

ORDINANCE NO. 12-031

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE, CALIFORNIA AMENDING THE FOOTHILL/TRABUCO SPECIFIC PLAN

WHEREAS, the Board of Supervisors of the County of Orange is authorized by Government Code Section 65850 to adopt ordinances amending the County's zoning codes and ordinances and is authorized by Government Code Section 65453 to amend Specific Plans that it has previously adopted; and

WHEREAS, Rutter Santiago, L.P. (the "Applicant") filed Planning Application PA110027 in connection with the property located at 18682 Santiago Canyon Road, within an unincorporated area in the County of Orange (the "Property"); and

WHEREAS, Planning Application PA110027 requests, among other things, amendments to the Foothill/Trabuco Specific Plan (the "F/TSP Amendments"); and

WHEREAS, the F/TSP Amendment application included in PA110027 was filed together with other applications in Planning Application PA110027 which, together, would permit the development of a 65 single family dwelling unit residential community on the Property (the "Project"); and

WHEREAS, the County has complied with the requirements of Government Code sections 65453 and 65853-65856 relating to amendment of specific plans and zoning ordinances.

WHEREAS, the Board of Supervisors held one duly advertised hearing, on October 2, 2012, for the purpose of considering the Project, including the F/TSP Amendments, upon the Property described as follows:

PARCEL 1:

THAT PORTION OF FRACTIONAL SECTION 32, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS AS SHOWN ON A MAP RECORDED IN BOOK 3, PAGES 290 AND 291, MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, WITH THE CENTER LINE OF MODJESKA ROAD AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED MARCH 24, 1932 IN BOOK 546, PAGE 164 OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE NORTH 29° 13' 30" WEST 1355.38 FEET ALONG THE NORTHEASTERLY LINE OF SAID RANCHO CANADA DE LOS ALISOS TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO CHARLES PANTER AND WIFE BY DEED RECORDED

JANUARY 22, 1942 IN BOOK 1127, PAGE 46, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE NORTH 89° 51' 20" EAST 977.33 FEET ALONG THE SOUTHERLY LINE OF SAID LAND CONVEYED TO PANTER TO AN ANGLE POINT THEREIN; THENCE SOUTH 0° 05' 20" EAST 332.54 FEET ALONG THE WESTERLY LINE OF SAID LAND CONVEYED TO PANTER TO AN ANGLE POINT THEREIN; THENCE SOUTH 14° 18' 08" WEST 962.32 FEET TO A POINT IN THE CENTER LINE OF SAID MODJESKA ROAD, SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 700.00 FEET, A RADIAL LINE AT SAID POINT BEARS SOUTH 46° 01' 04" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0° 32' 34" A DISTANCE OF 6.63 FEET TO A POINT IN A LINE TANGENT; THENCE NORTH 44° 31' 30" WEST 105.16 FEET ALONG THE CENTER LINE OF SAID MODJESKA ROAD TO THE POINT OF BEGINNING.

APN: 858-011-06

PARCEL 2:

THAT PORTION OF LOT 7 OF RANCHO CANADA DE LOS ALISOS, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 3, PAGES 290 AND 291, MISCELLANEOUS MAPS, RECORDS OF LOS ANGELES COUNTY, CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF MODJESKA ROAD AS DESCRIBED IN A DEED TO THE COUNTY OF ORANGE, RECORDED JULY 3, 1945, IN BOOK 1322, PAGE 254, OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY, WITH THE NORTHEASTERLY LINE OF SAID RANCHO CANADA DE LOS ALISOS, AS SAID INTERSECTION IS SHOWN ON A MAP OF SURVEY RECORDED IN BOOK 16, PAGE 19 RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID ORANGE COUNTY; THENCE NORTH 44° 31' 30" WEST 521.81 FEET ALONG THE CENTER LINE OF SAID MODJESKA ROAD TO THE BEGINNING OF A TANGENT CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 700 FEET AND A CENTRAL ANGLE OF 7° 25' 00"; THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 90.61 FEET; THENCE TANGENT TO SAID CURVE NORTH 51° 56' 30" WEST 428.65 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 350 FEET; THENCE LEAVING SAID CENTER LINE NORTH 51° 56' 30" WEST 45.61 FEET TO THE POINT OF INTERSECTION OF THE TANGENTS OF SAID CURVE; THENCE NORTH 13° 55' 14" EAST 512.30 FEET TO THE NORTHEASTERLY LINE OF SAID RANCHO CANADA DE LOS ALISOS; THENCE SOUTH 29° 13' 17" EAST 1400.00 FEET TO THE POINT OF BEGINNING.

APN: 858-011-07

PARCEL 3:

THAT PORTION OF FRACTIONAL SECTION 32, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT FILED IN THE DISTRICT LAND OFFICE, MAY 20, 1875, DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT IN THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO CHARLES PANTER AND WIFE BY DEED RECORDED JANUARY 22, 1942 IN BOOK 1127, PAGE 46 OF OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, SAID POINT BEING THE NORTHERLY TERMINUS OF THAT CERTAIN LINE DESCRIBED AS "NORTH 51° 55' 20" WEST, 708.85 FEET"; RUNNING FROM SAID POINT OF BEGINNING, SOUTH 51° 55' 20" EAST 708.85 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LAND CONVEYED TO PANTER; THENCE SOUTH 89° 54' 40" WEST 106.95 FEET; THENCE SOUTH 7° 57' 10" WEST 916.68 FEET; THENCE SOUTH 0° 05' 20" EAST 315.03 FEET ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID FRACTIONAL SECTION 32, TO A POINT IN THE CENTERLINE OF MODJESKA ROAD, AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED MARCH 24, 1932 IN BOOK 546, PAGE 164 OF OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1000.00 FEET, A RADIAL LINE AT SAID POINT BEARS NORTH 29° 08' 05" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25° 01' 35" A DISTANCE OF 436.78 FEET; THENCE NORTH 30° 39' 39" WEST 328.45 FEET ALONG THE CENTERLINE OF SAID MODJESKA ROAD, TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 700.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13° 19' 26", A DISTANCE OF 162.78 FEET; THENCE NORTH 14° 18' 08" EAST 962.32 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM, THE LAND DESCRIBED IN THE DEED TO THE COUNTY OF ORANGE, RECORDED IN BOOK 85801 PAGE 322 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY.

APN: 858-011-08

PARCEL 4:

THAT PORTION OF FRACTIONAL SECTION 321 TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF INTERSECTION OF THE EAST LINE OF FRACTIONAL SECTION THIRTY-TWO (32) TOWNSHIP FIVE (5) SOUTH, RANGE SEVEN (7) WEST, SAN BERNARDINO MERIDIAN WITH THE NORTH LINE OF THE LAND DESCRIBED AS PARCEL ONE IN THE DEED TO FRANCISCO J. SERRANO RECORDED MAY 28 1937 IN BOOK 887, PAGE 506 OFFICIAL RECORDS, SAID POINT BEING DISTANT NORTH 0° 05' 20" WEST 2078.26 FEET FROM THE POINT OF INTERSECTION OF SAID EAST LINE WITH THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 3, PAGES

290 AND 291 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA; THENCE SOUTH 89° 54' 40" WEST ALONG THE NORTH LINE OF PARCEL ONE AS DESCRIBED IN SAID DEED 53.05 FEET TO A POINT; THENCE NORTH 51° 55' 20" WEST 708.85 FEET TO A POINT; THENCE NORTH 0° 05' 20" WEST PARALLEL TO THE EAST LINE OF SAID FRACTIONAL SECTION 32, 332.54 FEET TO A POINT; THENCE WESTERLY PARALLEL TO THE NORTH LINE OF SAID FRACTIONAL SECTION 32, 977.10 FEET TO A POINT IN THE NORTHEASTERLY LINE OF SAID RANCHO CANADA DE LOS ALISOS; THENCE NORTH 29° 13' 30" WEST ALONG SAID NORTHEASTERLY LINE 700.36 FEET TO A POINT WHICH IS SOUTH 29° 13' 30" EAST 1247.40 FEET FROM THE INTERSECTION OF SAID NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS WITH THE NORTH LINE OF SAID FRACTIONAL SECTION 32, SAID POINT BEING THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN PARCEL ONE IN THE DEED TO EDSON P. KITTLE RECORDED DECEMBER 29, 1936 IN BOOK 857, PAGE 446, OFFICIAL RECORDS; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PARCEL 1928.46 FEET TO A POINT IN THE EAST LINE OF SAID FRACTIONAL SECTION 32; THENCE SOUTH 0° 05' 20" EAST ALONG SAID EAST LINE 1383.23 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM AN UNDIVIDED ONE-HALF OF OIL, GAS, MINERALS AND OTHER HYDROCARBONS, BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED RECORDED OCTOBER 26, 1960 AS INSTRUMENT NO. 188698, IN BOOK 5480, PAGE 579, OFFICIAL RECORDS.

A PORTION OF SAID LAND IS SHOWN ON A MAP FILED IN BOOK 6, PAGE 46, IN BOOK 7, PAGE 24 AND IN BOOK 11, PAGE 49, ALL OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 858-011-09

PARCEL 5:

THAT PORTION OF THE NORTHWEST QUARTER OF FRACTIONAL SECTION 33, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF OF SAID LAND FILED IN THE DISTRICT LAND OFFICE FEBRUARY 23, 1882, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF SAID NORTHWEST QUARTER NORTH 0° 05' 20" WEST 2840.43 FEET FROM THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP RECORDED IN BOOK 3, PAGE 291, OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, AND RUNNING THENCE FROM SAID POINT OF BEGINNING NORTH 0° 05' 20" WEST ALONG THE WEST LINE OF SAID SECTION 33, 1712.88 FEET TO THE NORTHWEST CORNER OF SAID SECTION 33; THENCE SOUTH 89° 47' 20" EAST, ALONG THE NORTH LINE OF SAID SECTION 33, 1207.36 FEET TO A POINT; THENCE SOUTH 0° 05' 20" EAST, PARALLEL TO THE WEST LINE OF SAID SECTION 33, 1712.88 FEET TO A POINT; THENCE NORTH 89°

47' 20" WEST, PARALLEL TO THE NORTH LINE OF SAID SECTION 33,
1207.36 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE SOUTH 615.94 FEET OF THE EAST 500
FEET THEREOF.

ALSO EXCEPTING THEREFROM ONE-HALF OF ALL MINERAL AND OIL
RIGHTS, AS RESERVED IN THE DEED FROM CHARLES PANTER AND
WIFE, RECORDED SEPTEMBER 29, 1955 IN BOOK 3227, PAGE 393 OF
OFFICIAL RECORDS.

APN'S: 858-021-16 AND 858-021-17

PARCEL 5A:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES AS PROVIDED IN
AN AGREEMENT RECORDED MARCH 21, 1940 IN BOOK 1029, PAGE 582
OF OFFICIAL RECORDS, OVER A STRIP OF LAND 5 FEET ON EACH SIDE
OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE MOST
NORTHERLY 15-ACRE PARCEL OF LAND AS SURVEYED FOR FRANCISCO
J. SERRANO AND SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 9 OF
RECORD OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF
ORANGE COUNTY, CALIFORNIA, SAID POINT BEING NORTH 89° 47' 20"
WEST 87.33 FEET FROM THE NORTHEASTERLY CORNER OF SAID 15
ACRE PARCEL AND RUNNING THENCE FROM SAID POINT OF BEGINNING
SOUTH 16° 17' 40" WEST 311.27 FEET; THENCE SOUTH 10° 13' 40" WEST
252.93 FEET; THENCE SOUTH 40° 00' 00" WEST 463.86 FEET; THENCE
SOUTH 9° 26' 00" WEST 415.23 FEET; THENCE SOUTH 50° 54' 00" WEST
130.21 FEET; THENCE SOUTH 1° 28' 00" WEST 253.20 FEET; THENCE
SOUTH 35° 36' 40" WEST 82.90 FEET TO A POINT IN A LINE PARALLEL TO
AND DISTANT 5 FEET EASTERLY MEASURED AT RIGHT ANGLES FROM
THE WESTERLY LINE OF THAT CERTAIN 16.42-ACRE PARCEL OF LAND,
AS SHOWN ON A MAP RECORDED IN BOOK 10, PAGE 19 OF RECORD OF
SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE
COUNTY, CALIFORNIA; THENCE SOUTH 0° 05' 20" EAST ALONG SAID
PARALLEL LINE 235.00 FEET, MORE OR LESS, TO AN INTERSECTION
WITH THE NORTHERLY RIGHT OF WAY LINE OF THAT CERTAIN PUBLIC
HIGHWAY, COMMONLY KNOWN AS MODJESKA ROAD, DESCRIBED IN
DEED TO ORANGE COUNTY IN BOOK 546, PAGE 164 OF OFFICIAL
RECORDS, WHICH LINE IS THE CENTERLINE OF SAID ROADWAY.

PARCEL 5B:

BEING PORTIONS OF FRACTIONAL SECTIONS 32 AND 33, TOWNSHIP 5
SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, AS PER OFFICIAL
PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, FEBRUARY 23,
1882, BEING ALSO A STRIP OF LAND 20.00 FEET WIDE LYING 5.00 FEET
SOUTHEASTERLY AND 15.00 NORTHWESTERLY OF THE FOLLOWING
DESCRIBED CENTERLINE:

COMMENCING AT A POINT IN THE WEST LINE OF SAID FRACTIONAL SECTION 33, SAID POINT BEING NORTH 0° 05' 20" WEST, 2131.21 FEET MEASURED ALONG SAID WEST LINE FROM THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHWESTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 3, PAGES 220 AND 291 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, SAID POINT BEING SOUTH 0° 05' 20" EAST 709.22 FEET ALONG SAID WEST LINE FROM THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN PARCEL 2 OF DEED TO BENNIE V. CARISOZA AND LOUIE M. CARISOZA, RECORDED OCTOBER 21, 1937 IN BOOK 912, PAGE 419, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33, SOUTH 89° 47' 20" EAST, 105.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE

1. SOUTH 40° 00' 00" WEST 254.27 FEET; THENCE
2. SOUTH 09° 26' 00" WEST 324.64 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 15.00 ACRES AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 9 OF RECORD OF SURVEYS, SAID POINT BEING SOUTH 89° 47' 20" EAST, 113.03 FEET ALONG SAID NORTHERLY LINE FROM THE WESTERLY TERMINATION THEREOF.

THE SIDELINES OF SAID 20.00 FOOT STRIP SHALL BE PROLONGED OR FORESHORTENED SO AS TO TERMINATE IN SAID PARALLEL LINE AND IN SAID NORTHERLY LINE.

PARCEL 5C:

BEING A PORTION OF FRACTIONAL SECTION 33, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, AS PER OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, FEBRUARY 23, 1882, BEING ALSO A STRIP OF LAND 20.00 FEET WIDE LYING 5.00 FEET SOUTHEASTERLY AND 15.00 NORTHWESTERLY OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A POINT IN THE WEST LINE OF SAID FRACTIONAL SECTION 33, SAID POINT BEING NORTH 0° 05' 20" WEST, 2131.21 FEET MEASURED ALONG SAID WEST LINE FROM THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 3, PAGES 290 AND 291 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA; THENCE CONTINUING ALONG SAID WEST LINE NORTH 0° 05' 20" WEST, 709.22 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN PARCEL 2 OF DEED TO BENNIE V. CARISOZA AND LOUIE M. CARISOZA, RECORDED OCTOBER 21, 1937 IN BOOK 912, PAGE 419, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33, SOUTH 89° 47' 20" EAST, 373.32 FEET TO THE TRUE POINT OF BEGINNING; THENCE

1. SOUTH 16° 17' 40" WEST, 311.27 FEET; THENCE
2. SOUTH 10° 13' 40" WEST, 252.93 FEET; THENCE
3. SOUTH 40° 00' 00" WEST, 209.59 FEET TO A POINT IN A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33.

THE SIDELINES OF SAID 20.00 FOOT STRIP SHALL BE PROLONGED OR FORESHORTENED SO AS TO TERMINATE AT THE HEREINABOVE DESCRIBED PARALLEL LINES.

PARCEL 6:

THE SOUTH 615.94 FEET OF THE EAST 500 FEET OF THE FOLLOWING:

BEGINNING AT A POINT IN THE WEST LINE OF FRACTIONAL SECTION 33, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, SAID POINT BEING DISTANT NORTH 0° 05' 20" WEST 2840.43 FEET FROM THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP RECORDED IN BOOK 3, PAGE 291, OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, AND RUNNING THENCE FROM SAID POINT OF BEGINNING NORTH 0° 05' 20" WEST ALONG THE WEST LINE OF SAID SECTION 33, 1712.88 FEET TO THE NORTHWEST CORNER OF SAID SECTION 33, THENCE SOUTH 89° 47' 20" EAST, ALONG THE NORTH LINE OF SAID SECTION 33, 1207.36 FEET TO A POINT; THENCE SOUTH 0° 05' 20" EAST, PARALLEL TO THE WEST LINE OF SAID SECTION 33, 1712.88 FEET TO A POINT; THENCE NORTH 89° 47' 20" WEST, PARALLEL TO THE NORTH LINE OF SAID SECTION 33, 1207.36 FEET TO THE POINT OF BEGINNING.

APN: 858-021-02

PARCEL 6A:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES AS PROVIDED IN AN AGREEMENT RECORDED MARCH 21, 1940 IN BOOK 1029, PAGE 582 OF OFFICIAL RECORDS OVER A STRIP OF LAND 5 FEET ON EACH SIDE OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE MOST NORTHERLY 15-ACRE PARCEL OF LAND AS SURVEYED FOR FRANCISCO J. SERRANO AND SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 9 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA, SAID POINT BEING NORTH 89° 47' 20" WEST 87.33 FEET FROM THE NORTHEASTERLY CORNER OF SAID 15-ACRE PARCEL AND RUNNING THENCE FROM SAID POINT OF BEGINNING SOUTH 16° 17' 40" WEST 311.27 FEET; THENCE SOUTH 10° 13' 40" WEST 252.93 FEET; THENCE SOUTH 40° 00' 00" WEST 463.86 FEET; THENCE SOUTH 9° 26' 00" WEST 415.23 FEET; THENCE SOUTH 50° 54' 00" WEST 130.21 FEET; THENCE SOUTH 1° 28' 00" WEST 253.20 FEET; THENCE SOUTH 35° 36' 40" WEST 82.90 FEET TO A POINT IN A LINE PARALLEL TO AND DISTANT 5 FEET EASTERLY MEASURED AT RIGHT ANGLES FROM THE WESTERLY LINE OF THAT CERTAIN 16.42-ACRE PARCEL OF LAND, AS SHOWN ON A MAP

RECORDED IN BOOK 10, PAGE 19 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA; THENCE SOUTH 0° 05' 20" EAST ALONG SAID PARALLEL LINE 235.00 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THAT CERTAIN PUBLIC HIGHWAY, COMMONLY KNOWN AS MODJESKA ROAD, DESCRIBED IN DEED TO ORANGE COUNTY IN BOOK 546, PAGE 164 OF OFFICIAL RECORDS, WHICH LINE IS THE CENTERLINE OF SAID ROADWAY.

EXCEPTING THEREFROM ONE-HALF OF ALL OIL AND MINERAL RIGHTS, AS RESERVED IN THE DEED FROM CHARLES PANTER AND WIFE, RECORDED SEPTEMBER 29, 1955 IN BOOK 3227, PAGE 393 OF OFFICIAL RECORDS.

PARCEL 6B:

AN EASEMENT FOR INGRESS AND EGRESS 10 FEET WIDE OVER LAND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF FRACTIONAL SECTION 33, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, SAID POINT BEING DISTANT NORTH 0° 05' 20" WEST 2840.43 FEET FROM THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP RECORDED IN BOOK 3, PAGE 291, OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, AND RUNNING THENCE FROM SAID POINT OF BEGINNING NORTH 0° 05' 20" WEST ALONG THE WEST LINE OF SAID SECTION 33, 1712.88 FEET TO THE NORTHWEST CORNER OF SAID SECTION 33; THENCE SOUTH 89° 47' 20" EAST, ALONG THE NORTH LINE OF SAID SECTION 33, 1207.36 FEET TO A POINT; THENCE SOUTH 0° 05' 20" EAST, PARALLEL TO THE WEST LINE OF SAID SECTION 33, 1712.88 FEET TO A POINT; THENCE NORTH 89° 47' 20" WEST, PARALLEL TO THE NORTH LINE OF SAID SECTION 3, 1702.26 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT TO FOLLOW AS NEARLY AS PRACTICABLE THE SOUTH LINE OF THE ABOVE DESCRIBED LAND AND THE NORTHERLY LINE OF THE CREEK BED INTERSECTING THE ABOVE DESCRIBED LAND IN THE SOUTHERLY PORTION THEREOF.

PARCEL 6C:

BEING A PORTION OF FRACTIONAL SECTION 33, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, AS PER OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, FEBRUARY 23, 1882, BEING ALSO A STRIP OF LAND 20.00 FEET WIDE LYING 10.00 FEET ON EACH SIDE AT THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID FRACTIONAL SECTION 331 WITH THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP THEREOF

RECORDED IN BOOK 3, PAGES 290 AND 291 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA; THENCE ALONG SAID WEST LINE NORTH 0° 05' 20" WEST 2840.43 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN PARCEL 2 OF DEED TO BENNIE V. CARISOZA AND LOUIS M. CARISOZA, RECORDED OCTOBER 21, 1937 IN BOOK 912, PAGE 419, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE ON A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33, SOUTH 89° 47' 20" EAST, 357.71 FEET TO A POINT NORTH 89° 47' 20" WEST 102.94 FEET FROM THE NORTHEAST CORNER OF SAID PARCEL 2; THENCE LEAVING SAID PARALLEL LINE NORTH 0° 12' 40" EAST 10.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE ON A LINE PARALLEL WITH SAID NORTH LINE.

1. SOUTH 89° 47' 20" EAST 109.38 FEET; THENCE
2. NORTH 78° 54' 00" EAST 234.53 FEET TO A LINE PARALLEL WITH SAID WEST LINE; THENCE ALONG SAID PARALLEL LINE
3. SOUTH 0° 05' 20" EAST 56.00 FEET TO A POINT ON A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33, SAID POINT BEING SOUTH 89° 47' 20" EAST 236.71 FEET ALONG SAID PARALLEL LINE FROM THE NORTHEAST CORNER OF SAID PARCEL 2.

THE SIDELINES OF SAID 20.00 FOOT STRIP SHALL BE PROLONGED OR FORESHORTENED SO AS TO INTERSECT WITH EACH OTHER AND TO TERMINATE AT SAID PARALLEL LINE.

PARCEL 6D:

BEING PORTIONS OF FRACTIONAL SECTIONS 32 AND 33, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, AS PER OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, FEBRUARY 23, 1882, BEING ALSO A STRIP OF LAND 20.00 FEET WIDE LYING 5.00 FEET SOUTHEASTERLY AND 15.00 NORTHWESTERLY OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A POINT IN THE WEST LINE OF SAID FRACTIONAL SECTION 33, SAID POINT BEING NORTH 0° 05' 20" WEST, 2131.21 FEET MEASURED ALONG SAID WEST LINE FROM THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHWESTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOW ON A MAP THEREOF RECORDED IN BOOK 3, PAGES 290 AND 291 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, SAID POINT BEING SOUTH 0° 05' 20" EAST, 709.22 FEET ALONG SAID WEST LINE FROM THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN PARCEL 2 OF DEED TO BENNIE V. CARISOZA AND LOUIE M. CARISOZA RECORDED OCTOBER 21, 1937 IN BOOK 912, PAGE 419, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33, SOUTH 89° 47' 20" EAST, 105.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE

1. SOUTH 40° 00' 00" WEST 254.27 FEET; THENCE

2. SOUTH 09° 26' 00" WEST 324.64 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 15.00 ACRES AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 9 OF RECORD OF SURVEYS, SAID POINT BEING SOUTH 89° 47' 20" EAST, 113.03 FEET ALONG SAID NORTHERLY LINE FROM THE WESTERLY TERMINATION THEREOF.

THE SIDELINES OF SAID 20.00 FOOT STRIP SHALL BE PROLONGED OR FORESHORTENED SO AS TO TERMINATE IN SAID PARALLEL LINE AND IN SAID NORTHERLY LINE.

PARCEL 6E:

BEING A PORTION OF FRACTIONAL SECTION 33, TOWNSHIP 5 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, AS PER OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE, FEBRUARY 23, 1882, BEING ALSO A STRIP OF LAND 20.00 FEET WIDE LYING 5.00 FEET SOUTHEASTERLY AND 15.00 FEET NORTHWESTERLY OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A POINT IN THE WEST LINE OF SAID FRACTIONAL SECTION 33, SAID POINT BEING NORTH 0° 05' 20" WEST, 2131.21 FEET MEASURED ALONG SAID WEST LINE FROM THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHEASTERLY LINE OF THE RANCHO CANADA DE LOS ALISOS, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 3, PAGES 290 AND 291 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA; THENCE CONTINUING ALONG SAID WEST LINE NORTH 0° 05' 20" WEST, 709.22 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN PARCEL 2 OF DEED TO BENNIE V. CARISOZA AND LOUIE M. CARISOZA, RECORDED OCTOBER 21, 1937 IN BOOK 912, PAGE 419, OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33, SOUTH 89° 47' 20" EAST, 373.32 FEET TO THE TRUE POINT OF BEGINNING; THENCE

1. SOUTH 16° 17' 40" WEST, 311.27 FEET; THENCE
2. SOUTH 10° 13' 40" WEST, 252.93 FEET; THENCE
3. SOUTH 40° 00' 00" WEST, 209.59 FEET TO A POINT IN A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 33.

THE SIDELINES OF SAID 20.00 FOOT STRIP SHALL BE PROLONGED OR FORESHORTENED SO AS TO TERMINATE AT THE HEREINABOVE DESCRIBED PARALLEL LINES.

WHEREAS, in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations Section 15000 *et seq.*) the County has completed an Environmental Impact Report (EIR No. 661) ("the Environmental Impact Report") to evaluate the environmental impacts of the actions and approvals requested in Planning Application PA110027, including the proposed F/TSP Amendments; and

WHEREAS, on July 25, 2012 the Orange County Planning Commission conducted a public hearing and after review and due consideration the Orange County Planning Commission recommended to this Board to approve Planning Application PA110027, including the F/TSP Amendments, as well as the General Plan Amendment and the Saddle Crest Homes Area Plan;

WHEREAS, the Board of Supervisors held a duly noticed hearing, on October 2, 2012, for the purpose of considering the Environmental Impact Report and Planning Application 110027, including the proposed amendments to the Orange County General Plan, the F/TSP Amendments, and the Saddle Crest Homes Area Plan; and

WHEREAS, by separate resolution (Resolution No. 12-147 the Board of Supervisors has certified the Environmental Impact Report as being adequate and complete and as fully complying with the requirements of the California Environmental Quality Act and further certified that that the Environmental Impact Report is adequate and complete for all proposed Project actions and approvals identified in the Environmental Impact Report, including but not limited to, the proposed amendments to the Orange County General Plan, the proposed amendments to the Foothill Trabuco Specific Plan, the Saddle Crest Homes Area Plan, and Vesting Tentative Tract Map 17388; and

WHEREAS, the Board of Supervisors has reviewed and considered the information contained in the Environmental Impact Report and adopted California Environmental Quality Act Findings and a Statement of Overriding Considerations for approval of the proposed amendments of the Orange County General Plan, the proposed F/TSP Amendments, and the Saddle Crest Homes Area Plan, as set forth in Resolution 12-147, which Resolution is incorporated herein by reference; and

WHEREAS, the Board has reviewed and considered the recommendations of the Planning Commission and also carefully considered the public comments that were presented to it at the public hearing held on the Planning Application; and

WHEREAS, in addition to all other information, comments and data prepared and presented in relation to the Planning Application, the Board has specifically and fully considered and reviewed all elements of the proposed amendments to the Foothill/Trabuco Specific Plan ,

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE DOES ORDAIN AS FOLLOWS:

SECTION I:

The Foothill/Trabuco Specific Plan is hereby amended as follows:

1. Amend Section I.A., Introduction, Authorization and Purpose (p. I-1) to read as follows:

“In August 1988, the Orange County Board of Supervisors directed the Environmental Management Agency (EMA) to convert the then-existing, policy-level Foothill/Trabuco Feature Plan into a regulatory, zoning-level Specific Plan. The purpose of the Specific Plan effort was to set forth goals, policies, land use district regulations, development guidelines, and implementation programs in order to preserve the area’s rural character and to guide future development in the Foothill/Trabuco area.

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

2. Amend Section I.C.2.a.2, Introduction, Goals and Objectives, Specific Plan Objectives, Area-wide Objectives, Resource Preservation (p. I-6) to add a new objective to read as follows:

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

3. Amend Section II.C.3.3, Specific Plan Components, Resources Overlay Component, Oak Woodlands, Tree Management/Preservation Plan (p. II-17) to read as follows:

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

scale indicated below or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. In the event that a proposal includes an alternative oak tree replacement mitigation, the Approving Authority shall make the following additional finding prior to approval of the Tree Management and Preservation Plan:

- 1) The oak tree replacement mitigation proposed in the Tree Management and Preservation Plan is more extensive and effective than if oak trees were to be replaced at a 15-gallon minimum size and by using the "Tree Replacement Scale" indicated below.

4. Amend Section III.D.8.8, Land Use Regulations, Land Use District Regulations, Upper Aliso Residential (UAR) District Regulations, Site Development Standards (p. III-53) to add a new subsection "n" to read as follows:

"n. Alternative Site Development Standards

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

2) To the extent that alternative site development standards relating to building site area and grading are approved for an Area Plan as provided in subsection (1), above, those alternative site development standards shall serve as the development and design guidelines for the development in place of the Development and Design Guidelines in section IV C that would otherwise apply.

3) In the event that a proposal utilizes the Alternative Site Development Standards within this Section, the Approving Authority shall make the following additional finding prior to approval of the Area Plan:

- a) The alternative site development standards result in greater overall protection of environmental resources than would be the case if the proposal fully complied with the Site Development Standards in sections 8.8(a) and 8.8(h)."

5. Amend Section III.D.8.8.i., Land Use Regulations, Upper Aliso Residential (UAR), Site Development Standards (p. III-52) to read as follows:

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

- 6 Amend Section I.E., Relationship to General Plan, Transition Areas for Rural Communities (p. I-12) to read as follows:

“New development within the Silverado/Modjeska Specific Plan planning area shall be rural in character and shall comply with the policies of that plan in order to maintain a buffer between urban development and the Cleveland National Forest.

New development within the Foothill/Trabuco Specific Plan planning area shall be designed to maintain a buffer between urban development and the Cleveland National Forest, to be compatible with adjacent areas, and to reflect the goals of that Plan.

It is recognized that additional plans may be established which provide a transition area between urban development and major open space areas.”

7. Amend Section II.F.1.a, Specific Plan Components, Phasing Component, Circulation Phasing, Growth Management Plan (p. II-43) to read as follows:

“All applicants of project proposals which are not exempt from the GMP requirements shall be required to prepare a traffic report, in accordance with the requirements of the GMP Transportation Implementation Manual, as amended, to demonstrate compliance with the GMP Traffic Level of Service Policy. Individual project proposals will be reviewed on a case-by-case basis and shall be phased to ensure consistency with the GMP requirements.”

8. Amend Section III.E.1.c.3, Land Use Regulations, Landscaping and Fuel Modification Regulations, Landscaping Regulations, Tree

Management/Preservation, Tree Transplantation/Replacement (p. III-77) to read as follows:

“All oak trees exceeding five inches in diameter at 4.5 feet above the existing grade removed in accordance with an approved Tree Management/Preservation Plan shall be transplanted. If any oak trees over 5 inches in diameter are either in poor health or would not survive transplantation, as certified by an arborist, said tree shall be replaced either with minimum 15-gallon trees according to the replacement scale below or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. The replacement scale indicated is the minimum number of replacement trees required (other than as specified in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation); however, additional replacement trees may be required on a case-by-case basis.”

9. Amend Appendix A: Foothill/Trabuco Specific Plan Project Consistency Checklist, IV, Grading, to add a new subsection 8 (p. A-4) to read as follows:

“8. For projects located within the Upper Aliso Residential District, alternatives to Site Development Standards relating to building site area and grading apply based on a determination of greater overall protection of environmental resources as provided in section III 8.8 n.”

10. Amend Appendix A: Foothill Trabuco Specific Plan Project Consistency Checklist, IV, Grading (p. A-4) to read as follows:

“B. Each individual project proposal within the Upper Aliso Residential and Trabuco Canyon Residential Districts (excluding building sites of one (1) acre or less which were existing at the time of Specific Plan adoption) shall preserve a minimum of sixty-six (66) percent of the site in permanent, natural open space which shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee...No grading, structures (including stables and corrals), walls (except for river rock walls not to exceed three feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the natural open space area, except as provided by applicable District regulations . Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to the open space areas are minimized.”

11. Amend Appendix A: Foothill/Trabuco Specific Plan Project Consistency Checklist V, Resources Overlay Component, B., Oak Woodlands, 2, Tree Management/ Preservation Plan (p. A-9) to read as follows:

b. “Any oak tree removed which is greater than five (5) inches in diameter at 4.5 feet above the existing grade shall be transplanted. If any oak tree over 5

inches in diameter is either in poor health or would not survive transplantation, as certified by an arborist, said tree shall be replaced either according to the Tree Replacement Scale in the Resources Overlay Component or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. If any oak tree dies within five years of the initial transplantation, it shall also be replaced according to the Tree Replacement Scale or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation.”

12. Amend Appendix A: Foothill/Trabuco Specific Plan Project Consistency Checklist VI, Landscaping and Fuel Modification (p. A-13) to read as follows:

“C. Any oak tree exceeding five (5) inches in diameter at 4.5 feet above the existing grade removed in accordance with an approved Tree Management/Preservation Plan shall be transplanted. If any oak tree over 5 inches in diameter is either in poor health or would not survive transplantation, as certified by an arborist, said tree shall be replaced either with minimum 15 gallon trees according to the Tree Replacement Scale included in the Landscaping Regulations or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation.”

SECTION II:

The proposed F/TSP Amendments described in Section I are reasonably related to the public welfare and are consistent with the County of Orange General Plan.

SECTION III:

The Board of Supervisors makes and adopts, and hereby incorporates by reference, the findings and determinations contained in Resolution 12-147 as its findings and determinations pursuant to the provisions of the California Environmental Quality Act for approval of the F/TSP Amendments.

SECTION IV:

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the Office of the County Clerk at least five (5) days prior to the Board of Supervisors’ meeting at which this Ordinance is adopted. A summary of this Ordinance shall also be published once within fifteen (15) days after this Ordinance’s passage in a newspaper of general circulation, published, and circulated in the County of Orange. The County Clerk shall post in the Office of the County Clerk a certified copy of the full text of this Ordinance along with the names of

those Supervisors voting for and against the Ordinance in accordance with Government Code Section 36933. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

EXHIBIT A

Foothill Trabuco Specific Plan Text, Section I.A. (Clean Version)

EXHIBIT A

I. INTRODUCTION

A. AUTHORIZATION AND PURPOSE

In August 1988, the Orange County Board of Supervisors directed the Environmental Management Agency (EMA) to convert the then-existing, policy-level Foothill/Trabuco Feature Plan into a regulatory, zoning-level Specific Plan. The purpose of the Specific Plan effort was to set forth goals, policies, land use district regulations, development guidelines, and implementation programs in order to preserve the area's rural character and to guide future development in the Foothill/Trabuco area.

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

This document, in conjunction with the Orange County Zoning Code and other applicable ordinances, represents the Specific Plan for the Foothill/Trabuco area. It has been prepared in accordance with California Government Code (Sections 65250, et seq.). Unless otherwise provided for within this document, all future development in the Specific Plan Area must be found consistent with the Specific Plan Components, the Land Use District Regulations and the Development and Design Guidelines.

B. DESCRIPTION OF THE SPECIFIC PLAN AREA

The Foothill/Trabuco Specific Plan Area (see Exhibit I-1) encompasses approximately 6,500 acres located within the foothills of the Santa Ana Mountains. The area is bounded on the north by the Silverado/Modjeska Specific Plan Area and the Cleveland National Forest; to the south by the Rancho Trabuco, Rancho Santa Margarita and Robinson Ranch Planned Communities; to the east by the Cleveland National Forest; and to the west by the Santiago Ranch project and the Foothill Ranch and Portola Hills Planned Communities. The Foothill/Trabuco area contains abundant natural and scenic resources, including oak woodlands, ridgelines, stream courses and the backdrop of mountainous terrain within and adjacent to the Cleveland National Forest.

To facilitate planning efforts, three individual planning areas were created within the overall Specific Plan Area (Exhibit I-2). The planning areas were based primarily upon road access, the proximity and availability of other infrastructure (e.g., sewer lines) and the differing development opportunities and constraints within each planning area. A brief description of each planning area is provided below.

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c. Plano Trabuco Planning Area

The Plano Trabuco Planning Area is located south of Trabuco Creek adjacent to existing development in the Rancho Santa Margarita and Robinson Ranch Planned Communities. The planning area is predominantly level in terrain, with minimal native vegetation due to extensive agricultural activities. Because of its proximity to adjacent development and infrastructure and its relatively flat terrain, it is more readily developable than the other two planning areas.

C. GOALS AND OBJECTIVES

1.0 Specific Plan Goals

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

2.0 Specific Plan Objectives

The objectives listed below are intended to achieve the Specific Plan Goals. The objectives applicable to the entire Specific Plan Area are listed first, followed by objectives which are specific to the three planning areas.

a. Area-Wide Objectives

1) Rural Character/Forest Buffer:

- a) Utilize architectural/design guidelines to establish rural standards.
- b) Provide a buffer to the Cleveland National Forest by limiting development in areas adjacent to the forest.
- c) Preserve the Arroyo Trabuco/Trabuco Creek as permanent open space to implement the buffer zone policy of the Growth Management Plan Element of the General Plan which requires the “physical separation of major communities by means of open space areas/corridors or on natural features such as creeks or prominent

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topographic features.” [Also, see related objectives under “Resource Preservation” and “Equestrian/Recreational Opportunities,” below.]

- d) Minimize the intrusion of development and landform alteration within the viewsheds of Live Oak/Trabuco Canyon Road and Santiago Canyon Road without precluding development which blends into the natural terrain and does not require excessive landform alteration.

2) Resource Preservation:

- a) Develop a Resources Overlay Component of the Specific Plan to ensure the preservation of significant landform, biological and scenic resources.
- b) Preserve significant landform features, including major ridgelines and rock outcroppings, while allowing limited development on minor ridgelines provided the development blends into the natural terrain and does not require excessive landform alteration.
- c) Preserve significant biological resources, including oak woodlands, riparian areas and wildlife mobility corridors.
- d) Preserve the oak tree canopy along Live Oak/Trabuco Canyon Road.
- e) Preserve the Arroyo Trabuco/Trabuco Creek as permanent open space to ensure the preservation of the wildlife mobility corridor present in the creek and ensure consistency with the Resources Element of the County’s General Plan which designates the creek as an Open Space, Conservation and Scenic Corridor. [Also, see related objectives under “Equestrian/Recreational Opportunities,” below.]
- f) Provide for alternative approaches relating to grading in order to reduce impacts to biological resources, increase on-site open space, and/or further the Plan’s goal of providing a buffer between urban development and the Cleveland National Forest, while ensuring that significant landforms (defined as major ridgelines and major rock outcroppings) are preserved as provided in the Resources Overlay Component.

3) Development Potential:

- a) Provide some development potential (minimum of one dwelling unit) on each existing building site except for extreme situations where public health and safety concerns would preclude development of a

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site. For example, some building sites may be un-developable due to: 1) the site's location entirely within a floodplain where flood hazards cannot be adequately mitigated; 2) the lack of suitable legal access; 3) dependence on a septic system on a site which cannot percolate; or 4) severe topographic or geotechnical constraints. No building sites will be specifically designated as un-developable by the Specific Plan Land Use Plan and Land Use District Regulations; however, the ability of each site to be developed will be evaluated as part of an area plan and/or site development permit.

- b) Ensure that property owners have a right to develop each property through development regulations and guidelines which do not preclude development, but which do not necessarily guarantee that all existing building sites may be developed (i.e., where there are extreme public health and safety concerns) or that they may be further subdivided.
 - c) Recognize that development potential varies from property to property and from planning area to planning area due to the unique development constraints affecting each property or planning area.
 - d) Provide a development cap for each property based upon circulation constraints. Recognize that the level of development permitted by the development is not necessarily achievable on each individual property and that the ultimate number of dwelling units permitted shall be dependent on compliance with Land Use District Regulations, the Development and Design Guidelines and the Resources Overlay Component as demonstrated through area plan and/or site plan review.
 - e) Encourage larger-lot development in resource-constrained areas.
 - f) Allow development on hillsides and minor ridgelines provided grading for the structures and building pads is limited.
- 4) Circulation/Infrastructure:
- a) Base the Land Use Plan and Circulation Plan on the assumption that proposed Rose Canyon Road will be deleted from the County's Master Plan of Arterial Highways as part of a Transportation Element Amendment adopted in conjunction with the Specific Plan.
 - b) Through minor safety improvements, increase the traffic-carrying capacity of Live Oak/Trabuco Canyon Road between Hamilton Truck Trail and Trabuco Oaks Drive from the existing 4,500 Average Daily Traffic (ADT) to 6,000 ADT.

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- c) Increase the traffic-carrying capacity of Live Oak/Trabuco Canyon Road through a connection of the existing bridge and switchback to Antonio Parkway. Implement traffic controls to discourage through traffic and other trips during peak periods. If the traffic controls are determined by the Board to be inadequate or infeasible, unspecified capacity improvements (to be determined through further studies) may be considered.
 - d) Develop a Phasing Component of the Specific Plan to ensure that circulation and other infrastructure capacity is not exceeded and that development occurs commensurate with necessary infrastructure improvements.
- 5) Equestrian/Recreational Opportunities:
- a) Provide for a local riding and hiking trail system which includes connections to Regional Riding and Hiking Trails as designated on the Master Plan of Regional Riding and Hiking Trails of the Recreation Element of the General Plan.
 - b) Preserve the Arroyo Trabuco/Trabuco Creek as permanent open space in order to: 1) provide a link between O'Neill Regional Park and the proposed Upper Trabuco Canyon Regional Park within the Cleveland National Forest; and 2) provide a critical link of the "mountains-to-the-sea" riding and hiking trail along Trabuco Creek as designated on the Master Plan of Riding and Hiking Trails in the Recreation Element of the General Plan.
- b. Planning Area-Specific Objectives
- 1) Upper Aliso Planning Area
- a) Resource Preservation:
 - (1) Provide a scenic highway setback from Santiago Canyon/El Toro Road and Live Oak Canyon Road.
 - (2) Provide a development setback from O'Neill Regional Park.
 - b) Development Potential:

Allow commercial development only on the Cook's Corner Commercial Center and Tittle sites. Designate the Live Oak Limited property for residential uses.
 - c) Circulation/Infrastructure:
 - (1) Ensure that the Cook's Corner intersection (Santiago Canyon/El Toro/Live Oak Canyon Roads) designed in a manner

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which provides adequate and coordinated access for the Foothill Commercial Center and the Cook's Corner Commercial Center.

- (2) Ensure that access to the Tittle Property is limited to Ridgeline Drive in order to minimize impacts on the Cook's Corner intersection.
- (3) Minimize the number of access points on Live Oaks Canyon Road and Santiago Canyon Road.
- (4) Prohibit encroachment of development into the right-of-way reservation swaths for Santiago Canyon/El Toro Road and Live Oak Canyon Road. If development occurs subsequent to the selection of final alignments for these roads, development shall be located outside of, and set back from, the final alignments.

2) Trabuco Canyon Planning Area:

a) Resource Preservation:

Provide for a scenic highway setback along Live Oak Canyon Road.

b) Development Potential:

Develop unique Land Use District Regulations for the Trabuco Oaks and Mountain View areas to recognize that relatively small lots have already been created via approved and recorded subdivision maps. However, future subdivisions to create similar-sized lots need not be guaranteed and will be dependent on circulation and other constraints.

c) Circulation/Infrastructure:

- (1) Provide for a conceptual private collector road system in the eastern portion of the planning area to minimize the amount of traffic traveling on Live Oak Canyon Road through the oak tree canopy area.
- (2) Minimize the number of access points along Live Oak/Trabuco Canyon Road.

3) Plano Trabuco Planning Area:

a) Resource Preservation:

- (1) Provide an open space buffer of at least 150-feet along the bluff edge above Trabuco Creek.

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- (2) Limit dwelling units located adjacent to the bluff edge to one story in height in order to minimize impacts on the viewshed from O'Neill Regional Park, Trabuco Canyon and the Arroyo Trabuco.
- (3) Require landscaping within the open space buffer to filter views of development from O'Neill Regional Park, Trabuco Canyon, and the Arroyo Trabuco.
- (4) Preserve the existing eucalyptus wind-rows, if feasible.
- (5) Provide for larger lot development adjacent to the open space buffer, with smaller lots located adjacent to existing development in Robinson Ranch and Rancho Santa Margarita.

b) Development Potential:

Base development potential on a transition in density from the adjacent planning areas within the Robinson Ranch and Rancho Santa Margarita Planned Communities to the Trabuco Canyon area.

c) Circulation/Infrastructure:

- (1) Ensure that the level of development permitted will not result in the capacity of Plano Trabuco Road or arterials/intersections within Rancho Santa Margarita to be exceeded.
- (2) Ensure that the circulation system on the Nursery properties provides a connection to the potential future access road through Robinson Ranch to the Hinrichs/Porter/Schwendeman East properties. The circulation system on the Nursery properties shall be designed with adequate traffic capacity to serve all of the development permitted on these properties.

d) Equestrian/Recreational Opportunities:

Provide a linear park in the open space buffer along the bluff edge on the nursery properties.

D. PLANNING BACKGROUND

The first plan for the Foothill/Trabuco area, the Foothill Corridor Policy Plan, was adopted in 1974 and included the Silverado/Modjeska area and portions of the Plano Trabuco. The Foothill/Trabuco Plan was adopted by the Board of Supervisors in 1979 as a supplement to the Land Use Element of the County's General Plan. In May 1985, this supplement was converted into a Feature Plan which included policy-level guidelines for development.

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As a result of these Study Sessions, the Planning Commission endorsed Conceptual Land Use and Circulation Plans to serve as the basis for preparing the Specific Plan.

The Conceptual Land Use and Circulation Plans were based on the assumptions that proposed Rose Canyon Road would be deleted from the Master Plan of Arterial Highways, safety improvements to Live Oak Canyon/Trabuco Canyon Road would be implemented to increase the road's traffic capacity, and residential densities would be reduced from those permitted under the Feature Plan. The Goals and Policies of the Specific Plan were derived from the policy direction provided by the Planning Commission at the study sessions.

In the absence of proposed Rose Canyon Road, and with traffic on Live Oak Canyon Road approaching the road's capacity, the Board of Supervisors adopted a Zone Change in October 1990 to apply the General Plan Implementation (GPI) Over District to the Trabuco Canyon area in order to address projects which proceeded prior to the completion of the Specific Plan. The GPI District required the Planning Commission to review all projects in the Trabuco Canyon area (including subdivision maps) and to make specific findings that the project would not cause the capacity of Live Oak Canyon Road to be exceeded prior to the completion of the Specific Plan and the implementation of necessary improvements to increase the road's capacity to 6,000 Average Daily Traffic. The GPI District also required all applicants to participate in any future road fee programs for the Trabuco Canyon area that might be adopted as part of the Specific Plan.

Subsequent to the study session process, the Planning Commission conducted four public hearings on the Draft Specific Plan and Draft EIR 531 between August and October 1991. The Board of Supervisors adopted the Specific Plan and certified EIR 531 on December 11, 1991.

E. RELATIONSHIP TO THE GENERAL PLAN

While the General Plan contains goals and policies, its emphasis is not on implementation. The Foothill/Trabuco Specific Plan serves to refine and implement the goals and objectives of the General Plan by directing all facets of future development: from the distribution of land uses to the location and sizing of infrastructure improvements and from the phasing of development to specific development standards.

More specifically, the Foothill/Trabuco Specific Plan serves to implement the Transition Areas for Rural Communities and Buffer Zones policies of the Growth Management Plan Element of the General Plan. These policies are listed below.

Transition Areas for Rural Communities

New development within the Silverado/Modjeska Specific Plan planning area shall be rural in character and shall comply with the policies of that plan in order to maintain a buffer between urban development and the Cleveland National Forest.

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New development within the Foothill/Trabuco Specific Plan planning area shall be designed to maintain a buffer between urban development and the Cleveland National Forest, to be compatible with adjacent areas, and to reflect the goals of that Plan.

It is recognized that additional plans may be established which provide a transition area between urban development and major open space areas.

Buffer Zones

There shall be buffer zones established through Feature Plan and/or Specific Plans, and/or Scenic Corridor Plans which provide for the physical separation of major communities by means of open space areas/corridors. Said open space areas/corridors will be based upon natural features such as creeks or prominent topographic or aesthetic features.

It is recognized that the buffer zones established pursuant to this policy will not necessarily link regional parks or serve a recreational function.

F. RELATIONSHIP OF SPECIFIC PLAN EIR 531 TO SUBSEQUENT DISCRETIONARY APPROVALS

EIR 531 has been prepared as a Program EIR as part of a tiered EIR process. "Tiering," according to CEQA, means the coverage of general matters and environmental effects in an EIR prepared for a policy, plan, program or ordinance followed by narrower or site-specific EIRs which incorporate by reference the discussion in any prior EIR (CEQA Section 21068.5). Subsequent environmental documentation, if necessary, required for subsequent discretionary approvals (area plans, site plans, use permits, subdivision maps, etc.) will rely on the findings in EIR 531 as the basis for more detailed analysis and will incorporate these findings and all supporting documentation by reference. An Initial Study will be conducted per CEQA for each subsequent discretionary approval to determine whether additional environmental documentation is needed.

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areas where sufficient buffering already exists, landscape screening may not be necessary. Planting shall be informal and shall emphasize native trees and shrubs that provide maximum screening. Landscaping within the buffer zone shall be maintained by the homeowner or by a homeowners' association.

- c. Exterior lighting shall be prohibited within the 50-foot setback zone. Lighting for outdoor nighttime activities such as playing fields or tennis courts shall be prohibited. Light sources shall be directed away from wildlife corridors. Lighting may be permitted on roads that transverse corridors where necessary for public safety purposes.
- d. Fencing within the 50-foot setback zone shall be limited to open fencing (i.e., split rail fencing) which does not exceed 40 inches in height, measured from the finished grade, in order to allow for the mobility of animals.

3.0 Oak Woodlands

3.1 Purpose and Intent.

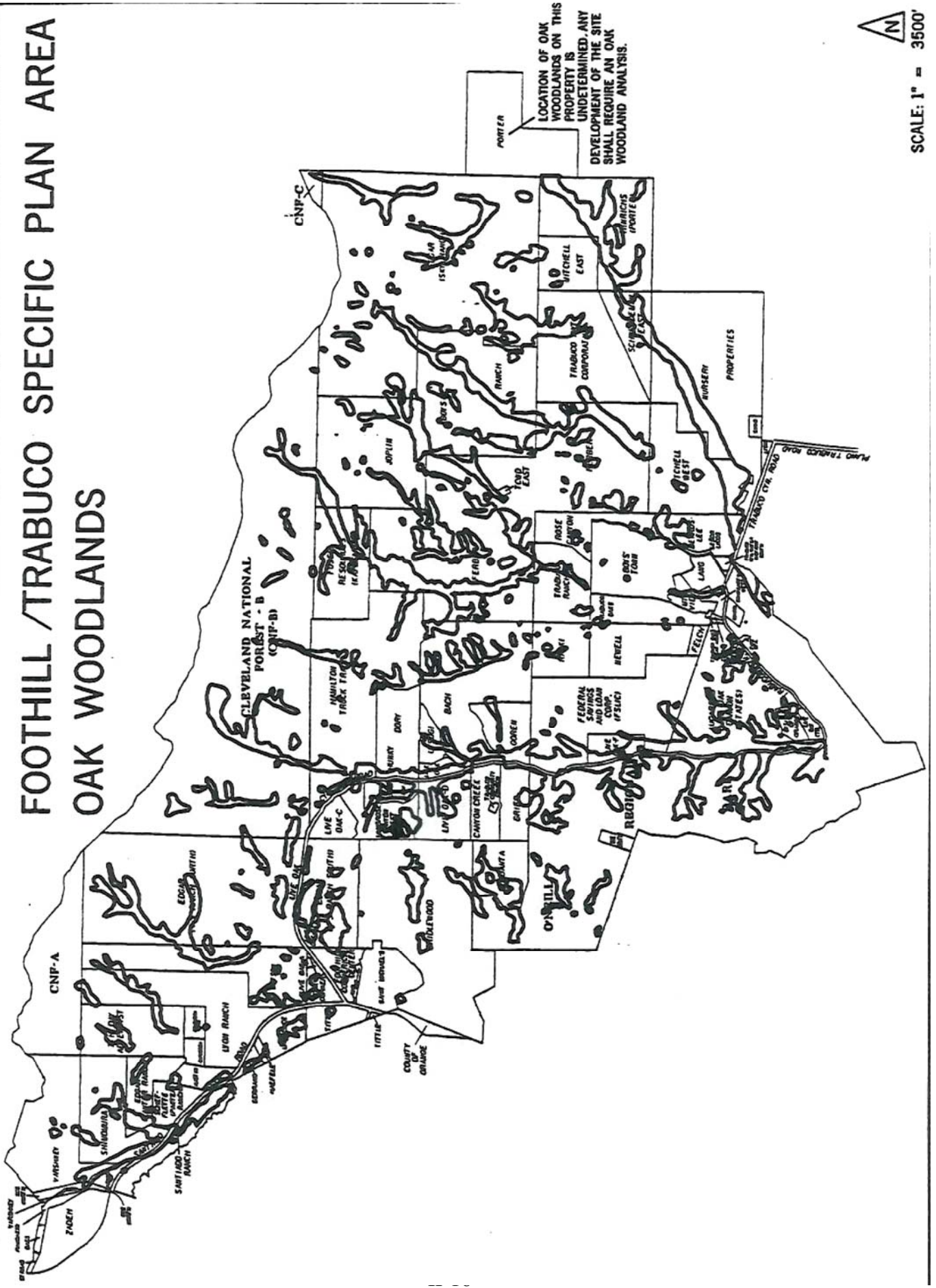
The purpose of the oak woodlands designation is to ensure preservation of significant stands of oak woodlands. For purposes of this Component, oak woodlands are defined as those general areas identified in Exhibit II-4, and other areas identified by a qualified biologist as having characteristics of an oak woodland plan community (consistent with criteria for the plant community type as defined in the County's Master Environmental Assessment GIS maps), and are extensive enough to be considered habitat of local significance. This determination shall be made in accordance with site specific oak woodlands analyses as stipulated below.

[Note: The Landscaping and Fuel Modification Regulations (Section III-E, and the Development and Design Guidelines (Section IV) contain additional regulations and guidelines regarding individual oak trees which are not included within the designated oak woodlands.]

3.2 Designation of Oak Woodland Boundaries

- a. Parcels containing oak woodlands as designated in Exhibit II-4 and parcels within 100 feet of any designated oak woodland shall be required to prepare a site-specific oak woodlands analysis prepared by a qualified biologist/arborist to determine the precise boundary of the oak woodlands.
- b. The analysis shall provide precise mapping of all oak woodlands at of at least 1:100 scale (1:40 scale within the area of disturbance) which shall be digitized on EMA's Intergraph Mapping System.

FOOTHILL / TRABUCO SPECIFIC PLAN AREA OAK WOODLANDS



SCALE: 1" = 3500'

EXHIBIT D

- c. Oak woodlands shall be preserved in an undisturbed state to the greatest extent possible while still allowing for reasonable development. The site-specific analysis shall identify the level of impact of the proposed project and methods of reducing or avoiding adverse impacts of the project. The impact analysis shall consider all forms of disturbance resulting from the development, including changes in runoff, impacts within the dripline of trees, etc. If oak trees are proposed to be transplanted, the analysis shall identify suitable locations for the transplantation of oak trees.
- d. Prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, each affected applicant shall offer for dedication in fee or preservation easements to the County of Orange or its designee those areas containing oak woodlands, as identified for preservation in an approved Tree Management/Preservation Plan, in a manner meeting the approval of the Manager, Harbors, Beaches and Parks/Program Planning Division.

3.3 Tree Management/Preservation Plan

Any oak tree exceeding 5 inches in diameter (measured at 4.5 feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit for the site and approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. For existing development, a Tree Management/Preservation Plan shall be required to remove any trees; however, an area plan or site plan shall not be required. Since they play a major role in providing nesting or breeding habitat for wildlife, the removal of dead or dying trees shall also require approval of a Tree Management/Preservation Plan.

- a. Any oak tree removed which is greater than five (5) inches in diameter at 4.5 feet above the existing grade shall be transplanted. If any oak tree over 5 inches in diameter is either in poor health or would not survive transplantation, as certified by an arborist, said tree shall be replaced either according to the replacement scale indicated below or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. If any oak tree dies within five years of the initial transplantation, it shall also be replaced according to the replacement scale indicated below or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. In the event that a proposal includes an alternative oak tree replacement mitigation, the Approving Authority shall make the following additional finding prior to approval of the Tree Management and Preservation Plan:
 - 1) The oak tree replacement mitigation proposed in the Tree Management and Preservation Plan is more extensive and effective than if oak trees

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were to be replaced at a 15-gallon minimum size and by using the "Tree Replacement Scale" indicated below.

Tree Replacement Scale

<u>Trunk diameter (inches) of Tree removed at 4.5 inches Above Ground Level</u>	<u>Minimum Number of Replacement Trees Required</u>
5 to 11	5
12 to 17	8
18 to 23	10
24 to 35	12
36 and above	15

- b. The Tree Management/Preservation Plan shall identify those trees exceeding five (5) inches in diameter which are proposed for removal and the proposed location of transplanted or replacement trees.
- c. In the event that all transplanted or replacement trees cannot be feasibly located on the property, an off-site mitigation program may be permitted; however, all replacement and transplanted trees shall be located within the Specific Plan Area.
- d. Said plan shall be signed and certified by a biologist or arborist. All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the tree for a minimum period of six (6) months.

3.4 Uses Within and Adjacent to Oak Woodlands

The following apply to oak woodlands which are identified for preservation through an approved Tree Management/Preservation Plan:

- a. During all grading and construction operations, all oak trees on the site, located adjacent to the approved limits of grading and identified in an approved Tree Management/Preservation Plan as trees to be preserved, shall be adequately fenced and protected from encroachment by grading and construction equipment. Grading, placement of fill, and storage of building materials and heavy equipment, shall be prohibited within the dripline of any tree identified for preservation as part of an approved Tree Management/Preservation Plan.
- b. Retaining walls shall be used to protect the existing grades of oaks identified for preservation from surrounding cut and fill. However, these should not alter drainage from around trees.

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- c. No type of surface, whether pervious or impervious, shall be placed within a six-foot radius of oak tree trunks. Where surfacing cannot be avoided, alternative types of paving should be utilized, such as gravel or porous brick with sand joints.
- d. Oak trees shall not be subjected to increased run-off from irrigation systems, impermeable surfaces, storm drain discharge, etc.
- e. Natural drainage courses and natural grades in proximity to and providing seasonal irrigation to oak trees shall not be altered.
- f. In proximity to oak trees, only one trench should be dug to accommodate all utility lines. Where necessary, the impacted trees should be carefully pruned by an arborist in proportion to the total amount of root zone lost.

4.0 Streambeds

4.1 Purpose and Intent

The purpose and intent of the streambed preservation designation is to provide for the preservation of stream channels in their natural condition. For purposes of this Component, streambeds shall be defined as the major streambeds identified in Exhibit II-5. The primary objective of including these streambeds within the Resources Overlay Component shall be to minimize the need for man-made structures which would alter the natural condition of any designated streambeds, either on-site or downstream.

4.2 Designation of Streambed Boundaries

- a. Applicants for development proposals on parcels containing streambeds as designated in Exhibit II-5 and parcels within 100 feet of any designated streambed analysis shall be required to prepare a site-specific streambed analysis prepared by a hydrologist to determine the precise boundary of the identified streambed. Said analysis shall include detailed mapping of at least 1:100 scale (1:40 scale within the area of disturbance) for incorporation into EMA's Intergraph Mapping System.
- b. Said applicants shall be required to submit detailed site-specific analyses to identify the direction and flow of natural runoff from the site, or immediately adjacent to the site. The detailed, site-specific analysis shall address the need for mitigation measures such as check dams, drop structures, rip-rap, energy dissipation structures and flow stabilizing devices (below drainage discharge flows) to keep velocities close to pre-development levels.

EXHIBIT E

F. Phasing Component

1.0 Circulation Phasing

a. Growth Management Plan Element

All development within the Specific Plan Area shall be required to be phased in a manner which is consistent with the requirements of the Growth Management Plan (GMP) Element. The GMP Traffic Level of Service Policy states:

It is the policy of the County that within three years of the issuance of the first use and occupancy permit for a development project or five years of the issuance of a finished grading permit or building permit for said development project, whichever occurs first, that the necessary improvements to arterial highway facilities, to which the project contributes measurable traffic, are constructed and completed to attain Level of Service (LOS) "D" at intersections under the sole control of the County. LOS "C" shall also be maintained on Santiago Canyon Road links until such time as the uninterrupted segments of the roadway (i.e., no major intersections) are reduced to less than three miles.

The GMP Transportation Implementation Manual, adopted by the Board of Supervisors in June 1989 to clarify the intent of the Traffic Level of Service Policy of the GMP Element, includes procedures and parameters for implementation of this policy. The manual describes how the general traffic policies of the GMP Element are to be implemented and includes: 1) a listing of project which are exempt from the GMP requirements; 2) acceptable traffic analysis methodologies; 3) minimum requirements of GMP traffic reports; and 4) the traffic monitoring surveys the County will conduct to determine system performance.

All applicants of project proposals which are not exempt from the GMP requirements shall be required to prepare a traffic report, in accordance with the requirements of the GMP Transportation Implementation Manual, as amended, to demonstrate compliance with the GMP Traffic Level of Service Policy. Individual project proposals will be reviewed on a case-by-case basis and shall be phased to ensure consistency with the GMP requirements.

EXHIBIT F

8.8 Site Development Standards.

- a. Building site area.
 - 1) Building sites created prior to the effective date of the Specific Plan shall be considered legal, conforming building sites.
 - 2) For subdivision maps creating a single building site. Minimum of one (1) acre.
 - 3) For subdivision maps creating more than one building site. Minimum of one-half (0.5) acre; however, building sites shall average a minimum of one (1) acre for each subdivision map.
- b. Building setbacks. Per Zoning Code Section 7-9-128 and 7-9-137, except as follows:
 - 1) Scenic Roadway setbacks:
 - a) From El Toro Road: One-Hundred (100) feet minimum.
 - b) From Santiago Canyon/El Toro Road. One-Hundred (100) feet minimum.
 - c) From Live Oak Canyon Road. Fifty (50) feet minimum.
 - 2) For development of a single legal building site existing prior to the effective date of the ordinance adopting these regulations:
 - a) From any front or side property line abutting a street: twenty (20) feet minimum.
 - b) Side: fifteen (15) feet minimum.
 - c) Rear: twenty (20) feet minimum.
 - 3) For development of more than one legal building site existing prior to the effective date of the ordinance adopting these regulations or any building site(s) created subsequent to the effective date of the ordinance adopting these regulations.
 - a) Variable building setbacks and multiple building orientations shall be provided in order to enhance the rural character and to avoid the appearance of a typical, rural character and to avoid the appearance of a typical, urban subdivision where all buildings have a similar building setback and are oriented in the same direction. For additional information on variable building setbacks and multiple building orientations, refer to the Site Planning Guidelines in the Planning and Design Guidelines (Section IV).

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- b) The building lines for each building site shall be designated in conjunction with the approval of any area plan, tentative tract map or tentative parcel map to ensure that the minimum average front setback, variable building setbacks and multiple building orientations are achieved.
- (1) From any front or side property line abutting a street: Six (6) feet minimum; however an average minimum setback of twenty (20) feet shall be provided for all building sites included in each development proposal.
 - (2) Side: ten (10) feet minimum on one side, with a minimum total of twenty-five (25) feet for both sides.
 - (3) Rear: twenty (20) feet minimum.
- 3) Automatic garage door openers. Where the front setback is less than twenty (20) feet, an automatic garage door opener shall be provided.
- 4) Panhandle site: fifteen (15) feet minimum from any property line.
- 5) Patios. No attached or detached patio cover shall be located closer than ten (10) feet from a property line.
- 6) Projections into required setbacks. Eaves, cornices outside staircases, balconies or other similar architectural features may project three (3) feet into any required front, rear or side setback; however, in no case shall they be located closer than five (5) feet from a property line.
- 7) Alternative setbacks. Alternative setbacks may be approved by the Planning Commission in conjunction with an area plan, site development permit or use permit if it is demonstrated that the alternative setbacks will result in significantly greater protection of biological resources or natural landforms than would compliance with the building setback requirements contained herein.
- c. Building height. Thirty-five (35) feet maximum per Zoning Code section 7-9-129.
- d. Building site coverage. Maximum of forty (40) percent.
- e. Building site depth. Minimum of one-hundred (100) feet.
- f. Building site width. Minimum of eight (80) feet.

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- g. Fences and walls, maximum height, subject to the Resources Overlay Component (Section II.C).
- 1) Within areas where main buildings may be constructed, the district building height regulations shall apply.
 - 2) Within front setback areas: three-and-one-half (3.5) feet minimum, except on panhandle lots where the maximum height may be six (6) feet if a six (6) foot high fence is permitted on an abutting lot when such area is not adjacent to a driveway.
 - 3) Within other setback areas: the maximum height shall be six (6) feet.
 - 4) Retaining walls and crib walls. The above maximum height limits and setback requirements may be waived for retaining walls or crib walls when it is demonstrated through a site development permit that additional land will be preserved in its natural state as a result of utilizing said walls. However, in no case shall these walls exceed twenty (20) feet in height.
- h. Grading. Per Zoning Code section 7-9-139, except as indicated below. Items 1 through 6 below shall apply only to residential development (including private roads providing access to residential development).
- 1) Grading shall be limited to an average of 3,000 cubic yards of grading per dwelling unit permitted by the development cap on the property (either cut or fill, whichever is greater), excluding grading required for access roads or driveways serving two or more parcels and any remedial grading required, as certified by a geologist.
 - 2) For development of a single building site existing prior to adoption of the Specific Plan, grading shall be limited to 3,000 cubic yards of cut or fill on the individual lot (not an average) with the same exclusions provided above.
 - 3) If a property owner develops fewer dwelling units than permitted by the development cap, the grading allocation for the un-built dwelling units may be applied to those that are built. However, in no case shall the number of cubic yards of grading for the project exceed an average of 9,000 cubic yards per building site. For example, if the development cap permits two dwelling units on a property and only one building site is established, the property owner may grade up to 6,000 cubic yards. However, if the development cap permits 4 dwelling units on a property and only one building site is established, the property owner may only grade up to a maximum of

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9,000 cubic yards. Where this provision is utilized, a resource or scenic preservation easement (or other restriction) shall be required over the remainder of the property to preclude the development of the un-built units.

- 4) Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed ten (10) vertical feet.
- 5) Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the difference between the existing and proposed contour elevations exceed ten (10) vertical feet.
- 6) For private roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed thirty (30) vertical feet.
- 7) For non-residential development (but excluding roads to serve residential development), in no case shall the height or cut or fill slopes exceed thirty (30) vertical feet.
- 8) Except for the two situations listed below, contour grading techniques shall be used to provide varying slope percentages and slope direction in three-dimensional, undulating patterns, similar to the natural terrain. The following concepts shall be utilized:
 - a) Hard edges left by cut and fill operations shall be given a rounded appearance which closely resembles the natural contours. Rounding of cut or fill edges shall extend a minimum of two feet on either side of any daylight line or hinge point located at the top of a manufactured slope or natural slope.
 - b) The angle of any graded slope shall be gradually adjusted to the angle of the natural terrain.
 - c) Conventional grading techniques may be utilized in the following two situations:
 - (1) Where geological hazards exist that are best mitigated by more conventional grading methods utilizing linear slopes to best complement required stabilization devices.
 - (2) When contour grading would result in more significant impacts to natural resources than would conventional grading methods.

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- 9) The Planning Commission may approve Alternative Grading Standards provided specific findings are made by the Commission pursuant to Section III.G.2.d.
- i. Each individual project proposal (excluding building sites of one (1) acre or less which were existing at the time of Specific Plan adoption) shall preserve a minimum of sixty-six (66) percent of the site in permanent open space which shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee in a manner meeting the approval of the Manager, EMA/Harbors, Beaches and Park/Program Planning Division. No grading, structures (including stables and corrals), walls (except for river rock walls not to exceed three feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the open space area. Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to the open space areas are minimized. This provision does not prohibit grading during site development within areas that will remain as open space after development is completed.
 - j. Landscaping and fuel modification per the Landscaping and Fuel Modification Regulations (Section III.E) and the Development and Design Guidelines (Section IV.C.).
 - k. Lighting. All exterior lighting shall be strictly limited to those locations where it is required for safety reasons. All lighting shall be designed so that direct light rays shall be confined to the premises and so that light sources are shielded from off-site view.
 - l. Off-street parking. Per Zoning Code section 7-9-145, except as follows:

Two covered parking spaces shall be required for each dwelling. An additional covered or uncovered parking space shall be provided within 200 feet of the dwelling; however, on-street parking shall not be utilized for this additional space.
 - m. Private street standards. Private streets shall be established in accordance with the following:
 - 1) Streets where on-street parking is prohibited: Minimum paved width twenty-four (24) feet.
 - 2) Streets where on-street parking will be limited to one side only: Minimum paved width twenty-eight (28) feet.

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- 3) Streets with on-street parking permitted on both sides: Minimum paved width thirty-six (36) feet.
 - 4) Alternative, rural street standards are encouraged. Road alignments, including dimensions and radii, shall be designed to minimize disturbance to natural vegetation and landforms, without compromising public safety.
- n. Alternative Site Development Standards.
- 1) Alternatives to the Site Development Standards in section 8.8(a) (building site area) and section 8.8 (h) (grading standards) may be approved for an Area Plan if the Area Plan would result in greater overall protection of environmental resources than would be provided through compliance with those standards. Such alternatives may be approved if it is determined that the Area Plan or other plan for development implements the Foothill/Trabuco Specific Plan's goals relating to protection of biological resources, preservation of open space, provision of a buffer between development and the Cleveland National Forest, and protection of significant land form features in a manner that would provide greater overall environmental protection than would compliance with the Site Development Standards in sections 8.8(a) and 8.8(h). Approval of such alternative standards shall not be subject to the provisions of section III G 2.0 d.
 - 2) To the extent that alternative site development standards relating to building site area and grading are approved for an Area Plan as provided in subsection (1), above, those alternative site development standards shall serve as the development and design guidelines for the development in place of the Development and Design Guidelines in section IV C that would otherwise apply.
 - 3) In the event that a proposal utilizes the Alternative Site Development Standards within this Section, the Approving Authority shall make the following additional finding prior to approval of the Area Plan:
 - a) The alternative site development standards result in greater overall protection of environmental resources than would be the case if the proposal fully complied with the Site Development Standards in sections 8.8(a) and 8.8(h).

EXHIBIT G

E. Landscaping and Fuel Modification Regulations

1.0 Landscaping Regulations

a. Special provision.

Except for development within the Portola Bluff and Plano Trabuco Residential Districts, all discretionary approvals shall also be required to be consistent with the Landscaping and Fuel Modification Guidelines contained in the Development and Design Guidelines (Section IV.C).

b. Landscaping Plan.

- 1) Prior to the approval of any area plan, tentative subdivision map, site development permit or use permit, the applicant shall prepare a Preliminary Landscaping Plan for the approval of the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. A licensed landscape architect shall certify in writing that the plan is consistent with the Landscaping Regulations contained herein and the Development and Design Guidelines (Section IV.C) of the Foothill/Trabuco Specific Plan.
- 2) Prior to the issuance of any grading permits, a Precise Landscaping Plan shall be approved by the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. A licensed landscape architect shall certify that the plan is consistent with the Preliminary Landscaping Plan and is consistent with the Landscaping Regulations contained herein, and the Development and Design Guidelines (Section IV.C) of the Foothill/Trabuco Specific Plan.
- 3) Prior to the issuance of certificates of use and occupancy, the applicant shall install said landscaping and irrigation systems and shall have a licensed landscape architect certify that it was installed in accordance with the approved Precise Plan and shall furnish said certification in writing to the Manager, EMA/Building Inspection Division.

c. Tree Management/Preservation.

- 1) Any tree exceeding five inches in diameter (measured at four-and-one-half (4.5) feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit and the approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and

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Parks/Program Planning Division. Since they play a major role in providing nesting or breeding habitat for wildlife, the removal of dead or dying trees shall require approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division.

Said plan shall be signed and certified by a biologist or arborist. The plan shall identify the location, size and species of all trees proposed to be removed which have a trunk diameter of five (5) inches or greater at four-and-one-half (4.5) feet above the existing grade and the proposed location for transplanted or replacement trees. For new development, said Tree Management/Preservation Plan shall be included as a component of the required Landscaping Plan (see above).

3) Tree Transplantation/Replacement.

- a) All oak trees exceeding five inches in diameter at 4.5 feet above the existing grade removed in accordance with an approved Tree Management/Preservation Plan shall be transplanted. If any oak trees over 5 inches in diameter are either in poor health or would not survive transplantation, as certified by an arborist, said tree shall be replaced either with minimum 15-gallon trees according to the replacement scale below or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. The replacement scale indicated is the minimum number of replacement trees required (other than as specified in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation); however, additional replacement trees may be required on a case-by-case basis.

Tree Replacement Scale

Tree Replacement Scale

<u>Trunk diameter (inches) of Tree Removed at 4.5 inches above Ground Level</u>	<u>Minimum Number of Replacement Trees Required</u>
5 to 11	5
12 to 17	8
18 to 23	10
24 to 35	12
above 35	15

EXHIBIT G

- b) Any sycamore tree exceeding thirty-five (35) inches in diameter shall be preserved, transplanted or replaced by an identical species of equal or greater size. Sycamore trees less than 35 inches in diameter shall be transplanted or replaced according to the scale indicated in the table above with minimum 15-gallon trees.
 - c) In the event that all transplanted or replacement trees will not fit on a property, an off-site mitigation program may be permitted; however, all transplanted and replacement trees shall be located within the Specific Plan Area.
 - d) Any species of tree, other than any oaks or sycamores, shall be transplanted or replaced with minimum fifteen (15) gallon trees at a minimum ratio of one-to-one (1:1).
 - e) All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the trees for a minimum period of six (6) months. If any transplanted tree dies within 5 years of the date of transplantation, it shall be replaced according to the replacement scale for trees removed.
- d. Grading, placement of fill, storage of building materials and heavy equipment, structural development and hardscape (e.g., roads, sidewalks, patio slabs and pool decks) shall be prohibited within the dripline (outer edge of branches) of any oak or sycamore tree. Where these activities cannot be avoided, all trees with impacted driplines shall be retained in their current location, but replacement trees shall be planted at the scale indicated above.
 - e. During all construction and grading operations, all oak and sycamore trees on the site located adjacent to the limits of grading and identified in the Tree Management/Preservation as trees to be preserved shall be adequately fenced and protected from encroachment by grading and construction equipment. In the event that any oak or sycamore trees identified for preservation in the Tree Management/Preservation Plan are inadvertently or intentionally injured or removed, they shall be replaced in accordance with the Tree Replacement Scale, above.
 - f. Graded slopes shall be re-vegetated with native, fire-resistant vegetation prior to the issuance of certificates of use and occupancy or within six months of the termination of grading operations, whichever occurs first.
 - g. Landscape screening shall be provided to obscure grading scars from the view of any public road.

EXHIBIT G

2.0 Fuel Modification Regulations

Fuel Modification/Landscaping Plan.

- a. All projects located in a wildland fire hazard, as identified by the Fire Chief, shall be required to prepare Fuel Modification Plans. Said plans shall be incorporated as a component of the required Landscaping Plan.
- b. Prior to the approval of any area plan, or the issuance of any grading permits or building permits, whichever occurs first, the applicant shall prepare a Preliminary Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks, Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management/Preservation Plan addressing the subject property. The Preliminary Landscaping/Fuel Modification Plan shall be incorporated into an area plan if one is required for the subject project.
- c. The plan shall show the special treatment to achieve an acceptable level of risk in regard to the exposures of structures to flammable vegetation and shall address the method of removal and installation (mechanical or hand labor), and provisions for its continuous maintenance.
- d. Prior to the approval of any site development permit or the issuance of any building permits, whichever occurs first, the applicant shall prepare a Precise Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management/Preservation Plan addressing the subject property. The Preliminary Landscaping/Fuel Modification Plan shall be incorporated into an area plan if one is required for the subject project. The precise plan shall include all preliminary plan information, as well as a plant list, an irrigation plan and a precise definition of fuel modification zone boundaries.
- e. Installation of the approved Precise Fuel Modification/Landscaping Plan shall commence prior to the issuance of any building permits for new habitable structures, under the supervision of the Fire Chief, and shall be completed prior to the issuance of applicable use and occupancy permits.
- f. After final inspection and approval, fuel modification/landscaping shall be regularly maintained in accordance with the approved plan.

EXHIBIT H

FOOTHILL/TRABUCO SPECIFIC PLAN PROJECT CONSISTENCY CHECKLIST

Introduction

The Foothill/Trabuco Specific Plan Project Consistency Checklist has been developed to assist applicants, EMA staff, interested parties and the Planning Commission in determining whether a project proposal is consistent with the Specific Plan. The Checklist includes only the key Regulations and Guidelines from the Specific Plan; however, all projects shall be required to be found consistent with all of the applicable Regulations and Guidelines included in the Specific Plan. (Refer to the individual Specific Plan Components (Chapter II), the Land Use District Regulations (Chapter III) and the Development and Design Guidelines Chapter IV) for a complete listing.)

The language in the Regulations/Guidelines indicates whether they are mandatory Regulations or non-mandatory Guidelines. "Shall" indicates a mandatory Regulation to which there are no exceptions, while "should" indicates a non-mandatory Guideline. Individual development proposals are not required to be consistent with each and every Guideline. The Planning Commission may approve deviations from the Guidelines; however, the Commission must find that the project is in overall compliance with the Guidelines and consistent with the Goals and Objectives of the Specific Plan.

Implementation

Prior to Planning Commission consideration of any Area Plan, Site Development Permit, Use Permit and/or concurrently processed subdivision map, EMA staff shall complete a Specific Plan Project Consistency Checklist for the project and shall make a determination regarding the project's consistency with the Specific Plan. Additional explanation/discussion of the project's consistency with each Regulation and Guideline shall be attached to the Checklist, as necessary. The Planning Commission shall review the completed Checklist in conjunction with consideration of any discretionary approval and shall utilize the Checklist as the basis for making the necessary findings that the project is in overall compliance with the Specific Plan and consistent with the Goals and Objectives of the Specific Plan.

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EXHIBIT H

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>I. Completeness of Application</p> <p>The applicant has submitted all of the necessary information, studies, reports and analyses required by the Specific Plan Regulations and the application has been deemed complete.</p>	_____	_____	_____
<p>II. Environmental Documentation</p> <p>A. Initial Study IS _____ has been completed for the project proposal and _____ has been prepared to address the potential environmental impacts of the project.</p> <p>B. Initial Study IS _____ has been completed for the project proposal and it has been determined that EIR 531, prepared for the Specific Plan, adequately addresses the potential environmental impacts of the project proposal.</p>	_____	_____	_____
<p>III. District Regulations/Site Development Standards</p> <p>The project proposal is consistent with the following site development standards and regulations of the applicable Land Use District.</p> <p>A. The project proposal is a permitted use within the District.</p> <p>B. The project proposal meets the minimum building site area requirement for the District.</p> <p>C. The project proposal is consistent with the Land Use Plan and the maximum density cap for the site.</p> <p>D. The project proposal is consistent with the District building height restrictions.</p>	_____	_____	_____
<p>IV. Grading</p> <p>A. All residential projects within the Arroyo Trabuco Residential District, the Trabuco Canyon Residential District and the Upper Aliso Residential District shall comply with the following provisions:</p>	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>1. Grading shall be limited to an <u>average</u> of 3,000 cubic yards of grading per dwelling unit permitted by the development cap on the property (either cut or fill, whichever is greater), excluding grading required for access roads or driveways serving two or more parcels and any remedial grading required, as certified by a geologist. For development of a single building site prior to adoption of the Specific Plan, grading shall be limited to 3,000 cubic yards of cut or fill on the individual lot (not an average) with the same exclusion provided above. For development of a single building site existing prior to the adoption of the Specific Plan, grading shall be limited to 3,000 cubic yards of cut or fill on the individual lot (not an average) with the same exclusions provided above.</p>	_____	_____	_____
<p>2. If a property owner develops fewer dwelling units than permitted by the development cap, the grading allocation for the un-built dwelling units may be applied to those that are built. However, in no case shall the number of cubic yards of grading for the project exceed an average of 9,000 cubic yards per building site. Where this provision is utilized, a resource or scenic preservation easement (or other restriction) shall be required over the remainder of the property to preclude development of the un-built units.</p>	_____	_____	_____
<p>3. Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed ten (10) vertical feet.</p>	_____	_____	_____
<p>4. Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the difference between the existing and proposed contour elevations exceed ten (10) vertical feet.</p>	_____	_____	_____
<p>5. For private roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed thirty (30) vertical feet.</p>	_____	_____	_____
<p>6. Except where geological hazards exist that are best mitigated by more conventional grading methods, utilizing linear slopes to best complement required stabilization devices, and where contour grading would result in more significant impacts to natural resources than would conventional grading methods, contour grading techniques shall be used to provide varying slope percentages and slope directions in three-dimensional, undulating patterns, similar to the natural terrain. The following concepts shall be utilized:</p>	_____	_____	_____
<p style="padding-left: 20px;">a) Hard edges left by cut and fill operations shall be given a rounded appearance which closely resembles the natural contours. Rounding of cut or fill edges shall extend a minimum of two feet on either side of any daylight line or hinge point located at the top of a manufactured slope or natural slope.</p>	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
b) The angle of any graded slope shall be gradually adjusted to the angle of the natural terrain.	_____	_____	_____
7. Where Alternative Grading Standards are proposed, the Planning Commission shall be required to make the following findings:			
a) The Alternative Grading Standards shall result in seventy (70) percent or more of the site being preserved in natural, undisturbed open space. No grading, structures (including stables and corrals), walls (except river rock walls not to exceed 3 feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the natural open space area. Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to the open space areas are minimized. The Alternative Grading Standards shall not result in an average of more than 9,000 cubic yards of grading (cut or fill, whichever is greater) per building site, excluding grading required for access roads and driveways serving two or more building sites and any remedial grading required, as certified by a geologist.	_____	_____	_____
b) The height of cut or fill (manufactured) slopes shall not exceed thirty (30) vertical feet, except for roads or driveways providing access to five or more dwelling units.	_____	_____	_____
8. For projects located within the Upper Aliso Residential District, alternatives to Site Development Standards relating to building site area and grading apply based on a determination of greater overall protection of environmental resources as provided in section III 8.8 n.	_____	_____	_____
B. Each individual project proposal within the Upper Aliso Residential and Trabuco Canyon Residential Districts (excluding building sites of one (1) acre or less which were existing at the time of Specific Plan adoption) shall preserve a minimum of sixty-six (66) percent of the site in permanent, natural open space which shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee in a manner meeting the approval of the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. No grading, structures (including stables and corrals), walls (except river rock walls not to exceed three feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the natural open space area, except as provided by applicable District regulations. Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to the open space areas are minimized.	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>V. Resources Overlay Component</p> <p style="margin-left: 20px;">A. Wildlife Corridors</p> <p style="margin-left: 40px;">1. No development proposal subject to the required site-specific wildlife corridor analysis shall be approved until it has been determined by the Planning Commission that the wildlife corridor analysis meets the requirements of the Resources Overlay Component, that the development complies with the corridor protection policies (identified below), and the Planning Commission has approved the final corridor alignments.</p> <p style="margin-left: 40px;">2. Delineation/Adjustment of Wildlife Corridor Boundaries</p> <p style="margin-left: 60px;">a. Parcels containing wildlife corridors as designated in the Resources Overlay Component, or any portion thereof, and parcels within 150 feet of any corridor shall be required to prepare a site-specific wildlife corridor analysis. Detailed mapping is intended to provide final designated alignments for the corridors. The intent of the analysis shall not be to locate the corridor where it is most feasible to accommodate adjacent development. Detailed mapping shall be limited to defining the designated 1:500-scale alignment at a scale of at least 1:100 (1:40 scale within the area of disturbance) for incorporation into EMA's Intergraph Mapping System and not realignment or deletion of the designated corridor swath. The analysis shall be prepared by a qualified wildlife biologist.</p> <p style="margin-left: 60px;">b. Mapping shall identify a minimum corridor width <u>at all locations</u> of 400 feet measured perpendicular to the corridor's boundary, except for the corridor parallel and adjacent to Live Oak Canyon Road where the minimum width shall be 100 feet.</p> <p style="margin-left: 60px;">c. The explicit intent of the detailed, site-specific corridor alignment analysis shall be to optimize conditions for wildlife use and movement. Factors to be considered in this determination shall include the types of habitat within and at both ends of the corridor. The 1:100 scale mapping (1:40 scale within the area of disturbance) shall attempt to include a variety of the habitat types representative of the area, and to provide habitat for the species that occupy connecting habitat areas. Established large mammal trails within designated corridors which show visible signs of use shall be prioritized for inclusion within the final corridor alignment. The alignment analysis shall also identify landscape screening necessary to buffer residential uses from the wildlife corridor.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>d. Prior to the recordation of any final tract/parcel map or the issuance of any grading permits, whichever comes first, the final established wildlife corridor areas shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee in a manner meeting the approval of the Manager, Harbors, Beaches and Parks/Program Planning Division.</p>	_____	_____	_____
<p>3. Uses Permitted within Wildlife Corridors</p> <p>The primary intended uses of the designated wildlife corridors shall be wildlife movement and provision of habitat. Other permitted uses (indicated below) shall be allowed only if they are not detrimental to the primary use.</p>	_____	_____	_____
<p>a. Other than the exclusion provided below for commercial equestrian facilities, passive recreation shall be limited to hiking, bicycling and horseback riding on designated riding and hiking trails only. Passive recreational uses shall be strictly limited to the daylight hours. Except for the designated wildlife corridor within the Arroyo Trabuco, no commercial equestrian facilities shall be permitted within any wildlife corridor. Commercial equestrian facilities shall be permitted in the Arroyo Trabuco only if it is demonstrated that they will not impede wildlife circulation or significantly impact habitat areas.</p>	_____	_____	_____
<p>b. Roads shall be prohibited within designated wildlife corridors except where there is no other feasible access to a development site. Roads crossing or entering a corridor shall be designed to minimize impacts on natural terrain and vegetation within the corridor and shall comply with the following provisions:</p>	_____	_____	_____
<p>1) Alternative, <u>rural</u> road standards are encouraged. Road alignments within wildlife corridors, including dimensions and radii, shall be designed to minimize disturbance to natural vegetation. The width of the roads shall be minimized to the greatest extent feasible without compromising public safety. Where a road crossing of a wildlife corridor is unavoidable, the road should transverse the corridor at a 90-degree angle, rather than parallel to the corridor's orientation. If the 90-degree crossing would require more vegetation removal and habitat disturbance, alternative crossings which require less habitat disturbance may be permitted.</p>	_____	_____	_____
<p>2) Reduced speed limits on roads within wildlife corridors are encouraged.</p>	_____	_____	_____
<p>3) Signs identifying a wildlife crossing area shall be posted within 100 feet of each point where the road transverses the wildlife corridor.</p>	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
4) Roads within wildlife corridors shall be limited to local collector roads providing access to local residents and shall be designed to discourage or preclude through traffic. Controlled access from arterials, e.g. a gated entry, is preferred.	_____	_____	_____
5) Where a road crosses a streambed within a designated wildlife corridor, a low-water bridge crossing should be provided rather than a culvert, where possible, to minimize grading impacts associated with culvert crossings.	_____	_____	_____
c. Where a recreational trail enters or crosses a designated wildlife corridor, the trail shall be located based upon the recommendations of a site specific corridor analysis by a wildlife biologist. In cases where a trail enters a corridor where a road is also existing or proposed, the trail shall be sited immediately adjacent and parallel to the road in order to minimize habitat disturbance. Where a road is not existing or proposed within the corridor, it is preferable to locate the trail outside of the wildlife corridor.	_____	_____	_____
d. When a road or underground utility or pipeline is required to transverse or encroach upon a designated wildlife corridor, its alignment shall incorporate, to the <u>maximum</u> extent feasible, the recommendations of a wildlife biologist based on site visit(s) and assessment of impacts of the proposed alignment.	_____	_____	_____
4. Uses Adjacent to Wildlife Corridors			
a. Development shall maintain a minimum 50-foot setback of all structures and barrier fencing from all corridors. Uses within the setback zone shall be limited to low-intensity, residential-related activities such as recreation and private open space.	_____	_____	_____
b. If determined necessary by a biologist as part of the corridor analysis, development shall provide planting of a minimum 25-foot buffer zone, within the required 50-foot setback, of native shrubs and trees. In areas where sufficient buffering already exists, landscape screening may not be necessary. Planting shall be informal and shall emphasize native trees and shrubs that provide maximum screening. Landscaping within the buffer zone shall be maintained by the homeowner or by a homeowners' association.	_____	_____	_____
c. Exterior lighting shall be prohibited within the 50-foot setback zone. Lighting for outdoor nighttime activities such as playing fields or tennis courts shall be prohibited. Light sources shall be directed away from wildlife corridors. Lighting may be permitted on roads that transverse corridors where necessary for public safety reasons.	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>d. Fencing within the 50-foot setback zone shall be limited to open fencing (i.e., split rail fencing) which does not exceed 40 inches in height, measured from the finished grade, in order to allow for the mobility of animals.</p>	_____	_____	_____
B. Oak Woodlands			
1. Delineation/Adjustment of Oak Woodlands Boundaries			
<p>a. Parcels containing oak woodlands as identified in the Resources Overlay Component and parcels located within 100 feet of any identified oak woodland shall be required to submit a site-specific oak woodlands analysis, prepared by a qualified biologist/arborist, to determine the precise boundary of the oak woodlands. The analysis shall provide precise mapping of all oak woodlands at a minimum scale of 1:100 (1:40 scale within the area of disturbance) for inclusion in EMA's Intergraph Mapping System. Oak woodlands shall be preserved in an undisturbed state to the greatest extent possible while still allowing for reasonable development. The site-specific analysis shall identify the level of impact of the proposed project and methods of reducing or avoiding adverse impacts of the project. The impacts analysis shall consider all forms of disturbance resulting from the development, including changes in runoff, impacts within the dripline of trees, etc. If oak trees are proposed to be transplanted, the analysis shall identify suitable locations for the transplantation of oak trees.</p>	_____	_____	_____
<p>b. Prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, each affected applicant shall offer for dedication in fee or preservation easements to the County of Orange of its designee those areas containing oak woodlands, as identified for preservation in an approved Tree Management/Preservation Plan, in a manner meeting the approval of the Manager, Harbors, Beaches and Parks, Program Planning Division.</p>	_____	_____	_____
2. Tree Management/Preservation Plan			
<p>a. Any oak tree exceeding five inches in diameter (measured at 4.5 feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit for the subject site and approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. For existing development, a Tree Management/Preservation plan shall be required to remove any trees; however, an area plan or site plan shall not be required. Since they provide a major role in providing nesting or breeding habitat, removal of dead or dying oak trees shall also require approval of a Tree Management/Preservation Plan.</p>	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>b. Any oak trees removed which is greater than five (5) inches in diameter at 4.5 feet above the existing grade shall be transplanted. If any oak tree over five inches in diameter is either in poor health or would not survive transplantation, as certified by an arborist, said tree shall be replaced either according to the Tree Replacement Scale in the Resources Overlay Component or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation. If any oak trees die within five years of the initial transplantation, they shall be replaced according to Tree Replacement Scale or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation.</p>	_____	_____	_____
<p>c. The Tree Management/Preservation Plan shall identify those trees exceeding five (5) inches in diameter which are proposed for removal and the location of replacement trees.</p>	_____	_____	_____
<p>d. In the event that all transplanted or replacement trees cannot be feasibly located on the property, an off-site mitigation program may be permitted; however, all replacement and transplanted trees shall be located within the Specific Plan Area.</p>	_____	_____	_____
<p>e. The Tree Management/Preservation Plan shall be signed and certified by a biologist or arborist. All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the trees for a minimum period of six months.</p>	_____	_____	_____
<p>3. Uses Within and Adjacent to Oak Woodlands</p>			
<p>a. During all grading and construction operations, all oak trees on the site, located adjacent to the approved limits of grading and identified in an approved Tree Management/Preservation Plan as trees to be preserved, shall be adequately fenced and protected from encroachment by grading and construction equipment. Grading, placement of fill and storage of building materials and heavy equipment shall be prohibited within the dripline of any tree designated for preservation as part of an approved Tree Management/Preservation Plan.</p>	_____	_____	_____
<p>b. Retaining walls shall be used to protect the existing grades within the driplines of oaks from surrounding cut and fill. However, these shall not alter the drainage from around trees.</p>	_____	_____	_____
<p>c. No types of surface, whether pervious or impervious, shall be placed within a six-foot radius of oak tree trunks. Where surfacing cannot be avoided, alternative types of paving should be utilized, such as gravel or porous brick and sand joints.</p>	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<ul style="list-style-type: none"> d. Oak trees shall not be subjected to increased runoff from irrigation systems, impermeable surfaces, storm drain discharge, etc. 	_____	_____	_____
<ul style="list-style-type: none"> e. Natural drainage courses and natural grades in proximity to and providing seasonal irrigation to oak trees shall not be altered. 	_____	_____	_____
<ul style="list-style-type: none"> f. In proximity to oak trees, only one trench should be dug to accommodate all utility lines. Where necessary, the impacted trees should be carefully pruned by an arborist in proportion to the total amount of root zone lost. 	_____	_____	_____
<p>C. Streambeds</p>			
<p>1. Delineation of Streambed Boundaries</p>			
<ul style="list-style-type: none"> a. Applicants for development proposals on parcels containing streambeds as designated on EMA's Intergraph Base Map at 1:500 scale and parcels within 100 feet of any designated streambed shall be required to prepare a site-specific streambed analysis prepared by a hydrologist to determine the precise boundary of the streambed at a minimum scale of 1:100 (1:40 scale within the area of disturbance) for incorporation into EMA's Intergraph Mapping System. 	_____	_____	_____
<ul style="list-style-type: none"> b. Applicants of said projects shall be required to submit detailed, site-specific analyses to identify the direction and flow of natural runoff from the site, or immediately adjacent to the site. The detailed, site-specific analysis shall address the need for mitigation measures such as check dams, drop structures, rip-rap, energy dissipation structures and flow stabilizing devices below drainage discharge flows to keep velocities close to pre-development levels. The primary objective of including streambeds within the Resources Overlay Component shall be to minimize the need for man-made structures which would alter the natural condition of any designated streambeds, either on-site or downstream. 	_____	_____	_____
<p>2. Uses Within and Adjacent to Streambeds</p>			
<ul style="list-style-type: none"> a. All development should minimize discharge so that future storm flows do not significantly exceed existing flow levels. While drainage improvements are not prohibited, they shall be minimized to the extent possible. 	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<ul style="list-style-type: none"> b. Where man-made drainage devices and improvements (including bench drains and drainage channels) are required, they shall be placed in less visible locations and naturalized through the use of river rock, earth-toned concrete and extensive landscaping. 	_____	_____	_____
<ul style="list-style-type: none"> c. The use of permeable surfaces, such as wood decks, sand-jointed bricks and stone walkways should be incorporated into project design, where feasible, in order to minimize off-site flows and to facilitate the absorption of water into the ground. 	_____	_____	_____
D. Visual Resources			
1. Major Ridgelines and Major Rock Outcroppings			
<p>The following requirements shall apply to all building sites within the Specific Plan Area except for those legal building sites existing at the time of Specific Plan Adoption where compliance with the requirements would preclude development of a single residence on the existing building site.</p>			
<ul style="list-style-type: none"> a. The designated Major Ridgelines and Rock Outcroppings identified in the Resources Overlay Component shall be preserved: No point on any structure shall be located closer to the centerline of a designated major ridgeline than 200 feet measured horizontally on a topographic map or closer than 50 feet measured vertically on a cross section, as determined by the Planning Commission in conjunction with the approval of an area plan, site development permit or use permit. Said areas within 200 feet measured horizontally or 50 feet measured vertically shall be offered for dedication in fee or preservation easements to the County of Orange or its designee prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, in a manner meeting the approval of the Manager, EMA, Harbors, Beaches and Parks/Program Planning Division. 	_____	_____	_____
<ul style="list-style-type: none"> b. Applicants for development projects on sites located adjacent to the scenic roadway corridors identified in the Resources Overlay Component shall offer the required scenic setback areas for dedication in fee or preservation easements to the County of Orange or its designee prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, in a manner meeting the approval of the Manager, EMA, Harbors, Beaches and Parks/Program Planning Division. 	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
2. Scenic Roadway Corridors			
a. Applicants for development projects which are visible from any road designated as a scenic corridor in the Resources Overlay Component shall be required to submit a detailed viewshed analysis of the proposed development for consideration by the Planning Commission in conjunction with any area plan, site development permit or use permit.	_____	_____	_____
b. No structure should encroach upon the skyline as viewed from the scenic corridors.	_____	_____	_____
c. Landscape screening shall be provided to obscure any grading scars that are visible from the designated scenic corridors.	_____	_____	_____
VI. Landscaping and Fuel Modification			
A. Prior to the approval of any area plan, tentative subdivision map, site development permit or use permit, the applicant shall prepare a Preliminary Landscaping Plan for approval of the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. A licensed landscape architect shall certify in writing that the plan is consistent with the Landscaping Regulations and the Development and Design Guidelines of the Specific Plan. Prior to the issuance of any grading permits, a Precise Landscaping Plan shall be approved by the Manager, Subdivision Division, in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. Prior to the issuance of certificates of use and occupancy, the applicant shall install said landscaping and irrigation systems and shall have a licensed landscape architect certify that it was installed in accordance with the approved Precise Plan and shall furnish said certification to the Manager, EMA/Building Inspection Division.	_____	_____	_____
B. Any tree exceeding five inches in diameter (measured at 4.5 feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit and the approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks, Program Planning Division. Said plan shall be incorporated as a component of the required Landscaping/Fuel Modification Plan. Since they play a major role in providing nesting or breeding habitat, the removal of dead or dying trees shall require approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. Said plan shall be signed and certified by a biologist or arborist. The plan shall identify the location, size and species of all trees proposed to be removed which have a trunk diameter of five inches or greater at 4.5 feet above the existing grade and the proposed location for transplanted or replacement trees.	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
C. Any oak trees exceeding five inches in diameter at 4.5 feet above the existing grade removed in accordance with an approved Tree Management/Preservation Plan shall be transplanted. If any oak tree over five inches in diameter is either in poor health or would not survive transplantation, as certified by an arborist, said tree shall be replaced either with minimum 15-gallon trees according to the Tree Replacement Scale included in the Landscaping Regulations or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation.	_____	_____	_____
D. Any sycamore tree exceeding thirty-five inches in diameter shall be preserved, transplanted or replaced by an identical species of equal or greater size. Sycamore trees less than thirty-five inches in diameter shall be replaced according to the Tree Replacement Scale in the Landscaping Regulations.	_____	_____	_____
E. In the event that all replacement trees will not fit on a property, an off-site mitigation program may be permitted; however, all replacement trees shall be located within the Specific Plan Area.	_____	_____	_____
F. Any species of tree, other than oaks or sycamores, shall be transplanted or replaced with minimum fifteen gallon trees at minimum ratio of 1:1.	_____	_____	_____
G. All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the tree for a minimum period of six months. If any transplanted tree dies within five years of the date of transplantation, it shall be replaced according to the replacement scale for the trees removed.	_____	_____	_____
H. Grading, placement of fill, storage of building materials and heavy equipment, structural development and hardscape (e.g., roads, sidewalks, patio slabs and pool decks), shall be prohibited within the dripline (outer edge of branches) of any oak or sycamore tree. Where these activities cannot be avoided, all trees with impacted driplines shall be retained in their current location, but replacement trees shall be provided according to the Tree Replacement Scale in the Landscaping Regulations.	_____	_____	_____
I. During all construction and grading operations, all oak and sycamore trees on the site located adjacent to the approved limits of grading identified in the Tree Management/Preservation Plan as trees to be preserved shall be adequately fenced and protected from encroachment by grading and construction equipment. In the event that any oak or sycamore trees are inadvertently or intentionally injured or removed, they shall be replaced in accordance with the Tree Replacement Scale in the Landscaping Regulations.	_____	_____	_____
J. Graded slopes shall be re-vegetated with native, fire-resistant vegetation prior to the issuance of certificates of use an occupancy or within six months of the termination of grading operations, whichever occurs first.	_____	_____	_____

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REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
K. Landscape screening shall be provided to obscure grading scars from the view of any public road.	_____	_____	_____
L. All projects located in a wildland fire hazard, as identified by the Fire Chief, shall be required to prepare Fuel Modification Plans. Said plans shall be incorporated as a component of the required Landscaping Plan.	_____	_____	_____
M. Prior to the approval of any area plan or the issuance of any grading permits or building permits, whichever occurs first, the applicant shall prepare a Preliminary Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks, Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management Preservation Plan addressing the subject property. The Preliminary Landscaping/Fuel Modification Plan shall be incorporated into an area plan if one is required for the subject project. The plan shall show the special treatment to achieve an acceptable level of risk in regard to the exposures of structures to flammable vegetation and shall address the method of removal and installation (mechanical or hand labor), and provisions for its continuous maintenance.	_____	_____	_____
N. Prior to the approval of any site development permit or the issuance of any building permits, whichever occurs first, the applicant shall prepare a Precise Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by the Manager, Subdivision Division in consultation with the Manager EMA/Harbors, Beaches and Parks/Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management Preservation Plan address the subject property. The precise plan shall include all preliminary plan information, as well as a plant list, an irrigation plan and a precise definition of fuel modification zone boundaries.	_____	_____	_____
O. Installation of the approved Precise Fuel Modification/Landscaping Plan shall commence prior to the issuance of any building permits for new habitable structures, under the supervision of the Fire Chief, and shall be completed prior to the issuance of applicable use and occupancy permits. After final inspection and approval, fuel modification/landscaping shall be regularly maintained in accordance with the approved plan.	_____	_____	_____
P. The project proposal is consistent with the remaining Fuel Modification Regulations (Section III.E) and, if applicable, the Landscaping and Fuel Modification Guidelines (Section IV.F).	_____	_____	_____

EXHIBIT H

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>VII. Animal Regulation</p> <p>The project proposal is consistent with the Animal Regulations (Section III.F).</p>	_____	_____	_____
<p>VIII. Circulation Component/Phasing Component</p> <p>The project proposal is consistent with the Circulation Component and will not generate traffic beyond the levels assumed in the Traffic Analysis included in the EIR 531. The project will be phased in a manner which is consistent with the Phasing Component.</p>	_____	_____	_____
<p>IX. Recreation Component</p> <p>The project proposal is consistent with the Recreation Component, and the applicant shall offer to dedicate and improve the Master Plan Riding and Hiking Trails, Master Plan Bikeways, Local Riding and Hiking Trails and Local Parks affecting the property, as required by the Recreation Plan.</p>	_____	_____	_____
<p>X. Public Facilities Component</p> <p>The project proposal is consistent with the Public Facilities Component, and there are either: 1) adequate public facilities existing to serve the proposed level of development; or 2) the project will be phased to ensure that necessary infrastructure improvements are implemented commensurate with development.</p>	_____	_____	_____
<p>XI. Development and Design Guidelines</p> <p>A. The project is consistent with the Grading, Drainage and Site Planning Guidelines (Section IV.C).</p> <p>B. The project proposal is consistent with the Streetscape Guidelines (Section IV.D).</p> <p>C. The project proposal is consistent with the Architectural Guidelines (Section IV.E).</p>	_____	_____	_____
<p>XII. CONSISTENCY DETERMINATION:</p> <p>On the basis of this evaluation, I find that the following consistency determination applies:</p> <p>A. The project proposal is consistent with all of the Specific Plan Regulations and Guidelines.</p> <p>B. The project proposal is inconsistent with the Specific Plan Regulations and is, therefore, inconsistent with the Specific Plan.</p>	_____	_____	_____

EXHIBIT H

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
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C. The project proposal is consistent with all of the Specific Plan Regulations, but inconsistent with some of the Specific Plan Guidelines. Although the project is inconsistent with one or more of the Guidelines, the project proposal is in overall compliance with the Specific Plan Guidelines and consistent with the overall Goals and Objectives of the Specific Plan. _____

D. The project proposal is consistent with the Specific Plan Regulations, but inconsistent with several of the Specific Plan Guidelines. Due to the number of individual Guidelines with which the project is inconsistent and the degree of the inconsistency, the project cannot be found in overall compliance with the Specific Plan Guidelines or consistent with the Goals and Objectives of the Specific Plan. _____

By: _____

Date: _____

Title: _____

Division: _____

EXHIBIT I

I. INTRODUCTION

A. AUTHORIZATION AND PURPOSE

In August 1988, the Orange County Board of Supervisors directed the Environmental Management Agency (EMA) to convert the then-existing, policy-level Foothill/Trabuco Feature Plan into a regulatory, zoning-level Specific Plan. The purpose of the Specific Plan effort was to set forth goals, policies, land use district regulations, development guidelines, and implementation programs in order to preserve the area's rural character and to guide future development in the Foothill/Trabuco area.

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

This document, in conjunction with the Orange County Zoning Code and other applicable ordinances, represents the Specific Plan for the Foothill/Trabuco area. It has been prepared in accordance with California Government Code (Sections 65250, et seq.). Unless otherwise provided for within this document, all future development in the Specific Plan Area must be found consistent with the Specific Plan Components, the Land Use District Regulations and the Development and Design Guidelines.

B. DESCRIPTION OF THE SPECIFIC PLAN AREA

The Foothill/Trabuco Specific Plan Area (see Exhibit I-1) encompasses approximately 6,500 acres located within the foothills of the Santa Ana Mountains. The area is bounded on the north by the Silverado/Modjeska Specific Plan Area and the Cleveland National Forest; to the south by the Rancho Trabuco, Rancho Santa Margarita and Robinson Ranch Planned Communities; to the east by the Cleveland National Forest; and to the west by the Santiago Ranch project and the Foothill Ranch and Portola Hills Planned Communities. The Foothill/Trabuco area contains abundant natural and scenic resources, including oak woodlands, ridgelines, stream courses and the backdrop of mountainous terrain within and adjacent to the Cleveland National Forest.

To facilitate planning efforts, three individual planning areas were created within the overall Specific Plan Area (Exhibit I-2). The planning areas were based primarily upon road access, the proximity and availability of other infrastructure (e.g., sewer lines) and the differing development opportunities and constraints within each planning area. A brief description of each planning area is provided below.

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c. Plano Trabuco Planning Area

The Plano Trabuco Planning Area is located south of Trabuco Creek adjacent to existing development in the Rancho Santa Margarita and Robinson Ranch Planned Communities. The planning area is predominantly level in terrain, with minimal native vegetation due to extensive agricultural activities. Because of its proximity to adjacent development and infrastructure and its relatively flat terrain, it is more readily developable than the other two planning areas.

C. GOALS AND OBJECTIVES

1.0 Specific Plan Goals

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

2.0 Specific Plan Objectives

The objectives listed below are intended to achieve the Specific Plan Goals. The objectives applicable to the entire Specific Plan Area are listed first, followed by objectives which are specific to the three planning areas.

a. Area-Wide Objectives

1) Rural Character/Forest Buffer:

- a) Utilize architectural/design guidelines to establish rural standards.
- b) Provide a buffer to the Cleveland National Forest by limiting development in areas adjacent to the forest.
- c) Preserve the Arroyo Trabuco/Trabuco Creek as permanent open space to implement the buffer zone policy of the Growth Management Plan Element of the General Plan which requires the “physical separation of major communities by means of open space areas/corridors or on natural features such as creeks or prominent

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topographic features.” [Also, see related objectives under “Resource Preservation” and “Equestrian/Recreational Opportunities,” below.]

- d) Minimize the intrusion of development and landform alteration within the viewsheds of Live Oak/Trabuco Canyon Road and Santiago Canyon Road without precluding development which blends into the natural terrain and does not require excessive landform alteration.

2) Resource Preservation:

- a) Develop a Resources Overlay Component of the Specific Plan to ensure the preservation of significant landform, biological and scenic resources.
- b) Preserve significant landform features, including major ridgelines and rock outcroppings, while allowing limited development on minor ridgelines provided the development blends into the natural terrain and does not require excessive landform alteration.
- c) Preserve significant biological resources, including oak woodlands, riparian areas and wildlife mobility corridors.
- d) Preserve the oak tree canopy along Live Oak/Trabuco Canyon Road.
- e) Preserve the Arroyo Trabuco/Trabuco Creek as permanent open space to ensure the preservation of the wildlife mobility corridor present in the creek and ensure consistency with the Resources Element of the County’s General Plan which designates the creek as an Open Space, Conservation and Scenic Corridor. [Also, see related objectives under “Equestrian/Recreational Opportunities,” below.]

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

3) Development Potential:

- a) Provide some development potential (minimum of one dwelling unit) on each existing building site except for extreme situations where public health and safety concerns would preclude development of a

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site. For example, some building sites may be un-developable due to: 1) the site's location entirely within a floodplain where flood hazards cannot be adequately mitigated; 2) the lack of suitable legal access; 3) dependence on a septic system on a site which cannot percolate; or 4) severe topographic or geotechnical constraints. No building sites will be specifically designated as un-developable by the Specific Plan Land Use Plan and Land Use District Regulations; however, the ability of each site to be developed will be evaluated as part of an area plan and/or site development permit.

- b) Ensure that property owners have a right to develop each property through development regulations and guidelines which do not preclude development, but which do not necessarily guarantee that all existing building sites may be developed (i.e., where there are extreme public health and safety concerns) or that they may be further subdivided.
 - c) Recognize that development potential varies from property to property and from planning area to planning area due to the unique development constraints affecting each property or planning area.
 - d) Provide a development cap for each property based upon circulation constraints. Recognize that the level of development permitted by the development is not necessarily achievable on each individual property and that the ultimate number of dwelling units permitted shall be dependent on compliance with Land Use District Regulations, the Development and Design Guidelines and the Resources Overlay Component as demonstrated through area plan and/or site plan review.
 - e) Encourage larger-lot development in resource-constrained areas.
 - f) Allow development on hillsides and minor ridgelines provided grading for the structures and building pads is limited.
- 4) Circulation/Infrastructure:
- a) Base the Land Use Plan and Circulation Plan on the assumption that proposed Rose Canyon Road will be deleted from the County's Master Plan of Arterial Highways as part of a Transportation Element Amendment adopted in conjunction with the Specific Plan.
 - b) Through minor safety improvements, increase the traffic-carrying capacity of Live Oak/Trabuco Canyon Road between Hamilton Truck Trail and Trabuco Oaks Drive from the existing 4,500 Average Daily Traffic (ADT) to 6,000 ADT.

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- c) Increase the traffic-carrying capacity of Live Oak/Trabuco Canyon Road through a connection of the existing bridge and switchback to Antonio Parkway. Implement traffic controls to discourage through traffic and other trips during peak periods. If the traffic controls are determined by the Board to be inadequate or infeasible, unspecified capacity improvements (to be determined through further studies) may be considered.
 - d) Develop a Phasing Component of the Specific Plan to ensure that circulation and other infrastructure capacity is not exceeded and that development occurs commensurate with necessary infrastructure improvements.
- 5) Equestrian/Recreational Opportunities:
- a) Provide for a local riding and hiking trail system which includes connections to Regional Riding and Hiking Trails as designated on the Master Plan of Regional Riding and Hiking Trails of the Recreation Element of the General Plan.
 - b) Preserve the Arroyo Trabuco/Trabuco Creek as permanent open space in order to: 1) provide a link between O'Neill Regional Park and the proposed Upper Trabuco Canyon Regional Park within the Cleveland National Forest; and 2) provide a critical link of the "mountains-to-the-sea" riding and hiking trail along Trabuco Creek as designated on the Master Plan of Riding and Hiking Trails in the Recreation Element of the General Plan.
- b. Planning Area-Specific Objectives
- 1) Upper Aliso Planning Area
- a) Resource Preservation:
 - (1) Provide a scenic highway setback from Santiago Canyon/El Toro Road and Live Oak Canyon Road.
 - (2) Provide a development setback from O'Neill Regional Park.
 - b) Development Potential:

Allow commercial development only on the Cook's Corner Commercial Center and Tittle sites. Designate the Live Oak Limited property for residential uses.
 - c) Circulation/Infrastructure:
 - (1) Ensure that the Cook's Corner intersection (Santiago Canyon/El Toro/Live Oak Canyon Roads) designed in a manner

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which provides adequate and coordinated access for the Foothill Commercial Center and the Cook's Corner Commercial Center.

- (2) Ensure that access to the Tittle Property is limited to Ridgeline Drive in order to minimize impacts on the Cook's Corner intersection.
- (3) Minimize the number of access points on Live Oaks Canyon Road and Santiago Canyon Road.
- (4) Prohibit encroachment of development into the right-of-way reservation swaths for Santiago Canyon/El Toro Road and Live Oak Canyon Road. If development occurs subsequent to the selection of final alignments for these roads, development shall be located outside of, and set back from, the final alignments.

2) Trabuco Canyon Planning Area:

a) Resource Preservation:

Provide for a scenic highway setback along Live Oak Canyon Road.

b) Development Potential:

Develop unique Land Use District Regulations for the Trabuco Oaks and Mountain View areas to recognize that relatively small lots have already been created via approved and recorded subdivision maps. However, future subdivisions to create similar-sized lots need not be guaranteed and will be dependent on circulation and other constraints.

c) Circulation/Infrastructure:

- (1) Provide for a conceptual private collector road system in the eastern portion of the planning area to minimize the amount of traffic traveling on Live Oak Canyon Road through the oak tree canopy area.
- (2) Minimize the number of access points along Live Oak/Trabuco Canyon Road.

3) Plano Trabuco Planning Area:

a) Resource Preservation:

- (1) Provide an open space buffer of at least 150-feet along the bluff edge above Trabuco Creek.

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- (2) Limit dwelling units located adjacent to the bluff edge to one story in height in order to minimize impacts on the viewshed from O'Neill Regional Park, Trabuco Canyon and the Arroyo Trabuco.
- (3) Require landscaping within the open space buffer to filter views of development from O'Neill Regional Park, Trabuco Canyon, and the Arroyo Trabuco.
- (4) Preserve the existing eucalyptus wind-rows, if feasible.
- (5) Provide for larger lot development adjacent to the open space buffer, with smaller lots located adjacent to existing development in Robinson Ranch and Rancho Santa Margarita.

b) Development Potential:

Base development potential on a transition in density from the adjacent planning areas within the Robinson Ranch and Rancho Santa Margarita Planned Communities to the Trabuco Canyon area.

c) Circulation/Infrastructure:

- (1) Ensure that the level of development permitted will not result in the capacity of Plano Trabuco Road or arterials/intersections within Rancho Santa Margarita to be exceeded.
- (2) Ensure that the circulation system on the Nursery properties provides a connection to the potential future access road through Robinson Ranch to the Hinrichs/Porter/Schwendeman East properties. The circulation system on the Nursery properties shall be designed with adequate traffic capacity to serve all of the development permitted on these properties.

d) Equestrian/Recreational Opportunities:

Provide a linear park in the open space buffer along the bluff edge on the nursery properties.

D. PLANNING BACKGROUND

The first plan for the Foothill/Trabuco area, the Foothill Corridor Policy Plan, was adopted in 1974 and included the Silverado/Modjeska area and portions of the Plano Trabuco. The Foothill/Trabuco Plan was adopted by the Board of Supervisors in 1979 as a supplement to the Land Use Element of the County's General Plan. In May 1985, this supplement was converted into a Feature Plan which included policy-level guidelines for development.

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As a result of these Study Sessions, the Planning Commission endorsed Conceptual Land Use and Circulation Plans to serve as the basis for preparing the Specific Plan.

The Conceptual Land Use and Circulation Plans were based on the assumptions that proposed Rose Canyon Road would be deleted from the Master Plan of Arterial Highways, safety improvements to Live Oak Canyon/Trabuco Canyon Road would be implemented to increase the road's traffic capacity, and residential densities would be reduced from those permitted under the Feature Plan. The Goals and Policies of the Specific Plan were derived from the policy direction provided by the Planning Commission at the study sessions.

In the absence of proposed Rose Canyon Road, and with traffic on Live Oak Canyon Road approaching the road's capacity, the Board of Supervisors adopted a Zone Change in October 1990 to apply the General Plan Implementation (GPI) Over District to the Trabuco Canyon area in order to address projects which proceeded prior to the completion of the Specific Plan. The GPI District required the Planning Commission to review all projects in the Trabuco Canyon area (including subdivision maps) and to make specific findings that the project would not cause the capacity of Live Oak Canyon Road to be exceeded prior to the completion of the Specific Plan and the implementation of necessary improvements to increase the road's capacity to 6,000 Average Daily Traffic. The GPI District also required all applicants to participate in any future road fee programs for the Trabuco Canyon area that might be adopted as part of the Specific Plan.

Subsequent to the study session process, the Planning Commission conducted four public hearings on the Draft Specific Plan and Draft EIR 531 between August and October 1991. The Board of Supervisors adopted the Specific Plan and certified EIR 531 on December 11, 1991.

E. RELATIONSHIP TO THE GENERAL PLAN

While the General Plan contains goals and policies, its emphasis is not on implementation. The Foothill/Trabuco Specific Plan serves to refine and implement the goals and objectives of the General Plan by directing all facets of future development: from the distribution of land uses to the location and sizing of infrastructure improvements and from the phasing of development to specific development standards.

More specifically, the Foothill/Trabuco Specific Plan serves to implement the Transition Areas for Rural Communities and Buffer Zones policies of the Growth Management Plan Element of the General Plan. These policies are listed below.

Transition Areas for Rural Communities

New development within the Silverado/Modjeska Specific Plan ~~and Foothill/Trabuco Feature (Specific) Plan~~ planning areas shall be rural in character and shall comply with the policies of ~~these~~ *that* plans in order to maintain a buffer between urban development and the Cleveland National Forest.

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New development within the Foothill/Trabuco Specific Plan planning area shall be designed to maintain a buffer between urban development and the Cleveland National Forest, to be compatible with adjacent areas, and to reflect the goals of that Plan.

It is recognized that additional plans may be established which provide a transition area between urban development and major open space areas.

Buffer Zones

There shall be buffer zones established through Feature Plan and/or Specific Plans, and/or Scenic Corridor Plans which provide for the physical separation of major communities by means of open space areas/corridors. Said open space areas/corridors will be based upon natural features such as creeks or prominent topographic or aesthetic features.

It is recognized that the buffer zones established pursuant to this policy will not necessarily link regional parks or serve a recreational function.

F. RELATIONSHIP OF SPECIFIC PLAN EIR 531 TO SUBSEQUENT DISCRETIONARY APPROVALS

EIR 531 has been prepared as a Program EIR as part of a tiered EIR process. "Tiering," according to CEQA, means the coverage of general matters and environmental effects in an EIR prepared for a policy, plan, program or ordinance followed by narrower or site-specific EIRs which incorporate by reference the discussion in any prior EIR (CEQA Section 21068.5). Subsequent environmental documentation, if necessary, required for subsequent discretionary approvals (area plans, site plans, use permits, subdivision maps, etc.) will rely on the findings in EIR 531 as the basis for more detailed analysis and will incorporate these findings and all supporting documentation by reference. An Initial Study will be conducted per CEQA for each subsequent discretionary approval to determine whether additional environmental documentation is needed.

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areas where sufficient buffering already exists, landscape screening may not be necessary. Planting shall be informal and shall emphasize native trees and shrubs that provide maximum screening. Landscaping within the buffer zone shall be maintained by the homeowner or by a homeowners' association.

- c. Exterior lighting shall be prohibited within the 50-foot setback zone. Lighting for outdoor nighttime activities such as playing fields or tennis courts shall be prohibited. Light sources shall be directed away from wildlife corridors. Lighting may be permitted on roads that transverse corridors where necessary for public safety purposes.
- d. Fencing within the 50-foot setback zone shall be limited to open fencing (i.e., split rail fencing) which does not exceed 40 inches in height, measured from the finished grade, in order to allow for the mobility of animals.

3.0 Oak Woodlands

3.1 Purpose and Intent.

The purpose of the oak woodlands designation is to ensure preservation of significant stands of oak woodlands. For purposes of this Component, oak woodlands are defined as those general areas identified in Exhibit II-4, and other areas identified by a qualified biologist as having characteristics of an oak woodland plan community (consistent with criteria for the plant community type as defined in the County's Master Environmental Assessment GIS maps), and are extensive enough to be considered habitat of local significance. This determination shall be made in accordance with site specific oak woodlands analyses as stipulated below.

[Note: The Landscaping and Fuel Modification Regulations (Section III-E, and the Development and Design Guidelines (Section IV) contain additional regulations and guidelines regarding individual oak trees which are not included within the designated oak woodlands.]

3.2 Designation of Oak Woodland Boundaries

- a. Parcels containing oak woodlands as designated in Exhibit II-4 and parcels within 100 feet of any designated oak woodland shall be required to prepare a site-specific oak woodlands analysis prepared by a qualified biologist/arborist to determine the precise boundary of the oak woodlands.
- b. The analysis shall provide precise mapping of all oak woodlands at of at least 1:100 scale (1:40 scale within the area of disturbance) which shall be digitized on EMA's Intergraph Mapping System.

FOOTHILL / TRABUCO SPECIFIC PLAN AREA OAK WOODLANDS

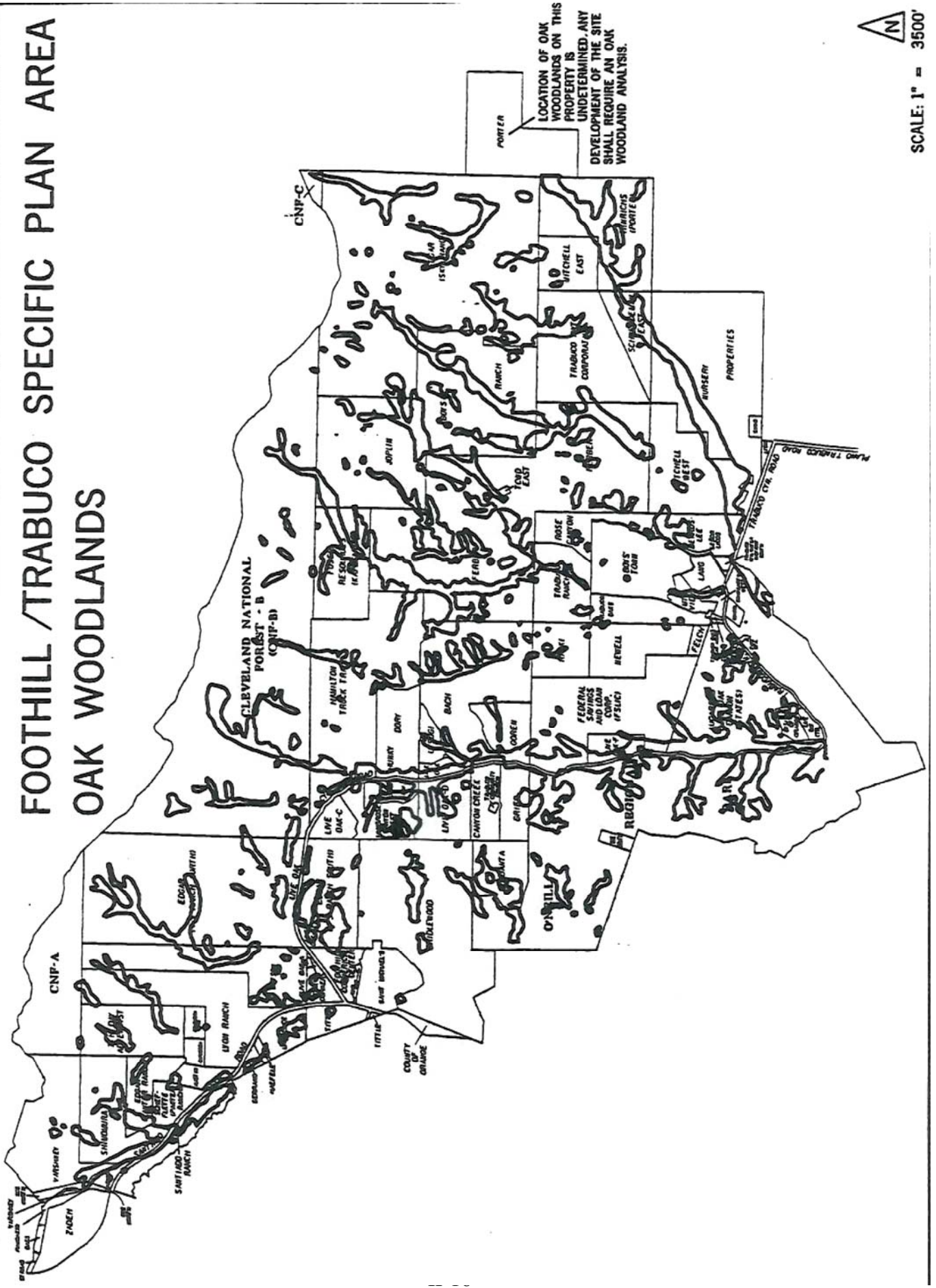


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- c. Oak woodlands shall be preserved in an undisturbed state to the greatest extent possible while still allowing for reasonable development. The site-specific analysis shall identify the level of impact of the proposed project and methods of reducing or avoiding adverse impacts of the project. The impact analysis shall consider all forms of disturbance resulting from the development, including changes in runoff, impacts within the dripline of trees, etc. If oak trees are proposed to be transplanted, the analysis shall identify suitable locations for the transplantation of oak trees.
- d. Prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, each affected applicant shall offer for dedication in fee or preservation easements to the County of Orange or its designee those areas containing oak woodlands, as identified for preservation in an approved Tree Management/Preservation Plan, in a manner meeting the approval of the Manager, Harbors, Beaches and Parks/Program Planning Division.

3.3 Tree Management/Preservation Plan

Any oak tree exceeding 5 inches in diameter (measured at 4.5 feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit for the site and approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. For existing development, a Tree Management/Preservation Plan shall be required to remove any trees; however, an area plan or site plan shall not be required. Since they play a major role in providing nesting or breeding habitat for wildlife, the removal of dead or dying trees shall also require approval of a Tree Management/Preservation Plan.

- a. Any oak tree removed which is greater than five (5) inches in diameter at 4.5 feet above the existing grade shall be transplanted. If any oak tree over 5 inches in diameter is *either* in poor health ~~and-or~~ would not survive transplantation, as certified by an arborist, said tree shall be replaced *either* according to the replacement scale indicated below *or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation*. If any oak tree dies within five years of the initial transplantation, it shall also be replaced according to the replacement scale indicated below *or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation*. *In the event that a proposal includes an alternative oak tree replacement mitigation, the Approving Authority shall make the following additional finding prior to approval of the Tree Management and Preservation Plan:-*

- 1) The oak tree replacement mitigation proposed in the Tree Management and Preservation Plan is more extensive and effective than if oak trees*

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were to be replaced at a 15-gallon minimum size and by using the "Tree Replacement Scale" indicated below.

Tree Replacement Scale

<u>Trunk diameter (inches) of Tree removed at 4.5 inches Above Ground Level</u>	<u>Minimum Number of Replacement Trees Required</u>
5 to 11	5
12 to 17	8
18 to 23	10
24 to 35	12
36 and above	15

- b. The Tree Management/Preservation Plan shall identify those trees exceeding five (5) inches in diameter which are proposed for removal and the proposed location of transplanted or replacement trees.
- c. In the event that all transplanted or replacement trees cannot be feasibly located on the property, an off-site mitigation program may be permitted; however, all replacement and transplanted trees shall be located within the Specific Plan Area.
- d. Said plan shall be signed and certified by a biologist or arborist. All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the tree for a minimum period of six (6) months.

3.4 Uses Within and Adjacent to Oak Woodlands

The following apply to oak woodlands which are identified for preservation through an approved Tree Management/Preservation Plan:

- a. During all grading and construction operations, all oak trees on the site, located adjacent to the approved limits of grading and identified in an approved Tree Management/Preservation Plan as trees to be preserved, shall be adequately fenced and protected from encroachment by grading and construction equipment. Grading, placement of fill, and storage of building materials and heavy equipment, shall be prohibited within the dripline of any tree identified for preservation as part of an approved Tree Management/Preservation Plan.
- b. Retaining walls shall be used to protect the existing grades of oaks identified for preservation from surrounding cut and fill. However, these should not alter drainage from around trees.

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- c. No type of surface, whether pervious or impervious, shall be placed within a six-foot radius of oak tree trunks. Where surfacing cannot be avoided, alternative types of paving should be utilized, such as gravel or porous brick with sand joints.
- d. Oak trees shall not be subjected to increased run-off from irrigation systems, impermeable surfaces, storm drain discharge, etc.
- e. Natural drainage courses and natural grades in proximity to and providing seasonal irrigation to oak trees shall not be altered.
- f. In proximity to oak trees, only one trench should be dug to accommodate all utility lines. Where necessary, the impacted trees should be carefully pruned by an arborist in proportion to the total amount of root zone lost.

4.0 Streambeds

4.1 Purpose and Intent

The purpose and intent of the streambed preservation designation is to provide for the preservation of stream channels in their natural condition. For purposes of this Component, streambeds shall be defined as the major streambeds identified in Exhibit II-5. The primary objective of including these streambeds within the Resources Overlay Component shall be to minimize the need for man-made structures which would alter the natural condition of any designated streambeds, either on-site or downstream.

4.2 Designation of Streambed Boundaries

- a. Applicants for development proposals on parcels containing streambeds as designated in Exhibit II-5 and parcels within 100 feet of any designated streambed analysis shall be required to prepare a site-specific streambed analysis prepared by a hydrologist to determine the precise boundary of the identified streambed. Said analysis shall include detailed mapping of at least 1:100 scale (1:40 scale within the area of disturbance) for incorporation into EMA's Intergraph Mapping System.
- b. Said applicants shall be required to submit detailed site-specific analyses to identify the direction and flow of natural runoff from the site, or immediately adjacent to the site. The detailed, site-specific analysis shall address the need for mitigation measures such as check dams, drop structures, rip-rap, energy dissipation structures and flow stabilizing devices (below drainage discharge flows) to keep velocities close to pre-development levels.

EXHIBIT M

F. Phasing Component

1.0 Circulation Phasing

a. Growth Management Plan Element

All development within the Specific Plan Area shall be required to be phased in a manner which is consistent with the requirements of the Growth Management Plan (GMP) Element. The GMP Traffic Level of Service Policy states:

It is the policy of the County that within three years of the issuance of the first use and occupancy permit for a development project or five years of the issuance of a finished grading permit or building permit for said development project, whichever occurs first, that the necessary improvements to arterial highway facilities, to which the project contributes measurable traffic, are constructed and completed to attain Level of Service (LOS) "D" at intersections under the sole control of the County. LOS "C" shall also be maintained on Santiago Canyon Road links until such time as the uninterrupted segments of the roadway (i.e., no major intersections) are reduced to less than three miles.

The GMP Transportation Implementation Manual, adopted by the Board of Supervisors in June 1989 to clarify the intent of the Traffic Level of Service Policy of the GMP Element, includes procedures and parameters for implementation of this policy. The manual describes how the general traffic policies of the GMP Element are to be implemented and includes: 1) a listing of project which are exempt from the GMP requirements; 2) acceptable traffic analysis methodologies; 3) minimum requirements of GMP traffic reports; and 4) the traffic monitoring surveys the County will conduct to determine system performance.

All applicants of projects ~~s~~ proposals which are not exempt from the GMP requirements shall be required to prepare a traffic report, in accordance with the requirements of the GMP Transportation Implementation Manual, *as amended*, to demonstrate compliance with the GMP Traffic Level of Service Policy. Individual project proposals will be reviewed on a case-by-case basis and shall be phased to ensure consistency with the GMP requirements.

EXHIBIT N

8.8 Site Development Standards.

- a. Building site area.
 - 1) Building sites created prior to the effective date of the Specific Plan shall be considered legal, conforming building sites.
 - 2) For subdivision maps creating a single building site. Minimum of one (1) acre.
 - 3) For subdivision maps creating more than one building site. Minimum of one-half (0.5) acre; however, building sites shall average a minimum of one (1) acre for each subdivision map.
- b. Building setbacks. Per Zoning Code Section 7-9-128 and 7-9-137, except as follows:
 - 1) Scenic Roadway setbacks:
 - a) From El Toro Road: One-Hundred (100) feet minimum.
 - b) From Santiago Canyon/El Toro Road. One-Hundred (100) feet minimum.
 - c) From Live Oak Canyon Road. Fifty (50) feet minimum.
 - 2) For development of a single legal building site existing prior to the effective date of the ordinance adopting these regulations:
 - a) From any front or side property line abutting a street: twenty (20) feet minimum.
 - b) Side: fifteen (15) feet minimum.
 - c) Rear: twenty (20) feet minimum.
 - 3) For development of more than one legal building site existing prior to the effective date of the ordinance adopting these regulations or any building site(s) created subsequent to the effective date of the ordinance adopting these regulations.
 - a) Variable building setbacks and multiple building orientations shall be provided in order to enhance the rural character and to avoid the appearance of a typical, rural character and to avoid the appearance of a typical, urban subdivision where all buildings have a similar building setback and are oriented in the same direction. For additional information on variable building setbacks and multiple building orientations, refer to the Site Planning Guidelines in the Planning and Design Guidelines (Section IV).

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- b) The building lines for each building site shall be designated in conjunction with the approval of any area plan, tentative tract map or tentative parcel map to ensure that the minimum average front setback, variable building setbacks and multiple building orientations are achieved.
- (1) From any front or side property line abutting a street: Six (6) feet minimum; however an average minimum setback of twenty (20) feet shall be provided for all building sites included in each development proposal.
 - (2) Side: ten (10) feet minimum on one side, with a minimum total of twenty-five (25) feet for both sides.
 - (3) Rear: twenty (20) feet minimum.
- 3) Automatic garage door openers. Where the front setback is less than twenty (20) feet, an automatic garage door opener shall be provided.
- 4) Panhandle site: fifteen (15) feet minimum from any property line.
- 5) Patios. No attached or detached patio cover shall be located closer than ten (10) feet from a property line.
- 6) Projections into required setbacks. Eaves, cornices outside staircases, balconies or other similar architectural features may project three (3) feet into any required front, rear or side setback; however, in no case shall they be located closer than five (5) feet from a property line.
- 7) Alternative setbacks. Alternative setbacks may be approved by the Planning Commission in conjunction with an area plan, site development permit or use permit if it is demonstrated that the alternative setbacks will result in significantly greater protection of biological resources or natural landforms than would compliance with the building setback requirements contained herein.
- c. Building height. Thirty-five (35) feet maximum per Zoning Code section 7-9-129.
- d. Building site coverage. Maximum of forty (40) percent.
- e. Building site depth. Minimum of one-hundred (100) feet.
- f. Building site width. Minimum of eight (80) feet.

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- g. Fences and walls, maximum height, subject to the Resources Overlay Component (Section II.C).
- 1) Within areas where main buildings may be constructed, the district building height regulations shall apply.
 - 2) Within front setback areas: three-and-one-half (3.5) feet minimum, except on panhandle lots where the maximum height may be six (6) feet if a six (6) foot high fence is permitted on an abutting lot when such area is not adjacent to a driveway.
 - 3) Within other setback areas: the maximum height shall be six (6) feet.
 - 4) Retaining walls and crib walls. The above maximum height limits and setback requirements may be waived for retaining walls or crib walls when it is demonstrated through a site development permit that additional land will be preserved in its natural state as a result of utilizing said walls. However, in no case shall these walls exceed twenty (20) feet in height.
- h. Grading. Per Zoning Code section 7-9-139, except as indicated below. Items 1 through 6 below shall apply only to residential development (including private roads providing access to residential development).
- 1) Grading shall be limited to an average of 3,000 cubic yards of grading per dwelling unit permitted by the development cap on the property (either cut or fill, whichever is greater), excluding grading required for access roads or driveways serving two or more parcels and any remedial grading required, as certified by a geologist.
 - 2) For development of a single building site existing prior to adoption of the Specific Plan, grading shall be limited to 3,000 cubic yards of cut or fill on the individual lot (not an average) with the same exclusions provided above.
 - 3) If a property owner develops fewer dwelling units than permitted by the development cap, the grading allocation for the un-built dwelling units may be applied to those that are built. However, in no case shall the number of cubic yards of grading for the project exceed an average of 9,000 cubic yards per building site. For example, if the development cap permits two dwelling units on a property and only one building site is established, the property owner may grade up to 6,000 cubic yards. However, if the development cap permits 4 dwelling units on a property and only one building site is established, the property owner may only grade up to a maximum of

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9,000 cubic yards. Where this provision is utilized, a resource or scenic preservation easement (or other restriction) shall be required over the remainder of the property to preclude the development of the un-built units.

- 4) Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed ten (10) vertical feet.
- 5) Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the difference between the existing and proposed contour elevations exceed ten (10) vertical feet.
- 6) For private roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed thirty (30) vertical feet.
- 7) For non-residential development (but excluding roads to serve residential development), in no case shall the height or cut or fill slopes exceed thirty (30) vertical feet.
- 8) Except for the two situations listed below, contour grading techniques shall be used to provide varying slope percentages and slope direction in three-dimensional, undulating patterns, similar to the natural terrain. The following concepts shall be utilized:
 - a) Hard edges left by cut and fill operations shall be given a rounded appearance which closely resembles the natural contours. Rounding of cut or fill edges shall extend a minimum of two feet on either side of any daylight line or hinge point located at the top of a manufactured slope or natural slope.
 - b) The angle of any graded slope shall be gradually adjusted to the angle of the natural terrain.
 - c) Conventional grading techniques may be utilized in the following two situations:
 - (1) Where geological hazards exist that are best mitigated by more conventional grading methods utilizing linear slopes to best complement required stabilization devices.
 - (2) When contour grading would result in more significant impacts to natural resources than would conventional grading methods.

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- 9) The Planning Commission may approve Alternative Grading Standards provided specific findings are made by the Commission pursuant to Section III.G.2.d.
- i. Each individual project proposal (excluding building sites of one (1) acre or less which were existing at the time of Specific Plan adoption) shall preserve a minimum of sixty-six (66) percent of the site in permanent, ~~natural~~ open space which shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee in a manner meeting the approval of the Manager, EMA/Harbors, Beaches and Park/Program Planning Division. No grading, structures (including stables and corrals), walls (except for river rock walls not to exceed three feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the ~~natural~~ open space area. Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to the open space areas are minimized. *This provision does not prohibit grading during site development within areas that will remain as open space after development is completed.*
- j. Landscaping and fuel modification per the Landscaping and Fuel Modification Regulations (Section III.E) and the Development and Design Guidelines (Section IV.C.).
- k. Lighting. All exterior lighting shall be strictly limited to those locations where it is required for safety reasons. All lighting shall be designed so that direct light rays shall be confined to the premises and so that light sources are shielded from off-site view.
- l. Off-street parking. Per Zoning Code section 7-9-145, except as follows:
- Two covered parking spaces shall be required for each dwelling. An additional covered or uncovered parking space shall be provided within 200 feet of the dwelling; however, on-street parking shall not be utilized for this additional space.
- m. Private street standards. Private streets shall be established in accordance with the following:
- 1) Streets where on-street parking is prohibited: Minimum paved width twenty-four (24) feet.
 - 2) Streets where on-street parking will be limited to one side only: Minimum paved width twenty-eight (28) feet.

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- 3) Streets with on-street parking permitted on both sides: Minimum paved width thirty-six (36) feet.
- 4) Alternative, rural street standards are encouraged. Road alignments, including dimensions and radii, shall be designed to minimize disturbance to natural vegetation and landforms, without compromising public safety.

n. Alternative Site Development Standards.

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

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E. Landscaping and Fuel Modification Regulations

1.0 Landscaping Regulations

a. Special provision.

Except for development within the Portola Bluff and Plano Trabuco Residential Districts, all discretionary approvals shall also be required to be consistent with the Landscaping and Fuel Modification Guidelines contained in the Development and Design Guidelines (Section IV.C).

b. Landscaping Plan.

- 1) Prior to the approval of any area plan, tentative subdivision map, site development permit or use permit, the applicant shall prepare a Preliminary Landscaping Plan for the approval of the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. A licensed landscape architect shall certify in writing that the plan is consistent with the Landscaping Regulations contained herein and the Development and Design Guidelines (Section IV.C) of the Foothill/Trabuco Specific Plan.
- 2) Prior to the issuance of any grading permits, a Precise Landscaping Plan shall be approved by the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. A licensed landscape architect shall certify that the plan is consistent with the Preliminary Landscaping Plan and is consistent with the Landscaping Regulations contained herein, and the Development and Design Guidelines (Section IV.C) of the Foothill/Trabuco Specific Plan.
- 3) Prior to the issuance of certificates of use and occupancy, the applicant shall install said landscaping and irrigation systems and shall have a licensed landscape architect certify that it was installed in accordance with the approved Precise Plan and shall furnish said certification in writing to the Manager, EMA/Building Inspection Division.

c. Tree Management/Preservation.

- 1) Any tree exceeding five inches in diameter (measured at four-and-one-half (4.5) feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit and the approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and

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Parks/Program Planning Division. Since they play a major role in providing nesting or breeding habitat for wildlife, the removal of dead or dying trees shall require approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division.

Said plan shall be signed and certified by a biologist or arborist. The plan shall identify the location, size and species of all trees proposed to be removed which have a trunk diameter of five (5) inches or greater at four-and-one-half (4.5) feet above the existing grade and the proposed location for transplanted or replacement trees. For new development, said Tree Management/Preservation Plan shall be included as a component of the required Landscaping Plan (see above).

3) Tree Transplantation/Replacement.

- a) All oak trees ~~trees~~ exceeding five inches in diameter at 4.5 feet above the existing grade removed in accordance with an approved Tree Management/Preservation Plan shall be transplanted. If any oak trees over 5 inches in diameter are *either* in poor health ~~and-or~~ would not survive transplantation, as certified by an arborist, said tree shall be replaced *either* with minimum 15-gallon trees according to the replacement scale below *or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation*. The replacement scale indicated is the minimum number of replacement trees required (*other than as specified in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation*); however, additional replacement trees may be required on a case-by-case basis.

Tree Replacement Scale

Tree Replacement Scale

<u>Trunk diameter (inches) of Tree Removed at 4.5 inches above Ground Level</u>	<u>Minimum Number of Replacement Trees Required</u>
5 to 11	5
12 to 17	8
18 to 23	10
24 to 35	12
above 35	15

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- b) Any sycamore tree exceeding thirty-five (35) inches in diameter shall be preserved, transplanted or replaced by an identical species of equal or greater size. Sycamore trees less than 35 inches in diameter shall be transplanted or replaced according to the scale indicated in the table above with minimum 15-gallon trees.
 - c) In the event that all transplanted or replacement trees will not fit on a property, an off-site mitigation program may be permitted; however, all transplanted and replacement trees shall be located within the Specific Plan Area.
 - d) Any species of tree, other than any oaks or sycamores, shall be transplanted or replaced with minimum fifteen (15) gallon trees at a minimum ratio of one-to-one (1:1).
 - e) All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the trees for a minimum period of six (6) months. If any transplanted tree dies within 5 years of the date of transplantation, it shall be replaced according to the replacement scale for trees removed.
- d. Grading, placement of fill, storage of building materials and heavy equipment, structural development and hardscape (e.g., roads, sidewalks, patio slabs and pool decks) shall be prohibited within the dripline (outer edge of branches) of any oak or sycamore tree. Where these activities cannot be avoided, all trees with impacted driplines shall be retained in their current location, but replacement trees shall be planted at the scale indicated above.
 - e. During all construction and grading operations, all oak and sycamore trees on the site located adjacent to the limits of grading and identified in the Tree Management/Preservation as trees to be preserved shall be adequately fenced and protected from encroachment by grading and construction equipment. In the event that any oak or sycamore trees identified for preservation in the Tree Management/Preservation Plan are inadvertently or intentionally injured or removed, they shall be replaced in accordance with the Tree Replacement Scale, above.
 - f. Graded slopes shall be re-vegetated with native, fire-resistant vegetation prior to the issuance of certificates of use and occupancy or within six months of the termination of grading operations, whichever occurs first.
 - g. Landscape screening shall be provided to obscure grading scars from the view of any public road.

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2.0 Fuel Modification Regulations

Fuel Modification/Landscaping Plan.

- a. All projects located in a wildland fire hazard, as identified by the Fire Chief, shall be required to prepare Fuel Modification Plans. Said plans shall be incorporated as a component of the required Landscaping Plan.
- b. Prior to the approval of any area plan, or the issuance of any grading permits or building permits, whichever occurs first, the applicant shall prepare a Preliminary Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks, Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management/Preservation Plan addressing the subject property. The Preliminary Landscaping/Fuel Modification Plan shall be incorporated into an area plan if one is required for the subject project.
- c. The plan shall show the special treatment to achieve an acceptable level of risk in regard to the exposures of structures to flammable vegetation and shall address the method of removal and installation (mechanical or hand labor), and provisions for its continuous maintenance.
- d. Prior to the approval of any site development permit or the issuance of any building permits, whichever occurs first, the applicant shall prepare a Precise Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management/Preservation Plan addressing the subject property. The Preliminary Landscaping/Fuel Modification Plan shall be incorporated into an area plan if one is required for the subject project. The precise plan shall include all preliminary plan information, as well as a plant list, an irrigation plan and a precise definition of fuel modification zone boundaries.
- e. Installation of the approved Precise Fuel Modification/Landscaping Plan shall commence prior to the issuance of any building permits for new habitable structures, under the supervision of the Fire Chief, and shall be completed prior to the issuance of applicable use and occupancy permits.
- f. After final inspection and approval, fuel modification/landscaping shall be regularly maintained in accordance with the approved plan.

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FOOTHILL/TRABUCO SPECIFIC PLAN PROJECT CONSISTENCY CHECKLIST

Introduction

The Foothill/Trabuco Specific Plan Project Consistency Checklist has been developed to assist applicants, EMA staff, interested parties and the Planning Commission in determining whether a project proposal is consistent with the Specific Plan. The Checklist includes only the key Regulations and Guidelines from the Specific Plan; however, all projects shall be required to be found consistent with all of the applicable Regulations and Guidelines included in the Specific Plan. (Refer to the individual Specific Plan Components (Chapter II), the Land Use District Regulations (Chapter III) and the Development and Design Guidelines Chapter IV) for a complete listing.)

The language in the Regulations/Guidelines indicates whether they are mandatory Regulations or non-mandatory Guidelines. "Shall" indicates a mandatory Regulation to which there are no exceptions, while "should" indicates a non-mandatory Guideline. Individual development proposals are not required to be consistent with each and every Guideline. The Planning Commission may approve deviations from the Guidelines; however, the Commission must find that the project is in overall compliance with the Guidelines and consistent with the Goals and Objectives of the Specific Plan.

Implementation

Prior to Planning Commission consideration of any Area Plan, Site Development Permit, Use Permit and/or concurrently processed subdivision map, EMA staff shall complete a Specific Plan Project Consistency Checklist for the project and shall make a determination regarding the project's consistency with the Specific Plan. Additional explanation/discussion of the project's consistency with each Regulation and Guideline shall be attached to the Checklist, as necessary. The Planning Commission shall review the completed Checklist in conjunction with consideration of any discretionary approval and shall utilize the Checklist as the basis for making the necessary findings that the project is in overall compliance with the Specific Plan and consistent with the Goals and Objectives of the Specific Plan.

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FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>I. Completeness of Application</p> <p>The applicant has submitted all of the necessary information, studies, reports and analyses required by the Specific Plan Regulations and the application has been deemed complete.</p>	_____	_____	_____
<p>II. Environmental Documentation</p> <p>A. Initial Study IS _____ has been completed for the project proposal and _____ has been prepared to address the potential environmental impacts of the project.</p> <p>B. Initial Study IS _____ has been completed for the project proposal and it has been determined that EIR 531, prepared for the Specific Plan, adequately addresses the potential environmental impacts of the project proposal.</p>	_____	_____	_____
<p>III. District Regulations/Site Development Standards</p> <p>The project proposal is consistent with the following site development standards and regulations of the applicable Land Use District.</p> <p>A. The project proposal is a permitted use within the District.</p> <p>B. The project proposal meets the minimum building site area requirement for the District.</p> <p>C. The project proposal is consistent with the Land Use Plan and the maximum density cap for the site.</p> <p>D. The project proposal is consistent with the District building height restrictions.</p>	_____	_____	_____
<p>IV. Grading</p> <p>A. All residential projects within the Arroyo Trabuco Residential District, the Trabuco Canyon Residential District and the Upper Aliso Residential District shall comply with the following provisions:</p>	_____	_____	_____

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FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>1. Grading shall be limited to an <u>average</u> of 3,000 cubic yards of grading per dwelling unit permitted by the development cap on the property (either cut or fill, whichever is greater), excluding grading required for access roads or driveways serving two or more parcels and any remedial grading required, as certified by a geologist. For development of a single building site prior to adoption of the Specific Plan, grading shall be limited to 3,000 cubic yards of cut or fill on the individual lot (not an average) with the same exclusion provided above. For development of a single building site existing prior to the adoption of the Specific Plan, grading shall be limited to 3,000 cubic yards of cut or fill on the individual lot (not an average) with the same exclusions provided above.</p>	_____	_____	_____
<p>2. If a property owner develops fewer dwelling units than permitted by the development cap, the grading allocation for the un-built dwelling units may be applied to those that are built. However, in no case shall the number of cubic yards of grading for the project exceed an average of 9,000 cubic yards per building site. Where this provision is utilized, a resource or scenic preservation easement (or other restriction) shall be required over the remainder of the property to preclude development of the un-built units.</p>	_____	_____	_____
<p>3. Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed ten (10) vertical feet.</p>	_____	_____	_____
<p>4. Except for grading required for roads and driveways providing access to two or more dwelling units, in no case shall the difference between the existing and proposed contour elevations exceed ten (10) vertical feet.</p>	_____	_____	_____
<p>5. For private roads and driveways providing access to two or more dwelling units, in no case shall the height of cut or fill slopes exceed thirty (30) vertical feet.</p>	_____	_____	_____
<p>6. Except where geological hazards exist that are best mitigated by more conventional grading methods, utilizing linear slopes to best complement required stabilization devices, and where contour grading would result in more significant impacts to natural resources than would conventional grading methods, contour grading techniques shall be used to provide varying slope percentages and slope directions in three-dimensional, undulating patterns, similar to the natural terrain. The following concepts shall be utilized:</p>	_____	_____	_____
<p style="padding-left: 20px;">a) Hard edges left by cut and fill operations shall be given a rounded appearance which closely resembles the natural contours. Rounding of cut or fill edges shall extend a minimum of two feet on either side of any daylight line or hinge point located at the top of a manufactured slope or natural slope.</p>	_____	_____	_____

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FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
b) The angle of any graded slope shall be gradually adjusted to the angle of the natural terrain.	_____	_____	_____
7. Where Alternative Grading Standards are proposed, the Planning Commission shall be required to make the following findings:			
a) The Alternative Grading Standards shall result in seventy (70) percent or more of the site being preserved in natural, undisturbed open space. No grading, structures (including stables and corrals), walls (except river rock walls not to exceed 3 feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the natural open space area. Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to the open space areas are minimized. The Alternative Grading Standards shall not result in an average of more than 9,000 cubic yards of grading (cut or fill, whichever is greater) per building site, excluding grading required for access roads and driveways serving two or more building sites and any remedial grading required, as certified by a geologist.	_____	_____	_____
b) The height of cut or fill (manufactured) slopes shall not exceed thirty (30) vertical feet, except for roads or driveways providing access to five or more dwelling units.	_____	_____	_____
8. <i>For projects located within the Upper Aliso Residential District, alternatives to Site Development Standards relating to building site area and grading apply based on a determination of greater overall protection of environmental resources as provided in section III 8.8 n.</i>	_____	_____	_____
B. Each individual project proposal within the Upper Aliso Residential and Trabuco Canyon Residential Districts (excluding building sites of one (1) acre or less which were existing at the time of Specific Plan adoption) shall preserve a minimum of sixty-six (66) percent of the site in permanent, natural open space which shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee in a manner meeting the approval of the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. No grading, structures (including stables and corrals), walls (except river rock walls not to exceed three feet), fences (except open fencing) or commercial agricultural activities shall be permitted in the natural open space area, <i>except as provided by applicable District regulations</i> . Fuel modification shall be permitted within said open space areas if required by the Fire Chief in conjunction with an approved Fuel Modification Plan; however, the development should be designed so that fuel modification impacts to the open space areas are minimized.	_____	_____	_____

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FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>V. Resources Overlay Component</p> <p style="margin-left: 20px;">A. Wildlife Corridors</p> <p style="margin-left: 40px;">1. No development proposal subject to the required site-specific wildlife corridor analysis shall be approved until it has been determined by the Planning Commission that the wildlife corridor analysis meets the requirements of the Resources Overlay Component, that the development complies with the corridor protection policies (identified below), and the Planning Commission has approved the final corridor alignments.</p> <p style="margin-left: 40px;">2. Delineation/Adjustment of Wildlife Corridor Boundaries</p> <p style="margin-left: 60px;">a. Parcels containing wildlife corridors as designated in the Resources Overlay Component, or any portion thereof, and parcels within 150 feet of any corridor shall be required to prepare a site-specific wildlife corridor analysis. Detailed mapping is intended to provide final designated alignments for the corridors. The intent of the analysis shall not be to locate the corridor where it is most feasible to accommodate adjacent development. Detailed mapping shall be limited to defining the designated 1:500-scale alignment at a scale of at least 1:100 (1:40 scale within the area of disturbance) for incorporation into EMA's Intergraph Mapping System and not realignment or deletion of the designated corridor swath. The analysis shall be prepared by a qualified wildlife biologist.</p> <p style="margin-left: 60px;">b. Mapping shall identify a minimum corridor width <u>at all locations</u> of 400 feet measured perpendicular to the corridor's boundary, except for the corridor parallel and adjacent to Live Oak Canyon Road where the minimum width shall be 100 feet.</p> <p style="margin-left: 60px;">c. The explicit intent of the detailed, site-specific corridor alignment analysis shall be to optimize conditions for wildlife use and movement. Factors to be considered in this determination shall include the types of habitat within and at both ends of the corridor. The 1:100 scale mapping (1:40 scale within the area of disturbance) shall attempt to include a variety of the habitat types representative of the area, and to provide habitat for the species that occupy connecting habitat areas. Established large mammal trails within designated corridors which show visible signs of use shall be prioritized for inclusion within the final corridor alignment. The alignment analysis shall also identify landscape screening necessary to buffer residential uses from the wildlife corridor.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>d. Prior to the recordation of any final tract/parcel map or the issuance of any grading permits, whichever comes first, the final established wildlife corridor areas shall be offered for dedication in fee or within preservation easements to the County of Orange or its designee in a manner meeting the approval of the Manager, Harbors, Beaches and Parks/Program Planning Division.</p>	_____	_____	_____
<p>3. Uses Permitted within Wildlife Corridors</p> <p>The primary intended uses of the designated wildlife corridors shall be wildlife movement and provision of habitat. Other permitted uses (indicated below) shall be allowed only if they are not detrimental to the primary use.</p>	_____	_____	_____
<p>a. Other than the exclusion provided below for commercial equestrian facilities, passive recreation shall be limited to hiking, bicycling and horseback riding on designated riding and hiking trails only. Passive recreational uses shall be strictly limited to the daylight hours. Except for the designated wildlife corridor within the Arroyo Trabuco, no commercial equestrian facilities shall be permitted within any wildlife corridor. Commercial equestrian facilities shall be permitted in the Arroyo Trabuco only if it is demonstrated that they will not impede wildlife circulation or significantly impact habitat areas.</p>	_____	_____	_____
<p>b. Roads shall be prohibited within designated wildlife corridors except where there is no other feasible access to a development site. Roads crossing or entering a corridor shall be designed to minimize impacts on natural terrain and vegetation within the corridor and shall comply with the following provisions:</p>	_____	_____	_____
<p>1) Alternative, <u>rural</u> road standards are encouraged. Road alignments within wildlife corridors, including dimensions and radii, shall be designed to minimize disturbance to natural vegetation. The width of the roads shall be minimized to the greatest extent feasible without compromising public safety. Where a road crossing of a wildlife corridor is unavoidable, the road should transverse the corridor at a 90-degree angle, rather than parallel to the corridor's orientation. If the 90-degree crossing would require more vegetation removal and habitat disturbance, alternative crossings which require less habitat disturbance may be permitted.</p>	_____	_____	_____
<p>2) Reduced speed limits on roads within wildlife corridors are encouraged.</p>	_____	_____	_____
<p>3) Signs identifying a wildlife crossing area shall be posted within 100 feet of each point where the road transverses the wildlife corridor.</p>	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
4) Roads within wildlife corridors shall be limited to local collector roads providing access to local residents and shall be designed to discourage or preclude through traffic. Controlled access from arterials, e.g. a gated entry, is preferred.	_____	_____	_____
5) Where a road crosses a streambed within a designated wildlife corridor, a low-water bridge crossing should be provided rather than a culvert, where possible, to minimize grading impacts associated with culvert crossings.	_____	_____	_____
c. Where a recreational trail enters or crosses a designated wildlife corridor, the trail shall be located based upon the recommendations of a site specific corridor analysis by a wildlife biologist. In cases where a trail enters a corridor where a road is also existing or proposed, the trail shall be sited immediately adjacent and parallel to the road in order to minimize habitat disturbance. Where a road is not existing or proposed within the corridor, it is preferable to locate the trail outside of the wildlife corridor.	_____	_____	_____
d. When a road or underground utility or pipeline is required to transverse or encroach upon a designated wildlife corridor, its alignment shall incorporate, to the <u>maximum</u> extent feasible, the recommendations of a wildlife biologist based on site visit(s) and assessment of impacts of the proposed alignment.	_____	_____	_____
4. Uses Adjacent to Wildlife Corridors			
a. Development shall maintain a minimum 50-foot setback of all structures and barrier fencing from all corridors. Uses within the setback zone shall be limited to low-intensity, residential-related activities such as recreation and private open space.	_____	_____	_____
b. If determined necessary by a biologist as part of the corridor analysis, development shall provide planting of a minimum 25-foot buffer zone, within the required 50-foot setback, of native shrubs and trees. In areas where sufficient buffering already exists, landscape screening may not be necessary. Planting shall be informal and shall emphasize native trees and shrubs that provide maximum screening. Landscaping within the buffer zone shall be maintained by the homeowner or by a homeowners' association.	_____	_____	_____
c. Exterior lighting shall be prohibited within the 50-foot setback zone. Lighting for outdoor nighttime activities such as playing fields or tennis courts shall be prohibited. Light sources shall be directed away from wildlife corridors. Lighting may be permitted on roads that transverse corridors where necessary for public safety reasons.	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>d. Fencing within the 50-foot setback zone shall be limited to open fencing (i.e., split rail fencing) which does not exceed 40 inches in height, measured from the finished grade, in order to allow for the mobility of animals.</p>	_____	_____	_____
B. Oak Woodlands			
1. Delineation/Adjustment of Oak Woodlands Boundaries			
<p>a. Parcels containing oak woodlands as identified in the Resources Overlay Component and parcels located within 100 feet of any identified oak woodland shall be required to submit a site-specific oak woodlands analysis, prepared by a qualified biologist/arborist, to determine the precise boundary of the oak woodlands. The analysis shall provide precise mapping of all oak woodlands at a minimum scale of 1:100 (1:40 scale within the area of disturbance) for inclusion in EMA's Intergraph Mapping System. Oak woodlands shall be preserved in an undisturbed state to the greatest extent possible while still allowing for reasonable development. The site-specific analysis shall identify the level of impact of the proposed project and methods of reducing or avoiding adverse impacts of the project. The impacts analysis shall consider all forms of disturbance resulting from the development, including changes in runoff, impacts within the dripline of trees, etc. If oak trees are proposed to be transplanted, the analysis shall identify suitable locations for the transplantation of oak trees.</p>	_____	_____	_____
<p>b. Prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, each affected applicant shall offer for dedication in fee or preservation easements to the County of Orange of its designee those areas containing oak woodlands, as identified for preservation in an approved Tree Management/Preservation Plan, in a manner meeting the approval of the Manager, Harbors, Beaches and Parks, Program Planning Division.</p>	_____	_____	_____
2. Tree Management/Preservation Plan			
<p>a. Any oak tree exceeding five inches in diameter (measured at 4.5 feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit for the subject site and approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. For existing development, a Tree Management/Preservation plan shall be required to remove any trees; however, an area plan or site plan shall not be required. Since they provide a major role in providing nesting or breeding habitat, removal of dead or dying oak trees shall also require approval of a Tree Management/Preservation Plan.</p>	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>b. Any oak trees removed which is greater than five (5) inches in diameter at 4.5 feet above the existing grade shall be transplanted. If any oak tree over five inches in diameter is <i>either</i> in poor health and <i>or</i> would not survive transplantation, as certified by an arborist, said tree shall be replaced <i>either</i> according to the Tree Replacement Scale in the Resources Overlay Component <i>or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation</i>. If any oak trees die within five years of the initial transplantation, they shall be replaced according to Tree Replacement Scale <i>or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation</i>.</p>	_____	_____	_____
<p>c. The Tree Management/Preservation Plan shall identify those trees exceeding five (5) inches in diameter which are proposed for removal and the location of replacement trees.</p>	_____	_____	_____
<p>d. In the event that all transplanted or replacement trees cannot be feasibly located on the property, an off-site mitigation program may be permitted; however, all replacement and transplanted trees shall be located within the Specific Plan Area.</p>	_____	_____	_____
<p>e. The Tree Management/Preservation Plan shall be signed and certified by a biologist or arborist. All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the trees for a minimum period of six months.</p>	_____	_____	_____
<p>3. Uses Within and Adjacent to Oak Woodlands</p>			
<p>a. During all grading and construction operations, all oak trees on the site, located adjacent to the approved limits of grading and identified in an approved Tree Management/Preservation Plan as trees to be preserved, shall be adequately fenced and protected from encroachment by grading and construction equipment. Grading, placement of fill and storage of building materials and heavy equipment shall be prohibited within the dripline of any tree designated for preservation as part of an approved Tree Management/Preservation Plan.</p>	_____	_____	_____
<p>b. Retaining walls shall be used to protect the existing grades within the driplines of oaks from surrounding cut and fill. However, these shall not alter the drainage from around trees.</p>	_____	_____	_____
<p>c. No types of surface, whether pervious or impervious, shall be placed within a six-foot radius of oak tree trunks. Where surfacing cannot be avoided, alternative types of paving should be utilized, such as gravel or porous brick and sand joints.</p>	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<ul style="list-style-type: none"> d. Oak trees shall not be subjected to increased runoff from irrigation systems, impermeable surfaces, storm drain discharge, etc. 	_____	_____	_____
<ul style="list-style-type: none"> e. Natural drainage courses and natural grades in proximity to and providing seasonal irrigation to oak trees shall not be altered. 	_____	_____	_____
<ul style="list-style-type: none"> f. In proximity to oak trees, only one trench should be dug to accommodate all utility lines. Where necessary, the impacted trees should be carefully pruned by an arborist in proportion to the total amount of root zone lost. 	_____	_____	_____
<p>C. Streambeds</p>			
<p>1. Delineation of Streambed Boundaries</p>			
<ul style="list-style-type: none"> a. Applicants for development proposals on parcels containing streambeds as designated on EMA's Intergraph Base Map at 1:500 scale and parcels within 100 feet of any designated streambed shall be required to prepare a site-specific streambed analysis prepared by a hydrologist to determine the precise boundary of the streambed at a minimum scale of 1:100 (1:40 scale within the area of disturbance) for incorporation into EMA's Intergraph Mapping System. 	_____	_____	_____
<ul style="list-style-type: none"> b. Applicants of said projects shall be required to submit detailed, site-specific analyses to identify the direction and flow of natural runoff from the site, or immediately adjacent to the site. The detailed, site-specific analysis shall address the need for mitigation measures such as check dams, drop structures, rip-rap, energy dissipation structures and flow stabilizing devices below drainage discharge flows to keep velocities close to pre-development levels. The primary objective of including streambeds within the Resources Overlay Component shall be to minimize the need for man-made structures which would alter the natural condition of any designated streambeds, either on-site or downstream. 	_____	_____	_____
<p>2. Uses Within and Adjacent to Streambeds</p>			
<ul style="list-style-type: none"> a. All development should minimize discharge so that future storm flows do not significantly exceed existing flow levels. While drainage improvements are not prohibited, they shall be minimized to the extent possible. 	_____	_____	_____

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PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<ul style="list-style-type: none"> b. Where man-made drainage devices and improvements (including bench drains and drainage channels) are required, they shall be placed in less visible locations and naturalized through the use of river rock, earth-toned concrete and extensive landscaping. 	_____	_____	_____
<ul style="list-style-type: none"> c. The use of permeable surfaces, such as wood decks, sand-jointed bricks and stone walkways should be incorporated into project design, where feasible, in order to minimize off-site flows and to facilitate the absorption of water into the ground. 	_____	_____	_____
D. Visual Resources			
1. Major Ridgelines and Major Rock Outcroppings			
<p>The following requirements shall apply to all building sites within the Specific Plan Area except for those legal building sites existing at the time of Specific Plan Adoption where compliance with the requirements would preclude development of a single residence on the existing building site.</p>			
<ul style="list-style-type: none"> a. The designated Major Ridgelines and Rock Outcroppings identified in the Resources Overlay Component shall be preserved: No point on any structure shall be located closer to the centerline of a designated major ridgeline than 200 feet measured horizontally on a topographic map or closer than 50 feet measured vertically on a cross section, as determined by the Planning Commission in conjunction with the approval of an area plan, site development permit or use permit. Said areas within 200 feet measured horizontally or 50 feet measured vertically shall be offered for dedication in fee or preservation easements to the County of Orange or its designee prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, in a manner meeting the approval of the Manager, EMA, Harbors, Beaches and Parks/Program Planning Division. 	_____	_____	_____
<ul style="list-style-type: none"> b. Applicants for development projects on sites located adjacent to the scenic roadway corridors identified in the Resources Overlay Component shall offer the required scenic setback areas for dedication in fee or preservation easements to the County of Orange or its designee prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, in a manner meeting the approval of the Manager, EMA, Harbors, Beaches and Parks/Program Planning Division. 	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
2. Scenic Roadway Corridors			
a. Applicants for development projects which are visible from any road designated as a scenic corridor in the Resources Overlay Component shall be required to submit a detailed viewshed analysis of the proposed development for consideration by the Planning Commission in conjunction with any area plan, site development permit or use permit.	_____	_____	_____
b. No structure should encroach upon the skyline as viewed from the scenic corridors.	_____	_____	_____
c. Landscape screening shall be provided to obscure any grading scars that are visible from the designated scenic corridors.	_____	_____	_____
VI. Landscaping and Fuel Modification			
A. Prior to the approval of any area plan, tentative subdivision map, site development permit or use permit, the applicant shall prepare a Preliminary Landscaping Plan for approval of the Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. A licensed landscape architect shall certify in writing that the plan is consistent with the Landscaping Regulations and the Development and Design Guidelines of the Specific Plan. Prior to the issuance of any grading permits, a Precise Landscaping Plan shall be approved by the Manager, Subdivision Division, in consultation with the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. Prior to the issuance of certificates of use and occupancy, the applicant shall install said landscaping and irrigation systems and shall have a licensed landscape architect certify that it was installed in accordance with the approved Precise Plan and shall furnish said certification to the Manager, EMA/Building Inspection Division.	_____	_____	_____
B. Any tree exceeding five inches in diameter (measured at 4.5 feet above the existing grade) shall not be removed prior to Planning Commission approval of an area plan, site development permit or use permit and the approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks, Program Planning Division. Said plan shall be incorporated as a component of the required Landscaping/Fuel Modification Plan. Since they play a major role in providing nesting or breeding habitat, the removal of dead or dying trees shall require approval of a Tree Management/Preservation Plan by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. Said plan shall be signed and certified by a biologist or arborist. The plan shall identify the location, size and species of all trees proposed to be removed which have a trunk diameter of five inches or greater at 4.5 feet above the existing grade and the proposed location for transplanted or replacement trees.	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
C. Any oak trees exceeding five inches in diameter at 4.5 feet above the existing grade removed in accordance with an approved Tree Management/Preservation Plan shall be transplanted. If any oak tree over five inches in diameter is <i>either</i> in poor health and <i>or</i> would not survive transplantation, as certified by an arborist, said tree shall be replaced <i>either</i> with minimum 15-gallon trees according to the Tree Replacement Scale included in the Landscaping Regulations <i>or as provided in an approved Tree Management and Preservation Plan designed to provide more extensive and effective mitigation.</i>	_____	_____	_____
D. Any sycamore tree exceeding thirty-five inches in diameter shall be preserved, transplanted or replaced by an identical species of equal or greater size. Sycamore trees less than thirty-five inches in diameter shall be replaced according to the Tree Replacement Scale in the Landscaping Regulations.	_____	_____	_____
E. In the event that all replacement trees will not fit on a property, an off-site mitigation program may be permitted; however, all replacement trees shall be located within the Specific Plan Area.	_____	_____	_____
F. Any species of tree, other than oaks or sycamores, shall be transplanted or replaced with minimum fifteen gallon trees at minimum ratio of 1:1.	_____	_____	_____
G. All transplanting of trees shall be performed by an experienced nursery, landscape contractor or arborist who shall care for the tree for a minimum period of six months. If any transplanted tree dies within five years of the date of transplantation, it shall be replaced according to the replacement scale for the trees removed.	_____	_____	_____
H. Grading, placement of fill, storage of building materials and heavy equipment, structural development and hardscape (e.g., roads, sidewalks, patio slabs and pool decks), shall be prohibited within the dripline (outer edge of branches) of any oak or sycamore tree. Where these activities cannot be avoided, all trees with impacted driplines shall be retained in their current location, but replacement trees shall be provided according to the Tree Replacement Scale in the Landscaping Regulations.	_____	_____	_____
I. During all construction and grading operations, all oak and sycamore trees on the site located adjacent to the approved limits of grading identified in the Tree Management/Preservation Plan as trees to be preserved shall be adequately fenced and protected from encroachment by grading and construction equipment. In the event that any oak or sycamore trees are inadvertently or intentionally injured or removed, they shall be replaced in accordance with the Tree Replacement Scale in the Landscaping Regulations.	_____	_____	_____
J. Graded slopes shall be re-vegetated with native, fire-resistant vegetation prior to the issuance of certificates of use an occupancy or within six months of the termination of grading operations, whichever occurs first.	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
K. Landscape screening shall be provided to obscure grading scars from the view of any public road.	_____	_____	_____
L. All projects located in a wildland fire hazard, as identified by the Fire Chief, shall be required to prepare Fuel Modification Plans. Said plans shall be incorporated as a component of the required Landscaping Plan.	_____	_____	_____
M. Prior to the approval of any area plan or the issuance of any grading permits or building permits, whichever occurs first, the applicant shall prepare a Preliminary Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by Manager, Subdivision Division in consultation with the Manager, EMA/Harbors, Beaches and Parks, Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management Preservation Plan addressing the subject property. The Preliminary Landscaping/Fuel Modification Plan shall be incorporated into an area plan if one is required for the subject project. The plan shall show the special treatment to achieve an acceptable level of risk in regard to the exposures of structures to flammable vegetation and shall address the method of removal and installation (mechanical or hand labor), and provisions for its continuous maintenance.	_____	_____	_____
N. Prior to the approval of any site development permit or the issuance of any building permits, whichever occurs first, the applicant shall prepare a Precise Fuel Modification/Landscaping Plan for approval first by the Fire Chief and then by the Manager, Subdivision Division in consultation with the Manager EMA/Harbors, Beaches and Parks/Program Planning Division. The Manager, Harbors, Beaches and Parks, Program Planning Division shall determine whether the Fuel Modification/Landscaping Plan is consistent with any Resource Management Plan and/or Tree Management Preservation Plan address the subject property. The precise plan shall include all preliminary plan information, as well as a plant list, an irrigation plan and a precise definition of fuel modification zone boundaries.	_____	_____	_____
O. Installation of the approved Precise Fuel Modification/Landscaping Plan shall commence prior to the issuance of any building permits for new habitable structures, under the supervision of the Fire Chief, and shall be completed prior to the issuance of applicable use and occupancy permits. After final inspection and approval, fuel modification/landscaping shall be regularly maintained in accordance with the approved plan.	_____	_____	_____
P. The project proposal is consistent with the remaining Fuel Modification Regulations (Section III.E) and, if applicable, the Landscaping and Fuel Modification Guidelines (Section IV.F).	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	<u>CONSISTENT?</u> NO	N/A
<p>VII. Animal Regulation</p> <p>The project proposal is consistent with the Animal Regulations (Section III.F).</p>	_____	_____	_____
<p>VIII. Circulation Component/Phasing Component</p> <p>The project proposal is consistent with the Circulation Component and will not generate traffic beyond the levels assumed in the Traffic Analysis included in the EIR 531. The project will be phased in a manner which is consistent with the Phasing Component.</p>	_____	_____	_____
<p>IX. Recreation Component</p> <p>The project proposal is consistent with the Recreation Component, and the applicant shall offer to dedicate and improve the Master Plan Riding and Hiking Trails, Master Plan Bikeways, Local Riding and Hiking Trails and Local Parks affecting the property, as required by the Recreation Plan.</p>	_____	_____	_____
<p>X. Public Facilities Component</p> <p>The project proposal is consistent with the Public Facilities Component, and there are either: 1) adequate public facilities existing to serve the proposed level of development; or 2) the project will be phased to ensure that necessary infrastructure improvements are implemented commensurate with development.</p>	_____	_____	_____
<p>XI. Development and Design Guidelines</p> <p>A. The project is consistent with the Grading, Drainage and Site Planning Guidelines (Section IV.C).</p> <p>B. The project proposal is consistent with the Streetscape Guidelines (Section IV.D).</p> <p>C. The project proposal is consistent with the Architectural Guidelines (Section IV.E).</p>	_____	_____	_____
<p>XII. CONSISTENCY DETERMINATION:</p> <p>On the basis of this evaluation, I find that the following consistency determination applies:</p> <p>A. The project proposal is consistent with all of the Specific Plan Regulations and Guidelines.</p> <p>B. The project proposal is inconsistent with the Specific Plan Regulations and is, therefore, inconsistent with the Specific Plan.</p>	_____	_____	_____

EXHIBIT P

PROJECT: _____

FOOTHILL/TRABUCO SPECIFIC PLAN CONSISTENCY CHECKLIST

REGULATION/GUIDELINE	YES	CONSISTENT?		N/A
		NO		

C. The project proposal is consistent with all of the Specific Plan Regulations, but inconsistent with some of the Specific Plan Guidelines. Although the project is inconsistent with one or more of the Guidelines, the project proposal is in overall compliance with the Specific Plan Guidelines and consistent with the overall Goals and Objectives of the Specific Plan. _____

D. The project proposal is consistent with the Specific Plan Regulations, but inconsistent with several of the Specific Plan Guidelines. Due to the number of individual Guidelines with which the project is inconsistent and the degree of the inconsistency, the project cannot be found in overall compliance with the Specific Plan Guidelines or consistent with the Goals and Objectives of the Specific Plan. _____

By: _____

Date: _____

Title: _____

Division: _____

The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on October 02, 2012, to wit:

AYES: Supervisors: BILL CAMPBELL, JOHN M. W. MOORLACH, JANET NGUYEN
SHAWN NELSON, PATRICIA BATES
NOES: Supervisor(s):
EXCUSED: Supervisor(s):
ABSTAINED: Supervisor(s):

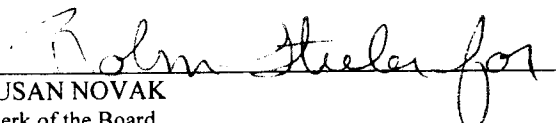


CHAIRMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, SUSAN NOVAK, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors

IN WITNESS WHEREOF, I have hereto set my hand and seal.



SUSAN NOVAK
Clerk of the Board
County of Orange, State of California

Resolution No: 12-147
Agenda Date: 10/02/2012
Item No: 24



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors , Orange County, State of California

Susan Novak, Clerk of the Board of Supervisors

By: 

Deputy