



County of Orange

# MEMO

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**DATE:** April 16, 2001  
**TO:** Vic Bellaschi/Bill Melton Site Planning Section  
**FROM:** Environmental & Project Planning Services Division (E&PPSD)  
**SUBJECT:** PA 010007, filing of VTT Map 16107 in Ladera PC.

**PROJECT DESCRIPTION:** A Site Development Permit for a model home complex in connection with the construction of a 66 unit multi-family condominium project. Also included in this proposal is the filing of Vesting Tentative Tract Map 16107, which is a subdivision of 4.623 acres of land into a single lot for multi-family residential development with no lettered lots.

**PROJECT LOCATION:** The Project site is located in PA 3, south of Crown Valley Parkway and north of Avendale Boulevard in the Ladera Planned Community.

**CEQA DETERMINATION:** The CEQA review of the subject project has been completed by the Environmental & Project Planning Services Division. Based upon its review, E&PPSD has determined that the proper CEQA documentation for the Project is Addendum IS PA 010007 to FEIR 555. The following information is attached to this memo for your consideration:

- I. Instructions for Filing CEQA Documents with the County Clerk; and
- II. CEQA Statements, Actions and Findings which should be used for Staff Reports and AITs for the Project, including:
  - A. CEQA Compliance Statement(s) for AITs and Staff Reports; and
  - B. Recommended Action for Decision-maker(s) to Approve Project; and
  - C. Fish and Game Code Findings for Approval of Project; and
  - D. NCCP Finding for Approval of Project.
- III. Addendum PA 010007

If clarification is needed regarding this Memo or if there are questions, please contact the following staff person from PDS/Environmental & Project Planning Services Division:

E&PPSD Staff Contact: Chris Uzo-Diribe Telephone Number: 834-2542  
George Britton, Manager, Environmental & Project Planning Services Division

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: Chief, Environmental Section

- Attachment 1: Filing Instructions for County Clerk
- Attachment 2: Recommended CEQA Statements, Actions, Findings
- Attachment 3: Addendum PA 01007/VTTM 16107
- Attachment 4: NOD

## ATTACHMENT 1

### FILING CEQA DOCUMENTS WITH THE COUNTY CLERK

Your division will be responsible for filing the CEQA documentation and paying its related \$43.00 filing fee with the County Clerk for your project. The County Clerk needs your CEQA document(s) with your project charge number in the upper right corner in order to post the document and recover this fee. You must, however, obtain a fee receipt from the County Clerk, which must then be turned in immediately to Management Services/Accounting Services. The County Clerk requires the \$43.00 documentary handling fee for the following items:

- \* Notices of Determinations (NOD); and
- \* Notices of Exemption (NOE)

#### **Please note the following:**

1. Within 5 days of Project approval by the Board, Planning Commission, Zoning Administrator, Subdivision Committee or Director of PDS, a Notice of Determination (NOD) must be filed with the County Clerk.
2. If E&PPSD has determined that the Project is exempt from the Department of Fish and Game (DFG) fees, a De Minimis Finding (Certificate of Fee Exemption) will be provided by E&PPSD and must accompany your project's NOD.
3. If E&PPSD has determined that the Project is exempt from the Department of Fish and Game (DFG) fees because the required fees were previously paid, a memo will be provided by E&PPSD and must accompany your project's NOD.
4. If E&PPSD cannot find your project exempt from the DFG fees and has no record of the fee payment, the Applicant will be required to pay \$893.00 for the EIR, including the \$43.00 handling fee.

You will need to fill in the information on the NOD form and get an original authorizing signature from your division after the approval action on your project. You will need to take the original set, and at least one set of copies to the EIR Clerk located in the Records/Clerks Office, Building 12, Civic Center Plaza. The Clerk will stamp the NOD and keep the original set. The Clerk will issue a receipt for the environmental document, which must be returned to Management Services/Accounting Services by the end of the day. A copy of a stamped NOD must be sent to E&PPSD for the file.

**ATTACHMENT 2**  
**RECOMMENDED CEQA STATEMENT ACTION AND FINDINGS FOR STAFF**  
**REPORTS/AITs**

**A. CEQA COMPLIANCE STATEMENT (FOR TEXT OF STAFF REPORT/AIT):**

The CEQA compliance statement, located in the text of the staff report or body of the AIT under "Additional Data", shall include the following statement unless advised otherwise by County Counsel or the Manager, E&PPSD:

The proposed project is covered by Final EIR No. 555, previously certified on 10/17/95 and Addendum PA 010007. Prior to project approval, the decision-maker must assert that together they are adequate to satisfy the requirements of CEQA for the proposed project.

**B. RECOMMENDED ACTION STATEMENT FOR APPROVING PROJECT:**

State law requires that action on a CEQA document be taken by the decision-maker prior to approval of the project for which it has been prepared. The following action must be taken before action on the project, unless directed otherwise by County Counsel or the Manager, PDS/E&PPSD:

The decision-maker has considered Final EIR 555, previously certified on 10/17/95 and Addendum No. PA 010007, prior to project approval. Together they are approved for the proposed project based upon the following findings:

- a. Together, these documents are adequate to satisfy the requirements of CEQA by the decision-maker;
- b. The additions, clarifications and/or changes to the original document caused by the Addendum, do not raise new significant issues which were not addressed by the EIR; and
- c. The approval of the EIR and Addendum for the proposed project reflect the independent judgment of the Lead Agency.

**C. FISH AND GAME CODE FINDING FOR APPROVAL OF PROJECT:**

Find that pursuant to Section 711.4 of the California Fish and Game Code, this project is subject to the required fees as it has been determined that potential adverse impacts to wildlife resources may result from the project. However, the required fees were paid previously (Receipt No. **59897**).

**D. NCCP FINDING FOR APPROVAL OF PROJECT:**

Find that the project has the potential of adversely affecting significant Coastal Sage Scrub habitat and, therefore, may preclude the ability to prepare an effective Subregional Natural Communities Conservation Planning (NCCP) Program.

## ATTACHMENT 3

### ENVIRONMENTAL ANALYSIS FOR SITE DEVELOPMENT PERMIT & VESTING TENTATIVE TRACT MAP VTTM 16107 APPLICATION ADDENDUM PA 010007 TO FEIR 555 FOR LADERA PLANNED COMMUNITY

**INTRODUCTION:** This initial study analyzes project impacts and their level of significance as required by the State of California Environmental Quality Act (Public Resources Code §21000 et seq. "CEQA Statutes" and California Code of Regulations §15000 et seq. "CEQA Guidelines").

**PROJECT DESCRIPTION:** A Site Development Permit for a model home complex in connection with the construction of a 66 unit multi-family condominium development. Also included in this proposal is the filing of Vesting Tentative Tract Map 16107, which is a subdivision of 4.623 acres of land into a single lot for multi-family residential development with no lettered lots for landscape purposes. As part of Tract Map, the applicant is requesting approval of alternative development standards, which are permitted subject to approval of the Subdivision Committee.

**PROJECT LOCATION:** The Project site is located in PA 3, south of Crown Valley Parkway and north of Avendale Boulevard in the Ladera Planned Community.

**EXISTING CONDITIONS:** The subject site is vacant and rough graded per earlier approval of the "A" Map 15526 through rough grading permits GA 9900021 and GA 000015 surrounded by existing or planned developments.

**CEQA BACKGROUND/STANDARD OF REVIEW:** State law requires that action on a CEQA document be taken by the decision-maker prior to approval of the project for which it has been prepared. An Addendum to Final Environmental Impact Report 555 has been determined as the appropriate environmental documentation for the proposed project. Proposed Site Development Permit/Vesting Tentative Tract Map is regarded as a private project subject to approval by the Zoning Administrator and Subdivision Committee and is part of a previously approved Tentative Tract Maps 16155 and 16025 for which Environmental Impact Report (EIR) 555, certified on 10-17-95, was determined to be adequate.

In accordance with Sec. 15063 an Initial Study was completed on the subject project by the Environmental & Project Planning Division (E&PPD) and it was determined that FEIR 555 which adequately analyzed the previously approved Tract Maps 16025, that the submitted project, proposes only minor technical changes, through the alternative development standard that no substantial changes have occurred with respect to the circumstances surrounding this project, and no new information that would substantially affect the validity of the EIR has become available.

**EXHIBIT 1**  
**REGIONAL LOCATION MAP**

**EXHIBIT 2**  
**PROJECT LOCATION MAP**

**EXHIBIT 3**  
**AERIAL PHOTO OF PROJECT SITE**

The following is the analysis of the subject proposal and compilation of pertinent mitigation measures derived from FEIR 555 approved and adopted for the Ladera Planned Community.

**ANALYSIS OF IMPACTS/MITIGATION:**

**1) LAND USE AND PLANNING Would the proposal:**

- a) Conflict with general plan designation or zoning?*
- b) Conflict with applicable environmental plans or policies of agencies with jurisdiction over the project?*
- c) Disrupt or divide the physical arrangement of an established community (e.g. low income, minority)?*
- d) Conflict with adjacent, existing or planned land uses?*

**ANALYSIS:**

The potential land use impacts are discussed in Section 3.6 of the EIR, which discusses the consistency of the Planned Community to relevant planning programs including, but not limited to the County's General Plan and City of Mission Viejo and San Juan Capistrano General Plan. FEIR 555 determined that project-related impacts to County planning programs and compatibility with onsite and surrounding land uses were considered to be less than significant. Therefore, the proposed project would not conflict with zoning, general plan designation, or policies for the property. The project site is currently designated 1B, Suburban Residential by the General Plan Land Use Element (LUE). The Land Use Component of the Planned Community would involve the development of approximately 2,400 acres of the 5,000. A total of 8,100 dwelling units, with 3 neighborhood commercial sites totalling 25 acres and approximately 120 acres of commercial office and light industrial urban activity. Also in the land use plan for the Ladera Planned Community is a fire station and three school sites with the open space area, as well as a storm water detention basin area. The project is not in conflict with zoning designation or PC Text, which designates Planning Area 3 for residential developments, consisting of 1,850 dwelling units; both single-family and multi-family units with recreation facilities, a school site and community facilities. The proposed project is consistent with the Area Plan and existing allocation identified in the Ladera Area Plan, Revised Statistical Summary (CP 990047).

Therefore, no mitigation measures are required.

**(2) AGRICULTURE. Would project:**

- a) Convert Farmlands listed as "Prime", "Unique" or of "Statewide Importance" as shown on the State Farmland Mapping and Monitoring Program, to non-agricultural use?*
- b) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

**ANALYSIS:**

There is farmland conversion involved with the implementation of the Ladera Planned Community. The implementation of the extension of Antonio Parkway resulted in the loss of approximately 8 acres of prime farmland that was considered significant but unavoidable impact on the agricultural resources. However, the scope of the proposed project is such that the impacts have already been addressed and mitigated in the FEIR 555 and no further impact will result.

No mitigation is necessary.

**(3) POPULATION AND HOUSING would project:**

- a) Cumulatively exceed adopted regional or local population projections?*
- b) Induce substantial growth in an area directly or indirectly through project in an undeveloped areas or extension of major infrastructure?*
- c) Displace existing housing affecting a substantial number of people?*

**ANALYSIS:**

The proposed project would not cumulatively exceed adopted regional or local population projection, neither will it induce substantial growth in an undeveloped area or extension of major infrastructure or displace existing housing. The population at build out of the Ladera Planned Community was addressed in the EIR 555 based at a total of 8,100 dwelling units, with 1,850 dwelling units designated for Planning Area 3. The approval of the subdivision map for construction of the proposed 66 multi-family condominium units would still be within the projected build out. The subject area is within Community Analysis Areas 59(CAA) and the County estimates that the population in CAA59 will increase by 56,154 people from 17,742 to 73,896 between 1990 and the year 2020. The number of housing units in CAA 59 will increase from 7,679 units in 1990 to 32,358 units in 2020, an increase of 24,679 units.

However, the proposed project is within the approved number of units and overall projections for the area and therefore, would not result in population exceeding adopted regional or local projections.

No mitigation measures are warranted.

**(4) GEOPHYSICAL** Would project result in or expose people to impacts involving:

- a) *Local fault rupture?*
- b) *Seismicity: ground shaking or liquefaction?*
- c) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*
- d) *Landslides or mudslides?*
- e) *Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?*
- f) *Subsidence of the land?*
- g) *Expansive soils?*
- h) *Unique geologic or physical features?*

**ANALYSIS:**

The potential impacts on geology, soils and seismicity is discussed in Section 3.1 of the FEIR 555 as impacts on landform and topography (alteration of onsite landform characteristics, etc) geologic hazards and seismicity. The FEIR determined that impacts associated with seismicity occur at levels considered to be less than significant and by removing and recompacting onsite soils and implementing standard engineering practices during grading, the impacts associated with compressible and expansion soils would be reduced to a level considered less than significant. However, numerous landslides existing on and adjacent project area would require stabilization during construction of individual projects. Therefore, remedial grading techniques would be necessary to mitigate stability hazards associated onsite landslides, cuts performed on west-facing slopes and slopes exposing highly sheared and eroded rock.

However, the proposed project would not result in changes to geologic substructures, or expose people or property to geologic hazards due to unstable earth conditions around the project site. No unique geologic or physical features have been identified at the proposed site, neither is the project expected to result in destruction, or modification of any unique geologic or physical feature. The implementation of the above discussed grading measures and the following mitigation measures in the FEIR, it would ensure that impacts are reduced to a level considered less than significant:

**MITIGATION MEASURE #1**

Prior to the issuance of a grading permit, the applicant shall submit a geo-technical report to the Manager, Subdivision & Grading, for approval. The report shall include

the information and be in a form as required by the Grading Manual. The report shall identify the areas of expansive soil and compressible soil slope stability, settlement, liquefaction or related secondary seismic impacts. The report shall also recommend construction procedures and/or design criteria to minimize effects of potential hazards associated with project development (FEIR 555 M.M. #1).

## **MITIGATION MEASURE #2**

Prior to the issuance of any grading permits, if review of the grading plan for this property by the Manager, Subdivision & Grading, indicates significant deviation from the proposed grading illustrated on the approved tentative tract map (TTM 16025 & 16155), 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. Failure to achieve such a finding will require processing a revised tentative tract map; or, if a final tract/parcel map has been recorded, a new tentative tract/parcel map or a site development permit application per Orange County Zoning Code Section 7-9-139 and 7-9-150.

### **(5). HYDROLOGY & DRAINAGE. Would the proposal result in:**

- a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in manner which would result in:
  - i) Substantial erosion or siltation on- or off-site?*
  - ii) A substantial increase in the rate or amount of surface runoff in manner which would result in flooding on- or off-site?**
- b) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- c) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*
- d) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow?*

### **ANALYSIS:**

Within the Hydrology and water quality section, the potential impacts are discussed in Section 3.2 of the FEIR 555. The issues are surface water patterns and volumes and surface water quality. An increase in impervious surfaces is anticipated due to the development and increase in hydraulic conveyance capacity due to the construction of flood control channels and pipe systems. The proposed project would result in peak run-off resulting in increased erosion

potential, pollution and increase in downstream peak flows. The study area lies within the three water shades of Trabuco, Horno and San Juan Creek and Trabuco Creek, which include runoff. The onsite drainage is currently in a natural condition; there are no flood control facilities or improvements on the study area.

However, the implementation of the following mitigation measures which are included in FEIR 555 and the established outlet controls, impacts associated with storm flow, would be reduced to a level considered less than significant:

### **MITIGATION MEASURE #3**

Prior to the recordation of a final tract map or to the issuance of any grading permits, whichever comes first, the following drainage studies shall be submitted to and approved by the Manager, Subdivision & Grading Sections Division:

- A. A drainage study of the subdivision including diversions, off-site areas that drain onto and/or through the subdivision, and justification of any diversions; and
- B. When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and
- C. Detailed drainage studies indicating how site 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 run-off which may be expected from all storms up to and including the theoretical 100-year flood.

### **MITIGATION MEASURE #4**

A. Prior to the recordation of a final tract map or prior to the issuance of any grading permits, whichever comes first, the applicant shall in a manner meeting the approval of the Manager, Subdivision & Grading Sections:

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

B. Prior to the recordation of a final tract map, or prior to the issuance of any certificates of use and occupancy, whichever occurs first, said

improvements shall be constructed in a manner meeting the approval of the Manager, Construction.

#### **MITIGATION MEASURE #5**

- A. Prior to the recordation of a final tract map, the subdivider shall participate in the applicable Master Plan of Drainage in a manner meeting the approval of the Manager, Subdivision & Grading Sections, including the construction of the necessary facilities in conformance with County's standards, master planned storm drain facilities designed for the 25 year return frequency storm event.
- B. Prior to the issuance of any grading permit, the subdivider shall provide a study supporting evidence that the proposed project is in conformance with the County's storm drain Master Plan in a manner meeting the approval of the Manager, Subdivision & Grading Sections.

#### **(6). WATER QUALITY. Would the project:**

- a) Violate any water quality standards or waste discharge requirements?*
- b) Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of a local groundwater table level?*
- c) Otherwise substantially degrade water quality?*

#### **ANALYSIS:**

The water quality impact as discussed in the FEIR 555 Section 3.2 attributes urban contamination within storm water discharges as a primary concern for the federal stormwater discharge regulation. The sources of contamination according to the EIR are mostly the construction activities for Antonio Parkway and the implementation of the land use plan, either individually or in combination. The sources of contamination that result from construction equipment, increase the chance of toxins, such as oil, gas, and solvents entering the creeks. The subject project may violate water quality standards or waste discharge requirements, or substantially deplete or degrade water quality due to its size. Therefore, the construction phase and operation of the proposed project, requires the applicant to comply with Best Management Practices outlined in the National Pollution Discharge Elimination System (NPDES) Stormwater Regulation and the approved Urban Run-off Management Plan for Ladera Planned Community. The following mitigation measures which are included in the FEIR 555, ensure that these requirements are complied with:

## MITIGATION MEASURE #6

Prior to issuance of building permits, permit applicant shall submit for approval of the Manager, Subdivision & Grading Sections, in consultation with the Manager, Environmental Resources, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used on site to control predictable pollutant run-off.

This WQMP shall identify the structural and non-structural measures specified in the Countywide NPDES Drainage Area Management Plan Appendix which details implementation of BMPs whenever they are applicable to a project, the assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, maintenance association, lessee, etc.); and, shall reference the location(s) of structural BMPs.

## MITIGATION MEASURE #7

Prior to issuance of grading permits, applicant shall obtain coverage under the NPDES statewide Industrial Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence that this requirement has been met shall be submitted to the Manager, Subdivision & Grading Section.

## MITIGATION MEASURE #8

Prior to issuance of a grading permit for the development of the land use plan, compliance with the requirements of National Pollution Discharge Elimination System (NPDES) stormwater permits, the Orange County Drainage Area Master Plan and the specific requirements of the county's storm water permits (No. CA 8000180 and No. CA 0108740) for both construction and operation shall be demonstrated to the satisfaction of Manager, PDS/Subdivision & Grading.

### **(7) TRANSPORTATION/CIRCULATION. Would the proposal result in:**

- a) Increased vehicle trips or traffic congestion beyond adopted policies and/or forecasts?*
- b) Exceed, either individually or cumulatively, a level of service standards established by the county congestion management agency for designated roads or highways?*
- c) Safety hazards from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*
- d) Inadequate emergency access of access to nearby uses?*
- e) Insufficient parking capacity on-site or off-site?*
- f) Hazards or barriers for pedestrians or bicyclists?*

- g) Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?*
- h) Rail, waterborne or air traffic impacts?*
- i) Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

**ANALYSIS:**

Within the Impact Section of Transportation/Circulation of FEIR 555 impacts were identified. The Ladera Planned Community potential impacts to traffic and circulation are discussed in Section 3.3 of the FEIR. The EIR analyzes the potential effects of project generated traffic in two phases of development, the short and long term. The short-term analyzes development in the year 2000 and is considered as Phase I. The long term development is considered at buildout of the road way and land development area. The proposed project would generate additional vehicular movement since the project site is currently undeveloped and does not generate traffic. The proposed project site will have access from Avendale and N. Sellas Road. The Planning Area 3 is zoned for residential developments, consisting of 1,850 dwelling units; both single-family and multi-family units with recreation facilities, a school site and community facilities, which would generate additional vehicular movement through project implementation. This increase is addressed by previous transportation planning in the area and can be accommodated within the planned arterial highway and local street system. Therefore, the development of PA 3 would have no greater impact on transportation and circulation than those previously identified in EIR 555. The project would have no impact on parking within the site or in surrounding areas due to the fact that all parking required would be provided by the proposed project at construction level. No adverse significant impact is anticipated from the proposed project regarding parking.

The project would not impact waterborne, rail, or air traffic nor create significant hazards to equestrians, vehicles, bicyclists, or pedestrians due to its nature. Though the following mitigation measures from FEIR 555 are applicable to the subject development. The mitigation measures ensure that all potential impacts emanating from the proposed project would be mitigated to a level of insignificance:

**MITIGATION MEASURE #9**

Prior to the issuance of any grading permits, adequate sight distance shall be provided at all street intersections per Standard Plan 1117 and at all driveway intersections, in a manner meeting the approval of the Manager, Traffic Engineering. This includes any necessary revisions to the plan such as removing slopes or other encroachments from the limited use area.

## MITIGATION MEASURE #10

Prior to the recordation of a final tract map, the subdivider shall prepare any required improvement plans and shall identify on the plans the limits of all the facilities which the subdivider intends to fund through a Mello Roos Community Facilities District (CFD) or Assessment District (AD) Bond Program. The subdivider shall also identify the specific CFD or AD under which the improvements will be funded and document the availability of the funds, in a manner meeting the approval of the Manager, Special Districts.

## MITIGATION MEASURE #11

Prior to the issuance of a grading permit, site design shall be in a manner meeting the approval of the Manager, Traffic Engineering.

### **(8). AIR QUALITY. Would the proposal:**

- a) Violate any SCAQMD standard or contribute to air quality deterioration beyond projections of SCAQMD?*
- b) Expose sensitive population groups to pollutants in excess of acceptable levels?*
- c) Alter air movement, moisture, or temperature, or cause any change in climate?*
- d) Create objectionable odors affecting a substantial number of people?*

### **ANALYSIS:**

Air pollutants would be emitted from grading and preparation of the site for construction activities, the magnitude of this impact would be minimal due to the dust suppression measures required by the Air Quality Management District and County of Orange Grading and Excavation Code.

Within the Impacts section of Air Quality of the EIR 555 in (Section 3.5), impacts were identified which include the exceedance of daily SCAQMD emission thresholds or exceedance of any ambient air quality standard by project air pollutant emissions, both from project construction (short term) activities and long-term, project related motor vehicle and utility usage emission. The impacts regarding the pollutants emitted by construction activities, the incremental increase in emission and the exceeding of the 8-hour carbon monoxide standard when project is implemented.

The vicinity of the proposed site is being developed, impacts regarding the generation of additional traffic resulting in higher concentrations of carbon monoxide and nitrogen oxides may occur, however, not beyond those already addressed in EIR 555. The proposed project is not expected to result in a significant increase in air emissions or deterioration of ambient air quality beyond adopted projections contained in the SCAQMP.

No mitigation measures are warranted.

**(9). NOISE. Would the proposal:**

- a) Increase existing noise levels?*
- b) Expose people to noise levels exceeding adopted County standards?*
- c) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**ANALYSIS:**

Within the Impact Section of Noise of the EIR 555, acoustical impacts were identified in Section 3.4 of the EIR, which evaluated short-term project construction noise, aircraft noise (military and commercial) and long-term exterior and interior noise levels from project related traffic. The short-term impacts were identified to be less than significant. All other long-term impacts can be mitigated to below significant levels.

The project lies outside of the 65 CNEL as shown on the Airport Environs Land Use Plan and the County of Orange General Plan Noise Element. The project itself would generate no excessive noise, and therefore, FEIR 555, as addended, remains adequate and complete for this project. The following mitigation measures which are included in FEIR 555 would ensure that people would not be exposed to noise levels in excess of County Standards.

**MITIGATION MEASURE #12**

All residential dwelling units shall be sound attenuated against present and projected noise which shall be the sum of all noise impacting the project so as not to exceed an exterior standard of 65 dB CNEL in outdoor living areas and an interior standard of 45 dB CNEL in all habitable rooms. Evidence prepared by a County-certified acoustical consultant, that these standards will be satisfied in a manner consistent with applicable zoning regulations, shall be submitted as follows:

- A. Prior to the recordation of a final tract map or prior to the issuance of grading permits, as determined by the Manager, Subdivision & Grading Sections, an acoustical analysis report shall be submitted to the Manager, Building Permits, for approval. The report shall describe in detail the exterior noise environment and preliminary mitigation measures. Acoustical design features to achieve interior noise standards may be included in the report in which case it may also satisfy "B" below.

- B. Prior to the issuance of any building permits for residential construction, an acoustical analysis report describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards shall be submitted to the Manager, Building Permits, for approval along with satisfactory evidence which indicates that the sound attenuation measures specified in the approved acoustical report have been incorporated into the design of the project.
- C. Prior to the issuance of any building permits, all freestanding acoustical barriers must be shown on the project's plot plan illustrating height, location and construction in a manner meeting the approval of the Manager, Building Permits.

**MITIGATION MEASURE #13**

Prior to the issuance of any certificates of use and occupancy, field testing in accordance with Title 24 Regulations may be required by the Manager, Building Inspection, to verify compliance with FSTC and FIIC standards. In the event such a test was previously performed, satisfactory evidence and a copy of the report shall be submitted to the Manager, Building Permits, as a supplement to the previously required acoustical analysis report.

**MITIGATION MEASURE #14**

Prior to the recordation of tentative tract map, an acoustical study report shall be submitted to and approved by the Manager, PDSB/Building Permit Services, addressing new noise-sensitive land uses proposed within the 65 dBA CNEL, contour from any roadway segments within the project area. Building upgrades that would be required for all new residential buildings within the 70 dBA CNEL contour from Antonio Parkway or Crown Valley shall include measures, such as sound attenuation barriers, building setbacks, building orientation, or building façade upgrades, incorporated into design and implemented. Actual noise attenuation required will depend on the final locations of such buildings and noise-sensitive room uses inside the buildings.

**MITIGATION MEASURE #15**

- A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Subdivision & Grading, that:
  - (1) All construction vehicles or equipment, fixed or mobile, operated within 1,000' of a dwelling shall be equipped with properly operating and maintained mufflers.
  - (2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control), including the restrictions of construction

activities to 7 a.m. to 8 p.m. Monday through Saturday with no construction allowed on Sundays of federal holidays .

- (3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.
- B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of grading plans, will be considered as adequate evidence of compliance with this condition.

**(10). BIOLOGICAL RESOURCES. Would the project impact:**

- a) Endangered, threatened or rare species or their habitats including, but not limited to, plants, fish, insects, animals and birds?*
- b) Locally designated species e.g. heritage trees?*
- c) Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?*
- d) Wetland habitat e.g. marsh, riparian and vernal pool?*
- e) Wildlife dispersal or migration corridors?*
- f) Adopted conservation plans and policies (e.g. Natural Community Conservation Plan or Resource Management Plan)?*

**ANALYSIS:**

The project is not anticipated to change the diversity of species, flora and fauna habitat, or reduce any unique, aesthetically significant rare or endangered species of plants or animals. The project site was previously mass graded, and no heritage biological resources exist on site. Potential impacts to biological resources were addressed in FEIR 555 Section 3.7, which include loss of or change of vegetation, reduction or change in sensitive animal species, and their preferred habitats. Impacts associated with land development area according to the EIR, would result in the loss of coastal sage scrub, which includes the coastal sage scrub-buck wheat scrub, southern cactus scrub, and mixed scrub. For the proposed project, giving that the site is already rough graded and as part of the previous approval the project approval was to reconfigure Planning Area 6, in an effort to reduce impacts on Coastal Sage scrub and related sensitive species. The majority of the impacts on critical areas of sagebrush scrub occur in Planning Area 1. Therefore, no additional impact is anticipated from the proposed project that has not been addressed and mitigated in the FEIR 555.

No additional mitigation is required.

**(11) AESTHETICS. Would the proposal:**

- a) Affect a scenic vista or view open to the public?*
- b) Affect a designated scenic highway?*
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?*
- d) Create light or glare beyond the physical limits of the project site?*

**ANALYSIS:**

FEIR 555 addressed the potential project's aesthetics impacts on Section 3.11, which includes primarily the transformation of the natural character of the environment to one that is predominantly urban, residential, business and industrial park and recreational in character. However, the FEIR determined that with mitigation measures incorporated into the project, that potentially significant aesthetic impacts related to construction and implementation of the whole Planned Community would be reduced to less than significant level. That there would be no significant unavoidable impacts related aesthetics with development of the planned community.

Therefore, the proposed project would not result in any adverse significant impacts but is expected to comply with Orange County Zoning Codes which require that all light from the project will be restricted to the project site.

No further mitigation measures are warranted.

**12. CULTURAL/SCIENTIFIC RESOURCES. Would the project:**

- a) Disturb archaeo or paleo resources?*
- b) Affect historical resources?*
- c) Have the potential to cause a physical change which would affect unique ethnic cultural values?*

**ANALYSIS:**

The potential impacts to cultural resources for development of Ladera Planned Community are discussed in Section 3.10 of the FEIR 555. The EIR evaluates the potential impacts to known archeological sites and paleontological resources within the project site and vicinity. There is also identification of sites requiring testing, as well as sites requiring data recovery. The document concluded that impacts to historical resources would be less than significant while significant impacts to archeological and paleontological resources would be mitigated to less than significant levels. The site area was previously graded, record searches and field surveys of

previously located archaeological and paleontological sites were completed prior to the issuance of the preliminary grading permit for the approved Tract Map. There are a total of nine known archeological sites, eighteen known cultural resource sites and a cave within or in close proximity of Planned Community. The archaeological and paleontological observation took place at the time the site was mass graded. However, the following mitigation measure from FEIR 555 will continue to ensure that impacts are mitigated below a level of significant:

#### **MITIGATION MEASURE #16**

Prior to issuance of any grading permits for land use plan, the applicant, shall provide written evidence to the Manager, Subdivision & Grading, that a county certified paleontologist has been retained to observe grading activities to salvage and catalogue fossils as necessary. The paleontologist shall submit a follow-up report for approval by the Chief HBP/Historical and Cultural Section for review and approval, which shall include the period of inspection, a catalogue and analysis of the fossils found, and present repository of the fossils (FEIR 555 M.M #54 &54b).

#### **13. RECREATION. Would proposal:**

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration or the facility would occur or be accelerated?*
- b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*
- c) Conflict with adopted recreational plans or policies?*

#### **ANALYSIS:**

The Ladera project's potential impacts to recreational facilities, resources and/or policies are discussed in Section 3.12 of FEIR 555 which includes impact on O'Neill Regional Park, Thomas Reiley Wilderness Park, Caspers Wilderness Park, the proposed Prima Deshecha Regional Park, regional trails and projects conformance with County's Recreation Element. The document identified no significant impacts of Ladera project to recreational facilities, resources or policies. Since no increase in the residential units is being proposed, there would be no need for additional parks or open space than what was earlier approved during the initial planning process. There is no evidence that the project, would impact the quality or quantity of existing recreational opportunities.

Based on the Master Plan of Local Parks (MPLP) standard for local park acreage (2.5 acres per 1,000 residents), an estimated 71 acres of local parkland would be required for the Ladera Planned Community. The Park provisions for individual project will be in accordance with the Park Implementation Plan contained in the Ladera Area Plan, which provides a comprehensive treatment for local parks and open space dedication in Ladera Planned Community. The objectives for local parks are also carried out by the approved component that addresses the open space and trails network in the Planned Community in connection with Capital Facilities

Agreement, which includes the establishment of local parks phased with development. The provision of recreation and open space facilities has proceeded, and will continue to do so, as specified in the planning and regulatory documents for Ladera Planned Community.

Therefore, the proposed project would not result in any adverse impact due to the fact, that Local Park code requirements for subject site shall be satisfied by an allocation of park lands credit from Park Modification 90-1 and the Park Implementation Plan for the Ladera Planned Community.

#### **MITIGATION MEASURE #17**

Prior to recordation of the first tentative tract map (except for finance purposes), implementation plans for development of local parkland on the project site shall be proposed, in accordance with the Master Plan of Local Parks and in consultation with the Manager, HBP/Program Planning Division. ( FEIR 555 M.M #58).

#### **14. MINERAL RESOURCES. Would the project:**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

#### **ANALYSIS:**

The proposed project, the establishment of condominium units in conjunction with the filing of a Tentative Tract Map is not expected to result in the loss of any mineral resources or any local site of any importance. No adverse impact is anticipated.

No mitigation measures are warranted.

#### **15. HAZARDS. Would the project:**

- a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*
- d) Exposure of people to existing sources of health hazards?*

- e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

**ANALYSIS:**

The public health and safety potential impacts are discussed in Section 3.8 of the FEIR 555. The issues are related to hazardous materials associated with the presence of petroleum exploration wells, agricultural fields, underground fuel pipelines. However, the EIR determined that impacts associated with underground pipelines are less than significant while potential significant impacts associated with hazardous materials and extraction wells would be less significant after mitigation. The proposed project would not result in impacts to public health and safety, but is required to comply with mitigation measures # 27 through 29 of the FEIR 555.

No additional mitigation measures are required.

**16. PUBLIC SERVICES. Would project result in needs for new/altered government facilities/services in:**

- a) Fire protection?*
- b) Police protection?*
- c) Schools?*
- d) Maintenance of public facilities, including roads?*
- e) Other government services?*

**ANALYSIS:**

The Ladera P.C., project potential impact on public services are discussed in Section 3.9 of the FEIR 555. The FEIR did not identify any significant impact to public services, utilities, and energy consumption that could not be reduced to less than significant levels. That the mitigation measures for public services, utilities and energy as identified in the document and incorporated into the project would eliminate or substantially lessen the significant effects on public services, utilities and energy to less than significant with the establishing of Ladera Planned Community. Therefore, the proposed project would not impact the quality or quantity of any public services. No impact is expected. The EIR determined that impacts to fire protection services, police protection, electricity, water supply, waste water management, schools and solid waste management are considered less than significant with the incorporation of mitigation measures #31 through 46 of the FEIR. Therefore, no adverse impact is anticipated from the proposed project, all public service commitments for fire, police, school and other facilities have been secured for the Ladera Planned Community.

No further mitigation measures are required.

**17. UTILITIES & SERVICE SYSTEMS. Would project result in needs for new or substantial alterations:**

- a) Power or natural gas?*
- b) Communications systems?*
- c) Local or regional water treatment or distribution facilities?*
- d) Sewer or septic tanks?*
- e) Solid waste disposal?*

**ANALYSIS:**

The implementation of the Ladera Planned Community is expected to generate approximately 57.36 tons of solid waste per day of which the proposed project is a part. However, as part of the Area Plan process, measures to reduce the amount of refuse generated, have been developed by the applicant in consultation with the Manager, Integrated Waste Management Department. No further adverse impact from the other segments of utilities and service systems was identified by the FEIR.

No additional mitigation measures are required.

**FINDINGS:**

- A. The project would not have any impacts on fish but may impact wildlife habitat or communities, rare or endangered species or any periods of California history.
- B. Due to the project's small scale and the mitigation measures described above, no long-term environmental goals would be compromised.
- C. Due to the mitigation measures described above there are no known effects from other projects that would result in significant cumulative impacts.
- D. The project would not have any adverse effects on human beings. The mitigation measures described above would reduce the adverse effects below the level of significance.
- E. FEIR 555 which was certified on October 17, 1995 along with the proposed Addendum PA 010007/TTM 16107 satisfy the requirements of CEQA for the subject project.

**Prepared by:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

Chris Uzo-Diribe  
Environmental & Project Planning Services Division