Facilities:**

The permit would not allow development of a project which would contribute to the need for the facility for which a fee is required.

Pursuant to the executed Development Agreement and applicable City and County regulations, the developer is required to pay development impact fees in conjunction with the project. Therefore, the fees associated with any facilities would be paid by the developer.

**SECTION 3. PLANNING COMMISSION ACTIONS.** The Planning Commission hereby takes the following action:

1. Recommend that the City Council approve Tentative Tract Map 15594 and Site Development Permit 2008-11, subject to the following conditions:

**CONDITIONS OF APPROVAL

TENTATIVE TRACT MAP 15594 / SITE DEVELOPMENT PERMIT 2008-11**

(Mitigation Measures from the OSA PEIR and Initial Study (IS) have been incorporated, and modified where appropriate for the project, into the following conditions of approval referenced by numbers corresponding to the OSA PEIR and IS).

**INDEMNIFICATION**

1. The developer shall indemnify, protect, defend, and hold the City, and/or any of its officials, officers, employees, agents, departments, agencies,
authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and other such procedures), judgments, orders, and decisions (collectively “Actions”), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Community Redevelopment Law, Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City’s defense, and that developer shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the developer of any Action brought and City shall cooperate with developer in the defense of the Action.

EXPIRATION

2. Expiration of Tentative Tract Map No. 15594 and Site Development Permit No. 2008-11 shall coincide with expiration of the Development Agreement, in accordance with Section 7.8 of the Development Agreement and Section 66452.6 of the Government Code.

GENERAL

3. Within five (5) business days of the approval of the project by the City Council, the developer shall deliver to the Development Services Department a check payable to the County Clerk, in the amount of two-thousand, one-hundred, and one dollar and fifty cents. ($2,101.50) for the County administrative filing fee, to enable the City to file the Notice of
Determination required under Public Resources Code Section 21152 and 14 Cal. Code of Regulations 15075. (PLNG____)

4. The project shall be developed and maintained in substantial compliance with the grading plans, site plans, floor plans, landscape plans, building elevations, and all other drawings and details included in the plan sets approved by the City Council on __________, 2012 and on file with the City of Lake Forest Development Services Department. Minor modification or changes to the Tentative Tract Map shall be in accordance with Chapter 7.05 of the Lake Forest Municipal Code (LFMC) and the Subdivision Map Act. Amendments to the Site Development Permit shall be subject to the provisions of LFMC Sec. 9.184.080. (PLNG____)

5. The developer shall comply in all respects with all terms and conditions of the Development Agreement, as recorded by the Orange County Clerk-Recorder’s Office on February 5, 2009, as document number 2009000051125. (City Attorney_____) (PLNG ____)

6. Approval of this application shall not be interpreted to supplant or supersede, or to render inapplicable by omission of notice of non-compliance with, any provisions of the Development Agreement for the project. (PLNG ____)

7. The approval of this Tentative Tract Map/Site Development Permit permits the construction of 85 single-family dwelling units. (PLNG ____)

8. The Planning Division processes Tentative Tract Map and Site Development Permit applications on a deposit basis. Deposit funds are provided by developers to cover the actual costs associated with staff time and resources utilized in processing an application(s). If, at any time, the cost to process the application(s) exceeds the deposit on file, additional funds must be deposited by the developer. A final accounting for this project will be prepared following the City Council’s decision on the project and if needed, a request for additional funds will be provided to the developer within 10 business days of approval. Should additional funds be required, the developer shall submit a check or money order, payable to the City of Lake Forest, for the additional funds within 30 days, or prior to issuance of a grading permit for the project, whichever is earlier. (PLNG ____)

9. The developer shall submit a monetary deposit to fund post-discretionary approval activity. Post-discretionary approval activity consists of any activity

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involving staff time to facilitate the processing of the project in accordance with approval documents, discretionary approvals, explanations of language, and subsequent coordination activities. This activity does not include review of grading or building plans or processing of Final Maps or any other activity for which a processing fee or deposit is already collected. (PLNG _____)

10. In accordance with Municipal Code Section 9.144.070.1, the developer shall obtain approval of a Use Permit for any sales office or model home complex for the subdivision. (PLNG______)

11. Prior to the installation of any neighborhood identification signage, the developer shall obtain approval of a Minor Planned Sign Program. Furthermore, for any other signage, including temporary signage, the developer shall comply with the City’s sign ordinance and/or any applicable sign permits. (PLNG______)

PRIOR TO ISSUANCE OF A ROUGH GRADING PERMIT

12. The developer shall prepare and submit a rough grading plan for review and approval by the Director of Development Services, the Building Official, and the Director of Public Works/City Engineer showing new pads and elevations of finished grades, drainage routes, retaining walls, erosion control, slope easements, structural best management practices conforming to the approved Water Quality Management Plan, and other pertinent information. Individual pads shall be rough graded to 1 percent minimum slope from rear property line to front property line. All conditions of approval shall be printed within the first four sheets of the rough grading plan set.

(PLNG _____)(BLDG______)(PW/ENG______)

13. If review of the grading plan indicates significant deviation from the proposed grading illustrated on the approved tentative tract map, specifically with regard to slope heights, slope ratios, and pad elevations, size, and configuration, the plan shall be reviewed by the Director of Public Works/City Engineer for a finding of substantial conformance prior to the issuance of a grading permit. The Director of Public Works/City Engineer may refer the matter to the Planning Commission for a determination. Failure to achieve such a finding will require processing of a Tentative Tract Map amendment. (PW/ENG _____)(PLNG _____)
14. The grading plan shall indicate that earthwork will be balanced on site and that no soil stockpiling will occur except temporarily during grading operations.

15. In accordance with the City’s Retaining Wall Design Guidelines, the developer shall submit the following materials with the Rough Grading Plan: (PW/ENG______) (PLNG______)
   
a. All proposed retaining walls, including locations, heights and materials, shall be depicted on each applicable sheet of the project plans submitted to the City for review and approval. Wall heights shall be noted at changes in wall height, where height variations occur, and at regular intervals of sufficient frequency to fully describe the proposed wall. Measured wall heights to be noted include the full height (from the top of footing to the top of wall), the exposed face height, and the height from the daylight line to the top of the wall. Plans shall depict property lines and right-of-way lines, and shall be stamped and signed by a Civil Engineer registered in the State of California.

b. Project plans shall include section drawings at 1:1 ratio for all proposed walls, such that, at minimum, all distinct wall segments are generally represented in section view, including retaining and non-retaining portions of each wall. Section drawings shall depict existing and proposed grades on both sides of the proposed wall to a minimum distance equivalent to the height of the wall, and beyond the daylight line where retaining walls are used in combination with slopes. Where the height of any distinct wall segment varies, sections drawings shall represent the tallest condition. A sufficient number of section drawings shall be submitted to depict the retaining wall at prominent locations, such as along the public street, at the project entry and key vantage points viewed by the public.

c. A cut and fill map identifying proposed fill areas graphically, with the depths of such areas clearly shown in 5-foot maximum contour lines. Quantities of each cut and fill area shall be specified on the map.

d. A detailed soils analysis shall be prepared by a California registered professional engineer and submitted in conjunction with plans for development projects that include retaining walls. This analysis shall include on-site soil sampling at the precise wall location and laboratory
testing of materials to provide detailed recommendations for grading, chemical and fill properties, retaining walls, streets, utilities, dewatering, protection of adjacent existing structures, landscaping, and liquefaction requirements. Said report shall certify that post development ground water conditions shall not be affected or affect improvements, and provide sufficient detail to substantiate and support the design concepts represented in the development application.

e. Any areas with building restrictions related to proposed retaining walls and geo-grid fabric shall be clearly identified on the project plans.

f. Prior to any changes in a retaining wall type, the basis for determining the type of retaining wall(s) proposed shall be described in a written narrative submitted with the proposal. The narrative shall identify and discuss factors such as whether the wall will retain in a cut or fill slope, soil composition, accessibility of the wall for construction and maintenance, the use of slopes in combination with the wall, the height and rate of grade of any slope(s), aesthetics, lateral pressure, surcharge, internal and external loads, ground water and surface water drainage, climate and solar orientation, cost, use of integrated landscaping, setbacks at the top and base of the wall, public safety and any regulatory specifications.

g. The developer shall submit a written narrative identifying and describing in detail the proposed means (e.g., CC&Rs) of ensuring the long-term maintenance of retaining walls which traverse multiple independently owned parcels, and/or walls under common ownership via a property owners association.

h. Engineering studies, prepared by a California-registered professional engineer, demonstrating the technical appropriateness of the proposed wall for the project site, shall be submitted concurrent with the project plans. Required studies shall, at a minimum, address the following:

i. Geotechnical design parameters include seismic information and shear strength calculations.

j. Whether onsite materials will be acceptable for backfill between any proposed geogrids, or if soil import is needed for wall construction.
k. Recommendations for minimum setbacks from proposed walls to proposed structures, based on the design parameters of the proposed wall.

l. Recommendations for restrictions on structures and improvements, including swimming pools, walls/fences and trees, within proximity of proposed retaining walls.

16. The developer shall submit a landscape and irrigation construction plan prepared by a licensed landscape architect to the Director of Development Services for review and approval. The plans shall identify retention of any existing landscaping as well as new landscaping for common (HOA) or private property, including parkways, medians, and slopes. Where landscaping is located adjacent to or between site retaining walls, the plans shall include the location of the retaining walls for reference. The plan shall be consistent with the preliminary landscape plans approved by the City Council. The landscape plan shall include a certification by the landscape architect that landscaping has been designed to avoid obstruction of views as necessary for pedestrian and vehicular safety at street intersections.

17. In accordance with LFMC Section 8.30.090, the developer shall post security for the grading permit in an amount to be determined by the Building Official. The required amount must include items relating to hazardous conditions such as erosion and air/dust control, the cost of completing any Mechanically-Stabilized Earth (MSE) walls, provisions for landscaping as relating to slope stability, compliance with approved landscape plans, and contingency funds which must include an allowance for site maintenance.

18. All utilities serving the project shall be installed underground.

19. The developer shall submit a complete hydrology and hydraulic study (including off-site areas affecting the development), prepared by a California-registered professional civil engineer, consistent with the use of the criteria of the Orange County Hydrology Manual, to the Director of Public Works/City Engineer for review and approval. The study shall be consistent with the study submitted during the Tentative Tract Map and environmental review processes. The study report shall determine potential storm water...
runoff rates and peak flows for the City of Lake Forest and County of Orange design storms, as well as the 100-year storm for both existing and proposed project conditions. Sufficient detail shall be provided to develop the existing conditions and proposed project conditions potential hydrograph and timing of peak flows. The study report shall also include detailed drainage information indicating how the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, in conjunction with the site grading, 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. The study report shall demonstrate that the effect of storm water discharge to any City-, County-, or Other Agency-owned drainage or flood control facility as mitigated shall be designed and implemented to prevent post-construction storm flows from exceeding pre-construction volumes and rates.

20. The developer shall submit storm drain plans, prepared by a California registered professional civil engineer, depicting proposed storm drain improvements for the project. All storm drain improvements shall comply with the Orange County Local Drainage Manual.

21. The on-site storm drain system shall be privately maintained.

22. The developer shall submit a proposed truck haul plan for the review and approval of the Public Works Director/City Engineer, for any import and/or export of dirt, construction materials, vehicles, and equipment. The plan shall include the proposed route and hours of operation and a maintenance plan.

23. Any easement that lies within or crosses rights-of-way proposed to be deeded or dedicated to the City, shall be subordinated to the City prior to City acceptance of the rights-of-way, unless otherwise exempted by the Public Works Director/City Engineer based on the City's ordinances, standards, and policies, including, but not limited, to those design and construction standards adopted by the City or otherwise reasonably determined by the Director to be applicable to the project.
24. The developer shall submit a Preliminary Water Quality Management Plan (WQMP), including a hydrology study, if appropriate, for review and approval of the Public Works Director/City Engineer. The Plan shall include Best Management Practices (BMPs) in accordance with the latest City of Lake Forest Water Quality Management Plan Template User Guide and include storm water detention/retention features, if necessary, to mitigate impacts of changes in storm water rates or volumes as identified in the site-specific hydrology study. (Satisfied with: Water Quality Management Plan (WQMP) for: Tentative Tract No. 15594, City of Lake Forest, County of Orange. Hunsaker and Associates Irvine, Inc. July 27, 2011.)

(WQ MM-2)(OSA PEIR MMRP MM 3.8-1)(PW/ENG _____)

25. The developer shall include provisions on the grading plans that provide for construction sites to be fenced and that fences be secured and maintained for the duration of the construction. Construction fencing shall include 6'-0" wind screens to minimize fugitive dust at the back of the curb and gutter along Peachwood and Tamarisk streets, along the perimeter of the site adjacent to the Willow Glen community, throughout the interior of the site to screen occupied homes from construction areas, and as deemed necessary by the City. The configuration of construction fencing located at corners, driveways, or intersections shall not create view obstructions of traffic or pedestrians.

(PLNG _____)

26. The developer shall provide for individual lot drainage by surface flow from the back of the lot to the gutter located in the front of the lot in accordance with applicable grading codes; or by the installation of a minimum of one drain grate per lot and drain pipes to convey the lot water to the street gutter through curb cores. Curb drains shall be fitted with removable grates at the curb core.

(PLNG ______)(PW/ENG _____)

27. The developer shall obtain approval from the Fire Chief for a Conceptual Fuel Modification Plan and Program. The developer may contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the “Guideline for Fuel Modification Plans and Maintenance.”

(OCFA______)

28. The developer shall submit evidence to the Development Services Department that the Orange County Fire Authority has reviewed and approved the Conceptual Fuel Modification Plan and Program.

(OCFA______)(PLNG______)

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29. The developer shall be required to coordinate with the Nitrogen and Selenium Working Group in order to establish eligibility for the de minimus permit implemented by the Santa Ana Region of the RWQCB.

(OSA PEIR MMRP MM 3.8-3)(PW/ENG_____)

30. The developer shall develop and implement appropriate BMPs, such as a nutrient management program, to reduce the amount of nutrients entering the watershed (see San Luis Rey Watershed Urban Runoff Management Program http://www.projectcleanwater.org/html/wurmp_san_luis_rey.html for an example of a management program that addresses nutrients). In addition, a pesticide management program shall be developed to reduce the amounts of pesticides entering the watershed through minimizing the use of pesticides and emphasizing non-chemical controls (see the City of San Francisco’s Integrated Pest Management Program (http://www.sfgov.org/site/frame.asp?u=http://www.sfwater.org/) for an example). These plans shall be approved by the City prior to issuance of a grading permit.  (WQ MM-5)(OSA PEIR MMRP MM 3.8-4)(PW/ENG______)

31. The site developer shall enter into a Secured Fire Protection Agreement with OCFA that will ensure an adequate level of service is maintained in the City. The Secured Fire Protection Agreement would specify the developer’s fair-share contribution to capital improvements necessary to maintain adequate fire protection services in the area.

(PS MM-2)(OSA PEIR MMRP 3.12-2)(OCFA______)

32. The developer shall obtain the approval of the Fire Chief for all fire protection access roads within 150 feet of all portions of the exterior of every structure on site. The plans shall include plan and sectional views and indicate the grade and width of the access road measured flow-line to flow-line. When a dead-end street exceeds 150 feet or when otherwise required, a clearly marked fire apparatus access turnaround must be provided and approved by the Fire Chief. The site plan shall indicate existing and proposed fire hydrants, and the locations of the proposed fire lane markings. Please contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the “Guidelines for Emergency Access.”

(OSA PEIR MMRP F1)(PW/ENG_______)(OCFA______)

33. The developer shall submit evidence of approval by OCFA of an approved Fire Protection Agreement to the Development Services Department.

(PLNG_______)
34. The developer shall submit construction details for any access gate to the Fire Chief for review and approval. The Fire Chief will approve the construction details if the Chief reasonably determines that the construction details are in compliance with the Uniform Fire Code and such other Federal, State, and Local laws, regulations, ordinances, standards, and policies as are applicable.

(OSA PEIR MMRP F2) (PW/ENG ____)(OCFA____)

35. The developer shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is readily available in the South Coast Air Basin. Contract specifications language shall be reviewed by the City prior to issuance of a grading permit.

(AQ MM-1) (OSA PEIR MMRP 3.3-1)(PLNG ____)

36. The developer shall require by contract specifications that alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) and low-emission diesel construction equipment would be utilized to the extent that the equipment is readily available and cost effective in the South Coast Air Basin. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.

(AQ MM-3)(OSA PEIR MMRP 3.3-3)(PLNG ____)

37. The developer shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer’s specification for the duration of construction. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.

(AQ MM-4)(OSA PEIR MMRP 3.3-4)(PLNG ____)

38. The developer shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.

(AQ MM-5)(OSA PEIR MMRP 3.3-5)(PLNG ____)

39. The developer shall require by contract specifications that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion

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engines to the extent feasible. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.

(AQ MM-6)(OSA PEIR MMRP 3.3-6)(PLNG _____)

40. Contract specification language shall be reviewed for inclusion of this language on the grading plans. The developer shall implement dust control measures consistent with SCAQMD Rule 403 — Fugitive Dust during the construction phases of new project development. The following actions are currently recommended to implement Rule 403 and have been quantified by the SCAQMD as being able to reduce dust generation between 30 and 85 percent depending on the source of the dust generation:

a. Apply water and/or approved nontoxic chemical soil stabilizers according to manufacturer’s specification to all inactive construction areas (previously graded areas that have been inactive for 10 or more days)

b. Replace ground cover in disturbed areas as quickly as possible

c. Enclose, cover, water twice daily, or apply approved chemical soil binders to exposed piles with 5 percent or greater silt content

d. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. Water active grading sites at least twice daily

e. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period

f. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code

g. Sweep streets at the end of the day

h. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip on a gravel surface to prevent dirt and dust from impacting the surrounding areas.
i. Apply water three times daily or chemical soil stabilizers according to manufacturers’ specifications to all unpaved parking or staging areas or unpaved road surfaces

j. Post and enforce traffic speed limits of 15 miles per hour or less on all unpaved roads (AQ MM-7)(OSA PEIR MMRP 3.3-7)(PLNG _____)

41. The construction contractor shall implement one of the following construction equipment or phasing measures. The City shall ensure that grading plans clearly show one of the following requirements will be implemented:

a. During construction, large off-road construction equipment with internal combustion engines having ratings of 300 horsepower or higher (i.e., dozers and scrapers) shall meet United States Environmental Protection Agency-Certified emissions standards for Tier 3 off-road emissions equipment. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. During construction the construction contractor shall maintain a list of all operating equipment in use on the project site for verification by the City Engineer. The construction equipment list shall state the makes, models, and numbers of construction equipment onsite.

b. The construction contractor shall be required to start the onsite road paving or offsite road improvements after project grading is completed. The grading, and utilities and underground construction phases shall not overlap with the offsite road improvements. (AQ MM-8) (PW/ENG _____) (PLNG _____)

42. Sensitive Species Surveys. Where future development projects have the potential to reduce or eliminate habitat for native plant and wildlife species or sensitive habitats, including but not limited to those listed in OSA PEIR Appendix E (Sensitive Species Potentially Occurring within the Project Area), the project developer shall conduct biological field surveys of the Project Area to characterize the extent and quality of habitat that would be impacted by project development. Surveys shall be conducted in accordance with current CDFG or USFWS survey protocols for the target species by qualified biologists or botanists. If no sensitive species are observed and the regulatory agencies agree with those findings then no
further mitigation will be required for the species. Similarly, if no sensitive habitats are observed and the regulatory agencies agree with those findings then no further mitigation will be required. If sensitive species or habitats are documented on a specific site, and the species or habitat is covered by the NCCP/HCP the developer shall conform and comply with the applicable requirements of the NCCP/HCP and proceed with MM 3.4-2. If the species or habitat is not covered in the NCCP/HCP, then refer to MM 3.4-3. For impacts to wetlands and other aquatic habitats, refer to MM 3.4-4. (Satisfied by: Special-Interest Plant Survey Results for Serrano Highlands, LSA Associates, Inc., February 2012; Sensitive Plant Survey Results for Serrano Highlands, LSA Associates, Inc., July 2005).

(General Codes)

43. Loss of Coastal Sage Scrub Habitat and Plant and Animal Species Protected by the NCCP/HCP. Prior to recordation of a subdivision map or issuance of a grading permit, whichever comes first, the developer shall retain a qualified, permitted biologist to confirm the presence and quantity of coastal sage scrub habitat located on the project site. If coastal sage scrub habitat is found to be located on the project site, the developer shall submit proof to the Director of Development Services that in-lieu fees have been paid to the County of Orange Central/Coastal Natural Communities Conservation Plan (NCCP) Reserve. Note: the presence and quantity of coastal sage scrub has been identified in this Initial Study/Supplemental Mitigated Negative Declaration and in the Serrano Highlands Biological Resources Analysis and the Sensitive Plant Survey Results for Serrano Highlands, LSA Associates, Inc., both dated July 2005.)

The developer shall also demonstrate to the satisfaction of the Director of Development Service compliance with the following NCCP construction impact avoidance measures or such measure in effect at the time of construction:

a. To the maximum extent practicable, no grading of CSS habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). It is expressly understood that this provision and the remaining provisions of these “construction-related minimization measures,” are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In
the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens and any other CSS Identified Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.

b. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of CSS habitat to be avoided under the provisions of the NCCP/HCP, shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of CSS, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

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

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

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

f. CSS identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

(BR MM-2)(OSA PEIR MMRP 3.4-2)(PLNG _____)

44. Loss of Species or Habitats Not Covered by the NCCP/HCP. To mitigate for potential impacts to species or habitats not covered by the NCCP/HCP the following process shall be followed. The developer has two options: (1) the developer can obtain suitable replacement habitat and dedicate that property to the conservation and protection of sensitive species in perpetuity, or (2) the developer can satisfy the requirements of the FESA and CESA under the consultation and permitting provisions of these regulations. In both of these options, the developer shall first consult with the appropriate resource agency (CDFG and/or USFWS) and establish a mitigation plan for the specific species or habitat. Appropriate mitigation shall be identified in a mitigation plan prepared by the developer. In this mitigation plan the developer shall demonstrate capacity for funding appropriate mitigation and the mitigation must be legally assured. Habitat acquisition and set asides shall occur in areas with long-term conservation potential. Any mitigation proposed shall be approved by the City and appropriate resource agency prior to implementation. (Satisfied by: Special-Interest Plant Survey Results for Serrano Highlands, LSA Associates, Inc., February 2012; Sensitive Plant Survey Results for Serrano Highlands, LSA Associates, Inc., July 2005; and Biological Resources Analysis, Serrano...
Highlands, City of Lake Forest, County of Orange, California. LSA Associates, Inc., June 2005).

(BR MM-3)(OSA PEIR MMRP 3.4-3)(PLNG _____)

45. Wetland Delineation. A qualified wetland specialist shall conduct a wetland delineation in accordance with U.S. Army Corps of Engineers (ACOE) methodology of all jurisdictional waters, seeps and stream channels within a site. If appropriate, this specialist shall also submit a request for a streambed alteration agreement from CDFG because CDFG also has jurisdiction over lakes and streams under Section 1600 of the Fish and Game Code. The wetland specialist shall prepare and submit a request for a jurisdictional determination to the ACOE or CDFG as appropriate. Those waters not subject to the ACOE jurisdiction could fall under the regulatory control of the local RWQCB. The wetland specialist shall submit the delineation documents along with the ACOE jurisdictional determination to the RWQCB and request an assessment of jurisdiction. If the areas in question are subject to the ACOE or RWQCB jurisdiction then the following two measures shall be implemented as required. If the areas in question are not jurisdictional, then there is no impact to wetlands and no further action is required. (Satisfied with: Jurisdictional Delineation Report, Serrano Highlands, Lake Forest, County of Orange, California. LSA, August 2011)

(BR MM-6)(OSA PEIR MMRP MM 3.4-4-A)(PLNG _____)

46. Permitting. The wetland specialist shall prepare an application for fill of waters subject to the U.S. Army Corps of Engineers (ACOE) jurisdiction as determined in MM 3.4-4-A. If appropriate, this specialist shall also submit a request for a streambed alteration agreement from CDFG because CDFG also has jurisdiction over lakes and streams under Section 1600 of the Fish and Game Code. For wetlands that are not subject to the ACOE jurisdiction within the Project Area, but RWQCB has indicated that they will assert jurisdiction, an application for a Waste Discharge Requirement or Waiver of Waste Discharge Requirement shall be submitted to the local RWQCB. The regulatory requirements of contained within the Clean Water Act, the Waste Discharge Requirement, and the Streambed Alteration Agreement would mandate minimal intrusion into jurisdictional areas and compensatory mitigation for permanent impacts to these areas.

(BR MM-7) (OSA PEIR MMRP MM 3.4-4-B)(PLNG _____)

47. Restoration Plan. Once an approved wetland delineation is in place, the
wetland specialist shall develop a comprehensive wetland restoration plan to offset impacts to these resources. Restoration could include on- or off-site construction of wetlands, contribution of funds to a local mitigation bank, or restoration of existing yet relatively poor quality wetlands. The U.S. Army Corps of Engineers goal is to permit no net loss of functions and values of wetland habitat. The replacement ratio of wetland acreage required to achieve this goal is a minimum of 1(new):1(old). The exact ratio will be determined in the permit process with these agencies.

(BR MM-8)(OSA PEIR MMRP MM 3.4-4-C)(PLNG _____)

48. Mitigation for Fragmentation of Habitat and Wildlife Movement Corridors. In order to minimize the fragmentation of habitat and wildlife movement corridors the City shall require the developer to include, to the extent feasible, specific design features to maintain connectivity between remaining open spaces. (Note that the project developer has satisfied BR MM-8 through designation of several acres to be conserved by the project homeowner’s association as natural open space.)

(BR MM-9)(OSA PEIR MMRP 3.4-5)(PLNG _____)

49. Construction shall either be scheduled outside the breeding season (December 31–July 31); or, if construction must be completed during the breeding season, surveys for nesting birds must be conducted. Procedures for conducting nesting bird surveys are described in BR MM-2.

(BR MM-4)(PLNG _____)

50. A qualified archaeologist shall be retained by the developer to provide professional archaeological services. The archaeologist shall be present at the pre-grading conference to establish procedures for archaeological resource surveillance. Those procedures shall include provisions for temporarily halting or redirecting work to permit sampling, identification and evaluation of resources deemed by the archaeologist to potentially be historical resources or unique archaeological resources under CEQA. If, before grading, any portions of the property subject to the grading permit have been identified as sites, which may have such resources present and may be impacted by development, the archaeologist shall conduct a site survey and records search and such further examinations as may be needed to assess the significance of the resources. If the archaeological resource is determined to be a unique archaeological resource, options for avoidance or preservation in place shall be evaluated and implemented if

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feasible. In the event that avoidance or preservation in place is infeasible and the archaeologist determines that the potential for significant impacts to such resources exists, a data recovery program shall be expeditiously conducted. The archaeologist also shall conduct on-site archaeological monitoring for the grading operation. Should historical resources or unique archaeological resources be discovered during the grading operation, grading activities shall be modified to allow expeditious and proper analysis and/or salvage of the resources. Disposition of the resources shall be within the discretion of the City of Lake Forest. If prehistoric archaeological sites (not isolates) are discovered during monitoring of earthmoving, Native American representatives shall be contacted to observe activities and shall contribute to discussion of any treatment proposed.

(CR MM- 1)(OSA PEIR MMRP 3.5-1)(PLNG _____)

51. The qualified archaeologist retained by the developer shall prepare monthly progress reports to be filed with the site developer(s) and the City of Lake Forest.  

(CR MM-2)(OSA PEIR MMRP 3.5-2) (PLNG _____)

52. Artifacts recovered shall be prepared, identified, and catalogued before donation to the accredited repository designated by the City of Lake Forest. State of California Guidelines for the Curation of Archaeological Collections shall be consulted regarding the treatment of recovered artifacts. Any artifacts determined to be insignificant shall be offered to local schools for use in educational programs.

(CR MM-3)(OSA PEIR MMRP 3.5-3)(PLNG _____)

53. The qualified archaeologist retained by the developer shall prepare a final report to be filed with the site developer(s), the City of Lake Forest, and the South Central Coastal Information Center. The report shall include a list of specimens recovered, documentation of each locality, interpretation of artifacts recovered and shall include all specialists’ reports as appendices.

(CR MM-4)(OSA PEIR MMRP 3.5-4)(PLNG _____)

54. A qualified paleontologist shall be retained by the site developer(s) to provide professional paleontological services. Prior to commencement of construction, the paleontologist will develop a research design, based on current information, which will include specific research questions and what types of data (fossils, micropaleontological analysis, etc) will permit those questions to be answered. The research design should be sufficient to ensure that future fossils recovered can be placed into a regional context.
and contribute new information to science. During grading activities, the qualified paleontologist shall conduct on-site paleontological monitoring for the project site. Monitoring shall include inspection of exposed surfaces and microscopic examination of matrix to determine if fossils are present. The monitor shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. Cooperation and assistance from on-site personnel will greatly assist timely resumption of work in the area of the fossil discovery. Fossil localities discovered require specific information be recorded on location and elevation of fossils, taking of samples for analysis, stratigraphic column be developed and fossils must be identified by qualified experts.

(CR MM-5)(OSA PEIR MMRP 3.5-5)(PLNG _____)

55. The qualified paleontologist retained by the developer shall prepare monthly progress reports to be filed with the site developer(s) and the City of Lake Forest.  

(CR MM-6)(OSA PEIR MMRP 3.5-6)(PLNG _____)

56. Fossils recovered shall be prepared, identified, and cataloged before donation to an accredited repository designated by the City of Lake Forest. The principal paleontologist will develop a research design to place newly and previously discovered fossils from the project area into a regional context and will specifically include research questions to be answered during fossil recovery work.

(CR MM-7)(OSA PEIR MMRP 3.5-7)(PLNG _____)

57. The qualified paleontologist retained by the developer shall prepare a final report to be filed with the site developer(s) and the City of Lake Forest. The report shall include a list of specimens recovered, documentation of each locality, interpretation of fossils recovered and shall include all specialists’ reports as appendices.  

(CR MM-8)(OSA PEIR MMRP 3.5-8)(PLNG _____)

58. Prior to approval of the final design plans and issuance of a grading permit, the developer shall conduct a site-specific geotechnical investigation for the entire site and prepare a report that fully assesses the geologic and soil conditions of the site. As part of the report preparation, soil sampling and any geotechnical testing will be completed at each location where structures are to be erected. The report shall provide grading and structural design recommendations for avoiding liquefaction, subsidence or collapse for each of the proposed structures. The recommendations shall be included in the plans submitted to the City and implemented by the Project
Developer. The report shall address (a) the R value of the soil and the proposed pavement structure section based upon the required TI; and (b) expansive soil on-site and related recommendations.

(PPP GEO-3)(OSA PEIR MMRP SC G3) (PLNG _____)

59. Construction staging areas, material delivery (loading/unloading) areas and operation of earth moving equipment on a project site shall be located so as to maintain the greatest distance from existing residential uses and other noise-sensitive uses and shall be more than 25 feet away from sensitive receptors (such as residences, schools, hospitals). If equipment will be operated within 25 feet of any sensitive receptor, the developer shall prepare a construction plan which quantifies the anticipated vibration levels associated with the construction (in VdB) and the length of time the construction is to occur, and documents efforts to minimize impacts associated with ground-borne vibration.

(Noise MM-1)(OSA PEIR MMRP MM 3.10-1)(PLNG _____)(BLDG______)

60. Prior to the start of and for the duration of construction, the contractor shall properly maintain and tune all construction equipment in accordance with the manufacturer’s recommendations to minimize noise emissions.

(Noise MM-1)(OSA PEIR MMRP MM 3.10-1)(PLNG _____)(BLDG______)

61. Prior to use of any construction equipment, the contractor shall fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds which are no less effective than as originally equipped by the manufacturer.

(Noise MM-1)(OSA PEIR MMRP MM 3.10-1)(PLNG _____)(BLDG______)

62. The construction contractor shall post a clearly visible sign at the construction site boundary listing a contact name and telephone number for lodging a noise complaint.

(Noise MM-1)(OSA PEIR MMRP MM 3.10-1)(PLNG _____)(BLDG______)

63. In addition to general work to be performed in the right-of-way, an encroachment permit shall be obtained from the Public Works Department for the construction of any wall adjacent to or within the public right-of-way.

(PW/ENG _____)

64. The City will reduce the potential for dangerous fires by implementing fire hazard education, fire protection, and fuel modification programs in coordination with the Orange County Fire Authority (OCFA). In addition, all
development located within portions of the Project Area that are designated as a VHFSHZ by California Department of Fire and Forestry (CalFire) shall comply with OCFA VHFSHZ guidelines. Site developer(s) shall be responsible for providing evidence to the City and the OCFA prior to the issuance of grading permits that water pressure is adequate for fire-fighting purposes.

(HAZ MM-4)(OSA PEIR MMRP 3.7-5)(PLNG______)(OCFA______)

65. The developer shall demonstrate to the Building Official that coverage has been obtained under California’s General Permit for Storm Water Discharge Associated with Industrial 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 to the Building Official. Prior to the issuance of a grading permit, the developer shall submit to the Building Official for review and approval a Storm Water Pollution Prevention Plan (SWPPP). A copy of the approved SWPPP shall be kept at the project site and available for review upon request.

(PPP WR-5)(OSA PEIR MMRP SC DFN2)(BLDG______)

66. The developer shall prepare a Final Water Quality Management Plan (WQMP) specifically identifying the Best Management Practices (BMP’s) that will be used on site to control predictable pollutant runoff. The plan shall identify the types of structural and non-structural measures to be used. The plan shall comply with the Orange County Drainage Area Management Plan (DAMP). Particular attention should be addressed to the appendix section "Best Management Practices for New Development." The WQMP shall clearly show the locations of structural BMP’s, and assignment of long term maintenance responsibilities (which shall also be included in the Maintenance Agreement). The plan shall be prepared to the general form and content shown in the City of Lake Forest’s WQMP Template and shall be submitted to the Director of Public Works/City Engineer for review and approval. The DPW/CE shall approve the plan if the Director reasonably determines that the plan is substantially similar in all material respects to the City of Lake Forest’s WQMP Template and the approved Preliminary WQMP.

(PPP WR-6)(OSA PEIR MMRP SC DFN3)(PW/ENG _____)

67. The City shall conduct a tiered site-specific analysis under CEQA to
determine whether the individual project will expose sensitive receptors to either a substantial increase in ambient noise resulting from increased traffic volumes generated by that project or excessive ground-borne vibration or ground-borne noise levels. Where significant impacts are identified, appropriate mitigation shall be required. (Satisfied by Noise Impact Analysis in this Initial Study January 2012).

Noise MM-2 (OSA Program EIR MM 3.10-2)(PLNG ____)

**PRIOR TO ISSUANCE OF A PRECISE GRADING PERMIT**

68. The developer shall obtain approval from the Fire Chief of a Precise Fuel Modification Plan and Program. The plan shall indicate the proposed means of modifying vegetation to reduce the risk to structures. Please contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the “Guideline for Fuel Modification Plans and Maintenance.” (OCFA____)

69. The developer shall submit evidence to the Development Services Department that the Orange County Fire Authority has reviewed and approved the Precise Fuel Modification Plan and Program. (OCFA____)(PLNG____)

70. The developer shall submit a photometric survey for the site. In addition, the developer shall provide a note on the lighting plans that states no direct lighting spillage shall be permitted to shine on any other property. The proposed lighting standards shall be hooded or shielded to focus the light downward. A grading permit shall not be issued until the lighting has been reviewed and approved by the Director of Development Services. (PPP AESTH-4)(OSA PEIR MMRP SC LG1)(PLNG____)

71. The developer shall submit a lighting plan to the Development Services Department for review and approval. The plan shall specify the lighting type and placement to ensure that the effects of security lighting are limited as a means of minimizing night lighting and the associated impacts to aesthetics. Prior to completion of final plans and specifications, the City of Lake Forest shall review the plans and specifications to ensure that all light fixtures will use glare-control visors, arc tube suppression caps, and will use a photometric design that maintains 70 percent of the light intensity in the lower half of the light beam. Completion of this measure shall be monitored

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and enforced by the City of Lake Forest.

(AE MM-1)(OSA PEIR MM 3.1-1)(PLNG____)

72. All lighting (including signage) shall be oriented in such a manner to reduce the amount of light shed onto adjacent residential development and incorporate “cut-off” shields as appropriate to minimize any increase in lighting at adjacent residential properties. (AE MM2)(OSA PEIR MM 3.1-2)

73. All interior floodlights, exterior parking lot, and other security lighting shall be directed away from adjacent uses and towards the specific location intended for illumination. State-of-the-art fixtures shall be used, and all lighting shall be shielded to minimize the production of glare and light spill onto both existing and proposed residential units. A lighting design plan shall be submitted to the City for approval.

(AE MM-3)(OSA PEIR MMRP 3.1-3)(PLNG____)

74. Landscape illumination and exterior sign lighting shall follow the City’s Municipal Code and applicable Planned Community design guidelines and be accomplished with low-level unobtrusive fixtures.

(AE MM-4)(OSA PEIR MMRP 3.1-4)(PLNG____)

75. The developer shall prepare and submit a final (precise) grading plan to the Building Division of the Development Services Department showing building footprints, new and revised pads and elevations of finished grades, drainage routes, retaining walls, erosion control, slope easements, structural best management practices conforming to the approved water quality management plan, and other pertinent information.

(PPP GEO-1)(OSA PEIR MMRP SC G1)(PLNG____)

76. The developer shall in a manner meeting the approval of the Public Works Director/City Engineer:

- Design provisions for surface drainage; and
- Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and
- Dedicate the associated easements to the City of Lake Forest, if determined necessary by the Public Works Director/City Engineer.
- Prior to building permit final inspection said improvements shall be constructed in a manner meeting the approval of the Public Works Director/City Engineer.

(PPP GEO-2)(OSA PEIR MMRP SC G2)(PLNG____)

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77. This project necessitates the construction of public and/or private infrastructure improvements. The developer shall construct, or enter into an agreement and post security, in a form and amount acceptable to the City Engineer, guaranteeing the construction of public and/or private improvements, in conformance with applicable City standards and the City's Capital Improvement Policy, including but not limited to:

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

b) Traffic signal systems, interconnect traffic signal preemption devices and other traffic control and management devices

c) Storm drain facilities

d) Subdrain facilities

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

f) Sewer, reclaimed and/or domestic water systems, as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.

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

h) Undergrounding of existing overhead and proposed utility distribution lines.

i) Transit-related improvements depicted on the approved tentative map.

j) Plans for improvements, including proposed and relocated utility lines, shall be approved by the Public Works Director/City Engineer based on the City's ordinances, standards, and policies, including, but not limited to, those design and construction standards adopted by the City or otherwise reasonably determined by the Director to be applicable to the project. Plans for signing, striping, and other traffic control devices shall be approved by the City's Traffic Engineering Manager. Water improvement plans shall be approved by the Fire Marshal, the local water district, and the Public Works Director/City Engineer. The water distribution system and appurtenances shall conform to the applicable laws and adopted regulations enforced by the Orange County Health
Department. Public sewer and reclaimed water improvement plans shall be approved by the local sewer agency and the Public Works Director/City Engineer. The requirement for the reclaimed water line for irrigation is contingent upon an existing line within reasonable proximity to the site. Construction of improvements shall be under the inspection of the Public Works Department.

(PPP GEO-5)(OSA PEIR MMRP SC G5)(PLNG ____)

PRIOR TO APPROVAL OF THE FINAL TRACT MAP

78. A new lettered lot shall be created which would encompass the retaining walls and the slopes on the north side of Lots 71 and 72, on the west side of Lot 75, and on the east side of Lot 73. The lettered lot shall be maintained by the HOA. All lot tables and data shall be adjusted accordingly.

(PLNG ____)

79. Relocate the existing SCE 12kv bundle, 6" reclaimed water line, and the 8" sewer line from the Peachwood right of way that is being vacated to within the proposed 46' wide easement; as shown on the tentative map.

(PW/ENG ____)

80. Developer shall provide to the Public Works Department for review a preliminary Title Report no older than 60 days from the final tract map submittal date. The owner's name in the report shall match the name under the Owner's Certificate section of the final map.

(PW/ENG ____)

81. The developer shall dedicate, construct, or enter into a Subdivision Improvement Agreement and post security in a manner meeting the approval of the Public Works Director/City Engineer guaranteeing the dedication and construction of the following public improvements applicable to this subdivision:

a. Street improvements in the public right-of-way including but not limited to: street pavement, curb and gutter, sidewalks, parkways, medians, landscaping for parkways, slopes, street lighting, signing, striping, and ADA ramps.

b. The following project-specific public improvements:

i. Streets
ii. On-site and off-site storm drain facilities, including water quality/detention basins.

iii. Sewer, reclaimed and/or domestic water systems as required by the appropriate sewer and water districts as well as the Orange County Fire Authority when appropriate.

iv. Installation and completion of landscaping and computerized irrigation control system on all site perimeter landscaped areas, including slopes, areas above and below retaining walls, and public parkways, as indicated on the approved landscape plan.

v. Installation of street light poles, luminaries, conduits and cable to the satisfaction of the Public Works Director/City Engineer and the Southern California Edison Company and payment of advanced energy charges.

vi. Monumentation.

Plans for improvements, including proposed and relocated utility lines, shall be prepared by a California-registered professional civil engineer and shall be prepared on 24” x 36” sheets. Plans shall be reviewed and approved by the Public Works Director/City Engineer based on the City’s ordinances, standards, and policies, including, but not limited to, those design and construction standards adopted by the City or otherwise reasonably determined by the Director to be applicable to the project. Plans for signing, striping, and other traffic control devices shall be reviewed and approved by the City Traffic Engineering Manager. Water improvement plans shall be reviewed and approved by the Fire Marshal and the Irvine Ranch Water District. The water distribution system and appurtenances shall conform to the applicable laws and adopted regulations enforced by the Orange County Health Department. Domestic water, sewer and reclaimed water improvement plans shall be reviewed and approved by the Irvine Ranch Water District. Encroachment permits are required for any work within the City’s right-of-way. (PW/ENG _____)

82. The subdivider shall place a note on the map, in a manner that meets the approval of the Director of Public Works/City Engineer, that states: "The private streets constructed within this map shall be owned, operated and maintained by the developer, successors or assigns." (PW/ENG _____)
83. Street names shall be subject to review and approval by the City and identified on the Final Map. (PLNG____)

84. The developer shall identify energy efficient street lights and water and wastewater pumps and treatment systems which are currently available and which when installed will provide for a 10 percent reduction beyond the 2007 baseline energy use for this infrastructure, and shall require the use of this technology in all new development. All new traffic lights installed within the City shall use LED technology. The developer shall submit a letter from the corresponding utility provider or other evidence acceptable to the Public Works Director/City Engineer that the 10 percent reduction requirement will be achieved by implementation of the project plans. (GHG MM-3)(OSA PEIR MMRP GCC4)(PW/ENG _____)

85. The developer shall provide a fully executed Subdivision Improvement Agreement for Monumentation only with accompanying securities as required, except in the case that Monumentation is established prior to approval of the Final Map by City Council. (PW/ENG _____)

86. Any proposed vacations by the City to be transferred to Willow Glen HOA will require the Developer to enter into an agreement for the maintenance of Lot W with the Serrano Highlands Master Association. Evidence of the required agreement shall be submitted to the Public Works Department. Additionally, all costs incurred by the City to accomplish the vacation will be paid by the developer. (PW/ENG _____)

87. The developer shall provide a legible 8.5 x 11 photograph of the Final Map to the satisfaction of the Public Works Director/City Engineer, for use by the City Council during the final map review process. (PW/ENG ___)

88. The developer shall submit proposed addresses to the City, for distribution to the U.S. Postal Service and other agencies. (PLNG _____)

89. The developer shall submit to the Development Services Department for review and approval by the City Attorney, Director of Development Services and the Director of Public Works/City Engineer a copy of the Covenants, Conditions and Restrictions (CC&Rs) for this project. The CC&Rs shall include, but not limited to, the following: (PLNG _____)
a. Creation of a property owner's association for the purpose of assuming common area maintenance responsibility. There may sub-associations created within individual planning areas.

b. Identify the property owners association as responsible and liable for the maintenance and repair of all common area improvements including but not limited to: site-retaining walls, non-retaining walls, perimeter slopes, landscaping, irrigation and drainage improvements, modular wetlands, water quality measures, Fuel Modification areas, private streets, guest parking areas, walkways, signage, shared driveways, private parks, and other community amenities.

c. Maintenance of retaining walls in all instances where retaining walls traverse multiple independently owned parcels.

d. A provision ensuring that residential garages are permanently and continually kept available for the parking of vehicles belonging to the occupants of the attached residence.

e. A provision ensuring that all on-street parking spaces shall remain available as guest parking spaces, free of charge, for the life of the project, except as necessary to accommodate repaving or other street maintenance and street sweeping.

f. Identify the mechanism for funding all necessary (anticipated and unanticipated) maintenance and repairs.

g. The approved Final Water Quality Management Plan.

h. Provisions for maintaining the Fuel Modification Zones, including the removal of all dead and dying vegetation. (OCFA_____)

i. Provisions which prohibit obstructions such as speed bumps/humps, control gates or other modifications within said easement or access road unless prior approval of the Fire Chief and the City is granted. Please contact the OCFA at (714) 573-6100 or visit the OCFA website to obtain a copy of the "Guidelines for Emergency Access." (OCFA_____) (PW/ENG ______) (PLNG ____)

j. A provision which requires that the HOA maintain common area landscaping in general conformance with the approved landscape plan, including vision clearance for vehicular and pedestrian safety at street intersections.
90. A recordable instrument providing for reciprocal ingress and egress access easements between and among the parcels with access via private drives shall be submitted by the developer to the City of Lake Forest for review and approval of the City Attorney, Director of Development Services and the Director of Public Works/City Engineer. The instrument shall be approved if it is appropriate recordable form, and adequately provides for reciprocal access in a manner consistent with the City’s ordinances, standards, and policies, including, but not limited to, those public design and construction standards adopted by the City or otherwise reasonably determined by the Directors to be applicable to the project.

(PPP GEO-7)(OSA PEIR MMRP SC G7)(PW/ENG ____)(PLNG ____)

PRIOR TO RELEASE OF SECURITY

91. Prior to release of the grading bond, the developer shall provide a certificate, from a Registered Civil Engineer, certifying that the finished grading has been completed in accordance with the City approved grading plan.

(PW/ENG ____)

92. Prior to the release of the subdivision improvement bond, the developer shall submit one (1) duplicate mylar of the final map and all as built public and/or private improvement plans, in a manner acceptable to the City Engineer. The microfilm shall be in 4”x 6” jackets with six frames per jacket. The computer analysis may be submitted on a CD with a labeled jewel Case.

(PW/ENG ____)

93. Prior to the release of subdivision improvement bond, the developer shall submit one (1) set of computerized data, which is compatible with the City ARC/VIEW system and in the file types of either Shapefile (.shp), File Geodatabase (.gdb), or Personal Geodatabase (.mdb), of the record drawings of landscape and improvement plans to, and in a manner acceptable to, the City Engineer. When requested by the City Engineer, the developer shall submit one (1) set of computerized data of computer generated structural analysis and calculations.

(PLNG ____)(PW/ENG ____)

PRIOR TO ISSUANCE OF BUILDING PERMITS

94. The developer shall submit to the Director of Development Services for review and approval a precise landscape and irrigation construction plan...
prepared by a licensed landscape architect for the project consistent with the conceptual landscape plans approved by the City Council. Prior to approval, all fuel modification and revegetation/landscaping plans shall be reviewed by a biologist with a working knowledge of local natural habitats and plant species. All nonnative plants that are potentially invasive via airborne seeds, or that are particularly difficult to control once escaped, will be prohibited from all parts of the project. Prohibited plant species include but are not limited to the following:

- Tree-of-heaven (Ailanthus sp.)
- Giant reed (Arundo donax)
- Garland chrysanthemum (Chrysanthemum coronarium)
- Pampas grass (Cortaderia spp.)
- Brooms (Cytisus spp.)
- Bermuda buttercup (Oxalis pes-caprae)
- Fountain/Kikuyu grass (Pennisetum spp.)
- German ivy (Senecio mikanoides)
- Tamarisk (Tamarix spp.)

(BR MM-5)(OSA PEIR MMRP SC LS1)(PLNG _____)

95. All landscape contractors and project developers shall be required, as part of their contract, to submit to the City a landscape design plan including the following elements:

- Maximized use of native plant species with minimum water and fertilizer requirements
- Watering shall be kept to the minimum necessary to maintain new landscaping
- Drip irrigation shall be used only until the native landscaping is established
- Minimal use of fertilizers and pesticides

(WQ MM-3)(OSA PEIR MMRP MM 3.8-2)(PLNG____)
Building Permit. The construction waste management plan shall identify materials to be diverted from disposal and whether the materials will be stored on-site or commingled. Excavated soil and land-clearing debris do not contribute to this credit. Calculation can be done by weight or volume but must be documented.

(GHG MM-3)(OSA PEIR MMRP GCC5)(PLNG____)

98. Residential development shall be constructed with the following features to reduce energy consumption so long as they pose no conflict with applicable Building Code requirements: installation of a majority of Energy Star appliances; installation of high efficiency HVAC equipment with SEER rating of 13 or higher and TXV valve; installation of vinyl frame windows with dual pane low emissivity glass; installation of natural gas clean burning fireplaces; installation of water efficient plumbing fixtures to reduce water consumption; and provision of an option to the homeowner to include electric vehicle charging facilities in the residence garage.

(GHG PDF-1)(OSA PEIR MMRP GCCPDF2)(BLDG____)

99. The landscape materials to be planted in the Linear Modular Wetlands system shall be consistent with the manufacturer specifications for Hardy Zones 9-10. Landscape materials shall be reviewed and approved by the Director of Development Services.

(PLNG _____)

100. Removal of any eucalyptus tree shall comply with Section 6.20.035 of the Municipal Code, titled Regulations Pertaining to Conversion, Maintenance, and Removal of eucalyptus Trees.

(PLNG _____)

101. Plans shall require installation of obscure glass for all bathroom windows facing an adjacent residence.

(PLNG _____)

102. The developer, under the supervision of the Fire Chief, shall complete the portion of the approved Fuel Modification Plan determined to be necessary before the introduction of any combustible materials into the project area. Approval shall be subject to an on-site inspection. Evidence of approval by OCFA shall be submitted to the Development Services Department.

(PLNG _____)(OCFA____)

103. The Developer shall submit a final acoustical report prepared to the satisfaction of the Director of Development Services. The report shall show that the development will be sound attenuated against present and projected noise levels, including roadway and railroad, to meet City
interior and exterior noise standards. In order to demonstrate that all mitigation measures have been incorporated into the project, the report shall be accompanied by a list identifying the sheet(s) of the building plans that include the approved mitigation measures.

PPP N-4)(OSA PEIR MMRP SC N3)(PLNG____)

104. The developer shall submit plans for shielding of all HVAC equipment to provide noise attenuation that will reduce noise from HVAC systems to 65 dBA or less when measured at 50 feet from the noise source.

(Noise MM-3)(OSA PEIR MMRP 3.10-3)(BLDG _____)

105. In the event of plan modifications, the developer shall ensure that all fire master plans continue to meet the requirements of the Orange County Fire Authority (Service Code PR145).

(OCFA____)

106. The developer shall submit evidence of the on-site fire hydrant system to the Fire Chief and indicate whether it is public or private. If the system is private, it shall be reviewed and approved by the Fire Chief prior to building permit issuance, and the developer shall make provisions for the repair and maintenance of the system in a manner meeting the approval of the Fire Chief.

(PPP PS-3)(OSA PEIR MMRP SC F3)(OCFA _____)

107. The developer shall submit a letter on company letterhead stating that water for fire-fighting purposes and all weather fire protection access roads shall be in place and operational as required by the Uniform Fire Code before any combustible materials are placed on the site.

(PPP PS-4)(OSA PEIR MMRP SC F4)(OCFA _____)

108. The developer shall provide evidence of adequate fire flow. The “Orange County Fire Authority Water Availability for Fire Protection” form shall be signed by the applicable water district and submitted to the Fire Chief for approval. If sufficient water to meet fire flow requirements is not available an automatic fire extinguishing system may be required in each structure affected.

(PPP PS-5)(OSA PEIR MMRP SC F5)(OCFA _____)

109. If determined by the OCFA or current Fire Code to be required, plans for the automatic fire sprinkler system shall be submitted to the Fire Chief for review and approval. (PPP PS-5)(OSA PEIR MMRP SC F6)(OCFA _____)

110. The developer shall contact the Orange County Fire Authority Hazardous Materials Disclosure Office at (714) 744-0463 to complete and submit a
“Hazardous Materials Business Information and Chemical Inventory Packet.” (PPP PS-8)(OSA PEIR MMRP SC F8)(OCFA _____)

111. The developer shall submit evidence to the Development Services Department that all OCFA requirements noted herein have been satisfied, as determined by OCFA. (PLNG_____)

112. The residences in the project shall comply with the requirements of Title 24 of the California Code of Regulations in effect at the time of plan check approval. (GHG MM-2)(OSA PEIR MM GCC2)(BLDG _____)

113. The project shall use reclaimed water for public and common area landscaping, where available; install 50 percent native/drought-tolerant plant species in developer-installed landscaped areas; and utilize “smart” advanced capability controllers (e.g., Weather-Trac) to reduce water and energy consumption. (GHG MM-4)(OSA PEIR MMRP GCC6)(PLNG_____)

114. The developer shall timely pay fees associated with the Development Agreement, including, but not limited to, the following:

a. In accordance with Development Agreement Section 9.6, the developer shall pay the designated Affordable Housing In-Lieu Fee, subject to stated escalation factors. (PLNG_____)

b. In accordance with Development Agreement – Exhibit F (A)(1), the developer shall pay the designated City Facilities Fee, subject to stated escalation factors. (PLNG_____)

c. In accordance with Development Agreement – Exhibit F (A)(2), the developer shall pay the designated Neighborhood Park Fees, subject to stated escalation factors. (PLNG______)

d. In accordance with the Development Agreement – Exhibit F (A)(3)(b), the developer shall pay the designated Maintenance fees for City Facilities, subject to stated escalation factors. (PLNG_____)

e. The developer shall pay the fees associated with the Lake Forest Transportation Mitigation Program (LFTM), subject to stated escalation factors, either prior to the building permit issuance for each unit or subject to a written agreement between the City and the developer on the payment of said fees. (PW/ENG_____)(PLNG_____)

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f. In accordance with the Development Agreement Exhibit F – Attachment 1 (Section 7), the developer shall comply with the School Facilities Funding and Mitigation Agreement and provide a Certificate of Compliance to the City as written indication that applicable school fees have been/or will be paid. (PS MM-3)(OSA PEIR MM 3.12-3)

(PLNG_____)  

g. The developer shall demonstrate that applicable library impact fees have been paid to the Orange County Public Library in effect at the time of building permit issuance. (PS MM-4)(OSA PEIR MM 3.12-4)  

(BLDG_____)  

h. Per Development Agreement Exhibit E, the developer shall pay fees to the City of Lake Forest as prescribed in the Major Thoroughfare and Bridge Fee Program, including but not limited to the following:  

i. Foothill Circulation Phasing Plan – Zone 2  

ii. Foothill/Eastern Transportation Corridor – Zone A  

iii. Santiago Canyon Road  

iv. Drainage Fees  

v. El Toro Road  

(PPP T-1)(OSA PEIR MMRP FFP1)(BLDG_____)  

115. The developer shall demonstrate that mechanical equipment placed on any roof such as, but not limited to, air conditioning and heating, shall be screened from view.  

(PPP AESTH-5)(OSA PEIR MMRP SC ME2)(PLNG_____)  

DURING PROJECT GRADING AND CONSTRUCTION  

116. During project grading and construction activities, the following measures shall be implemented by the developer as monitored by the Director of Development Services and Director of Public Works/City Engineer.  

a) Normal watering procedures or other dust palliative measures shall be followed during earth moving and construction operations to minimize fugitive dust emissions in compliance with SCAQMD Rule 403. Soil binders shall be spread on site, unpaved roads, and parking area in compliance with Rule 403.
b) Where practical, heavy duty construction equipment shall be kept on-site when not in operation to minimize exhaust emissions associated with vehicles entering and exiting the project site.

c) Restrict traffic speeds on all unpaved road to 15 miles per hour or less, and provide a flag person to properly guide traffic and ensure safety at the construction site.

d) Suspend all grading operations when wind speeds exceed 25 miles per hour and during second stage smog alerts.

e) Comply with SCAQMD Rules 402 and 403 which state that no dust impacts off-site sufficient to be called a nuisance are created and restrict visible emissions from construction and grading, respectively.

f) Use low emission mobile construction equipment (i.e., tractors, scrapers, dozers, etc.) where practical. Shut off engines when not in use.

g) Maintain construction equipment in peak operating condition to reduce operating emissions.

i. Use low sulfur fuel for equipment to the extent feasible.

ii. Use electric equipment whenever practicable.

iii. Moisten soil to grading to 12% soil moisture.

iv. Water exposed surfaces at least twice daily under calm conditions and as often as needed on windy days when winds are less than 25 miles per hour or during dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.

v. Treat any area that will be exposed for extended periods with a soil conditioner to stabilize soil or temporarily plant with vegetation.

vi. Wash mud-covered tires and under-carriages of any trucks leaving construction sites.

vii. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
viii. Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance.

(PPP GEO-4)(OSA PEIR MMRP SC G4)(PLNG _____)

117. Lane Closures - At least three business days prior to any lane closure, the construction contractor shall notify the Orange County Sheriff's Department/Lake Forest Public Safety Department and OCFA of construction activities that would impede movement along roadways immediately adjacent to the site and obtain an encroachment permit from the Public Works Department to allow for uninterrupted emergency access and maintenance of evacuation routes.

(HAZ MM-2)(OSA PEIR MMRP 3.7-3)(PW/ENG______)

118. Grading and construction activities shall be prohibited between the hours of 8:00 p.m. and 7:00 a.m. Monday through Friday; 6:00 p.m. and 8:00 a.m. Saturday; and at any time on Sunday or a federal holiday.

(PPP N-3)(OSA PEIR MMRP SC N2)(BLDG______)

119. All slopes shall be stabilized upon completion of grading and permanently landscaped.

(PW/ENG_____)(BLDG______)

PRIOR TO ISSUANCE OF A BUILDING PERMIT

120. All roadway and stormdrain improvements, including the installation of the BMP boxes, shall be completed to provide access and drainage for each residential unit. Completion of the access and drainage for each lot shall be verified prior to issuance of a building permit for that lot.

(PW/ENG______)(BLDG______)

PRIOR TO FIRST CERTIFICATE OF OCCUPANCY FOR A RESIDENTIAL UNIT (NOT MODEL HOMES)

121. The linear park improvements shall be constructed as part of the first phase of home construction and shall be completed prior to the first residential certificate of occupancy.

(PW/ENG______)(BLDG______)(PLNG ____)

122. All temporary erosion control, as required by the approved Storm Water Pollution Prevention Plan (SWPPP), shall be maintained on the site throughout the construction process.

(PW/ENG______)(BLDG______)

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123. All roadways, sidewalks, curbs, gutters, lettered lot parking spaces, parks, landscaping and homes shall be constructed in accordance with the City approved Phasing Plan, and prior to commencement of the next Phase.  

(PW/ENG_____)(BLDG_____)

PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY

124. The City shall modify, to the extent necessary, the City’s emergency response protocol and available emergency response resources, as outlined in the Emergency Preparedness Plan, to accommodate development. Such modifications shall ensure that the existing level of emergency service is maintained.

(HAZ MM-3)(OSA PEIR MMRP 3.7-4)(Public Safety_____)

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

125. Front-yard landscaping and irrigation for each residence shall be installed prior to issuance of the certificate of occupancy for that residence. All above-ground utility equipment shall be screened with landscaping. Front yard landscaping shall correspond to the typical front yard design concept on the plans, but incorporate variations to avoid homogeneity.

(PLNG____)

126. The developer shall have installed landscaping and irrigation in accordance with the approved plan. The developer shall submit a landscape installation verification letter to the Development Services Department from a licensed landscape architect indicating that the landscaping for the project was installed in accordance with the approved plan.

(PPP AESTH-3)(OSA PEIR MMRP SC LS2)(PLNG_____)

127. The developer shall submit a letter of certification to the Director of Development Services from the project architect and civil engineer certifying that all improvements have been constructed in accordance with the approved building plans. Determination of consistency shall be subject to the review and approval of the Director of Development Services.

(PLNG_____)

128. The developer shall demonstrate that all structural Best Management Practices (BMP) described in the project’s Water Quality Management Plan (WQMP) have been constructed and installed. In addition, the developer shall be prepared to implement all non-structural BMP’s
described in the project’s WQMP. Two (2) copies of the WQMP shall be available on-site. All equipment shall be in place and in good working order as indicated in the WQMP.

(PPP WR-7)(OSA PEIR MMRP DFN4)(BLDG_____) (PW/ENG _____)

129. The required Fuel Modification shall be installed and completed under the supervision of the Fire Chief with an approved plant pallet. The Fuel Modification Zones shall be subject to triennial inspections. (OCFA______)

130. Any required fire alarm system shall be operational.

(PPP PS-7)(OSA PEIR MMRP SC F7)(OCFA______)

131. All fire hydrants shall have a “Blue Reflective Pavement Marker” indicating its location on the street or drive per the Orange County Fire Authority Standard and are subject to review and approval by the Fire Chief. On private property these markers are to be maintained in good condition by the property owner. (PPP PS-9)(OSA PEIR MMRP SC F9)(OCFA______)

**ONGOING CONDITIONS**

*(The use shall be operated and maintained in substantial conformance with the following:)*

132. All landscaping shall be maintained in a healthy and living condition. If necessary, plants shall be replaced in a manner that is consistent with the landscaping plan. Landscaping shall be irrigated and all irrigation systems shall be maintained in good working order. (PLNG______)

133. All retaining walls and associated landscaping shall be maintained in the City-approved condition. (PLNG______)

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PASSED, APPROVED AND ADOPTED this 24th day of May 2012, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

JERRY VERPLANCKE
CHAIRMAN
LAKE FOREST PLANNING COMMISSION

ATTEST:

GAYLE ACKERMAN, AICP
DEVELOPMENT SERVICES DIRECTOR