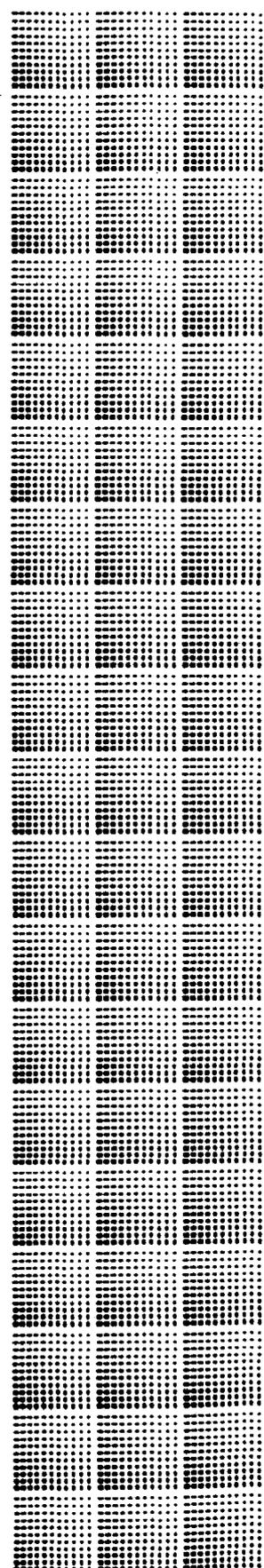


88-320573

**Developmental Plan
and Supplemental Text**

**THE BAKER RANCH
Planned Community**



April 1988

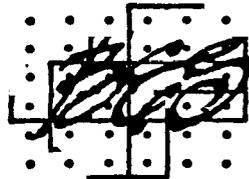
88-320573

**THE BAKER RANCH PLANNED COMMUNITY
DEVELOPMENT PLAN
AND SUPPLEMENTAL TEXT**

As presented by:

**The Baker Salvatori Group
and
Santa Teresita Ranch Company**

April 1988



88-320573

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA

2 00 PM JUL - 5 '88

Lee A. Branch COUNTY
RECORDER

EXEMPT
C8

Baker Ranch Planned Community
Orange County, California

The accompanying text constitutes the Land Use Regulation under which development will be governed for the area hereinafter to be referred to as the Baker Ranch Planned Community. The properties involved were placed in the PC "Planned Community" District by Ordinance Number 3699 as adopted by the Orange County Board of Supervisors on April 20, 1988. The Development Plan (map) and this supplementary text were also considered and made a part of all public hearing on this matter and were subsequently adopted as part of the above noted Ordinance.

I hereby certify that this text material consisting of 85 pages, which will regulate the development of those properties shown on the Development Plan, was approved by the Orange County Planning Commission on April 5, 1988 and adopted by Ordinance Number 3699 by the Orange County Board of Supervisors on April 20, 1988.

Orange County Planning Commission
Thomas Moody, Chairman

By: *[Signature]*
Robert G. Fisher
Director of Planning, EMA

[Signature]
Linda D. Roberts, Clerk of the
Board of Supervisors
County of Orange

GM:rg(26/37)

Recording requested by and call for pick up to:
CP/Drafting, Rm. 235 Bldg. 12
x4778 Mary Walker/Dick Weger
Exempt from Recording Fee per Govt. Code 6103

Mary Walker / Dick Weger
Signature

88-320573

The Baker Ranch Planned Community

Orange County, California

The accompanying text constitutes the Land Use Regulations under which development will be governed for the area hereinafter to be referred to as the Baker Ranch Planned Community.

Adopted by:

The Orange County Board of Supervisors

On

By Ordinance

Approved by:

The Orange County Planning Commission

On

TABLE OF CONTENTS
(Click on Title or Page #)

| Section | | Page |
|----------------|---|-------------|
| I | PURPOSE AND OBJECTIVES..... | I-1 |
| II | GENERAL REGULATIONS..... | II-1 |
| III | URBAN ACTIVITY CENTER USE REGULATIONS AND SITE DEVELOPMENT STANDARDS..... | III-1 |
| IIIA | RESIDENTIAL AND MIXED USE DEVELOPMENT STANDARDS | IIIA-1 |
| IV | OPEN SPACE USE REGULATIONS AND SITE DEVELOPMENT STANDARDS..... | IV-1 |
| V | SAND AND GRAVEL EXTRACTION USE REGULATIONS AND SITE DEVELOPMENT STANDARDS..... | V-1 |
| VI | OFF-STREET PARKING REGULATIONS..... | VI-1 |
| VII | SIGN REGULATIONS..... | VII-1 |
| VIII | AREA PLAN REGULATIONS AND PROCEDURES..... | VIII-1 |
| IX | SITE PLAN REGULATIONS AND PROCEDURES..... | IX-1 |
| X | DEFINITIONS..... | X-1 |
| XI | LEGAL DESCRIPTION..... | XI-1 |

EXHIBITS

Development Plan
Aliso Creek Dedication Area

SECTION I PURPOSE AND OBJECTIVES

The purpose of these regulations is to provide for the development of the Baker Ranch Planned Community as a coordinated, comprehensive project and to ensure compliance with the spirit and intent of the PC "Planned Community" District Regulations, Chapter 9.112 of the Lake Forest Municipal Code.

These regulations are intended to provide for a diversity of employment-generating and employment-servicing activities consistent with the land use policies set forth in the Orange County General Plan.

Another objective of these regulations is to provide the opportunity for site design maximizing benefits to both the public and private sectors. Innovative grading techniques are encouraged and major water courses will be designed as natural appearing open space corridors within the urbanscape.

These regulations allow for the opportunity to propose appropriate community design concepts and site planning, consistent with objectives for orderly development and protection of sensitive and natural resources. Consistently with the provisions and intent of the Orange County General Plan and Zoning Code is ensured through Area Plan and Site Plan review procedures established herein. The Area Plan and Site Plan processes also accomplish the objective of providing a logical and timely sequence of governmental review and input.

A. AREA PLANS

Area plans are required for all Planning Areas within the Baker Ranch Planned Community that encompass multiple properties totaling over 35 acres. They provide a method for review and input from governmental agencies on the relationships of uses and designs, define land use distribution, intensity and treatments, and establish the basic guiding development concepts.

The purpose for requiring Area Plans is to provide an opportunity for public review of proposed land use distribution, square footage, edge treatment, fuel modification, landscaping, grading techniques and other

development concepts which typically have the greatest effect on a community.

For project sites meeting the following three criteria: 1) totaling less than 35 acres; 2) containing only one parcel or multiple contiguous parcels, and 3) proposing a maximum of one Tentative Tract Map; a site plan containing the elements listed as 5a through 5m in Section VIII may be submitted in lieu of an Area Plan. Site Plans may also be used to request a division of one Planning Area into sub-Planning Areas.

B. SITE PLANS

The purpose of the Site Plan review process is to provide for review of detailed, final plans for all projects within the Baker Ranch Planned Community. A Site Plan may also be approved which establishes alternative development standards for projects, in accordance with an approved Area Plan.

The Site Plan review process provides assurances that all projects proposing alternative development standards will be planned, established, and maintained in a manner that will be compatible with surrounding uses. Site Plan review will also ensure that precise development plans are consistent with approved Area Plans, if applicable, and the provisions of this PC Development Plan and Supplemental Text.

SECTION II
GENERAL REGULATIONS

1. ANNUAL MONITORING REPORT

An Annual Monitoring Report (AMR) shall be prepared and submitted upon request each year to the County Administrative Office and the Environmental Management Agency/Advance Planning Division. The submittal of the AMR for the Baker Ranch Planned Community is required for conformance with the Growth Management Program of the Land Use Element of the Orange County General Plan and the County's annual Development Monitoring Program (DMP). The Board of Supervisors, in the annual adoption of the Development Monitoring Program, may identify a significant imbalance between proposed development and planned infrastructure or in the proportionate development of residential, commercial, and employment land uses. The Board of Supervisors may then defer subdivision approval within the project until approaches capable of resolving imbalances are proposed to and approved by the Board or the Board may require actions of subdividers in accordance with the provisions of an applicable Development Agreement. The AMR will be the project proponents' opportunity to demonstrate mitigation measures and implementation strategies which will ensure adequate infrastructure for development of the property.

2. AGRICULTURAL USES

Existing agricultural uses and activities, together with accessory structures and facilities which are customarily incidental or necessary to the agricultural activities, are permitted within the undeveloped and open space areas of the Baker Ranch Planned Community (except areas subject to dedication to the County of Orange in fee title or easement) pursuant to the A1 "General Agricultural" District regulations of the Orange County Zoning Code.

3. SAND AND GRAVEL EXTRACTION

1. Existing sand and gravel extraction activities shall be permitted to continue in accordance with the approved SG permit. Any proposal for expansion of such activities not previously covered by an SG Site Permit and SG Extraction Permit shall be processed in accordance with Section V of this text.
2. The precise boundary of sand and gravel activities between Planning Area 5 and Planning Area 4 shall be determined at the time of issuance of the SG Site Permit and SG Extraction Permit. Sand and gravel extraction and associated operations shall not occur in a manner that may endanger the Serrano Creek floodplain or the recreational activity of the Serrano Creek Open Space Corridor.

4. DEFINITION OF TERMS

Terms used in this Development Plan and Supplemental Text shall have the same definitions as given in the Orange County Zoning Code, unless specified otherwise in Section X.

5. ZONING CODE CONSISTENCY

1. Any details or issues not specifically covered by this Development Plan and Supplemental Text shall be subject to the regulations of the Orange County Zoning Code.
2. This Development Plan and Supplemental Text is adopted pursuant to the regulations contained in the Orange County Zoning Code. It is specifically intended by such adoption that the development standards herein shall regulate all development within the Baker Ranch Planned Community. In case of conflict between the Baker Ranch Planned Community Development Plan and Supplemental Text and the Orange County Zoning Code, this Planned Community Development Plan and Supplemental Text shall prevail.
3. All area plans, site plans, use permits and variances shall be as provided for and subject to the regulations in Section 7-9-150 of the Orange County Zoning Code. Additionally, Area Plans and Site Plans shall be subject to the provisions of Sections VIII and IX of this text.

6. BUILDING AND RELATED CODE CONSISTENCY

Construction shall comply with applicable provisions of the Uniform Building Code and the various other mechanical, electrical, and plumbing codes related thereto as administered by the County of Orange.

7. GRADING

Grading will be permitted within the Baker Ranch Planned Community inside and outside of the area of immediate development only upon approval of a Site Plan, Tentative Map, or Final Grading Plan.

8. GRADING CODE CONSISTENCY

Grading plans submitted for all projects in the Baker Ranch Planned Community shall be based on the County Grading Code, the Concept Grading Plan contained within the various Area Plans, and shall be accompanied by geological and soils engineers' reports which shall incorporate all pertinent recommendations. The soils engineer and engineering geologist must certify the suitability of a graded site prior to issuance of a building permit.

9. WATER SERVICE

Water within the Baker Ranch Planned Community will be supplied by Los Alisos Water District (LAWD). Pursuant to LAWD requirements, development plans shall incorporate provisions for a dual water system which will provide potable water for the domestic system and reclaimed wastewater for landscape irrigation.

10. SEWER SERVICE

Sewage disposal facilities to handle wastewater generated within the Baker Ranch Planned Community will be furnished by the Los Alisos Water District.

11. PLANNING AREA BOUNDARIES

1. Except as otherwise indicated, dimensions are measured from centerlines of streets.
2. Adjustments in Planning Area boundaries resulting from final road alignments and/or technical refinements to Area Plans, Site Plans, Tentative and/or Final Tract Maps shall not require amendment of the Development Plan and Supplemental Text when such adjustments are consistent with the intent of the Orange County General Plan and the provisions of this text.
3. Boundaries not dimensioned on the Development Plan shall be determined by approval of an Area Plan, Site Plan, tentative or final subdivision map.
4. Uses and areas, which are indicated as being located at intersections of streets or highways, shall be altered in location to conform with final road alignments without requiring an amendment of the Development Plan and Supplemental Text when such relocations are consistent with an approved Area Plan or Site Plan.

12. ADJUSTMENTS FOR ROAD ALIGNMENTS

The acreage figures shown on the Development Plan Statistical Summary are derived from planimetric measurements based on road alignments in effect at the time of plan adoption. Modifications may result from final road alignment and technical refinements occasioned by the tentative and/or final tract map process. Revisions or corrections to this Statistical Summary shall be prepared by the developer in accordance with the Area Plan and Site Plan regulations (Sections VIII and IX).

13. FAA REGULATIONS

No person, firm or corporation shall undertake construction or alteration which meets the notice criteria of Subpart B, Title 14, Part 77 of the Code of Federal Regulations outside the exterior boundaries of any airport (including heliports) available for public use or any military airport, without first notifying the Federal Aviation Administration of the proposed construction, as required by Subpart B of Part 77, and receiving, and presenting to the Director, EMA, a determination from the FAA that such construction does not constitute a hazard to air navigation.

14. EROSION CONTROL

All landscape and/or grading plans shall include provisions for temporary erosion control on all graded sites which are scheduled to remain unimproved during the winter months.

15. LARGE-LOT SUBDIVISIONS

Large-lot subdivisions for the purpose of sale or financing may be approved when such map includes a declaration that lots created are not building sites. Installation of infrastructure improvements or the preparation of an Area Plan or Site Plan shall not be made a condition of approval of these large-lot subdivisions.

16. BOARD DECLARATION/SEVERABILITY

If any portion of the regulations is, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The Board of Supervisors hereby declares that they would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

17. ALTERNATIVE DEVELOPMENT STANDARDS

Only an approved Site Plan may establish alternative site development standards within any planning area(s).

18. TRANSPORTATION SYSTEMS MANAGEMENT

Prior to issuance of the first building permit, applicant shall obtain approval by Manager, Transportation Planning of a Transportation Systems Management (TSM) Plan for Baker Ranch. The plan shall address features such as vanpooling, fleet pooling, ride sharing, public transit, alternative work

hours, bikeways, or any other measures related to the mitigation of traffic. The plan shall require annual reporting on the implementation and status of the plan through the Annual Monitoring Report.

19. **TRANSPORTATION IMPROVEMENTS**

The landowner shall construct all on-site highways which are required for implementation of the Master Plan of Arterial Highways. The proponent shall also participate in a fee program for construction of the Foothill Transportation Corridor and Eastern Transportation Corridor as per Board of Supervisors policy and participate in implementation of off-site arterial highway and intersection improvements on a pro-rata basis through participation in the Foothill Circulation Phasing Plan and fee program for Santiago Canyon Road, if adopted by the Board of Supervisors.

20. **MAXIMUM BUILDING SQUARE FOOTAGE (COMMERCIAL AND LIGHT INDUSTRIAL USES)**

Total gross floor area of all buildings constructed within the Planned Community shall not exceed 3,100,200 square feet. Maximum building square footage is distributed among Planning Areas according to the Statistical Summary contained in the appendix. Maximum building square footage for any Planning Area may be adjusted through approval of an Area Plan or amendment thereto according to the procedures contained in section VIII when the maximum building square footage for the Planned Community is not exceeded. Any adjustment to allowable building square footage that would exceed the maximum for the entire Planned Community would require an amendment to this Development Plan.

21. **SERRANO CREEK TRAIL**

All landscape plans, grading plans, area plans, site plans and tentative tract/parcel maps for Planning Area 8 shall include provisions for Serrano Creek Regional Riding and Hiking Trail subject to the approval of the Manager of Harbors, Beaches and Parks Division and the Manager of Coastal and Community Planning Division, Orange County EMA.

22. **CHILD CARE FACILITIES**

Notwithstanding any other provisions of these regulations, child care facilities or day care centers shall be developed in conformance with any Board of Supervisors-adopted policy regarding noise impacted areas.

23. **MAXIMUM NUMBER OF DWELLING UNITS**

The total number of dwelling units shall not exceed 2,815 for Planning Area 1. Any proposal to increase the total number of dwelling units requires an amendment thereto according to the procedures contained in Section VIII, Area Plan Regulations and Procedures.

24. All Planning Areas shall be developed so as to not exceed the maximum density for the identified land use designation, and in accordance to Section VIII.B.14. A lower density than the Planning Area land use designation density range is permitted. Subject to Director of Development Services approval, transfer of dwelling units between future sub-Planning Areas within Planning Area 1 is permitted up to ten percent without a discretionary application, provided the density allowed in each future sub-Planning Area is not exceeded. However, the City may require an amended Tentative Tract Map in the event of any transfer of dwelling units between future sub-Planning Areas within Planning Area 1.

SECTION III
URBAN ACTIVITY CENTER USE REGULATIONS AND
SITE DEVELOPMENT STANDARDS

A. PURPOSE AND OBJECTIVES

The purpose of these provisions is to regulate the planning, design and development of the Urban Activity Center within the Baker Ranch P.C. The Baker Ranch incorporates 230.2 acres of Urban Activity (in Planning Areas 2 through 6) within the total 690.3-acre project area. The Urban Activity Center provides for the community's commercial, industrial, civic, cultural, professional service and office needs in a location easily accessible from the future Foothill Transportation Corridor, surrounding arterials and adjacent developments. The Urban Activity Center is a mixed-use center intended to function as the community's urban core, central business district and community shopping area.

It is an objective of this section to permit a variety of compatible commercial, office and industrial land uses and facilities supportive of the general region and consistent with the mixed use concept. Consistent with the mixed use concept, the regulations permit the following uses: retail and service commercial, industrial, business, professional and administrative offices; public administration and governmental offices and facilities; political, civic, historical, religious and charitable organizations and structures; and private clubs, lodges and union halls. Mixed uses may be of a vertical mid-rise orientation, or of a low-rise linear orientation. An objective of the Urban Activity Center is to provide uses which encourage a 24-hour activity base. Such uses would include hotel/motel, commercial, recreation and entertainment uses.

All development in the Baker Ranch Urban Activity Center is subject to Area Plan and Site Plan review as outlined in Sections VIII and IX. A Site Plan may be approved which establishes alternative site development standards in the Urban Activity Center.

B. LAND USE REGULATIONS

Land use regulations for the Urban Activity zoning district shall be subject to the regulations in Lake Forest Municipal Code Section 9.72.090 (Non-Residential Land Use Matrix), column “UA.”

C. SITE DEVELOPMENT STANDARDS

The following standards shall apply except as otherwise established by an approved Site Plan.

1. Building site area: No minimum. The maximum is the net usable area as indicated on the Statistical Summary or any amendment thereof.
2. Building site width and depth: No minimum.
3. Building height limit: No maximum except that buildings more than thirty-five (35) feet in height shall be set back from all property lines a distance equal to the height of the building. Building heights shall also be subject to FAA review and approval pursuant to Federal Aviation Regulations Part 77.
4. Building setbacks:
 - a. Adjacent to an arterial highway: Along any arterial highway, buildings shall be set back a minimum of twenty (20) feet from the ultimate right-of-way line, except that unsupported roofs or architectural elements serving energy or aesthetic needs may project six (6) feet into the required setback area.
 - b. Adjacent to local street: Along any local street, buildings shall be set back a minimum of ten (10) feet from the ultimate right-of-way line, except that unsupported roofs or architectural elements may project six (6) feet into the required setback area.
 - c. Adjacent to a boundary parcel: Along parcel boundaries there shall be no required minimum setback.
5. Maximum site coverage: no maximum site coverage.
6. Signs: Signs shall be permitted in accordance with Section VII.
7. Lighting: All lighting, exterior and interior, shall be designed and located to confine direct rays to the premises.
8. Loading: All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets, highways and residential areas.

9. Trash and storage areas: All storage, including cartons, containers or trash, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height.
10. Enclosed uses: All uses permitted together with their resulting products shall be contained entirely within a completely enclosed structure, except for off-street parking and loading areas, areas for sale of nursery stock, sales areas, automobile washing areas, and outdoor dining areas, or other similar uses indicated on an approved Site Plan.
11. Screening (required screening is not counted as a part of Net Usable Acres):
 - a. Streets and intersections: Screening (including walls and fences) along all streets and boundaries shall have a height of not less than thirty-six (36) inches nor more than forty-two (42) inches within twenty (20) feet of the point of intersection of:
 1. A vehicular accessway or driveway and a street.
 2. A vehicular accessway or driveway and a sidewalk.
 3. Two or more vehicular accessways, driveways or streets.
 - b. Parking areas abutting arterial highways: An opaque screen shall be installed along all parking areas abutting arterial highways. Except as otherwise provided below, the screening shall have a total height of not less than thirty-six (36) inches and not more than forty-two (42) inches.
 - c. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five (5) feet inside the boundary line is lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements of this section.
 - d. An opaque screen as referred to herein above shall consist of one or any combination of the following:
 1. Walls including retaining walls: A wall shall consist of concrete, stone, brick, tile or similar type of solid masonry material a minimum of four (4) inches thick.
 2. Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
 3. Fences, solid: A solid fence shall be constructed of wood or other materials a minimum nominal thickness of two (2) inches and it shall form an opaque screen.
 4. Landscaping: Vegetation, consisting of evergreen or deciduous trees or shrubs.
 - e. Mechanical equipment. Mechanical equipment placed on any roof such as, but not limited to, air conditioning, heating, ventilating ducts and exhaust

shall be screened from view from any abutting street or highway and any abutting area designated for open space uses within the Baker Ranch P.C.

12. Landscaping: Landscaping, consisting of evergreen or deciduous trees, shrubs, ground cover, or hardscape shall be installed and maintained subject to the following standards (required landscaping is not counted as a part of Net Usable Acres):
 - a. Boundary landscaping abutting arterial highways is required to an average depth of ten (10) feet with a minimum depth of five (5) feet.
 - b. Boundary landscaping abutting public streets, other than arterial highways, is required to an average depth of ten (10) feet with a minimum depth of five (5) feet.
 - c. An additional amount, equal to at least five (5) percent of the net usable area of the parcel, is required and a minimum of fifty (50%) percent of such landscaping shall be located in the area devoted to parking.
 - d. Separation: Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least six (6) inches higher than the adjacent vehicular area or shall in some manner be protected from vehicular damage.
 - e. Watering: Permanent automatic irrigation systems shall be provided for all landscaped areas. Development plans shall incorporate provisions for a dual water system utilizing reclaimed wastewater for irrigation purposes, consistent with the requirements of the Los Alisos Water District.
 - f. Maintenance: All landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plantings.

SECTION IIIA

RESIDENTIAL AND MIXED USE REGULATIONS AND SITE DEVELOPMENT STANDARDS

A. PURPOSE AND OBJECTIVES

The purpose of these provisions is to regulate the planning, design and development of residential and mixed uses within the Baker Ranch Planned Community located within Parcel 1 and residential uses within Parcel 5R (formerly a portion of Parcel 3) , as illustrated on the Baker Ranch Planned Community Development Plan. These regulations provide for a variety of residential and mixed uses and also allow for community facilities and structures accessory to the main residential uses. It is the intent of these regulations to be responsive to changing community needs and goals and to allow and encourage innovative community design.

The Shea Baker Ranch Property, otherwise known as Parcel 1, incorporates 385.75 acres of commercial, residential, and open space uses in Planning Area 1 and Planning Area 7 within the total 706.59-acre Baker Ranch Planned Community area. Planning Area 1 has been divided into sub-Planning Areas (1A to 1K). Mixed Use is permitted within sub-Planning Area 1A. The Mixed Use designation allows flexibility to incorporate neighborhood and community level commercial and/or regional commercial uses in Planning Area 1A when developed with residential uses. The maximum amount of commercial space allowed within the Mixed Use area (Planning Area 1A) is 320,000 gross square feet.

The “Baker Property”, otherwise known as Parcel 5R (formerly a portion of Parcel 3), is divided into two sub-Planning Areas 5A – 5B.

The ultimate control for residential development is the maximum number of dwelling units permitted in any sub- Planning Area and the density ranges for each Planning Area as indicated on the P.C. Development Plan and Statistical Summary. Each sub-Planning Area shall be developed so as to not exceed the density for the identified land use designation, and in accordance to Section VIII.B.14. A lower density than the Planning Area land use designation density range is permitted. Development is subject to the Section I (Area Plan) and/or Site Plan Regulations and Procedures of Sections VIII and IX, as modified by the provisions specific to the Shea Baker Ranch Property and Baker Property, as described below.

B. PERMITTED USES

1. Public and private utilities regulated by state law and exempt from local land use review.

C. USES PERMITTED IN THE RESIDENTIAL AREA SUBJECT TO AN AREA PLAN

The following uses may be permitted within the Residential Planning Areas subject to prior approval of an Area Plan, pursuant to Section VIII. For Planning Area 1, an Area Plan shall cover the entire Planning Area 1, inclusive of Planning Areas 1A to 1K. At the City's sole discretion, a separate Area Plan may cover Planning Area 1A for the mixed use area.

1. Single-family dwellings on an individual legal lot or with more than one unit per individual legal lot, as within established detached condominium developments or clustered dwelling developments.
2. Multi-family dwellings, whether for rental or for ownership.
3. Second units on the same lot as the primary residence, if constructed as part of, concurrently with, or after the primary residence.
4. Accessory structures or uses that are customarily incidental or necessary to the permitted main uses, including, but not limited to, fences and walls, garages, loggias.
5. Public and private parks, trails, greenbelts, slopes, and common areas.
6. Public Schools

D. USES PERMITTED IN THE RESIDENTIAL AREAS SUBJECT TO AN AREA PLAN AND/OR SITE PLAN

The following uses may be permitted within the Residential planning areas subject to prior approval of an Area Plan and/or Site Plan, pursuant to Sections I, VIII and IX:

1. Single-family dwelling subdivisions or developments, established along with a tract map.
2. Multi-family dwellings.
3. Public and private neighborhood or community non-commercial recreation centers and facilities including, but not limited to swimming pools, tennis courts, clubhouses, etc.
4. Model homes sales complexes.
5. Civic and public uses, such as libraries, museums, public community centers, etc.

6. Private educational facilities
7. Public utilities buildings, structures, and facilities including, but not limited to, the following:
 - a. Communication facilities and offices.
 - b. Wireless communication facilities, subject to section 9.162 of the LFMC.
 - c. Water distribution facilities and pump stations.
 - d. Production, distribution, storage, or treatment facilities electricity, water, sewage, telephone or telegraph.
 - e. Roadways, public and private.
8. Signs, per Section IX and a Planned Sign Program.
9. Home occupations per Section 9.146.060 of the Zoning Code.
10. (Planning Area 1A only) Live Work, in accordance with an approved Area Plan and Site Plan Review, with uses found compatible with the purpose and objectives of Section IIIa and which is indicated on an Area Plan or Site Plan.
11. Parks.
12. Accessory structures or uses that are customarily incidental or necessary to the permitted main uses, including, but not limited to, fences and walls, garages, loggias, public and private parks, trails, greenbelts and common areas.
13. Any use proposing alternative development standards which is found compatible with the purpose and objectives of Section I.

E. USES PERMITTED WITHIN THE MIXED USE AREA (PLANNING AREA 1A ONLY) AND SUBJECT TO AN AREA PLAN AND SITE PLAN

The following uses may be permitted within the Mixed Use area of the Shea Baker Ranch Property (Planning Area 1A) subject to prior approval of an Area Plan and Site Plan, pursuant to Sections VIII and IX:

1. Retail uses.
2. General and medical office.
3. Service commercial.

4. Restaurants, outdoor dining and entertainment uses, subject to an Entertainment Permit per LFMC 5.36.020.
5. Hotels and motels.
6. Private educational facilities.
7. Day care centers.
8. Worship centers.
9. Civic and public uses, such as libraries, museums, public community centers, etc.
10. Residential Uses.
11. Congregate Care Facility/Congregate Living Facility.
12. Live Work, with residential uses and other uses permitted in this subsection.

F. USES PERMITTED WITHIN THE MIXED USE AREA (PLANNING AREA 1A ONLY) AND SUBJECT TO AN AREA PLAN AND USE PERMIT

1. Gasoline service stations.
2. Automobile repair and service.
3. Any other similar use which is found compatible with the purpose and objectives of Section IIIA and which is indicated on an Area Plan or Site Plan approved by the Planning Commission.

G. SITE DEVELOPMENT STANDARDS

All residential and mixed use development shall be subject to the following regulations except as otherwise established by an approved Area Plan or Site Development Permit per Sections VIII and IX.

After first occupancy of an individual dwelling unit, the site development standards contained in this section and any applicable Area Plan or Site Development Permit shall apply to that dwelling unit and shall only be modified subject to the variance procedures contained in the City's Zoning Code in effect at the time.

1. Single-Family Dwellings
 - a. Building site area: 2,000 square foot minimum
 - b. Building site width: 30' minimum

- c. Building site depth: No minimum
- d. Building height: 35' maximum, measured from the top of the adjacent grade to the ridgeline, in accordance with Section X.
- e. Maximum site coverage (not including garages, porches, stoops, hardscape, patios, balconies and similar features): 70%
- f. Building setbacks: See Table 1
- g. Attached and detached accessory buildings are allowed as part of single-family home developments, and have the same setback requirements as the main building on the lot.
- h. (Planning Areas 1A through 1K only) A minimum five 5' wide landscaped parkway shall be installed within the right-of-way adjacent to the curb on all two-lane public neighborhood streets. A minimum 4' wide sidewalk shall be located behind the parkway, and may be outside the public right-of-way. If the sidewalk is located outside the public right-of-way (as indicated in subsection J), a public access easement shall be granted over the sidewalk to allow for installation and maintenance of public utilities and city maintenance of sidewalks.
- i. Setback encroachments: Architectural elements such as fireplace chimneys, bay windows, roof overhangs, may project into any setback up to two feet. But in no event shall such elements project into any required setback area so as to be closer than 3 feet to any property line of the building site. Where space and site conditions allow, mechanical equipment such as air conditioning compressors, pool and spa pumps, and similar equipment may be located in the setback areas, but no less than 3' from the property line.
- j. Public and Common Area Landscaping: Landscaping, consisting of evergreen or deciduous trees, shrubs, groundcover or hardscape shall be installed and maintained subject to the following standards.
 - 1. Landscaping shall be installed adjacent to all roadways such that sidewalks are always separated from walls and structures by a planted parkway, unless otherwise approved with the Area Plan or subsequent Site Plan approvals.
 - 2. Permanent automatic irrigation shall be provided for all common area landscaped areas.
 - 3. All common area landscaping shall be maintained established Homeowners' Association in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns,

weeding, litter removal, watering, and prompt plant replacement when necessary.

Table 1 – Single-Family Dwelling Residential Setbacks

| Minimum Setbacks | Standard Lots | Other Lots (includes Z - Lots, Clustered Lots, etc) |
|---|--|---|
| From All Streets (<i>measured from the back of sidewalk</i>) | | |
| All Primary or Accessory Buildings and Structures | 10' | 10' |
| Building Elevations with Front Entry | 8' | 8' |
| From Alleys or Motor-courts (24' wide), if applicable (<i>measured from the edge of curb or flow-line</i>) | | |
| Building | N/A | 2' |
| From Interior Property Lines (<i>from property line; On Z-Lots, easements may be used</i>) | | |
| Building | 5' | 5' |
| Garage Sides** | 4' | 4' |
| Patio Cover or Carport | 3' | 3' |
| Garage or Carport Setbacks From Access Points | | |
| Street: (<i>measured from property line</i>) | 18' | 18' |
| Alley or Motor Court: (<i>measured edge of curb or flow line</i>) | $\geq 18' / \leq 5'$ With a minimum of 3' | $\geq 18' / \leq 5'$ With a minimum of 3' |
| Building Separation (<i>From all primary and/or accessory structures</i>) | | |
| Building Separation | 10' 8' facing garage sides** | 10' 8' facing garage sides** |
| Between Buildings Across Alley | 28' | 28' |
| Between Facing Garages | 30' | 30' |
| Parking | Refer to Section 9.168 of the Lake Forest Municipal Code | |

* Requires a roll-up garage door, otherwise add 2'. Garages with a driveway less than 5' from the property line or the curb line are permitted through the approval of a site

plan and required to have an automatic garage door opener, ensured by CC&Rs.

** With no openings

2. Multi-family Residential Standards

- a. Building site area: No minimum.
- b. Building site depth: No minimum.
- c. Building height:
 - i. (PA1C through 1K) 40' maximum, measured from the top of the adjacent grade to the ridgeline, in accordance with Section X.
 - ii. (PA5B) 35' maximum, measured from the top of the adjacent grade to the ridgeline, in accordance with Section X.
- d. Maximum site coverage, as defined in Zoning Code: 80%
- e. Building Setbacks: See Table 2
- f. Setback encroachments: Architectural elements such as fireplace chimneys, bay windows, roof overhangs, media centers and similar features may project up to two feet into any setback except along alleys, where a minimum setback of three feet must be maintained to provide for adequate distance behind garages. Where space and site conditions allow, mechanical equipment such as air conditioning compressors, pool and spa pumps, and similar equipment may be located in the setback areas, but no less than 3' of the property line.
- g. (Planning Areas 1A through 1K only) A minimum five 5' wide landscaped parkway shall be installed within the right-of-way adjacent to the curb on all public two-lane, neighborhood streets. A minimum 4' wide sidewalk shall be located behind the parkway, and may be outside the public right-of-way. If the sidewalk is located outside the public right-of-way (as indicated in Subsection J), a public access easement shall be granted over the sidewalk to allow for installation and maintenance of public utilities and city maintenance of sidewalks.
- h. Public and Common Area Landscaping: Landscaping, consisting of evergreen or deciduous trees, shrubs, groundcover or hardscape shall be installed and maintained subject to the following standards.
 1. Landscaping shall be installed adjacent to all roadways such that sidewalks are always separated from walls and

structures by a planted parkway, unless otherwise approved with the Area Plan or subsequent Site Plan approvals.

2. Permanent automatic irrigation shall be provided for all common area landscaped areas.
 3. All common area landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, litter removal, watering, and prompt plant replacement when necessary.
- i. Trash and storage areas: All common trash areas shall be shielded from view within a building or enclosed by a wall not less than 6 feet in height. Trash areas shall accommodate separate trash and recycling containers.

Table 2 – Multi-Family Residential Setbacks

| Minimum Setbacks | |
|--|---|
| From Streets <i>(from back of sidewalk)</i> | |
| Building | 10' |
| Garage or carport entry [^] | 18' [*] |
| Covered porch | 5' |
| Patio Cover | 10' |
| From Interior Property Lines | |
| Building | 5' |
| Patio Cover or Carport | 3' |
| Garage or Carport Setbacks From Access Points | |
| Street: <i>(measured from property line)</i> | 18' [*] |
| Alley or Motor Court: <i>(measured edge of curb or flow line)</i> | $\geq 18'^*$ / $\leq 5'^*$ With a minimum of 3' [*] |
| Building Separation <i>(From all primary and/or accessory structures)</i> | |
| Building Separation | 10' 8' facing garage sides ^{**} |
| Between Buildings Across Alley | 28' |
| Between Facing Garages | 30' |
| Parking | Refer to Section 9.168 of the Lake Forest Municipal Code |

* Requires a roll-up garage door, otherwise add 2'. Garages with a driveway less than 5' from the property line or the curb line are permitted through the approval of a site plan and required to have an automatic garage door opener, ensured by CC&Rs.

** No openings

4. Development Standards for Other Permitted Uses in the Residential Areas

- a. Building site area: No minimum.
- b. Building site width and depth: No minimum.
- c. Building height (maximum):
 - i. (Planning Areas 1A through 1K) To be determined through a Site Plan and measured in accordance with the definition provided in Section X
 - ii. (Planning Areas 5A and 5B) 35'. To be measured from the top of the adjacent grade to the ridgeline
- d. Maximum site coverage: No maximum.
- e. Maximum building setbacks: To be determined through a Site Plan.
- f. Public and Common Area Landscaping: Landscaping, consisting of evergreen or deciduous trees, shrubs, groundcover or hardscape shall be installed and maintained subject to the following standards.
 1. Landscaping shall be installed adjacent to all roadways such that sidewalks are always separated from walls and structures by a planted parkway, unless otherwise approved with the Area Plan or subsequent Site Plan approvals.
 2. Permanent automatic irrigation shall be provided for all common area landscaped areas.
 3. All common area landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, litter removal, watering, and prompt plant replacement when necessary.
- g. Screening shall consist of walls, berms, fences, landscaping or a combination of those materials.
 1. Abutting residential areas: Screening shall be provided along all building site boundaries where the premises abut areas zoned for residential. Except as otherwise provided below, the screening shall have a total height of not less than six feet and not more than seven feet.
 2. Parking areas abutting arterial roadways: All parking areas abutting arterial roadways shall be screened. Except as

otherwise provided below, the screening shall have a total height of not less than thirty-six inches and not more than forty-two inches.

3. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five feet inside the boundary line, is higher or lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements of this section
 - h. Trash and storage areas: All common trash areas shall be shielded from view within a building or enclosed by a wall not less than 6 feet in height. Trash areas shall accommodate separate trash and recycling containers.
5. Development Standards for Residential Uses in the Mixed Use Area (Planning Area 1A only)
- a. Building site area: No minimum.
 - b. Building site width and depth: No minimum.
 - c. Building height (maximum):
 - i. Single Family Dwelling: 35' maximum, measured from the top of the adjacent grade to the ridgeline, in accordance with the definition provided in Section X.
 - ii. Attached or Multi-family Residential: 60' or four stories, as measured from the adjacent grade to the parapet or ridgeline, in accordance with the definition provided in Section X.
 - d. Maximum site coverage: No maximum.
 - e. Minimum building setbacks:
 - i. Single Family: See Table 1 in this Chapter.
 - ii. Attached and Multi-Family Residential: See Table 2 in this Chapter
 - f. Development under this section is also subject to development standards in subsections 5g – 5i (Landscaping, screening, and trash and storage areas).
6. Development Standards for Non-Residential Only and Mixed Uses in the Mixed Use Area (Planning Area 1A only)
- a. Building site area: No minimum.
 - b. Building site width and depth: No minimum.
 - c. Building height (maximum) in accordance with Section X:

1. Retail/commercial and community facility uses (non-residential only): 45' and three stories, as measured from the adjacent grade to the parapet or ridgeline, as appropriate.
 2. Office uses: 60' or four stories, as measured from the adjacent grade to the parapet or ridgeline, as appropriate.
 3. Vertical Mixed-Use (Residential uses on upper floors above ground-floor non-residential uses): 60' or four stories, as measured from the adjacent grade to the parapet or ridgeline, as appropriate.
- d. Maximum site coverage: No maximum.
- e. Maximum building setbacks: See Table 3

Table 3 – Non-residential and Mixed-Use Development Standards (PA1A only)

| Land Use | From Property Line | | | From Property Line Abutting Residential Planning Area | | From Property Line Abutting Non-Residential | |
|--|---|------|------|---|------|---|------|
| | Front | Side | Rear | Side | Rear | Side | Rear |
| Retail/Commercial | 20' | 10' | 10' | 20' | 20' | 0' | 0' |
| Office | 10' | 10' | 10' | 10' | 10' | 10'* | 10' |
| Community Facility | 20' | 20' | 20' | 10' | 10' | 10' | 10' |
| Residential on upper floors above non-residential | Same as setbacks for corresponding ground floor non-residential | | | | | | |
| Parking | Refer to Section 9.168 of the Lake Forest Municipal Code | | | | | | |
| * 0' setback when abutting another building. | | | | | | | |

- f. Mixture of Uses. For vertical mixed use buildings, the ground floor is generally commercial or office space and the upper floor(s) are restricted to residential. However, a portion of the ground floor may be allocated to residential uses as long as the commercial or office space is locked out from the residential portion of the unit. Horizontal mixed use projects shall follow the development standards for respective nonresidential and residential uses, unless specified otherwise.

- g. Public and Common Area Landscaping: Landscaping, consisting of evergreen or deciduous trees, shrubs, groundcover or hardscape shall be installed and maintained subject to the following standards.
 - 1. Landscaping shall be installed adjacent to all roadways such that sidewalks are always separated from walls and structures by a planted parkway, unless otherwise approved with the Area Plan or subsequent Site Plan approvals.
 - 2. Permanent automatic irrigation shall be provided for all common area landscaped areas.
 - 3. All common area landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, litter removal, watering, and prompt plant replacement when necessary.
- h. Screening: Screening shall consist of walls, berms, fences, landscaping or a combination of those materials.
 - 1. Abutting residential areas: Screening shall be provided along all building site boundaries where the premises abut areas zoned for residential. Except as otherwise provided below, the screening shall have a total height of not less than six feet and not more than seven feet.
 - 2. Parking areas abutting arterial roadways: All parking areas abutting arterial roadways shall be screened. Except as otherwise provided below, the screening shall have a total height of not less than thirty-six inches and not more than forty-two inches.
 - 3. Notwithstanding the requirements listed above, where the finished elevation of the property at the boundary line, or within five feet inside the boundary line, is higher or lower than an abutting property elevation, such change in elevation may be used in lieu of, or in combination with, additional screening to satisfy the screening requirements of this section.
- i. Trash and storage areas: All common trash areas shall be shielded from view within a building or enclosed by a wall not less than 6 feet in height and provide self closing doors. Trash areas shall accommodate separate trash and recycling containers.

H. SIGNS

Signs shall be permitted pursuant to Section VII and an approved Planned Sign Program that is also consistent with the provisions below:

Community Monuments

Gateway and monumentation elements may be located at community entries and key intersections to provide a sense of arrival and establish a unique identity for the Shea Baker Ranch Property community, as determined applicable. Monumentation elements will be developed at a hierarchy of scales consistent with their location and relationship to community or neighborhood features. Thematic materials and colors may be repeated in the gateways and monuments throughout the community. The consistent and repeated use of the same materials, colors and design concepts also reinforces the identity of the Shea Baker Ranch Property as a distinct community within the City of Lake Forest.

1. Gateways (Planning Area 1 only)
 - a. Location. Major entry streets may be framed by gateway signs, as shown in an Area Plan.
 - b. Design and Materials. Final design and materials shall be included in the Planned Sign Program.
 - c. Community identification signage and/or logos may be included within the design of the gateway signs
2. Major Community Monumentation
 - a. Location. Where implemented, these gateway elements are refined and reduced in scale at intersections of interior streets to form community monuments, as shown in an Area Plan.
 - b. Design and Materials. Final design and materials shall be included in the Planned Sign Program. These monuments may also incorporate signage.
3. Minor Community Monumentation
 - a. Location. Where implemented, neighborhood monuments ~~are~~ may be located at the entry to each neighborhood, where the neighborhood streets join to local collectors within Shea Baker Ranch Property. Community monuments at less prominent intersections are similar to and use many of the major community monumentation design elements. The locations of minor community monuments shall be identified in the Planned Sign Program.
 - b. Design and Materials. Final design and materials shall be included in the Planned Sign Program. These monuments may also incorporate signage.

I. OFF STREET PARKING REQUIREMENTS

Parking for residential uses is subject to Zoning Code Chapter 9.168 and Section VI (Off-Street Parking Requirements) of this text.

J. Residential and Mixed Use Optional Street Standards (Planning Area 1 only)

Residential and mixed use “optional street standards” have been developed for the following conditions, with corresponding exhibits included herein:

- Loop Road
- Local Undivided & Divided Collector Street
- Residential Streets
 - Two-lane undivided neighborhood street
 - Single loaded street
- Alley
- Roundabout

K. Transition Buffering Between Differing Land Uses (Planning Area 5A and 5B only)

Land Use Transitions. Substantial landscape buffering, fencing or walls, grade separation or other techniques that facilitate the transition to residential uses from adjacent non-residential uses shall be implemented.

L. Architectural Principles for Planning Areas Not Subject to an Area Plan

In order to promote quality development, the following principles will guide residential architectural design to ensure quality development. These principles apply to Site Plans for new residential developments or neighborhoods and are reviewed through the discretionary review process:

- Provide a varied and interesting street scene
- To the extent practicable, focus the front elevation on the home, not the garage
- Provide design detail on the rear elevations where visible from open space or major streets
- Design detached homes that are simple in form, with a defined base, mid-section, and roof.
- Choose appropriate massing and roof forms to define architecture styles specified for the development or neighborhood.
- Ensure that plans and styles provide a degree of individuality.
- Use architectural elements and details to reinforce individual architectural styles

- Use landscaping to screen and provide buffer between residential buildings and roadways, common open space areas, and parking areas.
- For detached neighborhoods or developments:
 - Provide at least two (2) floor plans not including reversed plans
 - Provide at least 3 elevations for each floor plan with not less than 3 color schemes for each floor plan or elevation
 - Elevations should be distinctly different.
 - To ensure that architectural variety occurs, no more than two (2) of the same floor plan/elevations shall be plotted next to each other or directly across the street from one another; however identical floor plans may be plotted on adjacent lots or across the street from each other, provided a different elevation/color style is selected for each of the floor plans.
- For attached neighborhoods or developments:
 - To ensure that the massing does not become too “boxed-out,” building ends or blank wall planes should be oriented away from public views and single story elements are encouraged along edges.
 - Provide some architectural elements on all sides of building.
 - Multi-family plotting shall:
 - Provide varied building front setbacks along the street or articulate each building.
 - Provide pedestrian access to public sidewalks, walkways, and open space areas.
 - Provide two (2) elevations per building type; however the elevations may be the same style.
 - Provided at least three (3) different, yet compatible color schemes for each neighborhood.
 - Multi-family Buildings
 - Use varied rooflines, second story plane breaks (pop-outs or setbacks), off-set wall planes.
 - Treat all visible elevations in an architecturally consistent manner.

SECTION IV

OPEN SPACE USE REGULATIONS AND SITE DEVELOPMENT STANDARDS

A. PURPOSE AND OBJECTIVES

Portions of the Baker Ranch Planned Community are planned for open space uses. Outside of 42.3 acres of land previously dedicated to the County of range along the Aliso Creek flood control channel (see Exhibit) the Baker Ranch incorporates 25.9 acres of open space within the 690.3 acre project area (in Planning Areas 7, 8 and 9). Open space areas will consist primarily of creek corridors, riding and hiking trails, manufactured slopes, and natural open space.

The precise nature and location of open space areas will depend, in part, on precise roadway alignments, final grading plans, and the design treatment selected for creek-related open space corridors. The location and treatment of open space lands within the Planned Community will be further defined by Area Plan and Site Plan review in accordance with Sections VIII and IX of this text. Minimum open space acreage will be as set forth in this Development Plan and Supplemental Text.

B. LAND USE REGULATIONS

Land use regulations for the Open Space zoning district shall be subject to the regulations in Lake Forest Municipal Code Section 9.72.090 (Non-Residential Land Use Matrix), column "OS."

C. SITE DEVELOPMENT STANDARDS

1. As indicated in the OS "Open Space" District Regulations, section 7-9-58 of the Orange County Zoning Code or as indicated in the approved Area Plan or Site Plan.
2. An Open Space Plan will be prepared in association with each Area Plan and shall address the open space and recreation proposals within the affected Planning Area. Emphasis shall be placed on design treatments for Aliso and Serrano Creek open space corridors, and the Borrego Canyon Wash. The following specific information shall be addressed in the Open Space Plans:
 - a. Extent and nature of areas proposed for dedication or previously dedicated to the County of Orange.
 - b. The proposed limits of grading and structural development relative to open space lands.
 - c. Conceptual landscaping treatments, including plant palette and vegetative resources proposed to be preserved and incorporated into the overall project design.
 - d. Location of riding and hiking trail easements, with provisions for their dedication to the County of Orange with improvements including grading, erosion control, signage, grade-separated crossing(s), lighting, etc.

- e. A program for treatment of any significant natural features such as, but not limited to, archaeological, geological and biological resources within proposed development areas.
- f. Methods for achievement of fuel modification.
- g. A program for enhancement of the Serrano Creek open space corridor.
- h. A program for urban edge treatment.

SECTION V
SAND AND GRAVEL EXTRACTION USE REGULATIONS
AND SITE DEVELOPMENT STANDARDS

A. PURPOSE AND OBJECTIVES

These regulations are provided for the mining, quarrying, and the commercial extraction and processing of sand and gravel materials in a manner which is both environmentally sensitive and compatible with existing and future land uses. The recovery of these valuable materials in a responsible manner is encouraged as an interim land use within the Baker Ranch Planned Community Planning Area 5 (encompassing 109.1 acres), which has an approved Sand and Gravel overlay zone.

It is not intended that this Development Plan and Supplemental Text constitute approval of, nor a commitment to, sand and gravel extraction uses; such uses will be regulated by the provisions of Section 7-9-104 of the Zoning Code and other applicable ordinances. Rather, it is the intent of these regulations to provide the opportunity for said uses upon demonstration that applicable policies of the General Plan and PC Development Plan have been met.

It is also intended that no zone change shall be required to expand sand and gravel uses within Planning Area 5, provided that all other applicable requirements of Section 7-9-104 are complied with, including:

1. Issuance of a Sand and Gravel Site Permit
2. Issuance of a Sand and Gravel Extraction Permit
3. Preparation of a Plan of Operations
4. Preparation of a Drainage and Erosion Control Plan
5. Preparation of a Vehicular Access Plan
6. Preparation of a Reclamation Plan

Two primary objectives are expected to be served by the provisions of this section:

1. resources important to the economy of the community can be recovered prior to a commitment of the land for urban development, and
2. sand and gravel operations and subsequent reclamation of the land can be coordinated with plans for the ultimate use of the property. Sand and gravel extraction will accomplish a considerable portion of the grading necessary for both urban development and future arterial highways, thereby resulting in cost savings for private, as well as public facilities. In this light, it is intended that the interim resource recovery use of the property provide the opportunity to comprehensively plan for the ultimate commercial and industrial use.

Sand and gravel extraction uses are permitted as interim uses only within those Planning Areas designated for such purposes on the Development Plan. The precise boundary of sand and gravel activities between Planning Area 5 and Planning Area 4 shall be determined at the time of issuance of the SG Site Permit and SG Extraction Permit. Sand and gravel uses shall be regulated by existing County Ordinance and procedures which have been incorporated by reference, as appropriate, into the provisions of this text.

B. USES PERMITTED

The following uses shall be permitted within Planning Area 5 subject to the application for, and approval of, an SG Site Permit and an SG Extraction Permit.

1. All uses permitted by Section 7-9-104 of the Orange County Zoning Code including, but not limited to:
 - a. Mining, quarrying, and the commercial extraction of rock, sand, gravel, earth, clay, and similar materials.
 - b. Storage, stockpiling, distribution and sale of rock, sand, gravel, earth, clay, and similar materials.
 - c. The installation and operation of machinery or apparatus for rock crushing or cement treatment of base materials, and appurtenant screening, blending, washing, loading, and conveyor facilities.

- d. Concrete batching plants and mixing plants.
- e. The manufacture of concrete products.

C. GENERAL REGULATIONS AND SITE DEVELOPMENT STANDARDS

1. Existing sand and gravel extraction uses shall be permitted to continue in accordance with approved SG Site and Extraction permits in effect at the time of adoption of this PC Development Plan and Supplemental Text.
2. Sand and gravel extraction uses shall be governed by the provisions of Section 7-9-104 of the Orange County Zoning Code and "The Sand, Gravel and Mineral Extraction Code of the County of Orange," Title 7, Division 10 of the Codified Ordinances of Orange County.
3. Applications for SG Site Permits and SG Extraction Permits shall be accompanied by a comprehensive soils investigation, a plan of operations, a drainage and erosion control plan, a vehicular access plan, and a reclamation plan, all prepared pursuant to Section 7-9-104 of the Orange County Zoning Code.
4. Where an SG Site Permit and SG Extraction Permit have been approved in accordance with the provisions of this text and application for a Site Plan is subsequently filed, said application shall be accompanied by a current reclamation plan indicating how the land will be returned to a condition suitable for the proposed ultimate land use.

SECTION VI
OFF-STREET PARKING REGULATIONS

A. **PURPOSE AND INTENT**

These regulations are established to provide for the onsite parking of motor vehicles attracted by the use or uses on the premises. The parking facilities for motor vehicles required by this section are assumed to be the minimum which will be required by the various land use categories. It is intended that these regulations will result in the installation of properly designed parking facilities of sufficient capacity to reduce traffic congestion, provide safe and convenient facilities for motorists and pedestrians, and generally provide for the parking of motor vehicles at locations other than on streets.

B. **GENERAL REQUIREMENTS**

Off-street parking for the Baker Ranch Planned Community shall be in accordance with Section 7-9-145, Off-Street Parking Regulations of the Zoning Code, which is adopted by reference as a part of this Section of the Development Plan and Supplemental Text.

1. Location of off-street parking: Required parking spaces and garages shall be located conveniently close to the use or uses they serve.
2. Joint use of parking: Joint use of parking facilities, either on or off site, may be approved in conjunction with and as part of the approval of an Area Plan or Site Plan when the hours of operations of the uses do not conflict.
3. Common area parking: Common area parking may be approved by Area Plan or Site Plan review.
4. Compact stalls: Provisions for compact parking stalls may be approved by Area Plan review.
5. (Planning Area 1 only) Tandem parking in conjunction with residential development: Provisions for tandem parking must be reviewed and approved through a Site Development Permit.
6. (Planning Area 1 only) Parking for Second Units: One additional parking space above the requirements for the primary dwelling unit shall be provided.
7. (Planning Area 1 only) Residential driveways must be a minimum of 10 feet wide for single width driveways or 18 feet wide for side-by-side driveways. The length of driveways shall be in accordance with the site development standards and associated engineering standards.
8. On street guest parking may be approved by Site Plan review. CC&Rs shall be established so as to require vehicular use of resident garages.

C. EXCEPTIONS OR MODIFICATIONS TO OFF-STREET PARKING REGULATIONS

The provisions of this Section and Section 7-9-145 of the Zoning Code are intended to meet the minimum design needs for off-street parking under most conditions. Where, because of the nature of the use involved or other relevant circumstances, the requirements of this Section are considered to be excessive, exceptions and modifications to these provisions and those of Section 7-9-145 of the Zoning Code may be approved in accordance with the following procedure, provided such exceptions and modifications are consistent with the purpose and intent of this Section:

1. Any property owner, his authorized agent, or a public agency may apply for exception to, or modification of, the off-street parking regulations as set forth in this Section or Section 7-9-145 of the Zoning Code.
2. Exceptions to, or modifications of, the off-street parking regulations shall be permitted subject to the approval of a Site Plan by the Director, EMA.
3. Site Plans which include a request for exceptions to, or modifications of, the off-street parking regulations shall be processed in accordance with the provisions of Section IX, relating to Site Plan review processes.

**SECTION VII
SIGN REGULATIONS**

A. PURPOSE AND INTENT

The purpose of this Section is to establish standards for the uniform regulations of signs throughout the Baker Ranch Planned Community. The intent of this Section is to permit adequate signing while, at the same time, preventing unnecessary and unsightly signs.

The following regulations shall apply to all permitted uses.

B. USES PERMITTED

Signs shall be established as part of an approved Site Plan, or condition thereof, or a Sign Program when required or permitted by the Site Development Standards. The following standards shall apply except as otherwise specified on an approved Site Plan or Sign Program. Section VII.B, subsection 7 describes Sign Programs.

1. Freestanding signs:

- a. One (1) business or identification ground sign may be permitted as accessory to a main use for each building site with a street frontage in excess of ninety-nine (99) feet. Where the building site abuts more than one (1) street, one (1) additional such identification sign is permitted on each additional street frontage that is in excess of ninety-nine (99) feet in length. In no case shall there be more than one (1) such sign on each street frontage for each building site.
- b. Freestanding signs shall not exceed a height of thirty-five (35) feet above finished grade, or an area of one hundred (100) square feet.
- c. In addition to the requirements of Section IX, applications for ground signs shall be accompanied by scale drawings indicating the size, sign copy, colors, method and intensity of illumination, height, sign area, and general location of all signs on the building site.

- d. Temporary signs advertising the sale, lease or rental of the property upon which the sign is located: Such signs shall not exceed a vertical height of sixteen (16) feet, a horizontal length of ten (10) feet, nor a total area of thirty-two (32) square feet.
 - e. Temporary signs denoting the architect, engineer, or contractor placed on the premises where construction, repair, or renovation is in progress: Such signs shall not exceed a vertical height of sixteen (16) feet, a horizontal length of eight (8) feet, nor a total area of twenty-four (24) square feet.
 - f. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs or societies, cemeteries, and other public or nonprofit institutions: Such signs shall not be erected in the public safety area nor exceed a total area of twenty-four (24) square feet.
 - g. Temporary signs advising of future construction on the site upon which the sign is located: Such signs shall not exceed a vertical height of sixteen (16) feet, a horizontal length of eight (8) feet, nor a total area of twenty-four (24) square feet.
 - h. Planned community travel direction signs: Such signs shall not exceed a vertical height of twenty two (22) feet, and a total of one hundred (100) square feet.
 - i. Planned community reassurance signs: Such signs shall not exceed a vertical height of sixteen (16) feet, and a total of fifteen (15) square feet.
 - j. Community facility identification signs: Such signs shall not exceed a vertical height of sixteen (16) feet, nor a total area of one hundred (100) square feet.
 - k. Community identification signs: Such signs shall not exceed a vertical height of sixteen (16) feet, nor a total area of one hundred (100) square feet.
 - l. Community event bulletin boards: Such signs shall not exceed a vertical height of sixteen (16) feet, nor a total area of one hundred fifty (150) square feet.
 - m. Intra-community directional signs: Such signs shall not exceed a vertical height of sixteen (16) feet, nor a maximum area of one hundred (100) square feet.
2. Wall signs: Business or identification wall signs shall be permitted for each business or industrial use and shall not exceed one (1) square foot of sign area for each linear foot of frontage of the building or portion thereof. The total aggregate sign area for such signs shall not exceed one hundred fifty (150) square feet for each business. If the building frontage of any business is less than twenty-five (25) feet, only one sign, having a

maximum of twenty-five (25) square feet, shall be permitted for each such business.

3. **Automobile service station signs:** Signs for automobile service station sites are permitted subject to the following limitations as indicated on an approved Site Plan.
 - a. The total area of all signs shall not exceed an aggregate of two hundred (200) square feet on the premises. Notwithstanding the provisions of Subsections 1 and 2 above, only the following signs are permitted:
 1. One (1) freestanding identification sign, except that monument identification signs shall be permitted along each street frontage abutting the site.
 2. Two (2) freestanding, permanently affixed, price signs not to exceed twenty (20) square feet in area each, may be located no closer than one hundred (100) feet from the point of intersection of the ultimate street right-of-way lines of abutting streets.
 3. All additional signs shall be placed on or affixed to a structure.
 4. Signs advertising products and services not related to motor vehicles are prohibited on any service station building site.
 5. The maximum size of any sign shall not exceed one hundred (100) square feet in area.
 6. The maximum height for any sign or sign structure shall not exceed thirty-five (35) feet.
4. Signs located within malls, courts, arcades, or other enclosed areas, where such signs are not visible from any point on the boundary of the premises, are permitted without limitation to size and number.
5. **Community facility identification signs:** In addition to the requirements of Section IX, applications for such signs shall be accompanied by drawings drawn to scale, indicating the type, size, sign copy, colors, method and intensity of illumination (if appropriate), height, sign area, and location.
6. **Community identification signs:** In addition to the requirements of Section IX, applications for such signs shall be accompanied by drawings drawn to scale indicating the type, size, sign copy, colors, method and intensity of illumination (if appropriate), height, sign area, and location.

NOTE: Adequate assurance that a method or procedure shall be provided which guarantees the continued maintenance of the sign or signs and the removal of such sign or signs upon expiration or revocation of the sign permit shall be required as a condition of approval of a Site Plan in connection with community identification signs.

7. Sign programs: Sign Programs for urban activity uses required to comply with the Site Plan review procedures of Section IX shall comply with Section VII.B Subsections 1-6 above except as otherwise specified by the approved Sign Programs.
 - a. A Sign Program is intended to encourage incentive and latitude in order to achieve variety and appealing design.
 - b. In addition to the requirements of Section IX, the application for a Sign Program shall be accompanied by the following documents:
 1. Coverage area: A map, drawn to scale, delineating the site proposed to be included within the Sign Program.
 2. Building elevations: Drawings and/or sketches indicating the exterior surface details of all structures on the site.
 3. Signing: Drawings drawn to scale, indicating the sign copy size, method and intensity of illumination, height, sign area, and general location of all signs.

C. USES PROHIBITED

1. Outdoor advertising signs and structures.
2. Roof and projecting signs.
3. Advertising devices and advertising displays.
4. Rotating, revolving, flashing, or moving signs.
5. Vehicles or other signs or devices in the public right-of-way and not permitted by this section when used as advertising devices or displays.

D. GENERAL REQUIREMENTS

1. No freestanding sign or structure shall be permitted closer than five (5) feet to the ultimate street or highway right-of-way line.

2. Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving lighting or lights. In no event shall an illuminated sign or light device be so placed or so directed as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

SECTION VIII

AREA PLAN REGULATIONS AND PROCEDURES

A. PURPOSE AND OBJECTIVE

Prior to or concurrent with the approval of the first tentative tract map, Site Plan, or application for the first grading or building permit (whichever occurs first within a Planning Area) for any project site 35 acres or larger, containing multiple non-contiguous parcels, or proposing more than one tentative tract map, the landowners shall obtain approval of an Area Plan as required in this Section.

An Area Plan shall be submitted for all Planning Areas meeting the abovementioned criteria. Each Area Plan will cover at least one entire Planning Area as indicated on the Baker Ranch Planned Community Development Plan. The purpose of requiring an Area Plan is to provide opportunity for public review of the project proposals and the relationship of project land uses. The Area Plan provides a method for review and input from the community and governmental agencies on the relationships of uses and design within Planning Areas.

B. CONTENT AND PROCEDURES

1. When required by these regulations, an Area Plan shall be approved prior to approval of a tentative subdivision map, Site Plan, or issuance of a building permit for that portion of the Planning Area(s) affected. The Area Plan shall cover at least one entire Planning Area as indicated on the Development Plan.
2. The following activities shall not require the approval of an Area Plan prior to issuance of building or grading permits.
 - a. Extension of an offsite road or utility through a Planning Area to serve adjacent areas being developed, when the extension is consistent with the Orange County General Plan.
 - b. Temporary uses such as, but not limited to, construction offices, relocatable buildings, etc.
 - c. Minor structural additions to existing uses.
 - d. Directional signs.
 - e. Recreation uses and trail systems, in open space areas, which are consistent with the General Plan and Planned Community Development Plan.
 - f. Large-lot subdivision for the purpose of sale or financing when such map includes a declaration that the lots created are not building sites.

- Circulation Plan
- Public and Private Recreational Facilities Plan
- Recreation Phasing Plan
- Affordable Housing Implementation Plan
- Open Space Plan
- Drainage Master Plan
- Sewer Master Plan
- Water Distribution Master Plan
- Dry Utilities Plan
- Fuel Modification Plan
- Wall Plan, concept level
- Maintenance Responsibilities Plan
- Preliminary Geotechnical Study
- Phase I Environmental Assessment
- Traffic Study
- Hydrology Study
- Soils Report
- Water Quality Management Plan (WQMP)
- Noise Analysis
- Cultural Resource Study
- Biological Resource Survey
- Title Report
- Tentative A Map (Master Tentative Tract Map)
- Environmental Checklist form and consultant deposit for project-level CEQA analysis”

If possible, two or more Area Plan components may be combined onto one plan if it improves the ability to review each aspect in conjunction with one another.

6. The above listed material shall be submitted in the form and number prescribed by the Director, EMA. The Area Plan shall be accepted for filing when all the materials listed above have been submitted in the prescribed form and number. Public notice shall be placed in a newspaper of circulation in the area of the proposal at least ten (10) days prior to any public meeting where the Area Plan is to be discussed. The Director, EMA, or the Planning Commission, as required, shall review and act upon the plans in a timely manner after their acceptance for filing.
7. The Director, EMA, or the Planning Commission, as required by these regulations, shall approve, conditionally approve, or deny the Area Plan. Before any Area Plan may be approved, the approving authority shall make the following findings:
 - a. General Plan. The use or project proposed is compatible with the General Plan.

- b. Zoning Regulations. The use, activity or improvement(s) proposed by the application is consistent with the provisions of the zoning code.
 - c. CEQA. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act.
 - d. Compatibility. The location, size, design, and operating characteristics of the proposed use will not create significant noise, traffic, or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.
 - e. General Welfare. The application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
 - f. Development Fees for Provisions of Public Facilities (one of the following findings shall be made):
 - 1. The property to which the permit applies is not located in a fee area as that term is defined in Section 7-9-702; or
 - 2. The requirements of Section 7-9-711 have been met; or
 - 3. The permit would not allow development of a project which would contribute to the need for the facility for which a fee is required.
8. The appropriate County agencies will enforce any conditions of approval and ensure that development is substantially in accordance with the approved Area Plan. Any substantial deviation from an approved Area Plan, as determined by the Director, EMA, shall require approval of an amendment to the Area Plan.
 9. Action on an Area Plan may be appealed by any interested person within fifteen (15) days following the date of final determination. Appeals of a decision of the Director, EMA, shall be to the Planning Commission and appeals of the decision of the Planning Commission shall be to the Board of Supervisors. An appeal must be in writing and must set forth the reason(s) for the appeal and evidence why the Planning Commission or the Board of Supervisors should hear the appeal. Appeals without merit will not be accepted. The Planning Commission or the Board of Supervisors shall determine the merit of an appeal. An appropriate fee may be charged for the reasonable cost of processing appeals.
 10. When the Director, EMA, or Planning Commission, by majority vote, or any member of the Board of Supervisors, determines that a proposed Area Plan or Amendment may have a substantial impact on any property within 300 feet that is not owned by the applicant, the proposed Area Plan shall be referred to the Planning Commission for a public hearing in accordance with the procedures contained in the Orange County Zoning Code for Use Permit public hearings.
 11. An Area Plan may be amended by the same procedure in which it was originally established.

12. It is the Intent of these procedures that any subsequent development proposal or addition to existing development, if it is in substantial compliance with the approved Area Plan, shall not require an amendment to the Area Plan.
13. No precise roadway geometric plans shall be established through approval of an Area Plan without a Site Plan or precise plan of development. A precise plan may be established through the subdivision process or through a separate plan approved by the Manager, Transportation Programs prior to issuance of a grading permit.
14. Maximum allowable building square footage or maximum number of dwelling units shown for a Planning Area on the Planned Community Development Plan Statistical Summary may be adjusted through the approval of an Area Plan or an amendment thereto without processing a zone change when the maximum allowable building square footage or maximum number of dwelling units for the Planned Community is not exceeded. When such building square footage or number of dwelling units adjustment represents not more than 10 percent of the existing Planning Area maximum, such Area Plan or amendment may be approved administratively by the Director, EMA. Adjustments in excess of 10 percent shall require approval by the Planning Commission. Any such Area Plan or amendment shall be accompanied by a revised Planned Community Development Plan Map and Statistical Summary reflecting the adjustment.

SECTION IX
SITE PLAN REGULATIONS AND PROCEDURES

A. PURPOSE AND INTENT

The purpose of a required Site Plan is to provide community and governmental representatives with an opportunity to review detailed plans of all projects within the Baker Ranch Planned Community and to ensure that precise development proposals are consistent with existing regulatory documents, as well as any approved Area Plans. Site Plans also are intended to provide an optional method for establishing alternative site development standards when it is demonstrated that the objectives of the Development Plan and Supplemental Text would be better served by such alternative standards. Site plans proposing alternative site development standards shall be approved by the Planning Commission in a public meeting.

When a Site Plan proposes to establish alternative development standards, the project proponent shall submit an analysis evaluating the consistency of the proposed alternative development standards with the general intent of these regulations and other relevant County policies. This analysis shall be based upon the criteria listed in Subsection B.7, below. Failure by the project proponent to demonstrate that granting of the establishment of alternative development standards will result in an equal or greater benefit than would result from building the project in accordance with the baseline development standards contained in the appropriate land use designation shall result in denial of the Site Plan.

B. CONTENT AND PROCEDURES

1. The Director of Development Services, or upon referral, the Planning Commission, may approve, conditionally approve, or deny a Site Plan.
2. When required or when used to establish alternative standards in accordance with these regulations, a Site Plan shall be submitted to and approved by the Planning Commission, prior to clearance for issuance of any building permit or grading permit.

3. A Site Plan may be combined and processed concurrently with an Area Plan or tentative map(s).
4. Unless the information is found to be unnecessary and the requirement is waived by the Director, EMA, Site Plans shall contain all the following data:
 - a. Plot Plans--drawn to scale, fully dimensioned and easily readable, containing the following:
 1. Title block (applicants' name and date drawn).
 2. Scale and north arrow.
 3. Property lines or building sites, dimensioned.
 4. Existing and proposed categories of uses (e.g., industrial, commercial, open space).
 5. Buildings: existing and proposed, location and size.
 6. Streets: location and width.
 7. Easements: location, purpose and width.
 8. Access (driveways, etc.): existing and proposed.
 9. Parking areas.
 10. Signs: location, height, dimensions, and copy if available.
 11. Fencing (walls): type, location and height.
 12. Landscape and screening areas.
 13. Topography: existing and proposed.
 14. Lighting: proposed location and type.
 15. Existing structures on abutting properties, location, height, uses.
 16. Precise location, acreage, and ownership of landscape, natural open space, and recreation areas.
 17. Existing structures on abutting properties, location, height, uses.
 18. Location, width, and treatment of bicycle, pedestrian, and equestrian trails, if applicable.
 19. Location and acreage of transit facilities, if applicable.
 20. Location and treatment of scenic highways, if applicable.

21. A description of the way in which the Site Plan implements the General Plan and approved Area Plan(s).
 22. Gross square footage of each building and total square footage of all buildings within the area covered by the Site Plan.
 23. Any additional background and supporting information as the Director, EMA, deems necessary.
- b. Elevations of all structures including walls and signs, including, but not limited to, the following:
 1. All exterior materials.
 2. All exterior colors.
 3. Building heights.
 - c. Preliminary Landscape Plans - including the following information:
 1. General location of all plant materials, by common and botanical names.
 2. Size of plant materials, where applicable.
 - d. When a Site Plan is submitted in lieu of an Area Plan, in accordance with Section I.A, the Site Plan shall be reviewed by the Planning Commission and contain all applicable submittal materials from Section IX as well as items 5a through 5m from Section VIII.
5. The above-listed materials shall be submitted in the form and number required by the Director, EMA. The Site Plan shall be accepted for filing when the above-described materials have been submitted in the required form and number. The Director, EMA, or, upon referral, the Planning Commission, shall review and take formal action on the proposal in a timely manner after acceptance for filing.
 6. When a Site Plan proposes to establish alternative development standards, the Planning Commission shall consider the following criteria prior to making the findings described in Subsection B.7 below:
 - a. General Character. Harmony in scale, bulk, coverage, and density with surrounding land uses.
 - b. Facilities. The availability of infrastructure facilities to serve the project.

- c. Harmful Effects. The harmful effects, if any, upon desirable neighborhood environments.
 - d. Traffic. The generation of traffic and its effect on the capacity and character of surrounding streets.
 - e. Noise. The existing and predictable future level and quality of noise the property is subject to and the noise which will be generated by the proposed use.
 - f. Design. The design and improvement of the proposed use measured for consistency with the General Plan.
 - g. Suitability. The physical suitability of the site for the proposed project.
 - h. Public Benefit. The establishment of the proposed alternative development standards will result in a project of improved design which will result in an equal or greater public benefit (e.g., aesthetics, cost and price reduction, better utilization of the land) than would otherwise be possible without the alternative development standards as proposed.
7. The Director, EMA, or upon referral, the Planning Commission may approve, conditionally approve, or deny a Site Plan. However, when a Site Plan proposes the establishment of alternative development standards, the Planning Commission shall approve, conditionally approve, or deny the Site Plan.

All Site Plans reviewed by the Planning Commission shall be advertised by a public notice in a newspaper of general circulation in the area of the project at least ten (10) days prior to the public meeting. Before any Site Plan may be approved, the approving authority shall make the following findings:

- a. General Plan. The use or project proposed is consistent with the General Plan.
- b. Zoning Regulations. The use, activity or improvement(s) proposed by the application is consistent with the provisions of the Zoning Code.
- c. CEQA. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act.
- d. Compatibility. The location, size, design, and operating characteristics of the proposed use will not create significant noise, traffic or other conditions or situations that may be objectionable, detrimental, or incompatible with other permitted uses in the vicinity.

- e. General Welfare. That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
- f. Development Fees for Provision of Public Facilities (one of the following findings shall be made):
 - 1. The property to which the permit applies is not located in a fee area as that term is defined in section 7-9-702; or
 - 2. The requirements of section 7-9-711 have been met; or
 - 3. The permit would not allow development of a project which would contribute to the need for the facility for which a fee is required.
- 8. The appropriate County agencies shall ensure that the actual development is in substantial compliance with the approved Site Plan. Minor deviation from the approved Site Plan, as determined by the Director, EMA, may be permitted without an amendment to the Site Plan.
- 9. Action on a Site Plan may be appealed by any interested party within fifteen (15) days following the date of final determination. Appeals of a decision of the Director, EMA, shall be to the Planning Commission, and appeals of a decision of the Planning Commission shall be to the Board of Supervisors. An appeal must be in writing and must set forth the reason(s) for the appeal and evidence why the Planning Commission or Board of Supervisors should hear the appeal. The Planning Commission or the Board shall determine the merit of an appeal. An appropriate fee may be charged for the reasonable costs of processing appeals, as determined by the County of Orange.
- 10. When the Director, EMA, or Planning Commission, by majority vote, or any member of the Board of Supervisors, determines that a proposed Site Plan or amendment may have a substantial impact on any property within 300 feet that is not owned by the applicant, the proposed Site Plan shall be referred to the Planning Commission for a public hearing in accordance with the procedures contained in the Orange County Zoning Code for Use Permit public hearings.
- 11. A Site Plan may be amended by the same procedures listed above.

SECTION X

DEFINITIONS

For the purpose of carrying out the intent of the Planned Community, words, phrases, and terms shall be deemed to have the meaning ascribed to them in the following sections covering definition.

The purpose of these provisions is to promote consistency and precision in the interpretation of this Planned Community. The meaning and construction of words and phrases as set forth shall apply throughout this text, except where the context of such words or phrases clearly indicates a different meaning or construction.

A. GENERAL RULES FOR CONSTRUCTION OF LANGUAGE

The following general rules of construction shall apply:

1. The specific shall supersede the general
2. In the case of any difference of meaning or implication between the text of the provision and any caption or illustration, the text shall control.
3. "Shall" is mandatory. "May" is discretionary.
4. Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - a. "And" indicates that all connected items or provisions shall apply
 - b. "Or" indicates that the connected items or provisions may apply singly or in any combination.
 - c. "Either...or" indicated that the connected items or provisions shall apply but not in combination.
6. All public officials, bodies, and agencies to which reference is made are those of the County of Orange unless otherwise indicated.

B. GENERAL TERMS¹

1. The words "approved by the Director" refer to the Director of the Environmental Management Agency, County of Orange, or to his authorized agent or representative.

¹ NOTE: Definitions preceded by an asterisk (*) are either different than, or in addition to, the definitions contained in the Orange County Zoning Code.

2. "Board" or "Board of Supervisors" have the same meaning.
3. "City" means any City in the County or Orange.
4. "Code" means the Comprehensive Zoning Code of the County of Orange, unless otherwise indicated.
5. "Commission" or "Planning Commission" have the same meaning.
6. "County" means the County of Orange.
7. "Days" included within a specific time period do not include the day action was taken but include all subsequent days unless the last day falls upon a Saturday, Sunday, or upon a legal County holiday, in which case the next business day shall be the last day of the time period.
8. The word "Director" or "Director, EMA" means the Director of the Environmental Management Agency, County of Orange, or his authorized agent or representative.
9. "Federal" means the Government of the United States of America.
10. "General Plan" means the Orange County General Plan.
11. "Government Code" means the California Government Code.
12. "Land Use Element" means the Land Use Element of the Orange County General Plan.
13. "Permitted" means permitted without the requirement for a discretionary permit but subject to all other applicable regulations.
14. "State" means the State of California.
15. "Used" includes "arranged for," "designed for," "occupied," or "intended to be occupied for."
16. "Zoning Code" means the Comprehensive Zoning Code of the County of Orange, including zoning district maps and planned community development plan maps and texts adopted pursuant to or as an amendment to section 7-9-48, and of which this Planning Community is a part.

C. DEFINITIONS (A)¹

Abutting land: Having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

Accessory building: A subordinate building located on a building site, the use of which is customarily ancillary to that of a main building or to the use of the land.

Accessory use: A use ancillary and accessory to the principal use of the land or building site, or to a building or other structure located on the same building site as the principal use.

¹ NOTE: Definitions preceded by an asterisk (*) are either different than, or in addition to, the definitions contained in the Orange County Zoning Code.

Actual construction: The actual placing of construction materials in their permanent position fastened in a permanent manner, except that where a basement is being excavated, such excavation shall be deemed to be actual construction, or where demolition or removal of existing building or structure has been started preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing, in all cases, that actual construction work be diligently carried on until the completion of the building or structure involved.

Administrative office: A place of business for the rendering of service or general administration, but excluding retail sales.

Adult entertainment business: See section 7-9-146 of the Zoning Code.

Agricultural mineral: Any mineral substance, mixture of mineral substances or mixtures of mineral and organic substances produced, labeled and sold as a soil additive, which does not require licensing by the State of California as a fertilizer pursuant to the California Agricultural Code, Title 3, Agriculture.

***Alley:** A vehicle access way with a twenty-four-foot (24') wide travel surface providing reserved access to garage entries for abutting property. Alleys may be through-travel ways.

Animal clinic: A place where animals no larger than the largest breed of dogs are given medical and surgical treatment. A facility primarily for treatment of outpatients where only short-time critical patients are kept longer than twenty-four (24) hours. No boarding of animals shall be permitted.

Animal hospital, livestock: A place where livestock (horse, cows, etc.) and small animals are given medical or surgical treatment. Boarding of animals shall be incidental to such hospital use.

***Apartment complex:** Two (2) or more apartment houses constructed and operated as one multi-family residential entity.

***Apartment hotel:** An apartment house or apartment complex which provides centralized or common kitchen and dining facilities and domestic services.

***Apartment/apartment house:** Any building or portion thereof which is designed, built, rented, let or hired out to be occupied, or which is occupied as the home of residence of three (3) or more families living independently of each other and doing their cooking in said building.

***Area per unit:**

- a. Actual: The area of a building site, in square feet, divided by the number of dwelling units on the building site.

- b. Community Profile/Area Plan: Gross area of the project site divided by the number of units in the project site.
- c. Required: The minimum square feet of land area required by a residential district for each dwelling unit within the building site.

***Area Plan:** A plan, consisting of maps and text, identifying development concepts for a planning area or planning unit.

Attached buildings and structures: Two (2) or more buildings or structures which are physically connected with a wall, roof, deck, floor, bearing or support structures, trellises, architectural features, or any other structure, fixture or device that exceeds thirty (30) inches in height above the finished grade.

Automobile repair specialty shop: A retail and service place of business engaged primarily in light repair and sale of goods and services for automotive vehicles including brake, muffler and tire shops and their accessory uses. Heavier automobile repair such as transmission and engine repair are not included herein.

***Automobile, trailer and mobile home sales lots:** An open area used for the display, sales or rental of new or used automobiles or trailer coaches; but where no repair, repainting or remodeling is done.

***Automobile service station:** A retail place of business engaged primarily in the sale of motor fuels and supplying only those incidental goods and services which are required in the day-to-day operation of automotive vehicles and the fulfilling of motorists' needs. Major repairs are not allowed in an automobile service station.

***Automobile wrecking business:** The dismantling or wrecking of used motor vehicles or trailers, or the storage or sale of dismantled or damaged vehicles or their parts.

DEFINITIONS (B)

Basement: A story partly underground and having more than one-half of its height above the ground-level grade.

***Bedroom:** Any habitable room other than the bathroom, kitchen, dining room, den, playroom, or living room.

***Bed and breakfast (B and B):** Any building or portion thereof with access provided through a common entrance to guest rooms having no cooking facilities and which are rented on a weekly basis or less. Meals may or may not be provided.

Boarding house: Any building or portion thereof with access provided through a common entrance to guest rooms having no cooking facilities and which are rented on a monthly basis or longer. Meals may or may not be provided.

Borrow site: An area used for the extraction of material in an amount in excess of five thousand (5,000) cubic yards.

* **Building Height** – The vertical distance measured from the ground-level grade to the top of the building parapet or ridgeline. On a sloping site, height shall be measured from the highest point of the finished ground level grade to the top of the roof directly above that point. Flagpoles, fireplace chimneys, elevator sheds, mechanical equipment enclosures and other similar architectural and mechanical features and do not exceed the district height limitation by more than eight (8) feet will be permitted.

Building line: An imaginary line on a building site specifying the closest point from the ultimate right-of-way line or a property line where a main building may be located.

It may be a line shown as such on a map entitled "Precise Plan of Highway Alignment" or any other officially adopted precise plan, and any amendments thereto. If no such precise plan has been adopted, the building line shall be a line as specified on the chart entitled "Building Lines" in Section 7-9-127.1 of the County of Orange Zoning Code.

When computed from the Building Lines Chart, the building line shall be at the required distance from, and measured at right angles to, the ultimate right-of-way line or property line.

Building site: A parcel or contiguous parcels of land which was established in compliance with the building site requirements of this code.

Building site area:

- (1) The total area of the land within the boundaries of a building site not including any street right-of-ways, pedestrian or vehicular easements or other easements that prohibit the surface use of the property; and not including any portion which does not meet applicable district regulations when a building site is divided by such a right-of-way or easement.
- (2) That portion of a panhandle or flag lot building site that is used for access purposes and which is over twenty (20) feet in width may be used in calculating the area of a building site.
- (3) A building site of less than required area when calculated per (1) or (2) above, may be established if it is a part of a subdivision map and the Subdivision Committee had determined that the proposed building site will

be able to provide a building pad or envelope comparable to similar building sites in the area.

***Building site coverage:** The area of the land within the perimeter of all structures located on the building site (not including the area under unenclosed eaves and unenclosed post-supported overhangs, patios, courts, malls, swimming pools and off-street parking facilities) divided by the building site area.

Building site, panhandle or flag: A building site wherein the only vehicular access to the site is by way of a corridor or vehicular access way which serves no other property, is less than forty (40) feet wide and is more than forty (40) feet long.

Building site through: A building having frontage on two (2) parallel or approximately parallel streets.

Building square footage (non-residential): Gross floor area.

***Business or commerce:** The purchase, sale or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood; the ownership or management of office buildings; recreational or amusement enterprises; maintenance and use of offices by professions and trades-rendering services.

***Business park:** An area zones for mixed industrial and related uses which is planned and maintained as a unit, wherein the development of any property and the conducting of any permitted use is subject to stringent performance and site development standards which include setback regulations and the installation and maintenance of common areas, parking, lighting, landscaping and screening, and where on-street parking is prohibited.

DEFINITIONS (C)

***Caretaker:** A person who lives on the premises for the necessary purposes of managing, operating, maintaining, or guarding the primary use or uses permitted on the premises. The term includes but is not limited to a gardener, maid, butler, guard or other domestic or industrial/commercial custodian of the premises. The term includes the family of the caretaker who live in the same dwelling unit.

***Caretaker quarters:** Living quarters for the housing of a caretaker(s) and the family of the caretaker who live in the same premises.

***Carport:** A roofed structure, or a portion of a building, open on two (2) or more sides used for the parking of automobiles.

Cellar: A portion of a building partly or wholly underground and having more than one-half of its height below the ground-level grade. A cellar shall not be considered a story.

***Cemetery:** A place of interment permitting related additional uses such as but not limited to churches and mausoleums, subject to the Community Facility Site Development Standards.

Centerline: A line described in the first situation that applies in the following instances:

- a. A section line, half-section line or quarter-section line whenever a mapped highway is plotted on the "Master Plan of Arterial Highways" along a section, half-section or quarter-section line.
- b. A line shown as a centerline on a map entitled "precise Plan of Highway Alignment," and any amendment thereto.
- c. A line shown as a centerline on recorded tract map, an approved record of survey map or a parcel map.
- d. A line in the center of the ultimate street right-of-way.

Clinic, medical: An organization of doctors providing physical or mental health service and medical or surgical care of the sick or injured but not including inpatient or overnight accommodations.

Club: An association of persons for some common purpose but not including groups organized primarily to render services which are customarily carried on as businesses.

***Cluster development:** Refers to a residential subdivision consisting of a combination of residential lots and privately owned common recreation and open space areas arranged in accordance with a unified comprehensive site plan with adequate provisions for permanent maintenance of the common ownership facilities.

The entire development or specified portions of the development may be designated as a development unit. Each development unit may be considered a building site so that each residential lot does not have to comply with the requirements for a building site, and accessory structures including garages may be separated from the living unit. Each residential lot that does not comply with the building site requirements must abut the common area and have a guaranteed right of vehicular and pedestrian access to a public street for a minimum continuous width of twenty (20) feet.

***Commercial:** A business operated or carried on primarily for financial gain.

***Commercial coach:** A vehicle, with or without motive power, designed and equipped for occupancy for industrial, professional or commercial purposes, including temporary offices for the first sale of homes.

Commercial extraction: The removal or displacement of sand, gravel, rock, aggregate, earth, clay or similar materials conducted for financial gain. The exporting of more than five thousand (5,000) cubic yards of these materials from any property during each of two (2) consecutive years shall be prima facie evidence of a commercial extraction operation.

An extraction carried out as a necessary but supplemental part of a project leading to the impending development of the site is not a commercial extraction.

***Commercial recreation:** Any use or development, either public or private, providing amusement, pleasure or sport, which is operated or carried on primarily for financial gain including establishments where food and beverages are sold as a secondary or ancillary use.

***Common area – commercial (areas used in common):** The total area within a unified shopping center, Urban Activity Center, or business park that is not designed for rental to tenants and which is available for common use by all tenants or groups of tenants and their invitees; examples: parking and its appurtenances, malls, sidewalks, landscaped areas, public toilets, and service facilities. Common areas are not counted when calculating off-street parking requirements.

***Common area – parking:** A parking plan whereby tenants of a commercial or industrial site, or a shopping center or business center, share use of a parking area even though lot lines may bisect the parking area. Some or all of the required parking for a given use may be located on a separate and non-abutting lot or building site.

***Common area – residential:** The area within a residential building site which is owned in common by homeowners in the development and which is available for common use or enjoyment by all property owners in the development and their invitees; example: common parking facilities, recreation areas, landscaped areas, open space areas, and natural areas.

***Communication equipment building:** A building housing operating mechanical or electronic switching and microwave equipment of a telephone or similar communication system and personnel necessary for operation of such equipment.

Community apartment project: A project in which an undivided interest in the land is coupled with right of exclusive occupancy of an apartment located thereon.

Community Facility – A noncommercial use established primarily for the benefit or enjoyment of the population of the community in which it is located.

***Community information center:** A temporary or permanent structure principally used as an information pavilion and/or temporary real estate sales office for the first sale of homes in a Planned Community, including parking and related facilities.

***Condominium:** An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential, industrial or commercial building on such real property. A condominium may include, in addition, a separate interest in other portions of such real property.

***Condominium project:** An entire parcel of real property divided into condominiums, including all structures thereon.

Congregate Care Facility/Senior Living Facility – A facility for the care and housing of persons over age 65, providing independent living and/or the care of persons who are unable to care for themselves. Facilities can include communal eating areas, medical services on-site or twenty-four hour on-call services, and other relevant resident services. Congregate Care and Senior Living facilities are considered commercial uses and not considered residential uses for purpose of allocating dwelling units within this Planned Community.

***Conservation areas:** Lands which require preservation in a natural state, together with those other compatible uses such as passive recreation (such as viewpoints); limited active recreation (such as hiking and equestrian trails); area required for scientific study and interpretation; and those public service facilities and utilities required for public safety, health and welfare.

Convalescent home: A facility licensed by the State Department of Public Health or the County of Orange, which provides bed and ambulatory care for more than six (6) patients with postoperative convalescent, chronically ill or dietary problems and persons unable to care for themselves; including persons undergoing psychiatric care and treatment both as inpatients and outpatients but not including persons with contagious diseases or afflictions. Aka nursing home, rest home, and home for the aged.

Conversion project: An apartment house, multiple or group dwelling existing, under construction or for which building permits have been issued, which is proposed for conversion to a residential condominium, community apartment, residential stock cooperative or planned development; or an existing mobile home park which is proposed to be converted to a mobile home condominium

project, a mobile home stock cooperative project, a mobile home planned development or a conventional mobile home subdivision.

Conventional subdivision: Refers to a subdivision consisting primarily of streets and lots. Commonly owned or special use areas may be included but are secondary and supplementary to the subdivisions design.

***Country club:** A club organized and operated primarily for social and outdoor recreation purposes, including incidental accessory uses and structures.

DEFINITIONS (D)

***Day nursery (including preschool, day care centers and nursery schools):** Any group of buildings, building or portion thereof used primarily for the daytime care of six (6) or more children at any location other than their normal places of residence, excluding any children who normally reside on the premises.

***Density:** The number of dwelling units per gross acre.

Detached buildings and structures: Two (2) or more buildings or structures that are each structurally independent and freestanding and not connected by walls, roofs, floors, deck, supports, trellises, architectural features or any other structure, fixture or device that exceeds thirty (30) inches in height above the finished grade.

Detached Condominium – A development consisting of detached dwellings located within a condominium development. The form of detached condominium developments may vary, but includes cluster developments, motor courts, green courts, and other types of detached housing products.

Drive-in: Designed and operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.

Development: Residential, commercial, industrial, community facility or other construction, including necessary grading, together with the land upon which the buildings or structures are constructed.

Development unit: A portion of a development plan or tentative tract map within which all lots and amenities are constructed or developed at one time as a unit of the overall proposed development and which complies with the requirements for a building site.

***Driveway:** A vehicular passageway for the exclusive use of the occupants of a project or property and their guests. A driveway shall not be considered a street.

Driveway approach: A designated area between the curb or travelled way of a street and the street right-of-way that provides vehicular access to abutting properties. When vehicular access to a building site is provided by way of a common driveway, the driveway approach is the line of intersection where the individual driveway abuts the common driveway.

***Dry cleaning and laundry agency:** A service business which provides for the deposit of laundry and dry cleaning on a walk-in or drive-in basis only, for processing either on premises or at a dry cleaning or laundry plant.

Dry cleaning plant: A central processing facility for cleaning of clothing and fabrics collected from and returned to patrons and to dry cleaning and laundry facilities.

Duplex dwelling: A permanent building containing two (2) dwelling units per building site.

***Dwelling, multiple-family:** A permanent building containing three (3) or more dwelling units per building site.

***Dwelling single-family:** A building containing one (1) dwelling unit per building site.

Dwelling unit: One or more rooms in a structure, including a kitchen, designed for occupancy by one family for living and sleeping purposes, and including a mobile home when such mobile home bears an insignia of approval issued by the California Department of Housing and Community Development or a housing seal number from the Federal Department of Housing and Urban Development (HUD).

DEFINITIONS (E)

Easement: A recorded right or interest in the land of another which entitles the holder thereof to some use, privilege or benefit in, on, over or under said land.

***Educational institution:** Private or public schools, colleges or universities qualified to give general academic instruction.

Employee's quarters: Quarters for the housing of agricultural and domestic employees when such quarters are located upon the same land occupied by their employer.

Enclosed: Roofed and contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.

***Exterior property line:** A property line abutting a public or private street right-of-way.

DEFINITIONS (F)

***Factory-built housing:** A single or multi-sectional dwelling unit whose modules are manufactured in a factory, transported to the building site, and affixed to a permanent foundation. Factory built housing does not include mobile homes.

Family: One or more persons occupying one dwelling unit. Family includes the occupants of community care facilities serving six (6) or fewer persons which are permitted or licensed by the State. Family does not include occupants of a fraternity, sorority, boarding house, lodging house, club, or hotel.

Family day care home: A home at which the resident of the home provides regular care, protection, and supervision of one to twelve children for periods of less than 24 hours per day. The provider shall be licensed per the State Health and Safety Code.

Family day care home, large: A family day care home which provides family day care for 7 to 12 children, including children who reside at the home.

Feature Plan: A plan including the significant natural and man-made features of the Community, with guidelines for their preservation, enhancement, development or removal.

Fertilizer: Chemical or organic products, produced, labeled and sold as fertilizer under licensing procedures of the State of California pursuant to the California Agricultural Code, Title 3, Agriculture.

Flood: Any temporary rise in stream flow or water surface level that results in adverse effects within the floodplain, including, but not limited to, damages from overflow of land, temporary backwater in local drainage channels, storm drains or sewers, bank erosion or channel diversions, unsanitary conditions or other conditions of nuisance resulting from deposition of materials within or adjacent to watercourses, rise of groundwater coincident with the rise in stream flow and the disruption of traffic circulation resulting from stream or watercourse overflow.

***Design flood:** The size of the flood for which natural waterways are to be left or modified or for which channelization is to be provided or for which flood proofing is required all to achieve specified flood protection levels.

***Flood plain:** The land area adjacent to a watercourse which is subject to overflow of floodwaters.

***Flood protection levels:** Flood protection levels are to be those specified in the Orange County Flood Control District's Hydrology Manual or those required to achieve the goals of the Federal Flood Insurance Administration.

***Floodway:** The channel of a stream or other watercourse and that part of the flood plain reasonably required for passage of a flood of given magnitude.

***Standard project flood:** The largest flood that can be expected from the most severe combination of meteorological and hydrological conditions considered reasonably characteristic of the geographical region involved. Such a flood provides a reasonable upper limit to be considered in designing flood control works and in delineating flood plain limits.

***One-hundred-year flood:** The highest level of flooding that has an average frequency occurrence in the order of once in one hundred (100) years at a designated location, considering regional meteorological and hydrological conditions characteristic of the geographical region involved. This also means the level of flooding having a one percent probability of occurrence in any year. The one-hundred-year flood represents a major flood, although it is less severe than is the standard project flood.

***Floodproofing:** Any combination of structural and nonstructural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures and contents of buildings.

***Floor area, gross:** The total horizontal floor area of all floors of a building, including the exterior walls thereof, measured in square feet; excepting that for commercial, professional and administrative office or industrial buildings or building complexes, areas used in common such as, but not limited to, covered malls, covered walkways, hallways, mechanical equipment areas, stairwells, elevators, lobbies, roofed patio areas, covered entries, covered parking, covered driveways, and covered loading areas shall not be included when calculating off-street parking requirements.

***Floor area ratio:** The numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or parcel of land by the total area of such lot or parcel of land.

Fraternity house or sorority house: A building, or portion of a building, occupied by a chapter of a regularly organized fraternity or sorority officially recognized by an educational institution.

DEFINITIONS (G)

***Garage:** A building, or a portion of a building, used primarily for the parking of wheeled motor vehicles.

***Garage, private:** A building, or portion of a building, used primarily for the parking of automobiles belonging to the occupants of the property.

***Garage, public:** A building other than a private garage used for the temporary storage of wheeled vehicles.

***General Plan:** Refers to the County of Orange General Plan and all elements thereof.

Grade, ground level: The average elevation, determined by averaging the elevations of four (4) or more points as necessary, at the building site boundary line where it is less than five (5) feet from the building or at five (5) feet outside the perimeter of the bearing or foundation line of building.

Grazing: The act of pasturing livestock on growing grass or other growing herbage, or on dead grass or other dead herbage existing in the place where grown, as the principal sustenance of the livestock so grazed.

***Gross area:** The entire land area within the boundary of a project, measured to the centerline of any abutting arterial highways.

***Gross residential density:** The density of a residential project computed by dividing the total number of dwelling units in the project by the gross area of the project. These calculations are used to measure compliance with the General Plan, Land Use Element and any Community Profile.

***Guest cottage (guest house):** A detached building which is used primarily for sleeping purposes for members of the family occupying the main dwelling or their nonpaying guests.

***Guest ranch:** Any property operated as a ranch which offers guest accommodations and shall include outdoor recreation facilities and accessory uses.

DEFINITIONS (H)

***Habitable room:** Any room meeting the requirements of the Uniform Building Code, as adopted by the County of Orange, for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars utility rooms and similar spaces.

***Highway commercial center:** A commercial area, planned as a unit, adjacent to or near an arterial highway or freeway, providing goods and services to the motoring public as well as sites for businesses which ordinarily generate their own clientele and thereby do not rely upon proximity to other nearby business establishments.

Home of the aged: See Convalescent home.

Home occupation: An occupation conducted as an accessory use within a dwelling unit. See Section 7-9-146.6 of the Zoning Code.

Hospital: A facility licensed by the State Department of Public Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to human patients.

Hotel: Any building or portion thereof with access provided through a common entrance, lobby or hallway to guest rooms, with or without cooking facilities or retail commercial and other ancillary facilities, and which rooms are designed, intended to be used or are used, rented or hired out as temporary or overnight accommodations for guests.

DEFINITIONS (I)

***Industrial:** An area zoned for mixed industrial and related uses which is planned and maintained as a unit, wherein the development of any property and the conducting of any permitted use is subject to stringent performance and site development standards which include setback regulations and the installation and maintenance of common areas, parking, lighting, landscaping and screening, and where on-street parking is prohibited.

***Institution:** A social, educational, governmental, health or religious organization.

***Interior property line:** A property line which does not abut a private or public street right-of-way.

DEFINITIONS (J)

***Joint use of parking:** The shared use of off-street parking facilities by more than one type of land use. The same parking spaces are counted to satisfy the off-street parking requirements of more than one land use, e.g., use of the same parking facility to satisfy the off-street parking requirements of a church and an office building.

DEFINITIONS (K)

***Kennel:** Any Property where four (4) or more dogs or cats, or any combination thereof, over the age of four (4) months, are kept or maintained for any purpose.

***Key lot:** Any parcel shown on a recorded tract map, record of survey recorded pursuant to an approved division of land, parcel map, lot line adjustment or recorded Certificate of Compliance, having side property line(s) abutting the rear property line(s) of adjacent parcels.

DEFINITIONS (L)

***Land Use Element (LUE):** Refers to the Land Use Element of the Orange County General Plan.

Laundry plant: A central processing facility for laundering of clothing and fabrics collected from and returned to patrons and dry cleaning agencies.

Live Work – A product type, wherein the ground floor is generally commercial or office space and the upper floor(s) are restricted to residential. Portion of the ground floor may be allocated to residential uses as long as the commercial or office space is locked out from the residential portion of the unit. The unit can be detached or attached, and mapped as air space or site condominiums. Commercial uses are permitted subject to Section IIIa.

***Local agency:** An agency for the local performance of governmental or proprietary function within limited boundaries. “Local Agency” does not include the state, a city, or a county. “Local Agency” does include but is not limited to school districts, sanitary and sanitation districts, and water districts.

Loggias – A covered open-sided walkway, often with arches, along one side of a building.

Lot: Any area identified as a lot or parcel on a recorded final map, parcel map, record of survey recorded pursuant to an approved division of land, certificate of compliance or lot line adjustment. A lot is not necessarily a building site.

DEFINITIONS (M)

Main building(s): The building(s) containing the main or principal use(s) of the premises, or occupied for the purpose of operating or administering the main or principal use(s).

***Manufactured housing:** A dwelling unit produced in a factory which is a factory-built/modular home built to meet the Uniform Building Code in accordance with applicable factory-built regulations.

Master Plan of Arterial Highways: A component of the Transportation Element of the Orange County General Plan designating adopted and proposed routes for all commuter, secondary, primary, and major highways and transportation corridors within the County of Orange.

Master Plan of Drainage: Refers to an engineering report outlining the drainage facilities needed for the proper development of a specific increment of the unincorporated area, and duly adopted by the Board of Supervisors.

***Microwave repeater stations:** A building housing equipment necessary for the receiving, amplifying or transmitting of microwave signals, including necessary antenna systems, along a communications route or system which employs microwave frequencies assigned by the Federal Communication Commission.

***Mining:** The process of obtaining sand, gravel, rock, aggregate, earth, clay or similar materials from an open excavation in the earth for financial gain, but not including removal of minerals extracted by underground methods. The exporting of more than five thousand (5,000) cubic yards of these materials from any property during each of two (2) consecutive years shall be prima facie evidence of mining. Grading for purposes of approved development shall not constitute mining.

Mini-storage facility: A building or buildings containing various size storage compartments and wherein each compartment is offered for rent or lease to the general public for the private storage of materials excluding materials sold at the facility or delivered directly to customers.

Mixed Use – A land use that includes a mixture of commercial, office, and residential use in the same building or multiple buildings on the same parcel of land, or within the same Planning Area.

Mobile Home:

- a. A structure transportable in one or more sections, designed and equipped to contain not more than two dwelling units to be used with or without a foundation system. Mobile home does not include recreational vehicle, commercial coach, non-commercial coach or factory-built housing.
- b. A trailer coach designed and equipped to contain one or more dwelling units to be used without a permanent foundation and which is in excess of eight (8) feet in width and in excess of forty (40) feet in length.

***Mobile Home Park:** Any area or tract of land where one or more mobile home lots are rented, leased or sold or held out for rent, lease or sale to accommodate

mobile homes used for human habitation, and includes mobile home accommodation structures.

Mobile Home Lot: Any space or tract of land or portion of a mobile home park designed or used for the occupancy of one mobile home. A mobile home lot is not a building site.

Mobile home subdivision: A conventional lot subdivision, a planned development, a condominium or stock cooperative project designed and used for mobile homes and support facilities. See Section 7-9-149.1 of the Zoning Code.

Motel: A building or group of buildings containing six or more guest rooms or dwelling units designed, intended to be used primarily for the accommodation of transient travelers, including but not limited to buildings or building groups designated as auto cabins, motor courts, motor inns or motor hotels.

Motor Court: A joint vehicle driveway for multiple dwellings providing reserved access to garages. Motor Courts are not travel ways.

DEFINITIONS (N)

***Net residential area:** The area of land remaining in a project, measured in acres or square feet, after deduction of the area contained in streets (both public and private), schools, parks, flood control works and any other use, easement or encumbrance which prevents the surface use of the property.

***Net usable area, nonresidential:** The area of land remaining in a project, measured in acres or square feet, after deduction of the area contained in slopes required to level the site, required screening and landscaping, public and private street and highway right-of-way, schools, parks, flood control works and any other use, easement or encumbrance which limits the surface use of the property. The area needed to satisfy the off-street parking requirements is included within the net usable acres.

Noncommercial coach: A vehicle, with or without motive power, designed and equipped for human occupancy for classrooms and other nonresidential and non-commercial uses.

Nonconforming use/structure/site: A use/structure/site that was lawfully established in compliance with the zoning regulations that were applicable to the property at the time the use/structure/site was established, but which does not presently comply with the existing regulations of the zoning district within which it is located. See Section 7-9-151 of the Zoning Code.

Nursing home: See Convalescent home.

DEFINITIONS (O)

Open Space – Any parcel or area of land or water, public or private, which is reserved for the purpose of (1) preserving natural resources, (2) protection of valuable environmental features, or (3) providing outdoor recreation or educational uses. Open space may include structures and impervious surfaces as identified in “Open Space, usable.”

***Open space, usable:** Open space without any slopes in excess of twenty (20) percent. Such open space may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, greenbelts with walkways or bicycle trails, gymnasiums, saunas, handball courts, meeting rooms, etc.

***Outdoor advertising structure and sign:** A sign placed for the purpose of advertising products or services that are not produced, stored or sold on the property upon which the sign is located.

DEFINITIONS (P)

Parking accessway: A vehicular passageway that provides access and circulation from a street access point into and through a parking lot to parking aisles and between parking areas.

***Parking area, private:** An area, other than a street, designed or used primarily for the parking of private vehicles and not open to general public use.

***Parking area, public:** An area, other than a private parking area or street, used for the parking of vehicles and available for general public use, either free or for remuneration.

***Parking area, restricted:** An area used for parking vehicles on a semi-permanent basis and not available to the general public for hourly or day-to-day parking.

Parking structure: An area or structure which is open or closed and is used for the hourly or day-to-day parking of motor vehicles.

***Planned concept subdivision:** A residential project consisting of a combination of residential lots and privately-owned common recreation and open space areas arranged in accordance with unified comprehensive site plan with an identifiable theme or concept and with adequate provisions for permanent maintenance of the common ownership facilities.

Planned unit development: A subdivision of separately owned lots, parcels or areas, other than a community apartment, a condominium, or a stock cooperative project, having either or both of the following features:

- (1) Lots, parcels, or areas owned in common by the owners of the separately owned lots, parcels or areas.
- (2) Power to enforce any obligation in connection with membership in the owners association or any obligation pertaining to the beneficial use and enjoyment of any portion of, or interest in, either the separately or commonly owned lots, parcels or areas.

Planning Area – An area of land that is depicted and numbered on the Planned Community Development Plan and defined in the Statistical Summary.

***Planning Unit:** A subdivision of a Planning Area which is depicted on the Area Plan or any amendment thereof.

***Precise plan of highway alignment:** A plan, supplementary to the Master Plan of Arterial Highways, which establishes the highway centerline and the ultimate right-of-way lines, and may establish building setback lines.

***Project:** A land development readily recognizable as a unit, e.g., a residential neighborhood, condominium, apartment, shopping center, office or business park development, recreation lake, golf course or similar land developments.

***Preliminary landscaping plan:** A plan indicating the general location, size, type of plant materials and ground cover to be located in the yards and other open areas of a development.

Premises: A lot or a building site, or a specified portion of a lot or building site, that contains the structures and the open spaces needed for the location, maintenance and operation of the use of the property.

***Private:** Belonging to, or restricted for the use or enjoyment of, particular persons rather than the general public.

***Professional office:** A place where facilities are maintained primarily for the purpose of consulting with and maintaining records for clients and visitors and where office and research services are performed for clients. Professional office includes banks and other financial institutions.

Project Net Area: All of the land area included within a plan for a development project excepting those areas designated for public and private streets right-of-way, schools, parks, and other uses or easements which would preclude the use of the land therein as part of the development project.

***Public:** Belonging and open to, and enjoyed, controlled, used and maintained by and for, the public generally.

***Public agency:** The United States, the State of California, the County of Orange, any city within said County, the special districts set forth below, and any other governmental entity authorized by law to perform functions for the public or segment thereof.

Districts Governed by the Board of Supervisors

- County Maintenance District
- Fire Protection District
- Flood Control District
- Harbors, Beaches and Parks District
- Lighting District
- Sanitary District
- Waterworks District

Districts Governed by Local Boards

- Cemetery District
- Community Services District
- Drainage District
- Library District
- Municipal Water District
- Orange County Transit District
- Recreation and Parks District
- Resource Conservation
- Sanitary District
- Sanitation District
- Storm Water Protection District
- Vector Control
- Vehicle Parking District
- Water Districts

Districts Governed by Boards of Trustees

- Elementary School District
- High School District
- Unified School District
- Community College District

Public facility: A noncommercial use established primarily for the benefit and enjoyment of the population of the community in which it is located.

***Public service facility:** A public service commercial, or nonprofit, noncommercial use established primarily to service the immediate population of the community in which it is located.

Public service public facility: A service commercial use established primarily to serve the needs of the immediate population of the community in which it is

located, including but no limited to daycare centers, nursery schools, commercial or community recreation centers and facilities.

Public safety area: A strip of land twenty (20) feet in width adjacent and parallel to a street right-of-way.

***Public utility:** A business organization, such as a public service corporation, performing some public service and subject to special governmental regulations – usually a protected monopoly.

***Public utility booster station:** A structure and the equipment needed for boosting current or pressure along public utility service or supply lines.

***Public utility service center:** Any buildings or premises used for the administration of public utility repair, maintenance and installation crews, including parking for vehicles, not to exceed one and one-half (1-1/2) tons (rated capacity), but not including warehouses or storage yards.

Public utility service yard: Any buildings or premises used for the office, warehouse, storage yard or maintenance of a public utility including microwave repeater or receiving stations when incorporated as part of the service yard use.

DEFINITIONS (Q)

***Quarrying:** The process of removing or extracting stone, rock, aggregate, sand, gravel, earth, clay or similar materials from an open excavation but not including extraction by underground methods (aka surface mining). Grading for purposes of an approved development, including off-site transportation and sale of excess materials, shall not constitute a quarry.

DEFINITIONS (R)

***Recreational vehicle:** A motor home, travel trailer, boat, truck or van camper, camper trailer, or similar vehicles with or without motive power, designed for temporary human habitation for recreational, travel or emergency purposes.

***Recreational vehicle storage area:** Any area or property where space for parking of two or more recreational vehicles when not in use is rented or held out for rent.

***Residential multiple-family:** Refers to any residential zoning district or residential development wherein the number of permitted dwelling units on one building site is three (3) or more. Multiple-family residential includes multiple-family dwellings, apartments, condominiums, and stock cooperative projects, and may include planned developments and conventional subdivisions.

***Residential single-family:** Refers to any residential zoning district or residential development wherein each dwelling unit is situated on a residential lot of record and no lot contains more than one dwelling unit. Single-family residential includes either attached or detached single-family dwellings, planned concept subdivisions, cluster developments, and may include conventional subdivisions and planned developments.

Rest homes: See Convalescent homes

Retail: The selling of goods, wares or merchandise directly to the ultimate consumer.

***Riding and hiking trails:** Any trail or way designed for and used by equestrians or pedestrians.

Right-of-way: An area or strip of land either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

DEFINITIONS (S)

***Salvage:** Any article or material which is to be intended to be reclaimed, reused, or saved from destruction.

Sanitarium, health: An institution where patients, other than mental or drug addict patients, are housed and where medical or post-surgical treatment is provided.

Sanitarium, mental: A health retreat, an institution for the recuperation and treatment of victims of mental disorders or drug addiction.

Scenic highway: Any highway designated a scenic highway by an agency of the county, state or federal government.

Senior Citizen Housing – A residential development consisting of any number of at least 35 dwelling units that is developed for, or substantially rehabilitated or renovated for, any person who is 55 years of age or older.

Service: An act, or any result of useful labor, which does not in itself produce a tangible commodity. Facility supplying services in response to public demand or one providing maintenance and repair.

***Service, commercial:** A commercial use which charges for a service, rather than a commodity, and which is carried on primarily for financial gain or profit.

Setback area/distance: The area/distance between the building line and the property line, or when abutting a street, the ultimate right-of-way line.

***Shopping/office center:** A commercial/office center, or a group of commercial establishments, planned and maintained as a unit, with common off-street parking provided to serve all uses on the property.

***Sign:** Any visual communication used to advertise, promote, command, or inform, including but not limited to words, symbols, and illustrations, together with all parts, materials, frame and background.

“Sign” and “advertising device” shall not include the following for purposes of this Planned Community:

- a. Official notices issued by any court or public body or officer.
- b. Notices posted by any public officer in performance of a public duty or by any person in giving any legal notice.
- c. Intra-community directional signs, warning or informational signs or structures required or authorized by Federal, State or County authority.
- d. The flag of the State of California or of the United States of America, or any official flag of any other state, country, county or community.

Sign area: The entire area within which a single continuous perimeter or not more than eight (8) straight lines encloses the extreme limits of writing, representation, emblem or any figure of similar character, together with any material or color forming any integral part of the display or used to differentiate such sign from the background against which it is placed, provided that in the case of a sign design with more than one (1) exterior surface, the area shall be computed as including only the maximum single display surface which is visible from any ground position at one (1) time. The supports, uprights or structures on which any such sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are or is designed in such a manner to form an integral background of the display.

***Sign class:** A classification of signs by their use and purpose. The following sign classes are used in this code:

- a. **Advertising device:** Any balloon, flag, pennant, propeller, oscillating, rotating, pulsating light or other contrivance used to attract attention for the purpose of promoting (either directly or indirectly) the use of products of any person.
- b. **Advertising display:** Any device, contrivance, statue or structure other than a sign used as a display, regardless of size and shape, for the purpose of attracting attention or making anything known, the origin or place of sale of which is on the property with such advertising display.
- c. **Agricultural products sign:** A sign advertising only the sale of agricultural or farming products grown or produced on the premises.

- d. **Business sign:** A sign displaying information pertaining to goods or services offered or produced by the business location on the property, but not including advertising devices or advertising displays.
- e. **Civic activity signs:** A sign or bulletin board customarily incident to places of worship, libraries, museums, social clubs or societies, cemeteries and other public institutions.
- f. **Community facility identification sign:** A ground or wall sign located within the boundaries of a planned community, or within the boundaries of a clearly identifiable residential development or subdivision containing only the name of the facility and (if desired) identifying symbol.
- g. **Community identification sign:** A ground or wall sign located within the boundaries for a planned community, or within the boundaries of a clearly identifiable residential development or subdivision containing only the name and identifying symbol of the planned community, residential development or subdivision.
- h. **Construction sign:** A temporary sign stating the names of those individuals or firms directly connected with the construct of development project, their addresses and their telephone numbers.
- i. **Future facility sign:** A community facility identification sign pertaining to a community facility proposed for construction or under construction.
- j. **Identification sign:** A sign limited to the identifying name, symbol or insignia, or any combination thereof, of a building, use or person occupying the premises on which the sign is located.
- k. **Intra-community directional sign:** A sign established to direct motorists or pedestrians to communities, neighborhoods, events or facilities within the Portola Hills Planned Community.
- l. **Model home sign:** A sign pertaining only to matters related to a model home within a recorded subdivision within which the sign is located.
- m. **Nameplate sign:** A sign not exceeding one (1) foot by three (3) feet signifying only the name of the occupant and his occupation or specialty.
- n. **Outdoor advertising sign:** A sign placed for the purpose of advertising products or services that are not produced, stored or sold on the property upon which the sign is located.
- o. **Planned community travel direction: Planned community reassurance sign:** A sign which informs the viewer as to route or direction of travel in order to arrive at the planned community to which it pertains. It shall state or represent only the geographic area within the unincorporated area of the County of Orange in which the planned community is located, the name and type of the planned community, travel directions and mileage information.
- p. **Price sign:** A sign limited to the name or identification of items or products offered for sale on the premises, and the price of said items or products.

- q. **Real estate sign:** A temporary sign advertising the sale, lease or rent of the property upon which it is located, and the identification of the person or firm handling such sale, lease or rent.
- r. **Real estate sales office sign:** A sign pertaining only to matters related to a real estate sales office located within a recorded subdivision within which the sign is located.

***Sign face:** The surface, or that portion of a sign that is visible from single point as a flat surface or a plane and considered as such, together with the frame and the background.

***Sign height:** The greatest vertical distance measured from the ground level directly beneath the sign to the top of the sign.

***Sign, illuminated:** A sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as part of the sign proper.

Sign, lighted: A sign that is lighted or illuminated from a light source that is not an integral part of the sign itself but causes light rays to shine on it.

***Sign, off-premises:** Any sign as herein defined other than an on-premises sign.

***Sign, on-premises:** A sign which pertains and is accessory to a business or industrial use located on the same premises or which offers a premises or portion thereof for sale, lease or rent.

***Sign, portable:** A parked or stationary outdoor advertising sign, or assign that is not a structure, or assign located upon a vehicle or trailer for the basic purpose of providing advertisement or products or directing people to a business or activity located in the same or nearby property, placed or parked so as to be visible from the public right-of-way, but not including signs on business or commercial vehicles, the primary purpose of which is the transporting of people and goods on the public right-of-way.

Sign type: A classification of signs by their structural characteristics. The following sign types are used in this code:

- a. **Freestanding sign:** An independent sign permanently affixed in or upon the ground, and which is neither attached to nor a part of a building.
 - 1. **Monument/ground sign:** A sign mounted on a fence, or a freestanding wall, or a low profile solid base as distinguished from support by a pole or poles.
 - 2. **Pole sign:** A sign directly supported by a pole or poles with air space between the grade level and the sign face.

- b. **Projecting sign:** A sign other than a wall sign suspended from or supported by a building or structure and projecting outward therefrom.
- c. **Roof sign:** A sign erected wholly upon or above the roof of a building or structure, or upon or above canopies, marquees and similar overhangs.
- d. **Wall sign:** A sign attached to, erected on, painted on or otherwise affixed to the exterior wall of a building or structure in such a manner that the face of the sign is approximately parallel to the exterior wall of the building and exposed to the exterior side of the building.

Site coverage: Refer to definition of “Building site coverage.”

***Site plan:** A plan showing the details of building locations, structures, parking, vehicular access, landscaping and architectural design for a project or building site.

***Soil amendments:** Wood charcoal, pumice, perlite, expanded vermiculite, sintered shale, diatomite and clay, if sold with no claim form chemical constituents and intended for use solely because of their physical nature, are soil amendments. Mixtures intended for use as a potting media are soil amendments.

***Soil amendment fortified:** Organic products such as bark, wood chips, wood sawdust and peat or peat moss claimed to be nitrogen fortified, nitrogen stabilized or with other terms to inform that the product contains nitrogen added to compensate for nitrogen likely to be taken from the soil due to the amendments’ decomposition therein are soil amendments fortified when such addition in nitrogen in 0.5 percent or less.

Square footage: See “Building Square Footage.”

***Specialty community event:** A limited temporary commercial or noncommercial event sponsored by a service group, homeowners association, property owners association, or other community organization, including but not limited to the following: parades, swim meets, community picnics, athletic contests, vehicle races, pageants, outdoor programs, and other similar uses.

Stable, private: A building or portion of a building or site used to shelter and feed equines which are used exclusively by the occupants of the property on which the stable is situated.

Stable, public: A stable other than a private stable.

***Stand, temporary:** A structure which is readily moveable and used or intended to be used for the display or sale of seasonal agricultural or farming products grown or produced on the premises.

Stock cooperative: A corporation which is formed or availed of primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, if all or substantially all of the shareholders of such corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation, which right of occupancy is transferable only concurrently with the transfer of the share or shares of stock or membership certificate in the corporation held by the person having such right of occupancy. The term "stock cooperative" does not include a limited-equity housing cooperative as defined in Section 11003.4 of the Business and Professions Code.

***Story:** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

Street: A public or private vehicular right-of-way other than an alley or driveway, including both local streets and arterial highways.

***Street opening:** A curb break, or a means, place or way provided for vehicular access between a street and abutting property.

***Structure:** That which is erected or constructed having a fixed location and is more than seventy-two (72) inches above the finished grade. An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. A mobile home, except when used as a temporary use with its weight resting at least partially upon its tires, is a structure for the purposes of this definition. Business signs, tennis court fences, and other fences around unenclosed outdoor recreation facilities, shall not be considered as a structure for purposes of these Planned Community District Regulations.

***Structural alterations:** Any change in the supporting members of a building or structure.

Swimming pool: An artificial body of water having a depth in excess of eighteen (18) inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women and children.

DEFINITIONS (T)

***Tot lot:** An improved and equipped play area which is intended for children up to seven (7) years of age. Tot lots include such facilities as play apparatus, paved area for wheeled toys, benches, sand areas, small wading pools, and turf area.

Travel trailer: A vehicle designed for temporary human habitation, for carrying persons and property on its own structure and used for travel or recreational purposes.

Travel trailer park: Any area where spaces are rented or held for rent one or more travel trailers for a period of thirty (30) days or less.

DEFINITIONS (U)

Ultimate right-of-way: The right-of-way shown as ultimate on an adopted precise plan of highway alignment, or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded PC development plan. The latest adopted or recorded document in the above case shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the highway classification as shown on the Master Plan of Arterial Highways. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way in the case of a private street, and the existing right-of-way, but not less than sixty (60) feet, in the case of a public street.

***Urban Activity Center:** An integrated mixed community of uses designed to provide for shopping, cultural, civic, entertainment, professional service, industrial and office park needs of the community.

Use: The purpose for which land or a building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

***Usable Open Space:** Usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails. Usable open space areas do not contain the following: buildings, structures, or impervious surfaces (e.g., public/private streets, common driveways, and off-street parking facilities) devoted to nonrecreational uses; surface utility facilities, slopes in excess of twenty (20) percent; building setback areas; median strips for roads or parking lots; road embankments; any property not reserved for the sole use and enjoyment of the occupants of the entire development and their guests.

DEFINITIONS (V)

Vehicular accessway: A private, nonexclusive vehicular easement affording access to abutting properties.

DEFINITIONS (W)

***Water reclamation facility:** A facility for the treatment of sewage and wastewaters for beneficial reuse, established and operated by a local agency.

Wing wall: An architectural feature in excess of six (6) feet in height which is a continuation of a building wall projecting beyond the exterior walls of a building.

DEFINITIONS (Y)

***Yard:** The open space within a building site that is unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the finished grade upward; except that eaves, fences, walls used as fences, poles, posts and other customary yard ornaments, accessories and furniture may be permitted in any yard subject to the regulations for the district in which it is located.

**SECTION XI
LEGAL DESCRIPTION**

PARCEL 1

Parcel 1, in the County of Orange, State of California, as shown on a map filed in Book 143, Pages 11 through 16 inclusive, of Parcel Maps, in the Office of the County Recorder of said County.

PARCEL 2

Parcel 2, in the County of Orange, State of California, as shown on a map filed in Book 143, Pages 11 through 16 inclusive, of Parcel Maps, in the Office of the County Recorder of said County.

PARCEL 3

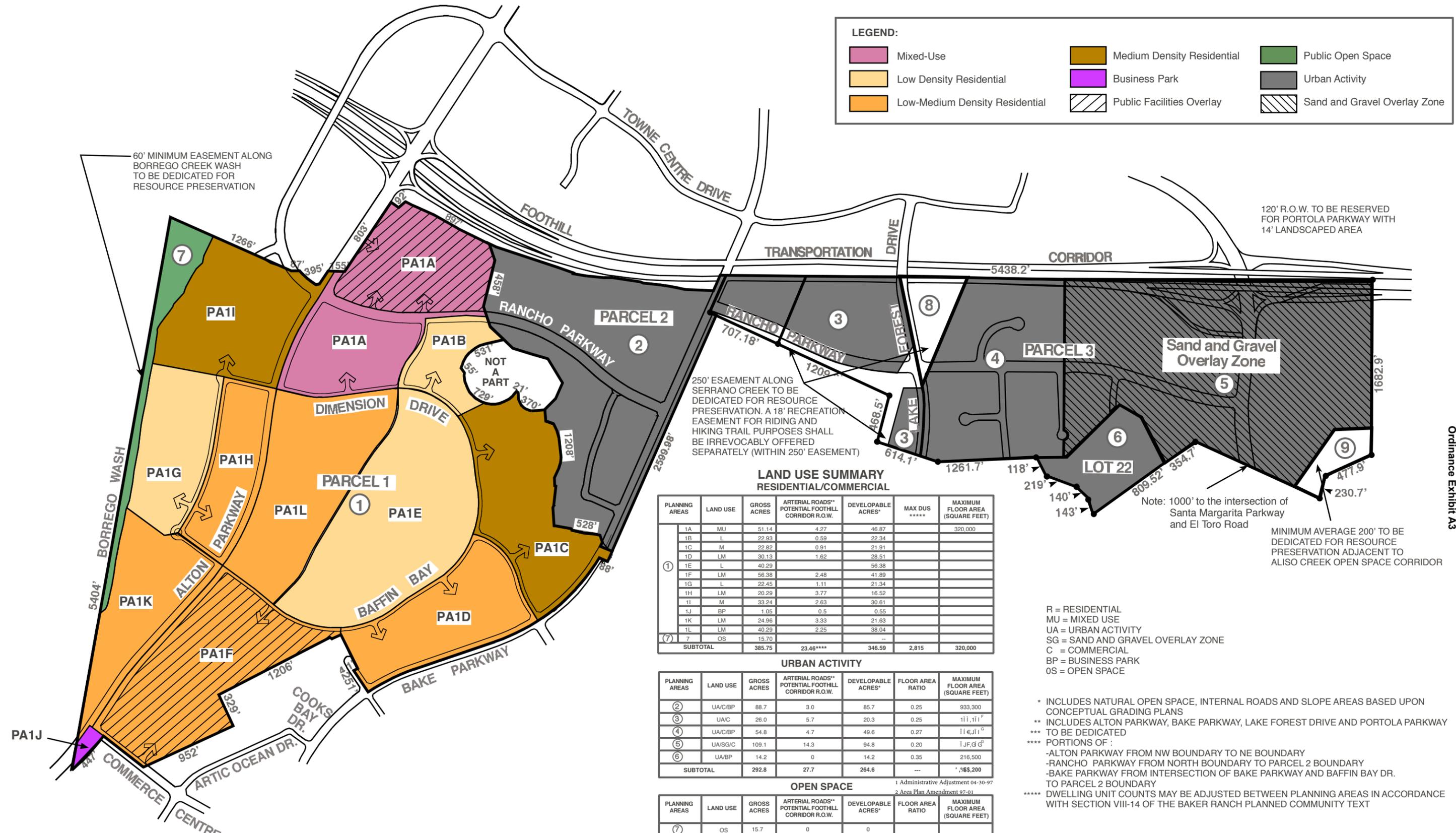
Parcel 3, in the County of Orange, State of California, as shown on a map filed in Book 143, Pages 11 through 16 inclusive, of Parcel Maps, in the Office of the County Recorder of said County.

PARCEL 4, LOT 22

That portion of Parcel 4, in the County of Orange, State of California, as shown on a map filed in Book 143, Pages 11 through 16 inclusive, of Parcel Maps, in the Office of the County Recorder of said County, lying within Lot 22 of the Tentative Parcel Map No. 85-116.

LEGEND:

| | | | | | |
|--|--------------------------------|--|----------------------------|--|------------------------------|
| | Mixed-Use | | Medium Density Residential | | Public Open Space |
| | Low Density Residential | | Business Park | | Urban Activity |
| | Low-Medium Density Residential | | Public Facilities Overlay | | Sand and Gravel Overlay Zone |



**LAND USE SUMMARY
RESIDENTIAL/COMMERCIAL**

| PLANNING AREAS | LAND USE | GROSS ACRES | ARTERIAL ROADS** POTENTIAL FOOTHILL CORRIDOR R.O.W. | DEVELOPABLE ACRES* | MAX DUS ***** | MAXIMUM FLOOR AREA (SQUARE FEET) |
|-----------------|----------|---------------|---|--------------------|---------------|----------------------------------|
| 1A | MU | 51.14 | 4.27 | 46.87 | | 320,000 |
| 1B | L | 22.93 | 0.59 | 22.34 | | |
| 1C | M | 22.82 | 0.91 | 21.91 | | |
| 1D | LM | 30.13 | 1.62 | 28.51 | | |
| 1E | L | 40.29 | | 56.38 | | |
| 1F | LM | 56.38 | 2.48 | 41.89 | | |
| 1G | L | 22.45 | 1.11 | 21.34 | | |
| 1H | LM | 20.29 | 3.77 | 16.52 | | |
| 1I | M | 33.24 | 2.63 | 30.61 | | |
| 1J | BP | 1.05 | 0.5 | 0.55 | | |
| 1K | LM | 24.96 | 3.33 | 21.63 | | |
| 1L | LM | 40.29 | 2.25 | 38.04 | | |
| 7 | OS | 15.70 | | | | |
| SUBTOTAL | | 385.75 | 23.46**** | 346.59 | 2,815 | 320,000 |

URBAN ACTIVITY

| PLANNING AREAS | LAND USE | GROSS ACRES | ARTERIAL ROADS** POTENTIAL FOOTHILL CORRIDOR R.O.W. | DEVELOPABLE ACRES* | FLOOR AREA RATIO | MAXIMUM FLOOR AREA (SQUARE FEET) |
|-----------------|----------|--------------|---|--------------------|------------------|----------------------------------|
| 2 | UA/C/BP | 88.7 | 3.0 | 85.7 | 0.25 | 933,300 |
| 3 | UA/C | 26.0 | 5.7 | 20.3 | 0.25 | 111,111 ^F |
| 4 | UA/C/BP | 54.8 | 4.7 | 49.6 | 0.27 | 111,111 ^C |
| 5 | UA/SG/C | 109.1 | 14.3 | 94.8 | 0.20 | 111,111 ^C |
| 6 | UA/BP | 14.2 | 0 | 14.2 | 0.35 | 216,500 |
| SUBTOTAL | | 292.8 | 27.7 | 264.6 | --- | 1,585,200 |

OPEN SPACE

| PLANNING AREAS | LAND USE | GROSS ACRES | ARTERIAL ROADS** POTENTIAL FOOTHILL CORRIDOR R.O.W. | DEVELOPABLE ACRES* | FLOOR AREA RATIO | MAXIMUM FLOOR AREA (SQUARE FEET) |
|-----------------|----------|---------------|---|--------------------|------------------|----------------------------------|
| 7 | OS | 15.7 | 0 | 0 | | |
| 8 | OS | 10.9 | 0 | 0 | | |
| 9 | OS | 3.5 | 0 | 0 | | |
| SUBTOTAL | | 30.1 | 0 | 0 | --- | --- |
| TOTAL | | 692.95 | 50.4*** | 619.4 | --- | --- |

R = RESIDENTIAL
 MU = MIXED USE
 UA = URBAN ACTIVITY
 SG = SAND AND GRAVEL OVERLAY ZONE
 C = COMMERCIAL
 BP = BUSINESS PARK
 OS = OPEN SPACE

* INCLUDES NATURAL OPEN SPACE, INTERNAL ROADS AND SLOPE AREAS BASED UPON CONCEPTUAL GRADING PLANS
 ** INCLUDES ALTON PARKWAY, BAKE PARKWAY, LAKE FOREST DRIVE AND PORTOLA PARKWAY
 *** TO BE DEDICATED
 **** PORTIONS OF :
 -ALTON PARKWAY FROM NW BOUNDARY TO NE BOUNDARY
 -RANCHO PARKWAY FROM NORTH BOUNDARY TO PARCEL 2 BOUNDARY
 -BAKE PARKWAY FROM INTERSECTION OF BAKE PARKWAY AND BAFFIN BAY DR. TO PARCEL 2 BOUNDARY
 ***** DWELLING UNIT COUNTS MAY BE ADJUSTED BETWEEN PLANNING AREAS IN ACCORDANCE WITH SECTION VIII-14 OF THE BAKER RANCH PLANNED COMMUNITY TEXT

**BAKER RANCH AREA PLAN
Planned Community Development Plan**

Zone Change 5-10-1233
Ordinance Exhibit A3

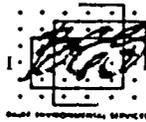
BR

BAKER ♦ RANCH

**CONDITIONS OF APPROVAL
THE BAKER RANCH**

Prepared For:

**The Baker Ranch
14785 Jeffrey Road, Suite #206
Irvine, California 92720**



November 1988

INTRODUCTION

This document is a compilation of all conditions imposed on Baker Ranch through the Initial Study, Planned Community zone change, the Area Plan, and the Tentative Tract 13336 approval processes.

The conditions are organized in terms of compliance schedules, beginning with Tentative Tract Map and extending through certificates of use and occupancy. Special sections also address conditions associated with annexation and those without specified compliance schedules.

Each condition is followed by a cross reference to the source documents and condition number in that document. Abbreviations are used, including:

- IS = Initial Study and Addendum 88-044
- PC = Baker Ranch Development Plan and Supplemental Text #88-320573
- AP = Baker Ranch Area Plan
- TT = Baker Ranch Tentative Tract Map #13336
- RES = Resolution #81-1359¹

1 Resolution #81-1359 refers to the seven conditions applied in the 1981 zone change and general plan amendment for the West Group Parcels 2 and 4; these conditions formed the basis for the Baker Ranch General Plan Implementation Program. No similar conditions were applied in the original Baker Salvatori P.C.

TABLE OF CONTENTS

| Section | | <u>Page</u> |
|----------------|---|--------------------|
| 1 | CONDITIONS REQUIRED PRIOR TO TENTATIVE MAP APPROVAL ..1 | |
| 2 | CONDITIONS REQUIRED PRIOR TO SITE PLAN APPROVAL4 | |
| 3 | CONDITIONS REQUIRED PRIOR TO FINAL MAP APPROVAL11 | |
| 4 | CONDITIONS REQUIRED PRIOR TO GRADING PERMIT28 | |
| 5 | CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT35 | |
| 6 | CONDITION REQUIRED PRIOR TO CONSTRUCTION.....41 | |
| 7 | CONDITION REQUIRED PRIOR TO LOT SALES/LEASE/RENTAL ...42 | |
| 8 | CONDITIONS REQUIRED PRIOR TO CERTIFICATES OF USE AND OCCUPANCY43 | |
| 9 | CONDITIONS REQUIRED PRIOR TO ANNEXATION/ INCORPORATION45 | |
| 10 | CONDITION REQUIRED ANNUALLY46 | |
| 11 | CONDITIONS WITH NO SPECIFIED COMPLIANCE SCHEDULE47 | |

SECTION 1

CONDITIONS REQUIRED
PRIOR TO TENTATIVE MAP APPROVAL

1. General Plan Implementation Plan *DONE (see pg. 46)*

No tentative tract map shall be approved prior to the approval of the first Annual Monitoring Report unless or until the landowner has obtained the approval of the Director of Planning, EMA, of a General Plan Implementation Plan stating the manner in which the tentative tract map complies with the applicable conditions of the general plan amendment. (PC #6; AP #6)

2. Grading/Open Space Compatibility *DONE 510 prior to final map*

Prior to the filing of a tentative map or issuance of a grading permit, whichever occurs first, for projects located immediately adjacent to or including portions of Borrego Canyon Wash, Serrano Creek and Aliso Creek regional open space corridors, the project proponent shall provide evidence acceptable to the Manager, Development Services, in consultation with the Director, Harbors, Beaches and Parks, that graded areas adjacent to or within open space will be compatible with natural land characteristics of the open space areas. Treatment to achieve the desired effect shall include (PC #14; AP 14):

- a. Smooth and gradual transition between graded slopes and existing grades within the open areas using variable slopes ratios (2:1 to 4:1).
 - b. Obscuring slope drainage structures with a variety of plant materials.
 - c. Incorporating architectural and design techniques into the project in order to enhance offsite views attained from within significant open space.
3. Master Plan of Water/Wastewater *DONE*

Prior to the approval of any tentative tract or parcel map, except for financing purposes, the landowner shall provide proof of approval by the applicable water/wastewater district to the Director, EMA and shall obtain approval by the

Subdivision Committee of a master plan of water and wastewater works. The master plan shall include all onsite and offsite facilities necessary to serve the short and long term needs of the project and a general financing program for those facilities which demonstrates sufficient entitlements and wastewater collection and treatment capacity to serve the project. (PC #12; AP #12)

4. **Extent of Grading** *TO GRADING PLAN Section*

Grading will be permitted within the Baker Ranch Planned Community inside and outside of the area of immediate development upon approval of a tentative map, site plan or precise road improvement plan and conformance with the permit requirements of the Orange County Grading and Excavation Code. A tentative map or site plan shall show the entire extent of grading both inside the area of immediate development and on any adjacent external area used for borrow or disposal of earth. No grading permits shall be issued without the approval of a precise plan of development (i.e., a tentative map, site development permit or precise road improvement plan required by the Foothill Circulation Phasing Plan (FCPP)). (PC #15; AP #15)

5. **Drainage Standards** *Final Proposals*

All stream channelization, onsite storm drain, and roadway crossing improvements will be designed and implemented in accordance with Orange County flood control, engineering, construction and hydraulic design standards. Design details for each will be determined during subsequent more detailed levels of project planning (e.g., area plan or site plan preparation stages). (IS #3A)

6. **Aircraft Hazards** *NOVE*

Conditions of tentative tract approval required of the project include (IS #12A):

- Recordation of a notice that the property is subject to the sight, sound, and overflight of aircraft
- Provision of an aviation easement (for development proposed within a 65 CNEL contour and/or subject to overflight)

- Provision of a "Point of Sale" notice to prospective purchaser, lessee, or tenant that the study area is subject to the overflight, sight, and sound of aircraft
- Compliance with the list of typical uses and the noise criteria as noted in Standard Condition of Approval A (5).

7. **Urban Edge Treatment Plans**

B. final map section

Prior to tentative tract or parcel map recordation, urban edge treatment and landscape plans will be submitted for approval to the Manager, EMA, Coastal and Community Planning Division in consultation with the Manager, Harbors, Beaches and Parks/Program Planning Division as an integral part of the Area Plan process. These plans will provide for detailed review of the symmetry and compatibility of development along the urban edge. (IS #14C)

8. **Tentative Tract Recordation**

Per the Subdivision Committee approval of Tentative Map 13336 (Vesting), contact Paul Gilbert at (714) 834-3470 regarding compliance with conditions of approval prior to filing the tract map with the County Surveyor (TT cover letter).

SECTION 2

CONDITIONS REQUIRED PRIOR TO SITE PLAN APPROVAL

1. Aircraft Hazard

Prior to the approval of a site plan for non-residential development, any proposed structure which penetrates both the FAR Part 77 Notice Surface, and the Conical, Outer Horizontal or the 50:1 Surface, and upon completion of an FAA Aeronautical Study, the project shall be submitted to the Airport Land Use Commission for Orange County (ALUC). The ALUC will review the project for consistency with the Airport Environs Land Use Plan (AELUP). The project shall comply with the restrictions and conditions imposed on the project by the FAA. (PC #24C; AP #24C)

2. Aircraft Hazard

Prior to approval of any site plan, any land use application within the crash zone shall be subject to review by the Manager, Advance Planning. The general intent of this review is to strictly limit the types and intensity of commercial and industrial land uses, and encourage open space land uses within airport crash zones. Specific land use compatibility will be assessed in terms of the AICUZ 1980 guidelines which include limitation of commercial and industrial land uses in APZ II which are judged acceptable by the Manager, Advance Planning, and 1) shall not assemble 200 or more persons in any one area or structure capable of being demolished by a single aircraft crash, and 2) shall not exceed 75 percent building site coverage of the gross lot area. (AP #25)

3. Noise Analysis

A site specific acoustic analysis (at the tentative tract or site plan design stage) will be prepared to address mitigation measures for attenuation of both vehicular and aircraft noise. The report will, at minimum, contain the following (IS #12A):

- noise measurements onsite
- calculation of the Leq and Lmax-30

- specific building and construction measures
- attenuate identified adverse noise impacts

4. Noise Analysis: Exterior Standards

Prior to implementation level approvals (i.e., tentative tract map, site plan, etc.), an Acoustical Analysis shall be submitted to and approved by the Manager, Development Services Division, which shall illustrate the feasibility of the exterior mitigation measures required to achieve design noise standards. (IS #12B - N10)

5. Fire Protection/Water Pressure

The project will meet with the approval of the Orange County Fire Department to ensure that sufficient water pressure exists on the proposed property for fire fighting. (IS #13A)

6. Fire Protection: Access

The project will provide sufficient and all-weather access for fire-fighting vehicles to the proposed development. (IS #13A)

7. Drought-tolerant Vegetation

Use shrubbery and vegetation with minimal water requirements. (IS #13A)

8. Sand and Gravel Operations Compatibility

*Lot 22 +
Baker Avenue II*

At the time of implementation level submittals (i.e., tentative tracts, site plan, etc.) for any commercial or industrial land uses adjacent to: (a) an identified sand and gravel deposit without an existing mining operation; and (b) an existing sand and gravel operation, the project proponent shall provide an assessment of the compatibility of the proposed use with the existing or potential sand and gravel operations. The study will analyze the compatibility of the proposed use and will identify whether the proposed use is incompatible or compatible subject to mitigation. If mitigation is required, the study will identify the type of mitigation

measures which might be applied to the proposed use to reduce environmental impacts. Items to be covered shall include (IS #17B - SGI):

- Exposure to noise and dust from extraction operations and trucks.
- The compatibility of access to the proposed land use and traffic to sand and gravel operations (i.e., designate haul routes and operation times, etc.).
- Setbacks, landscaping, fencing and other measures which may be utilized to reduce safety hazards.

9. Archaeology: Literature Search

Prior to initial implementation level approvals (i.e., tentative tract, site plan, etc.), a County-certified archaeologist shall be retained by the project proponent to complete literature and records research for recorded sites and previous surveys. In addition, a field survey shall be conducted by a County-certified archaeologist unless the entire proposed project site has been documented as previously surveyed in a manner which meets the approval of the Manager, Parks and Recreation Program-Planning Division. A report of the literature and records research and the field survey shall be submitted to and approved by the Manager, Harbors, Beaches and Parks/Program Planning Division. Future mitigation shall depend upon the recommendations of this report. (IS #5B-A3; TT #8)

10. Archaeology: Subsurface Investigation

Prior to initial implementation level approvals, a County-certified archaeologist shall be retained by the project proponent to perform a subsurface test level investigation and surface collection as appropriate. The test level report evaluating the site shall include discussion of significance (depth, nature, condition and extent of the resources), final mitigation recommendations and cost estimates. Prior to the issuance of a grading permit and based on the report recommendations and County policy, final mitigation shall be carried out based upon a determination as to the site's disposition by the Manager, Harbors, Beaches and Parks/Program Planning Division. Possible determinations include, but are not limited to, preservation, salvage, partial salvage, or no mitigation necessary. (IS #5B - A3)

11. Paleontology: Literature Search

Prior to initial implementation level approvals (i.e., tentative tract, site plan, etc.), a County-certified paleontologist shall be retained by the project proponent to complete literature and records research for recorded sites and previous surveys. In addition, a field survey shall be conducted by a County-certified paleontologist unless the entire proposed project site has been documented as previously surveyed in a manner which meets the approval of the Manager, Harbors, Beaches and Parks/Program Planning Division. A report of the literature and records research and the field survey shall be submitted to and approved by the Manager, Parks and Recreation Program-Planning Division. Future mitigation shall depend upon the recommendations of this report. (IS #5B - P2; TT #10)

12. Precise Edge Treatment Plan

Concurrent with the submittal of a site development permit for any commercial, industrial/business park or urban activity use or recordation of a final map for any use visible from the Borrego Canyon Wash, Serrano Creek or Aliso Creek Corridor within the Baker Ranch Planned Community boundary, a precise landscaping/edge treatment plan shall be prepared subject to approval by the Director, Harbors, Beaches and Parks. Said plan shall be prepared by a licensed landscape architect in compliance with the approved landscaping palette and fuel modification requirements and shall provide a minimum of 50 percent screening within a five-year period. Said plan shall include viewshed cross sections depicting the physical relationship of proposed development to identified Borrego Canyon Wash, Serrano Creek and Aliso Creek open space corridors and shall provide for annual monitoring to ensure the plan's success. (PC #16; AP #16; Res 6a)

13. Detailed Hydrologic Analysis

Prior to implementation level approvals (i.e., tentative tract, site plan, etc.), a detailed hydrologic analysis meeting the approval of the Manager, Subdivision Division, will be conducted to determine the size, capacity, alignment, and design of any flood control facility necessary to protect the site from the design flood level.

The studies will also determine any changes in downstream conditions as a result of these improvements. Where increased runoff could significantly impact downstream conditions which are currently experiencing flooding problems, onsite measures (i.e., retention basins, etc.) shall be considered to ensure mitigation of offsite impacts. (IS #3B - FP5)

14. Floodplain Analysis

Prior to implementation level approvals (i.e., tentative tract, site plan, use permit, etc.), the project proponent shall provide a study to the Manager, Current Planning and Development Assistance Division, for his approval demonstrating that the development complies with the County of Orange Zoning Code, Floodplain District Regulations (Section 7-9-113). These regulations allow only public facility, agricultural, recreational, and excavation uses within the FP-1 (Floodway Zone), subject to the review and recommendations of the Manager, Subdivision Division. Residential, commercial, and industrial uses are allowed within FP-2 (Floodplain) and FP-3 (Coastal) zones subject to the approval of a conditional use permit. This study shall also include an analysis of any proposed improvements in the floodplain or floodway area utilizing flood protection methods which can be accommodated in harmony with the environment. It shall be the objective of the study to balance environmental concerns with flood control solutions (i.e., undergrounding, greenbelt swales, park/retention basins, etc.). (IS #3B - FP3)

15. Landform and Topography

Prior to implementation level approvals (i.e., tentative tract, site plan, etc.), the project proponent shall provide evidence to the Director of Regulation, EMA, which indicates that graded areas will be compatible with natural landform characteristics to the extent practicable. Criteria to achieve the desired effect may include (IS #1B-G5):

- a. Recontouring the existing landforms to provide a smooth and gradual transition between graded slopes and existing grade while preserving the basic topographic character of the existing site.
- b. Variation and combination of slopes 2:1, 3:1, and 4:1 to create a more natural character wherever possible within the graded areas.
- c. Attempting to balance between cut and fill within the overall area to eliminate an offsite and import/export situation.
- d. Obscuring slope drainage structures with a variety of plant materials.
- e. Incorporation of architectural and design techniques into the project in order to minimize grading and enhancement of offsite views such as split levels, clustering, etc.
- f. Preservation of visual opportunities from hillsides by providing for panoramic views from selected locations such as view corridors, sensitive landscaping placement, etc.

16. Erosion Control Plan

Prior to implementation level approvals (i.e., tentative tract, site plan, etc.) or at a later date as deemed appropriate by the Manager, Development Services, the project proponent shall submit an erosion control plan for his approval which shall include a discussion of measures for dust pollution and mitigation of erosion caused by wind and water. The plan shall also provide for effective planting, maintenance, irrigation, and seed germination by the project proponent prior to the rainy season in graded areas which would otherwise remain exposed in accordance with Subarticle 13 of the Grading and Excavation Code. (IS 1B - G6)

17. Erosion Control Program

Prior to any implementation level approvals (i.e., tentative tract, site plan, etc.), the project proponent shall submit to the Manager, Subdivision Division, for review and approval an erosion control program which indicates that proper control of siltation, sedimentation and other pollutants will be implemented as required in the Orange County Grading Code and Grading Manual. (IS #3B-DA3)

18. Soils and Geologic Studies

Prior to implementation level approvals (i.e., tentative tract, site plan, etc.), the project proponent shall submit soils engineering and geologic (if appropriate due to slope conditions) studies to the Manager, Development Services for his approval. These reports will primarily involve assessment of potential soil-related constraints and hazards such as slope instability, settlement, liquefaction, or related secondary seismic impacts where determined to be appropriate by the Manager, Development Services. The report shall include evaluation of potentially expansive soil and recommended construction procedures and/or design criteria to minimize the effect of these soils on the proposed development. All reports shall recommend appropriate mitigation measures and be completed in the manner specified in the Orange County Grading Manual and State Subdivision Map Act and County Subdivision Ordinance. (IS #1B-G4)

SECTION 3

CONDITIONS REQUIRED PRIOR TO FINAL MAP APPROVAL

1. Growth Management Plan Notation on Maps

Building permit issuance shall be phased in accordance with the Foothill Circulation Phasing Plan (FCPP) Development Phasing Plan, and shall also be subject to any other Board of Supervisors approved growth management phasing plan pertaining to the timely provision of public services and facilities. A valid Board of Supervisors approved development agreement pertaining to the property which includes a development phasing plan shall satisfy the requirements of this condition. This condition shall be noted on all final maps. (PC #4; AP #4; Res. #1)

2. Regional Riding and Hiking Trail Easements

Prior to or concurrent with recordation of the first final map, the subdivider shall irrevocably offer 16-foot-wide recreation easements for recreational trail purposes over all planning areas of the site containing the Serrano Creek Trail in a manner meeting the approval of the Manager, EMA-Harbors, Beaches and Parks/Program Planning Division. Prior to the issuance of certificates of use and occupancy, improvements shall be installed in accordance with a plan approved by the Manager, EMA-Harbors, Beaches and Parks/Program Planning Division and shall include necessary grading, erosion control, signage, fencing, grade-separated crossings, etc. (PC #7; AP #7; TT #40; Res. #6b)

3. Resource Preservation Easement

Prior to the recordation of any final subdivision map located immediately adjacent to or containing Planning Areas 7, 8 or 9, the subdivider (applicant) shall dedicate an easement over all open space areas within Planning Areas 7, 8 or 9 for resource preservation purposes to the County of Orange or its designee in a form approved by the Manager, EMA-Harbors, Beaches and Parks/Program Planning Division. The subdivider shall not grant any easement over any property subject to said easement area unless such easements are made subordinate to said easement as approved by

manager, EMA-Harbors, Beaches and Parks/Program Planning Division. Maintenance, upkeep and liability of said easement(s) shall remain with the subdivider (applicant) or his successors and assigns and shall not be included in said offer. Limitations and restrictions for said easement shall be recorded by separate document concurrent with the recordation of subject map in a manner meeting the approval of the Manager, EMA-Harbors, Beaches and Parks/Program Planning Division. (PC #8; AP #8)

4. Fire Protection Funding

Prior to the recordation of any final map, the project proponent shall participate, in a manner identified by the Manger of Fire Services of the Orange County Fire Department, and approved by the Board of Supervisors, on a pro rata basis in funding capital improvements necessary to establish a fire station in the project area. Such improvements shall include land acquisition, station construction, and apparatus purchase. Specific compliance with the condition may be refined or implemented through a development agreement. (PC #10; AP #10; Res. #2)

5. Sheriff Station Funding

Prior to the recordation of any final map the project proponent shall participate, in a manner identified by the Sheriff-Coroner, and approved by the Board of Supervisors, on a pro rata basis in funding capital improvements necessary to establish permanent sheriff substation facilities, if needed, to serve Baker Ranch and other area development. Such improvements shall include land acquisition, construction and equipment. Compliance with the condition may be refined or implemented through a development agreement. (PC #11; AP #11) Note: Also see Building Permit Condition #16.

6. Avigation Easement

Prior to the recordation of the first final map, except for financing purposes, an avigation easement over this property shall be offered for dedication to the County of Orange in a manner meeting the approval of the Manager, Environmental and Special Projects Division. (PC #20; AP #20)

7. Paleontology Literature Search

Prior to the approval of a final tract map, a County-certified paleontologist shall be retained by the applicant to complete literature and records search for recorded sites and previous surveys. In addition, a field survey shall be conducted by a County-certified paleontologist unless the entire proposed project site has been documented as previously surveyed in a manner which meets the approval of the Director, Harbors, Beaches and Parks. Future mitigation shall depend upon the recommendation of this report. (PC #22; AP #22)

8. Street Lighting District Funding

Prior to recordation of the first final tract map, the subject property shall either be annexed to the Orange County Street Lighting Assessment District-Zone 1, or the developer shall present an alternative method for funding street lighting in the proposed area of development which is satisfactory to the Director, EMA, which may include funding by the homeowners association established for this project. (PC #23; AP #23; TT #44)

9. Preliminary Landscape and Resource Enhancement Plan

Prior to recordation of any final tract/parcel map or prior to issuance of any grading permits, whichever comes first, an agreement shall be entered into and financial security posted guaranteeing the resource enhancement improvements and the maintenance thereof. Said agreement and security shall be based on a preliminary resource enhancement plan showing major plant material and uses and other resource enhancement features, with a cost estimate for said improvements. The preliminary plan and cost estimate shall be reviewed and approved by the Manager, Subdivision Division in consultation with the Manager, Advance Planning Division and the Manager, Harbors, Beaches and Parks Division/Program Planning Division. Said plan shall take into account the EMA Standard Plans for landscaped areas, adopted plant palette guides and applicable scenic, Aliso Creek Corridor specific plan requirements, and the El Toro Road Landscape Corridor requirements. (AP #29a; TT #42a)
Note: TT conditions specify maps adjacent to or containing lots A, G, H, I, J, K and/or L; the Area Plan addresses the entire P.C.

10. Library Funding

This project shall be required to pay fees for library facilities in the event of a fee program requiring fees for non-residential construction is established by the Board of Supervisors. If such a fee program is established, prior to any final map recordation the project proponent shall enter into a secured agreement to participate on a pro rata basis in funding capital improvements necessary to establish permanent library facilities to serve this project and other area development. Such improvements shall include land acquisition, library construction, furnishings and collection. Specific compliance with this condition may be refined or implemented through a development agreement. (PC #26; AP #27)

11. Guarantee of Public Services

Prior to any map recordation for this proposal, CC&Rs or other method or procedure, including the establishment of a homeowners association or other entity which will guarantee the provision of all extended services and any other private services required at no cost to the County, shall be submitted to and approved by the Director, Environmental Management Agency, and the County Counsel, and shall then be recorded prior to issuance of any certificates of use and occupancy. (PC #25; AP #26; TT #45)

12. Master Plan of Drainage

Concurrent with implementation level approvals (i.e., tentative tract, site plan, etc.), the project proponent shall be required to participate in the appropriate Master Plan of Drainage facility, in a manner meeting the approval of the Manager, Subdivision Division. Participation may include the construction of master plan facilities and/or dedication of right-of-way and/or payment of drainage fees. Information shall be submitted addressing the development's offsite impacts, including diversions, offsite areas that drain onto and/or through the project, justification of any diversions, and evidence that proposed drainage patterns will not overload existing storm drains. In addition, the project proponent shall provide a study which indicates that alternatives to underground conduit drainage facilities,

such as park/retention basins, natural swales, or open greenbelt areas, have been considered. Future maintenance requirements shall also be addressed as they relate to the erosion control solutions. (IS #3B-DAZ; Res. #4)

13. Avigation Easement

Prior to the recordation of the first and each final tract/parcel map, an avigation easement over this property shall be offered for dedication to the County of Orange in a manner meeting the approval of the Manager, Development Services Division and the Manager, Environmental and Special Projects Division. (IS #12B-N2; TT #6)

14. Aircraft Hazard Notice

Prior to the recordation of the first final tract/parcel map, the owner of record of the property within the boundaries of this tentative tract/parcel map shall prepare and record a notice that this property is subject to overflight, sight, and sound of aircraft operating from El Toro Marine Corps Air Station, in a manner meeting the approval of the Manager, Development Services Division. (IS #12B-N3; TT #3)

15. FTC Notice

Prior to recordation of the first final tract/parcel map, the owner of record of the property within the boundaries of this tentative tract/parcel map shall prepare and record a notice that this property will be subject to impacts from the proposed Foothill Transportation Corridor, in a manner meeting the approval of the Manager, Development Services Division. (IS #12B-N12; TT #4)

16. Noise Attenuation Barriers

Prior to the recordation of a final map, the subdivider shall enter into an agreement with the County of Orange to contribute a proportional share of the cost of constructing offsite arterial highway noise attenuation barriers, if such a program is adopted by the Board Supervisors. Said agreement shall include financial security. (TT #7; Res. #3)

17. Fire Protection/Water Service

Prior to implementation level approvals (i.e., final tract/parcel map), the project proponent shall submit water improvement plans to be approved by the Manager, Fire Services for fire protection purposes. The adequacy and reliability of water system design, location of valves, and distribution of fire hydrants will be evaluated in accordance with Insurance Services Office suggested standard contained in the Fire Suppression Rating Schedule and in the Grading Schedule for Municipal Fire Protection. A financial security shall be posted for the installation, if required. (IS #13B-F3; TT #26)

18. High Fire Hazard Notification

Prior to the recordation of a final map, either a note shall be placed on the map or a notice recorded with the map, meeting the approval of the Fire Chief, stating that the property is in a high fire hazard area due to wildland exposure. (TT #30)

19. Fire Hazard Notice

Prior to implementation level approvals (i.e., tract/parcel map recordations), the project proponent shall file a Notice with the Department of Real Estate meeting the approval of the Manager, Fire Services that certifies that potential property owners within the boundaries of the map are aware that the property is in a high fire hazard area due to wildland exposure. (IS #13B-F8)

20. Fire Access Easement

Prior to implementation level approvals (i.e., tract/parcel map recordations), the project proponent shall offer an irrevocable fire protection access easement as required by the Manager, Fire Services for any private roadways within the development. The easement shall be continuous with the travelway for the private drives as shown on the approved use permit, and shall be dedicated to the County of Orange. The CC&R's shall contain provisions which prohibit obstructions within the fire protection access easement and also require Manager, Fire Services approval for any modifications such as speed bumps, control gates, or changes in parking plans within said easements. (IS #13B-F9)

21. Fire Station Funding

Prior to the recordation of any final map, the applicant shall enter into an agreement with the County of Orange to pay development fees for Fire Station No. 38 as provided in Sections 7-9-700 through 7-9-713 of the Codified Ordinances of the County of Orange and Resolution 87-1684. Said agreement shall be accompanied by financial security. (TT #24)

22. Emergency Access

Prior to implementation level approvals (i.e., tract/parcel map recordations), the project proponent shall submit a construction phasing plan for any controlled entry access for approval by the Manager, Fire Services. These details shall include width, clear height, and means of emergency vehicles override, and shall permit an evaluation of the adequacy of emergency vehicle access for the number of buildings served. (IS #13B-F10; IS #13B-F6) (Note: Also see Building Permit Condition #17)

23. Sign Program

Prior to the recordation of the first subdivision map, a community-wide sign program shall be reviewed and approved by the Planning Commission. Included in the sign program shall be the design and location of area entry signs and other signs as required by the Director of Community Development. Proposed signage shall be submitted to the Manager, EMA. (IS #14C)

24. Precise Edge Treatment Plan

Concurrent with the submittal of a site development permit for any commercial, industrial/business park or urban activity use or recordation of a final map for any use visible from the Borrego Canyon Wash, Serrano Creek or Aliso Creek Corridor within the Baker Ranch Planned Community boundary, a precise landscaping/edge treatment plan shall be prepared subject to approval by the Director, Harbors, Beaches and Parks. Said plan shall be prepared by a licensed landscape architect in compliance with the approved landscaping palette and fuel modification

requirements and shall provide a minimum of 50 percent screening within a five-year period. Said plan shall include viewshed cross sections depicting the physical relationship of proposed development to identified Borrego Canyon Wash, Serrano Creek and Aliso Creek open space corridors and shall provide for annual monitoring to ensure the plan's success. (PC #16; AP #16)

25. Drainage Studies

Prior to the recordation of a final map or prior to the issuance of any precise grading permits, whichever comes first, the following drainage studies shall be submitted to and approved by the Manager, Subdivision Division (TT #12):

- a. A drainage study of the subdivision including diversions, offsite areas that drain onto and/or through the subdivision, and justification of any diversions; and
- b. A drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and
- c. Detailed drainage studies indicating how the tract map grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.

26. Drainage Improvements

- a. Prior to the recordation of a final map or prior to the issuance of any precise grading permits, whichever comes first, the applicant shall design the following improvements and provide necessary dedications in a manner meeting the approval of the Manager, Subdivision Division (TT #13)
 - 1) All provisions for surface drainage; and
 - 2) All necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and

3) Where determined necessary by the Manager, Subdivision Division, the associated easements shall be dedicated to the County of Orange.

b. Prior to the recordation of a final map or prior to the issuance of certificates of use and occupancy, whichever comes first, said improvements shall be constructed in a manner meeting the approval of the Manager, EMA/Construction Division. (TT #13)

27. Drainage Consent

Prior to the recordation of a final map or prior to the issuance of any precise grading permit, whichever comes first, and if determined necessary by the Manager, Subdivision Division, a letter of consent, in a form suitable for recording, shall be obtained from the upstream and/or downstream property owners permitting drainage diversions and/or unnatural concentrations. (TT #14)

28. Drainage Easements

Prior to the recordation of a final map, the subdivider shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer to the County of Orange or the Orange County Flood Control District, unless such easements are expressly made subordinate to the easements to be offered for dedication to the County. Prior to granting any of said easements, the subdivider shall furnish a copy of the proposed easement to the Manager, Subdivision Division, for review and approval. (TT #15)

29. Master Plan of Drainage

Prior to the recordation of a final map, the subdivider shall participate in the applicable Master Plan of Drainage in a manner meeting the approval of the Manager, Subdivision Division, including payment of fees and the construction of the necessary facilities. (TT #16)

30. Regional Drainage Facilities

Prior to the recordation of the final tract map, regional facilities for Serrano Creek and Aliso Creek shall be improved by the construction of necessary facilities and right of way dedicated to the Orange County Flood Control District in a manner meeting the approval of the Manager, Subdivision Division. (TT #18)

31. Flood Plain Easement

Prior to the recordation of the final tract map, and, if applicable, a flood plain easement for Serrano and Aliso Creek shall be dedicated to the Orange County Flood Control District/County of Orange, in a manner meeting the approval of the Manager, Subdivision Division. (TT #20)

32. Drainage Distribution and Hydraulic Study

Prior to the recordation of the final map or issuance of any grading permit, notwithstanding grading shown on the map, the developer shall balance tributary drainage areas to reflect existing conditions and prove, with an appropriate hydrologic and hydraulic study, that downstream systems (to San Diego Creek if applicable) will not be overburdened, and that hazardous conditions are non-existent, in a manner meeting the approval of the Manager, Subdivision Division. (TT #21)

33. Sewer Service Standards

Prior to the recordation of each final map, sewer lines, connections, and structures shall be of the type installed in the location as specified in the "Guidelines Requiring Separation Between Water Mains and Sanitary Sewers, Orange County Health Department, 1980," in a manner meeting the approval of the Manager, Environmental Health, HCA. (TT #22)

34. Lot K Offer of Dedication

Prior to the recordation of an applicable final map, the subdivider shall make an irrevocable continuing offer of dedication to the County of Orange or its designee over Lot K, excluding all manufactured slopes, fuel modification zones and drainage structures, for regional open space purposes in a form approved by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division suitable for recording fee title. Said offer shall be free and clear of money and all other encumbrances, liens, leases, fees, assessments and unpaid taxes. Easements (recorded or unrecorded) shall be in a form approved by the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. Said offer shall be in a form that can be accepted for transfer of fee title at any time by the County or its designee. (TT #38)

35. Lot K Dedication of Easement, Maintenance

Prior to the recordation of an applicable final map, the subdivider shall dedicate an easement to the County of Orange or its designee over the manufactured slopes and fuel modification zones of Lot K, for scenic preservation purposes in a manner meeting the approval of the Manager, EMA Harbors, Beaches and Parks/Program Planning Division. Maintenance, upkeep and liability for said easement area shall remain the responsibility of the subdivider or his assigns and successors (i.e., homeowner's association) or current underlying owner(s) of said easement area and shall not be included in said dedication offer. The subdivider shall not grant any easement over any property subject to said easement unless such easements are made subordinate to said easement offer in a manner meeting the approval of the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. Limitations and restrictions for said easement shall be recorded by separate document concurrent with the recordation of subject map in a manner meeting the approval of the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. (TT #39)

36. Scenic Preservation Easement

Prior to the recordation of an applicable final map, the subdivider shall dedicate an easement to the County of Orange or its designee over lots A, G, H, I, J and L for scenic preservation purposes in a manner meeting the approval of the Manager,

EMA/Harbors, Beaches and Parks/Program Planning Division. Maintenance, upkeep and liability for said easement area shall remain the responsibility of the subdivider or his assigns and successors (i.e., homeowner's association) or current underlying owner(s) of said easement area and shall not grant any easement over any property subject to said easement unless such easements are made subordinate to said easement offer in a manner meeting the approval of the Manager, EMA/Harbors, Beaches and Parks/Program Planning Division. (TT #41)

37. Annexation to County Service Area 6

Prior to the recordation of a final map, the subdivider shall submit an application for annexation of the property to County Service Area 6, or responsible successor jurisdiction. (TT #43)

38. Public Services Guarantee

Prior to the recordation of the first final map, CC&Rs or other method or procedure, including the establishment of a homeowner's association or other entity which will guarantee the provision of all extended services and any other private services required at no cost to the County, shall be submitted to and approved by the Director, Environmental Management Agency, and the County Counsel, and shall then be recorded prior to issuance of any certificates of use and occupancy. (TT #45)

39. Traffic/Access Specifications

Prior to the recordation of a final map, the following improvements shall be designed and constructed in accordance with plans and specifications meeting the approval of the Manager, Subdivision Division (TT #47):

- a. Streets, signs, striping and stenciling.
- b. The water distribution system and appurtenances which shall also conform to the applicable laws and adopted regulations enforced by the County Fire Chief.

- c. Underground utilities (including electrical and telephone), street lights, and mailboxes.

40. CFD Formation

Prior to the recordation of the first tract map, the subdivider shall enter into an agreement with the County of Orange to participate in the formation of a Community Facilities District (CFD) or similar financing mechanisms, encompassing this property to finance an appropriate share of the FCPP Backbone systems. In the event the CFD is formed prior to the recordation of the map, no agreement will be necessary. (TT #50)

41. Road Improvements

Prior to the recordation of a final map, subdivider shall improve the following roads and dedicate the necessary right-of-way with title reports provided to accomplish this all in accordance with plans and specifications meeting the approval of the Manager of Subdivision Division (TT #51; Res. #5a):

- a. Portola Parkway to ultimate full-width Major Arterial Highway standard within the map boundary.
- b. Portola Parkway with 24 feet of pavement and 8-foot graded shoulders from the map boundary to its existing terminus.
- c. Bumpy Road to ultimate full-width Primary Arterial Highway standard within the map boundary.
- d. Bake Parkway to ultimate full-width primary Arterial Highway standard within the map boundary.
- e. Bake Parkway with 24 feet of pavement and 8-foot graded shoulders from the map boundary to its existing terminus excluding curb, gutter and sidewalk along the east side of Bake between Street 'F' and Bumpy Road (include curb return).
- f. Lake Forest Drive to ultimate half-width Primary Arterial Highway standard within the map boundary.
- g. Lake Forest Drive with 24 feet of pavement and 8-foot graded shoulders from the map boundary to its existing terminus.

- h. Alton Parkway to ultimate full-width Major Arterial Highway standard within the map boundary.
- i. Alton Parkway with 24 feet of pavement and 8-foot graded shoulder from the map boundary to its existing terminus.

42. FTC Improvements

Prior to the recordation of an applicable final map, subdivider shall accomplish the following for the Foothill Transportation Corridor in a manner meeting the approval of the Manager of Foothill/Eastern Transportation Corridor Division. Corridor grading, construction of drainage facilities and right-of-way dedication shall be creditable against the required fees to the extent that the Corridor Fee Program allows for said credit (TT #52; Res. #5b,c):

- a. Grade all portions of the Corridor within the boundaries of the plan, including ramps and slope areas, on an alignment and to the grades established by the Manager, Foothill/Eastern Transportation Corridor Division. The Corridor shall be fully graded within the tract boundaries including the necessary offsite grading for corridor slopes.
- b. Construct all drainage facilities needed as a result of the above grading.
- c. Irrevocable offer to dedicate, in fee, all right-of-way within the limits of the Tentative Tract Map needed for the Corridor, including ramps and slope areas and all right-of-way needed for construction and maintenance of the drainage facilities. Offsite dedication may be necessary to satisfy "a" and "b" above.
- d. Maintain all areas graded for Corridor. Maintenance shall be the responsibility of the subdivider/developer or their assigns or the homeowners association as applicable until such time as the County accepts these areas.
- e. Prepare a precise geometric design plan with full dimensions for the Corridor across the map boundary. Approval of the subsequent grading plan will then be based on the approved design plan. (Condition No. 31 refers.)
- f. Install 10-feet by 5-feet public notification signs for the Foothill Transportation Corridor on south side of Portola Parkway, Bake Parkway, Lake Forest Drive and Alton Parkway and at a location and design meeting the approval of the Manager, Transportation Corridor Division.

43. Road Construction

Notwithstanding the map, prior to recordation of a final map, subdivider shall design and construct 'A' and 'E' Streets to Industrial Collector Street standards and dedicate the necessary right-of-way to accomplish this with title reports provided in accordance with plans and specifications meeting the approval of the Manager and Subdivision Division. (TT #53)

44. Traffic Signal Deposits

Prior to recordation of a final map, subdivider shall provide cash deposits for the design and construction of traffic signals at the following locations meeting the approval of the Manager of Subdivision Division (TT #54):

- a. 50 percent at the intersection of Alton Parkway and Commercentre Drive.
- b. 25 percent at the intersection of Bake Parkway and 'J' Street.
- c. 50 percent at the intersection of Bake Parkway and Dimension Drive.

45. Traffic Signal Design and Construction

Prior to recordation of a final map, subdivider shall design and construct traffic signals at the following locations in accordance with plans and specifications meeting the approval of the Manager of Subdivision Division (TT #55):

- a. Intersection of Alton Parkway and 'D' Street.
- b. Intersection of Alton Parkway and 'B' Street.
- c. Intersection of Alton Parkway and 'C' Street.
- d. Intersection of Alton Parkway and 'A' Street.
- e. Intersection of 'J' Street and 'D' Street.
- f. Intersection of 'D' Street and Dimension Drive.
- g. Intersection of Bumpy Road and 'E' Street west leg.
- h. Intersection of Bumpy Road and Bake Parkway.
- i. Intersection of Bumpy Road and Lake Forest Drive.
- j. Intersection of Bumpy Road and 'M' Street.
- k. Intersection of Bumpy Road and 'O' Street.
- l. Intersection of Bumpy Road and Portola Parkway.
- m. Intersection of Bake Parkway and 'G' Street.

46. Traffic Signal Installation

Prior to recordation of a final map, subdivider shall install all underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) and other appurtenances (e.g., pull boxes, etc.) needed for future traffic signal construction at the intersections listed above, and as needed for future interconnection with adjacent intersections, all in accordance with plans and specifications meeting the approval of the Manager of Subdivision Division. Estimated costs for intersection work, done as part of this condition, will be deducted from any cash-in-lieu payments required as a condition of approval of this tentative map for corresponding signals. (TT #56)

47. Bikeway Construction

Prior to recordation of a final map, subdivider shall design and construct the off-road bikeway designated for Alton Parkway (Trail No. 59 on the MPCB) connecting to the regional park on an alignment and in accordance with plans and specifications meeting the approval of the Managers, Subdivision Division and Transportation Programs Division. (TT #57)

48. "F" Street Construction

Prior to the recordation of an applicable final map, the subdivider shall design and construct "F" Street, where shown on the tentative map, with minimum curve radii of 550' and limit ingress-egress at the intersection of "F" Street and Bumpy Road to right turn in-right turn out traffic only, all in a manner meeting the approval of the Manager, Subdivision Division. (TT #58)

49. Access Feasibility Plan

Prior to recordation of a final map, subdivider shall submit a detailed access feasibility plan (locations, widths, grades, bus turnout locations, elevations, left turn lanes, free right-turn lanes, median breaks, etc.) meeting the approval of the Manager of Transportation Programs Division. (TT #59)

50. Vehicular Access Dedication

Prior to recordation of a final map, vehicular access rights to all of the arterial highways shall be offered for dedication to the County of Orange, except for access locations approved by the County of Orange, and notes to this effect shall be lettered on the final map and approved by the Manager, Transportation Programs Division. (TT #60)

51. Landscaped Median Maintenance

Prior to recordation of a final map, subdivider shall demonstrate a method of maintaining the landscaped medians without the use of Road Funds that meets the approval of the Manager of Subdivision Division. (TT #61)

52. Bus Turnout Construction

Prior to the recordation of a final map, the subdivider shall design and construct bus turnouts at the following locations per Standard Plan 1120 and in accordance with plans and specifications meeting the approval of the Manager, Subdivision Division (TT #62):

- a. Northbound Alton Parkway/Farside Commercentre Drive
- b. Northbound Alton Parkway/Farside "D" Street
- c. Northbound Alton Parkway/Farside "J" Street
- d. Northbound Alton Parkway/Farside Dimension Drive
- e. Northbound Alton Parkway/Farside Bumpy Road
- f. Southbound Alton Parkway/Farside Bumpy Road
- g. Southbound Alton Parkway/Farside "C" Street
- h. Southbound Alton Parkway/Farside "B" Street
- i. Southbound Alton Parkway/Farside "A" Street
- j. Southbound Alton Parkway/Opposite Commercentre Drive
- k. Northbound Bake Parkway/Farside Dimension Drive
- l. Northbound Bake Parkway/Opposite "G" Street
- m. Northbound Bake Parkway/Farside Bumpy Road
- n. Southbound Bake Parkway/Farside Bumpy Road
- o. Southbound Bake Parkway/Farside "G" Street
- p. Southbound Bake Parkway/Farside "F" Street
- q. Southbound Bake Parkway/Farside Dimension Drive
- r. Northbound Lake Forest Drive/Farside Bumpy Road
- s. Southbound Lake Forest Drive/Farside Bumpy Road
- t. Northbound Portola Parkway/Farside Bumpy Road
- u. Southbound Portola Parkway/Farside Bumpy Road

SECTION 4

CONDITIONS REQUIRED PRIOR TO GRADING PERMIT

1. Soils and Geologic Reports

Prior to the issuance of a grading permit, applicant shall submit to and have approved by Manager, EMA/Development Services Division soils engineering and geologic reports (if appropriate due to slope conditions). Said studies shall primarily involve assessment of potential soil-related constraints and hazards such as slope instability, settlement, liquefaction or related secondary seismic impacts where determined appropriate by Manager, EMA/Development Services Division. Said report shall include evaluation of potentially expansive soils and recommend construction procedures and/or design criteria to minimize effect of these soils on proposed development. All reports shall recommend appropriate mitigation measures and shall be completed in the manner specified in the Orange Grading Manual and State/County Subdivision Ordinance. (PC #13; AP #13; TT #32)

2. Grading Deviation

If review of the grading plan for this property by the Manager, Development Services, EMA, indicates significant deviation from the proposed grading illustrated on the approved tentative tract map, specifically with regard to slope heights, slope ratios, and pad elevations and configuration, the plan shall be reviewed by the Subdivision Committee for a finding of substantial conformance prior to the issuance of any grading permit. Failure to achieve such a finding will require processing a revised tentative tract map. (TT #33)

3. Construction Noise Reduction

Prior to issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Development Services, that (PC #19; AP #14; IS #12B-N11; TT #34):

- a. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers.
- b. All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).
- c. Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.

4. Archaeology: Pregrading

Prior to issuance of a grading permit, the project applicant shall provide written evidence subject to approval by the Chief, EMA/Regulation/Grading section that a county-certified archaeologist has been retained, shall be present at the pregrading conference, shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If additional or unexpected archaeological features are discovered, the archaeologist shall report such findings to the project developer and to the Director, Harbors, Beaches and Parks. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project developer, for exploration and/or salvage. Excavated finds shall be offered to the County of Orange, or designee, on a first refusal basis. Applicant may retain said finds if written assurance is provided that they will be properly preserved in Orange County, unless said finds are of special significance, or a museum in Orange County indicates desire to study and/or display them at this time, in which case items shall be donated to county, or designee. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the Director, Harbors, Beaches and Parks/Program Planning Division. (PC #21; AP #21; TT #9)

5. Archaeology: Salvage

If determined applicable, prior to issuance of a grading permit, project proponent shall provide written evidence to Manager, Harbors, Beaches, and Parks/Program Planning Division that a County-certified archaeologist has been retained by the project proponent to conduct salvage excavation of the archaeological resources in

the permit area. A final report shall be submitted to and approved by the Manager, Harbors, Beaches, and Parks/Program Planning Division prior to any grading in the archaeological site areas. (IS #5B-A3)

6. Archaeology: Surveillance

If determined applicable, prior to issuance of a grading permit, project proponent shall provide written evidence to the Manager, Harbors, Beaches, and Parks/Program Planning Division that a County-certified archaeologist has been retained, shall be present at the pregrading conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the project proponent, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If additional or unexpected archaeological features are discovered, the archaeologist shall report such findings to the project proponent and to the Manager, Harbors, Beaches, and Parks/Program Planning Division. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project proponent, for exploration and/or salvage. These actions, as well as the final mitigation and disposition of the resources, shall be subject to the approval of the Manager, Harbors, Beaches, and Parks/Program Planning Division. (IS #5B-A3; TT #9)

7. Paleontology: Salvage

If determined applicable, prior to issuance of a grading permit, project proponent shall provide written evidence to the Manager, Harbors, Beaches, and Parks/Program Planning Division that a County-certified paleontologist has been retained by the project proponent to conduct preconstruction salvage of the exposed resources. The paleontologist shall submit a follow-up report on survey methodology and findings to the Manager, Harbors, Beaches, and Parks/Program Planning Division for review and approval. (IS #5B-P2)

8. Paleontology: Surveillance

If determined applicable, prior to issuance of a grading permit, project proponent shall provide written evidence to Manager, Harbors, Beaches, and Parks/Program Planning Division that a County-certified paleontologist has been retained by the project proponent to observe grading activities and salvage fossils as necessary. The paleontologist shall be present at the pregrading conference, shall establish procedures for paleontological resources surveillance, and shall establish, in cooperation with the project proponent, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluating of the fossils. If major paleontological resources are discovered, which require long-term halting or redirecting of grading, the paleontologist shall report such findings to the project proponent and to the Manager, Harbors, Beaches, and Parks/Program Planning Division. The paleontologist shall determine appropriate actions, in cooperation with the project proponent, which ensure proper exploration and/or salvage. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the Manager, Harbors, Beaches, and Parks/Program Planning Division, which shall include the period of inspection, an analysis of the fossils found, and present repository of the fossils. (IS #5B-P2; TT #11)

9. Prior Approvals

No grading permit shall be issued until the applicant has obtained the approval of a Site Plan or Precise Plan of Development (i.e., Tentative Tract Map, Site Development Permit, or Precise Street Improvement Plan pursuant to the requirements of the FCPP). (IS #1C)

10. Scale

Grading plans shall be at a scale of 1 (one) inch equals 100 (one hundred) feet with contours no less than 10 (ten) feet. (IS #1C)

11. Erosion Control

Erosion control measures will be developed and incorporated into final grading plans to minimize potential increases in erosion and sediment discharge. Effective measures which merit consideration include the timely seeding and revegetation of graded slopes and the use of temporary erosion control devices, i.e., sandbagging around the perimeter of graded areas. Furthermore, grading and construction activities should comply with applicable erosion and sediment control measures outlined in SCAG 208 best management practices (BMPs) sedimentation control plans. Said construction erosion and sediment control plans also will be submitted to the Santa Ana Regional Water Quality Control Board. (IS #3A) The plan shall stipulate that (IS #11C):

- Fugitive dust shall be controlled by regular watering, paving construction roads or other palliative measures to meet District Rule 403.
- Equipment engines shall be maintained in proper tune.
- Construction shall be discontinued during first- and second-stage smog alerts.

12. Agency Permits

The developers will consult with the Department of Fish and Game through the required notification process (Sections 1601-6, California Fish and Game Code) and the U.S. Army Corps of Engineers permit process (Section 404, Clean Water Act), if applicable, to determine additional protective measures, such as (IS #4B):

- a. Setbacks and edge screening of adjacent development to allow continued use of entire habitat available by wildlife.
- b. The use of fencing and other means of controlling access and disturbance to maintain value.
- c. Diversion or control of increased flood runoff from adjacent and upstream urban developments to prevent the scouring of bottom and bank vegetation.
- d. Maintenance of existing water supply for the continued support of habitats. (EIR)

13. Agency Permits

Prior to any alteration to Serrano Creek, a 1603 permit application will be submitted to the Department of Fish and Game. (IS #8A)

14. Fire Protection

Prior to implementation level approvals (i.e., grading permits), the project proponent shall submit a fuel modification plan and program for approval by the Manager, Fire Services in consultation with the Director, Parks and Recreation. The plan shall show the special treatment to achieve an acceptable level of risk in regard to the exposure of structures to flammable vegetation and shall address the method of removal and installation (mechanical or hand labor) and provisions for its continuous maintenance. The fuel modification plan will identify appropriate methods to reduce impacts on biological resource values or on visually sensitive areas. Areas of particularly high biological or scenic value may require Alteration of development design or special treatment of fuel modification as the appropriate method of reducing fire hazard. The approved fuel modification plan shall be installed under the supervision of the Manager, Fire Services and completed prior to the issuance of applicable Certificates of Use and Occupancy. (IS #13B-F7; TT #27)

15. Drainage Fees and Permits

The subject property is located within the Irvine Ranch Center Area and the Los Alisos Area Master Plan of Drainage (MPD). Facilities F19P05, F19P06, F19P07, F19S02, F19, F20P02, F20P03, and J01P06 within three regional watersheds are involved. Drainage fees of \$945/acre and \$550/acre have been adopted for portions of the property. Notwithstanding the tentative tract map grading, tributary drainage areas must be balanced to preserve existing drainage characteristics. The developer must provide evidence that the grading and development produces no overloading of downstream systems (to San Diego Creek) and that adequate mitigation has been provided to provide relief from resulting consequences. Portions of this property lie within FIRM Zone "A" and, therefore, are subject to FP-2 zoning conditions. A site development permit will be required to prior any proposed grading. (T.T. cover letter p.2)

16. Floodplain Regulations

Prior to the issuance of any grading permits within the FP-2 Zoning District, the developer shall provide three (3) sets of calculations and plans showing the method of satisfying the FP-2 District Regulations in a manner meeting the approval of the Manager, Subdivision Division. (TT #19)

17. Vector Control

Prior to the issuance of any grading permits, the Manager, Environmental Health, shall be requested to initiate the survey process of the tract site to determine if vector control measures are necessary. If warranted, such measures shall be conducted by the developer in a manner meeting the approval of the Manager, Environmental Health. (TT #23)

18. Foothill Transportation Corridor

Prior to the issuance of a grading permit, the developer shall prepare a precise geometric design plan for the Foothill Transportation Corridor with full dimensions for the corridor across the map boundary. Approval of the subsequent grading plan will then be based upon the approval design plan, all in a manner meeting the approval of the Manager, Foothill/Eastern Transportation Corridor Division. (Condition No. 52e refers.) (TT #31)

19. Sight Distance

Prior to the issuance of a grading permit, adequate sight distance shall be provided at all intersections per Standard Plan 1117 in a manner meeting the approval of the Manager, Transportation Planning Division. This includes any necessary revisions to the plan such as removing slopes or other encroachments from the limited use area. (TT #48)

SECTION 5

CONDITIONS REQUIRED PRIOR TO BUILDING PERMITS

1. **Transportation Systems Management**

Prior to issuance of the first building permit, applicant shall obtain approval by Manager, Transportation Planning of a Transportation Systems Management (TSM) Plan for Baker Ranch. The plan shall address features such as vanpooling, fleet pooling, ride sharing, public transit, alternative work hours, bikeways, or any other measures related to the mitigation of traffic. The plan shall require annual reporting on the implementation and status of the plan through the Annual Monitoring Report. (PC #2; AP #2)

2. **Growth Management Plan**

Building permit issuance shall be phased in accordance with the Foothill Circulation Phasing Plan (FCPP) Development Phasing Plan, and shall also be subject to any other Board of Supervisors approved growth management phasing plan pertaining to the timely provision of public services and facilities. A valid Board of Supervisors approved development agreement pertaining to the property which includes a development phasing plan shall satisfy the requirements of this condition. This condition shall be noted on all final maps. (PC #4; AP #4; TT #49)

3. **Aircraft Hazard Notice**

Prior to the issuance of a Building Permit (at least 30 days beforehand) for a structure that penetrates the 100:1 Notice Surface pursuant to FAR Part 77.13, the project applicant shall submit FAA Form 7460-1, "Notice of Proposed Construction or Alteration," to the Federal Aviation Administration (FAA) which will initiate an Aeronautical Study of the project. Upon completion of an FAA Aeronautical Study, the project applicant shall submit evidence to the Manager, Development Services Division, that restrictions and conditions, if any, imposed on the project by the FAA have been incorporated into the design of the project. (PC #246; AP #246; IS #8A)

4. Detailed Landscape and Resource Enhancement Plan

Prior to issuance of any building permit(s), a detailed landscape and resource enhancement plan shall be submitted to and approved by the Manager, Subdivision Division, in consultation with the Manager, Harbors, Beaches and Parks/Program Planning Division. Detailed plans shall show the detailed irrigation and landscaping design. (AP #296; TT #42b)

5. Floodplain Protection

Prior to implementation level approvals, (i.e., building permits, grading permits, etc.), evidence shall be submitted to the Manager, Subdivision Division, for his approval demonstrating that all commercial, industrial, and open-space structures comply with the conditions listed below (IS #3B-FP4):

- a. Designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure due to flood waters; and
- b. Constructed with materials and utility equipment resistant to flood damage; and
- c. Constructed by methods and practices that minimize flood damage; and
- d. For nonresidential structures, the height of the lowest floor (including basement) must be at least 1 foot above the design flood level or be protected by a flood protection system or flood proofing.

6. Interior Noise

All non-residential structures shall be sound attenuated against the combined impact of all present and projected noise from exterior noise sources to meet the interior noise criteria as specified in the Noise Element and Land Use/Noise Compatibility Manual.

Prior to the issuance of any building permits, evidence prepared by an acoustical consultant that these standards will be satisfied in a manner consistent with applicable zoning regulations shall be submitted to the Manager, Development Services Division, in the form of an Acoustical Analysis Report describing in detail

the exterior noise environment and the acoustical design features required to achieve the interior noise standard and which indicates that the sound attenuation measures specified have been incorporated into the design of the project. (IS #12B-N2; TT #1)

7. Noise Report

Prior to the issuance of any Building Permits, an Acoustical Analysis Report and appropriate plans shall be submitted describing the noise generation potential of the proposed project and proposed attenuation measures to assure compliance with Orange County Codified Ordinance, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified acoustical consultant and submitted to the Manager, Development Services Division, for review and approval. The approved attenuation features shall be incorporated into the plans and specifications of the project. (IS #12B-N8; TT #2)

8. Fire Protection

Built-in fire protection to mitigate partially the added demand of fire protection services such as automatic fire sprinkler systems, installation of smoke detection devices, use of fire-retardant building materials and shrubbery, prominent placement of rescue service telephone numbers, and the appropriate siting of faucets, hydrants, and other fire-fighting appurtenances. (IS #13A)

9. Utilities

Install low-flush toilets (see Section 17921.3 of the Health and Safety Code); low-flow showers and faucets (California Administrative Code, Title 24, Part 6, Article 1, T20-1406F); insulate hot water lines in water recirculating systems (California Energy Commission regulations); and proposed building construction will comply with Title 24 of the California Administrative Code. (IS #13A)

10. Fire Protection

Prior to implementation level approvals (i.e., building permits) for combustible construction, the project proponent shall submit evidence to the Manager, Fire Services that a water supply for fire protection is available. (IS #13B-F4; TT #28)

11. Fire Protection

Prior to implementation level approvals (i.e., building permits), the project proponent shall provide a site plan showing building locations and private drive arrangements for approval by the Manager, Fire Services on any portion of the subdivision map served by private streets not previously depicted. (IS #13B-F5)

12. Fire Protection

Prior to implementation level approvals (i.e., building permits) plans for an automatic fire extinguishing system shall be approved by the Manager, Fire Services. (IS #13B-F11)

13. Hazardous Materials Storage

Prior to the issuance of any Building Permits, the applicant shall submit building plans (with a description of potential uses) for approval by the Health Care Agency/Environmental Health (Waste Management Section). Said building plans shall assure the incorporation of structural measures to facilitate the safe handling and storage of infectious waste and assure compliance with all applicable standards and regulations which reduce the opportunity for release of hazardous materials into the environment. (IS #16B-PHS1)

14. Hazardous Materials Inventory

Prior to the issuance of any Building Permit, the applicant shall submit building plans (with a description of potential uses) for approval by the Orange County Fire Department (Hazardous Materials Inventory Program) in order to keep current records of such uses and assure compliance with the Uniform Fire Code. (IS #16B-PHS2)

15. Floodplain Elevations

Prior to the issuance of any building permits, the developer shall, where applicable, first identify floor elevations and the corresponding floodplain elevation(s) on the building permit in a manner meeting the approval of the Manager, Subdivision Division. (TT #17)

16. Sheriff Substation

Prior to the issuance of building permits, this project shall be required to pay fees for sheriff substation facilities in the event an applicable fee program is established by the Board of Supervisors. Fees will be established by an applicable fee program but shall not exceed \$50.00 per dwelling unit and \$4.00 per 100 square feet of non-residential development. This requirement is nullified if such a fee program is not adopted within 3 years of the recordation of a final map. Specific compliance with this condition may be refined or implemented through a development agreement. (TT #25)

17. Emergency Access Phasing

Prior to the issuance of any building permits, a construction phasing plan demonstrating the adequacy of emergency vehicle access for the number of structures served shall be submitted to and approved by the Fire Chief. (TT #29)

18. Major Thoroughfare and Bridge Fee Program - FCPP

Prior to the issuance of each building permit, payment of fees will be required as prescribed in the Major Thoroughfare and Bridge Fee Program for the Foothill Circulation Phasing Program. (TT #35)

19. Major Thoroughfare and Bridge Fee Program - ETC

Prior to the issuance of a building permit, payment of fees will be required as prescribed in the Major Thoroughfare and Bridge Fee Program for the Foothill/Eastern Transportation Corridor. (TT #36)

20. Major Thoroughfare and Bridge Fee Program - El Toro Road

Prior to the issuance of each building permit, payment of fees will be required as prescribed in the Major Thoroughfare and Bridge Fee Program for El Toro Road. (TT #37)

21. School Fee Program

Prior to the issuance of any building permits, the developer shall comply with Assembly Bill AB 2926. (TT #46)

SECTION 6

CONDITION REQUIRED PRIOR TO CONSTRUCTION

1. Aircraft Hazard: FAA Part 77

No person, firm or corporation shall undertake construction or alteration which meets the notice criteria of Subpart B, Title 14, Part 77 of the Code of Federal Regulations outside the exterior boundaries of any airport (including heliports) available for public use or any military airport, without first notifying the Federal Aviation Administration of the proposed construction, as required by Subpart B of Part 77, and receiving, and presenting to the Director, EMA, a determination from the FAA that such construction does not constitute a hazard to air navigation.
(PC #24a; AP #24a)

SECTION 7

**CONDITION REQUIRED
PRIOR TO LOT SALES/LEASE/RENTAL**

1. Aircraft Hazard Notification

Prior to sale, lease, or rental of any structure or portion thereof, the applicant/owner shall provide to each prospective purchaser, lessee, or tenant a notice and statement of acknowledgement that the property is subject to overflight, sight, and sound of aircraft operating from El Toro Marine Corps Air Station. The form and method of distribution of said notice and statement of acknowledgement shall as approved by the Manager, Development Services Division. (IS #12B-N7; TT #5)

SECTION 8

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF USE AND OCCUPANCY

1. Landscaping

Prior to the issuance of certificates of use and occupancy, landscape plans for landscape areas which will be maintained privately shall be prepared by a licensed landscape architect in accordance with the approved Area Plan and Site Plan requirements, EMA Standard Plans, adopted planned community, scenic corridor and specific plan requirements, Subdivision Code, Zoning Code, and conditions of approval. Prior to the release of the financial security guaranteeing the landscape improvements, the plans shall be certified by the landscape architect as to compliance with said requirements. Furthermore, applicant shall have a licensed landscape architect verify that the landscaping and irrigation system was installed in accordance with the certified plan. Applicant shall furnish landscape plan certification and installation verification in writing subject to approval of the Manager, Construction Division, and the Manager, Building Inspection Division. (PC #17; AP #17; TT #42c)

2. CC&R Recordation

CC&Rs or other method or procedure (including the establishment of a homeowners association or other entity which will guarantee the provision of all extended services and any other private services required at no cost to the county), shall be recorded prior to issuance of any certificates of use and occupancy. (PC #25; AP #26)

3. Aircraft Hazard Notification

Prior to issuance of any Certificates of Use and Occupancy, the developer shall produce evidence acceptable to the Manager, Development Services Division, that information stating this property is subject to the overflight, sight, and sound of aircraft operating from (El Toro Marine Corps Air Station) has been provided to the Department of Real Estate of the State of California for inclusion into the Final Subdivision Public Report. (IS #12B-N4)

4. Noise

Prior to the issuance of any Certificates of Use and Occupancy (IS #12B-N9):

- FSTC (Federal Sound Transmission Class) and FIIC (Federal Impact Installation Class) measurements shall be performed in a manner meeting the approval of the Manager, Development Services Division, to determine compliance with county noise standards.
- Satisfactory evidence shall be submitted to the Manager, Development Services, which indicates that the sound attenuation measures specified in the approved Acoustical Analysis Report have been incorporated into the design of the project.

5. FTC Notice

Prior to the issuance of Certificates of Use and Occupancy, the developer shall produce evidence to the Manager, Development Services Division, that the Department of Real Estate has been notified that the project area is adjacent to a regional transportation corridor which is shown on the Orange County Master Plan of Arterial Highways and which will pass along the northerly boundary of the Baker Ranch project. The corridor is expected to be a high capacity, high-speed, limited-access facility for motor vehicles, and will have provisions for bus lanes and other mass transit type facilities. (IS #12B-N13)

6. Resource Enhancement

Prior to the issuance of final certificates of use and occupancy and the release of the financial security guaranteeing the resource enhancement improvements, said improvements shall be installed and shall be certified by a licensed landscape architect as having been installed in accordance with the approved detail plans. Said certification shall be furnished in writing to the Manager, Construction Division. (AP #29c)

SECTION 9

CONDITIONS REQUIRED PRIOR TO ANNEXATION/INCORPORATION

1. AMR Compliance

Prior to the submission of a petition or a resolution of application for annexation of the subject property to a city or prior to consent by the landowner to annexation by a city, the landowner shall obtain the approval by the Board of Supervisors of an agreement demonstrating how the conditions of approval and the requirements of the Annual Monitoring Report (AMR), if any, will be satisfied. This agreement will ensure compliance with all conditions of approval of LU 88-1 and subsequent discretionary approvals established prior to completion of annexation. (PC #5; AP #5)

2. Fiscal Impact Report

In the event of application for annexation or incorporation of all or part of the project, the county may require that a revised Fiscal Impact Report be prepared by the petitioners to assess the cost-revenue impact of such annexation or incorporation on the county and the special districts serving the property to be annexed or incorporated. (PC #9; AP #9)

SECTION 10

CONDITIONS REQUIRED ANNUALLY

1. Annual Monitoring Report

An Annual Monitoring Report (AMR) shall be prepared and submitted upon request each year to the County Administration Office (CAO) Monitoring/Forecast Services Division and the Environmental Management Agency/Advance Planning Division. The submittal of an AMR for the Planned Community is required for conformance with the Growth Management Program of the Land Use Element of the Orange County General Plan and the County's Development Monitoring Program (DMP). The Board of Supervisors, in the annual adoption of the DMP, may identify a significant imbalance between proposed development and planned infrastructure or in the proportionate development of residential, commercial and employment land uses. The Board of Supervisors may then defer subdivision approval within the project until approaches capable of resolving imbalances are proposed to and approved by the Board or the Board may require actions of subdividers in accordance with the provisions of an applicable Development Agreement. The Annual Monitoring Report will be the project proponent's opportunity to demonstrate mitigation measures and implementation strategies which will ensure adequate infrastructure for development of the property. (PC #3; AP #3) *PA*

2) Ag. 35 Panel. Agree annual review of

SECTION 11
CONDITIONS WITH NO
SPECIFIED COMPLIANCE SCHEDULE

1. Transportation Improvements

The proponent shall construct all onsite highways which are required for implementation of the Master Plan of Arterial Highways. The proponent shall also participate in construction of the Foothill Transportation Corridor and Eastern Transportation Corridor as per Board of Supervisors policy and participate in implementation of offsite arterial highway and intersection improvements on a pro rata basis through participation in the Foothill Circulation Phasing Plan and other applicable road fee programs. (PC #1; AP #1; Res. #5a,b,c)

2. Offsite Highway Noise

The project proponent shall contribute a proportional share of the cost of constructing offsite arterial highway noise attenuation barriers, if such a program is adopted by the Board of Supervisors. (PC #18; AP #18)

3. Flood Control

The proponent shall fund and construct all onsite flood control facilities in a manner meeting the approval of the Director of EMA. (PC #27; AP #28)

4. Grading Plans

Detailed grading plans will be prepared and reviewed by a geotechnical consultant during later stages of project planning. These plans shall include specific measures to mitigate any potential landform constraints to development identified during this preparation. (IS #1A)

5. Grading Ordinance

All grading operations will be in accordance with the County of Orange Grading Ordinance. (IS #1A)

6. Grading: Open Space

No open space acreage shall be removed to correct geologic hazards. No grading shall be permitted in regional open space areas, except for habitat restoration (e.g., reestablishment of the Serrano Creek, Aliso Creek and Borrego Canyon Wash corridors), necessary flood control improvements, public road crossings and bridges. (IS #1C)

7. Grading: Open Space

Excepting road crossings, the toe of slopes at the development/open space interface shall be situated outside the minimum width of the open space area. (IS #1C)

8. Grading: Wildlife

Initial construction disturbance should be planned in a manner that will avoid surrounding large natural areas with construction activity. This will provide natural escape corridors to wildlife for emigration from areas subjected to disturbance. (IS #4A)

9. Sedimentation

Consideration should be given to measures which will minimize entry of sediment into drainage courses resulting from construction. Available measures include introduction of rapid-developing, solid-anchoring groundcover and strategic placement of runoff-retaining structures. (IS #4A)

10. Building Safety

All structures will be designed in accordance with Orange County building codes to ensure safety in the event of an earthquake. (IS #2A)

11. Landscaping: Revegetation

Any riprap required for stream channel improvements shall be covered with soil and revegetated with riparian vegetation. (IS #4C)

12. Landscaping: Native Vegetation

Landscaping programs for the planned community shall focus on the use of native trees, shrubs and ground cover as well as exotic vegetative resources long since a part of the foothill area. This landscaping shall be utilized to control erosion, obscure graded areas, re-establish natural habitat areas along the major drainages within the project area, and screen proposed development. (IS #1C)

13. Erosion Control

Existing shrub cover should be retained to the extent possible to reduce visual impact and the threat of surface erosion from accelerated rain runoff. (IS #4A)

14. Impervious Surfaces

To reduce loss of soil moisture supply from accelerated runoff, the amount of land surface covered by impervious materials should be kept to a reasonable minimum. (IS #4A)

15. Existing Vegetation

Preservation of existing eucalyptus windrows and groves should be provided wherever possible. (IS #4A)

16. Recreational Facilities: Wildlife

Any recreational facilities and trails desired should be located along the extreme outer edge of the buffer zone to provide undisturbed wildlife mobility corridors, to minimize human and domestic animal intrusion, and to allow wildlife habitat to develop relatively free from urban influences. (IS #4A)

17. Existing Vegetation

Existing coastal sage scrub and chaparral habitat shall be left in place to the extent feasible. This will allow the retention of some wildlife values, as well as reduce visual impacts and surface erosion. (IS #4C)

18. Wildlife Crossings

All roadway crossings of Serrano Creek shall be bridged to help preserve existing wildlife corridors and sensitive vegetation communities and to facilitate safe, efficient, grade-separated recreational trail movement. (IS #4C)

19. Hydrology

Detailed hydrologic investigations should be conducted and the appropriate interim flood control improvement measures should be developed to ensure preservation of streamcourse hydrologic functions and provide adequate flood protection for proposed development areas. (IS #3A)

20. Storm Drains

A properly designed storm drain system will reduce the potential impacts of increased onsite runoff volumes and velocities. (IS #3A)

21. FP-2 Zoning Regulations

Proposed construction within the existing channels and 100 year floodplains of Serrano Creek and Borrego Canyon wash will be subject to the FP-2 zoning development regulations pursuant to Ordinance No. 3223. The reaches of these streams through the site will be channelized to provide adequate flood protection to adjacent development areas, roadway crossings and preserve existing runoff conveyance functions through the area. Channelization improvements will be integrated with those for the adjoining Whiting Ranch and West Properties developments. (IS #3A)

22. Storm Drains

A properly designed storm drain system will be developed to reduce the potential impacts of increased onsite runoff volumes and velocities. If deemed necessary, this system will incorporate flow retention and/or reduction devices to minimize impacts to downstream flood hazard potentials in accordance with the provisions of the National Flood Insurance Act of 1968. (IS #3A)

23. Stream Crossings

Appropriately designed roadway crossing/stream undercrossing structures over major drainages onsite will be provided to avoid potential washout hazards and maintain runoff conveyance capacities. (IS #3A)

24. Stormwater Pollution

Appropriate stormwater pollution control plans (e.g., a street sweeping program and/or a periodic maintenance program for storm drains, catch basins, etc.) will be developed as a means of reducing long-term impacts to study area and downstream water quality. (IS #3A)

25. Cultural Resources: LACM

The Natural History Museum of Los Angeles County (LACM) Vertebrate Paleontology Section, should be designated as the depository for all significant research-quality vertebrate specimens recovered from the study area. Other less significant specimen finds should be donated to other scientific institutions as deemed appropriate by LACM. (IS #5A)

26. Historical Resources

Based on existing information, no historic resources are located on the project site. However, if historic resources are discovered onsite during an archaeological or paleontological field survey or by additional information revealed during the implementation phase of development, the project proponent shall notify the Manager, Harbors, Beaches and Parks/Program Planning Division. (IS #5BH3)

27. Open Space

Open space areas within the project area along Aliso Creek, Serrano Creek and Borrego Canyon Wash will be retained consistent with the previously approved plans and in compliance with the requirements of the General Plan. (IS #6C)

28. Ridgelines

The project will be reviewed for consistency with the Laguna Aliso and North El Toro Area Supplement, to the General Plan Conservation Policy Number Nine: "to limit development on ridgelines having high scenic value to existing and future surrounding communities." (IS #8A)

29. Trails

The proposed project will provide necessary trail right-of-way for the Serrano Creek Trail system at more detailed levels of planning. (IS #8A)

30. Noise

A noise study will be conducted at more detailed stages of the development, and the necessary noise attenuation measures will be incorporated to achieve acceptable interior noise levels for these uses. The Acoustic Environment section of this comprehensive list of Mitigation Measures provides a complete list of mitigation measures related to noise. (IS #8A)

31. Fuel Modification

A fuel modification program will be developed at more detailed stages of the planing process which complies with County fire regulations. (IS #8A)

32. Development Phasing

It is recommended that the commercial and industrial development be phased to ensure that supply does not outpace demand over the short-term. (IS #9A)

33. Transportation: FTC Right-of-Way

The project proponent shall reserve right-of-way for the Foothill Transportation Corridor and contribute to its implementation based upon adopted fees. (IS #10A)

34. FTC

The project proponent shall contribute to the provision of regionwide facilities through the adopted Foothill Circulation Phasing Plan. (IS #10A)

35. Onsite Arterials

Construct onsite arterial highways in accordance with the Master Plan of Arterial Highways as amended. (IS #10A)

36. Signals

Construct onsite traffic signals where they become warranted. (IS #10A)

37. Regional Facilities

Commit to cooperate in the provisions of future regionwide facilities. (IS #10A)

38. Energy Conservation

Energy conservation practices should be inherent in th design of the project so that it may have the secondary effect of limiting stationary source pollutants both on and offsite. (IS #11A)

39. Construction Techniques

Prescribed watering techniques will be employed to mitigate partially the impact of construction-generated dust particulates. (IS #11A)

40. Compliance with AQMD Regulations

Future phases of development will comply fully with the rules and regulations mandated by SCAQMD. (IS #11A)

41. Compliance with County Air Quality Measures

At future planning stages, the developer should investigate implementing, where appropriate, the "six reasonably available control measures" which the County Board of Supervisors adopted to support on April 15, 1980 (IS #11A):

- Energy conserving street lights;
- Traffic light synchronization;
- Preferential carpool parking;
- Modified work hours;
- Ridesharing; and
- Bicycle/pedestrian facilities to reduce vehicle miles traveled.

42. Air Quality Incentives

Encourage employers to provide carpool, vanpool, and transit use incentives. (IS #11C)

43. Air Quality Incentives

Encourage employers to provide for flextime, compressed work weeks or other nontraditional work scheduling to lighten rush hour traffic. (IS #11C)

44. Noise Mitigation

Vehicular noise impacts identified for the Foothill Corridor, Bake Parkway and Lake Forest Drive onsite can be mitigated effectively by means of barriers (berms or walls), setbacks and special construction techniques (well-sealed plywood sheathing, R-19 insulation in attic spaces, window STC of at least 24 or double glazed windows). It is expected that the acoustical report assessing the compatibility of the proposed land use will also address the vehicular acoustic impact issue. As well, specific identification of land uses onsite, including type and location of buildings, treatment of arterial highways and overall architectural treatments will assist in defining the detail of mitigation measures. (IS #12A)

45. Fuel Management

The threat of damaging fires can be reduced through implementation of a fuel management program which should include measures such as periodic clearing and maintenance of natural vegetation of those areas proposed to remain in natural open space immediately bordering the study area, and use of fire-retardant landscape materials. (IS #13A)

46. Reclaimed Wastewater Use

Reclaim wastewater and use it for landscape irrigation and decorative water improvements, where possible. (IS #13A) If there is sufficient revenue in the future to continue existing service to CSA 6, it may be necessary to impose user fees on

residents or reduce the level of service. In the event of future legislative changes or Board of Supervisors approval of assessments financing to supplement property tax revenues, the property will be in a county service area, and the county will be in a position to accept offers for dedication and assume ownership and maintenance responsibilities from a community association. (IS #13A)

47. Lighting

Street lighting shall be designed and located so that direct rays are confined to the roadway. All other lighting shall be designed so as to confine direct rays to the premises. This measure will also mitigate potential light impacts to the El Toro MCAS. (IS #14C)

48. Lighting

Any lights used to illuminate the parking spaces or driveways shall be designed and located so that direct rays are confined to the property. (IS #15B)

49. Lighting

All lighting, exterior and interior shall be designed and located so as to confine direct rays to the premises. (IS #15B)

50. Reservoir Aesthetics

All reservoirs on the site shall be designed so as to minimize visual intrusiveness and glare. This may include reservoir burial, vegetative screening and use of non-glare paint. (IS #14C)

51. Public Transit

Provide for convenient access to transit stops. Orient project for transit convenience and accessibility. (IS #11C)

52. Pedestrian Access

Provide for easy pedestrian access, including urban paseos from residential areas into and through commercial, office and open space areas. (IS #11C)

53. Transit Improvements

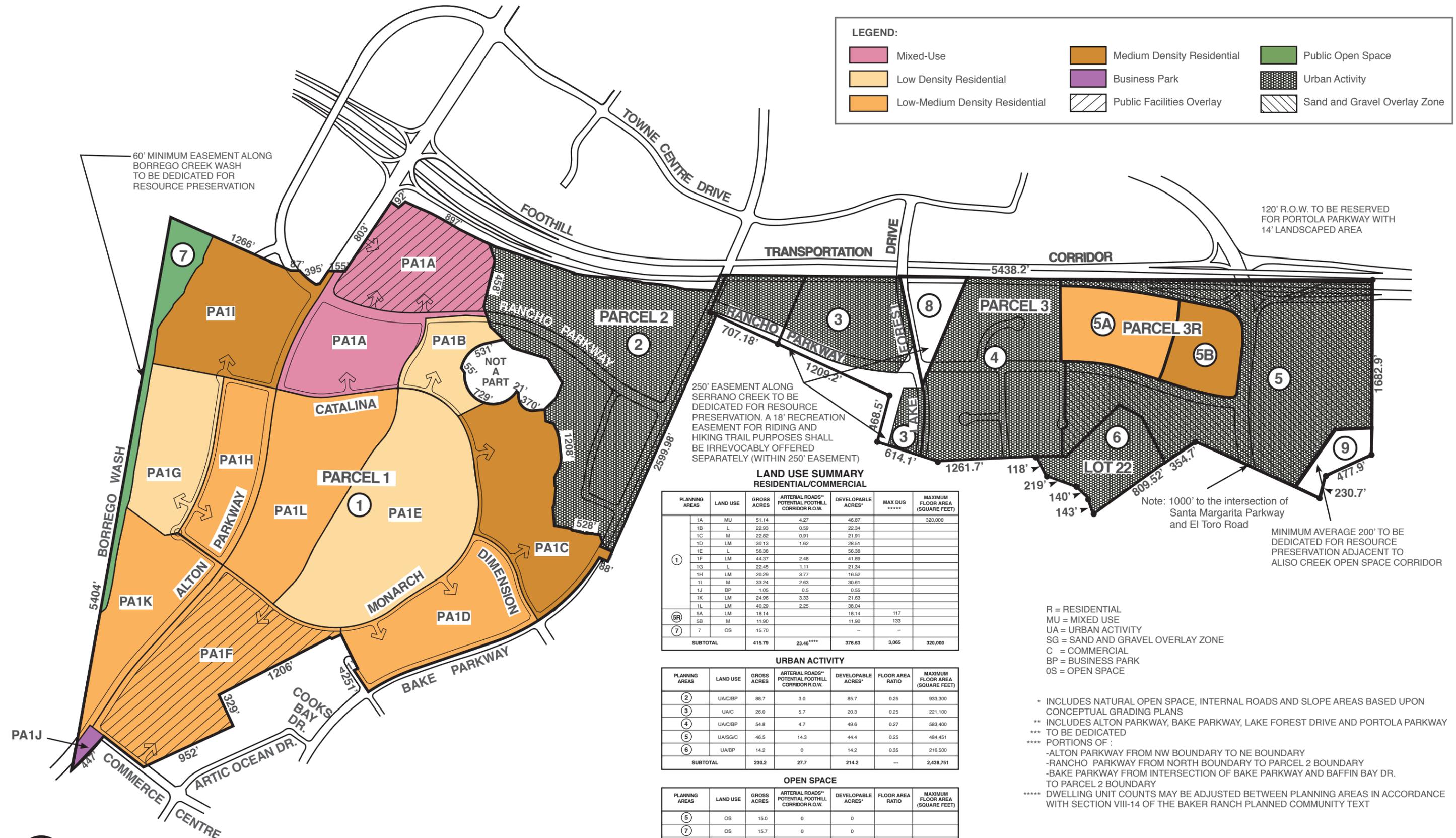
Include transit improvements in the project design, such as bus shelters, benches and bus pockets in the streets. (IS #11C)

54. Bikeways

Provide for designated bikeways, and provide convenient bicycle storage facilities. (IS #11C)

LEGEND:

| | | |
|--------------------------------|----------------------------|------------------------------|
| Mixed-Use | Medium Density Residential | Public Open Space |
| Low Density Residential | Business Park | Urban Activity |
| Low-Medium Density Residential | Public Facilities Overlay | Sand and Gravel Overlay Zone |



**LAND USE SUMMARY
RESIDENTIAL/COMMERCIAL**

| PLANNING AREAS | LAND USE | GROSS ACRES | ARTERIAL ROADS* POTENTIAL FOOTHILL CORRIDOR R.O.W. | DEVELOPABLE ACRES* | MAX DUS ***** | MAXIMUM FLOOR AREA (SQUARE FEET) |
|-----------------|----------|---------------|--|--------------------|---------------|----------------------------------|
| ① | 1A | MU | 51.14 | 4.27 | 46.87 | 320,000 |
| | 1B | L | 22.93 | 0.59 | 22.34 | |
| | 1C | M | 22.82 | 0.91 | 21.91 | |
| | 1D | LM | 30.13 | 1.62 | 28.51 | |
| | 1E | L | 56.38 | | 56.38 | |
| | 1F | LM | 44.37 | 2.48 | 41.89 | |
| | 1G | L | 22.45 | 1.11 | 21.34 | |
| | 1H | LM | 20.29 | 3.77 | 16.52 | |
| | 1I | M | 33.24 | 2.63 | 30.61 | |
| | 1J | BP | 1.05 | 0.5 | 0.55 | |
| | 1K | LM | 24.96 | 3.33 | 21.63 | |
| | 1L | LM | 40.29 | 2.25 | 38.04 | |
| | 5A | LM | 18.14 | | 18.14 | 117 |
| | 5B | M | 11.90 | | 11.90 | 133 |
| 7 | OS | 15.70 | | | | |
| SUBTOTAL | | 415.79 | 23.46**** | 376.63 | 3,065 | 320,000 |

URBAN ACTIVITY

| PLANNING AREAS | LAND USE | GROSS ACRES | ARTERIAL ROADS* POTENTIAL FOOTHILL CORRIDOR R.O.W. | DEVELOPABLE ACRES* | FLOOR AREA RATIO | MAXIMUM FLOOR AREA (SQUARE FEET) |
|-----------------|----------|--------------|--|--------------------|------------------|----------------------------------|
| ② | UA/C/BP | 88.7 | 3.0 | 85.7 | 0.25 | 933,300 |
| ③ | UA/C | 26.0 | 5.7 | 20.3 | 0.25 | 221,100 |
| ④ | UA/C/BP | 54.8 | 4.7 | 49.6 | 0.27 | 583,400 |
| ⑤ | UA/SG/C | 46.5 | 14.3 | 44.4 | 0.25 | 484,451 |
| ⑥ | UA/BP | 14.2 | 0 | 14.2 | 0.35 | 216,500 |
| SUBTOTAL | | 230.2 | 27.7 | 214.2 | --- | 2,438,751 |

OPEN SPACE

| PLANNING AREAS | LAND USE | GROSS ACRES | ARTERIAL ROADS* POTENTIAL FOOTHILL CORRIDOR R.O.W. | DEVELOPABLE ACRES* | FLOOR AREA RATIO | MAXIMUM FLOOR AREA (SQUARE FEET) |
|-----------------|----------|---------------|--|--------------------|------------------|----------------------------------|
| ⑤ | OS | 15.0 | 0 | 0 | | |
| ⑦ | OS | 15.7 | 0 | 0 | | |
| ⑧ | OS | 10.9 | 0 | 0 | | |
| ⑨ | OS | 3.5 | 0 | 0 | | |
| SUBTOTAL | | 45.1 | 0 | 0 | --- | --- |
| TOTAL | | 687.01 | 51.16**** | 585.83 | --- | --- |

R = RESIDENTIAL
 MU = MIXED USE
 UA = URBAN ACTIVITY
 SG = SAND AND GRAVEL OVERLAY ZONE
 C = COMMERCIAL
 BP = BUSINESS PARK
 OS = OPEN SPACE

* INCLUDES NATURAL OPEN SPACE, INTERNAL ROADS AND SLOPE AREAS BASED UPON CONCEPTUAL GRADING PLANS
 ** INCLUDES ALTON PARKWAY, BAKE PARKWAY, LAKE FOREST DRIVE AND PORTOLA PARKWAY
 *** TO BE DEDICATED
 **** PORTIONS OF :
 -ALTON PARKWAY FROM NW BOUNDARY TO NE BOUNDARY
 -RANCHO PARKWAY FROM NORTH BOUNDARY TO PARCEL 2 BOUNDARY
 -BAKE PARKWAY FROM INTERSECTION OF BAKE PARKWAY AND BAFFIN BAY DR. TO PARCEL 2 BOUNDARY
 ***** DWELLING UNIT COUNTS MAY BE ADJUSTED BETWEEN PLANNING AREAS IN ACCORDANCE WITH SECTION VIII-14 OF THE BAKER RANCH PLANNED COMMUNITY TEXT



**BAKER RANCH
Planned Community Development Plan**