



**PROJECT ALTERNATIVE 5
AREA PLAN**

October 2015



CIELO
VISTA

PROJECT ALTERNATIVE 5
AREA PLAN

October 2015

Submitted by:

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Table of Contents

| Section | Page |
|----------------------------------------------------------------------------|-------------|
| Section 1. Introduction and Project Overview | 1-1 |
| 1.1 Project Location..... | 1-1 |
| 1.2 Project Summary..... | 1-1 |
| 1.2.1 Residential Land Use | 1-5 |
| 1.2.2 Open Space Land Use | 1-5 |
| 1.2.3 Access and Circulation..... | 1-5 |
| 1.2.4 Pedestrian Walkways, Bicycle Access, and Trails..... | 1-5 |
| 1.2.5 Oil Field Operations..... | 1-6 |
| 1.3 General Plan and Zoning | 1-6 |
| 1.4 Area Plan Vision | 1-8 |
| 1.4.1 Neighborhoods that Blend with the Natural and Built Environment..... | 1-8 |
| 1.4.2 Well Designed Neighborhoods | 1-8 |
| 1.5 Area Plan Purpose..... | 1-10 |
| 1.6 Area Plan Objectives..... | 1-10 |
| 1.7 Public Benefits | 1-12 |
| 1.8 Governing Documents..... | 1-13 |
| 1.9 Area Plan Components..... | 1-13 |
| Section 2. Site Conditions | 2-1 |
| 2.1 Project Setting..... | 2-1 |
| 2.2 Existing Access | 2-1 |
| 2.3 Existing Land Use | 2-1 |
| 2.4 Topography and Geology | 2-4 |
| 2.5 Biological Features..... | 2-4 |
| 2.6 Cultural Resources | 2-10 |
| 2.7 Resource Conservation | 2-10 |

Table of Contents

| | | |
|-------------------|-------------------------------------------------|------------|
| Section 3. | Land Use Plan | 3-1 |
| 3.1 | Overview | 3-1 |
| 3.2 | Residential Land Use | 3-3 |
| 3.3 | Oil and Gas Production Facilities..... | 3-3 |
| 3.4 | Open Space | 3-4 |
| 3.4.1 | Fuel Modification | 3-4 |
| Section 4. | Infrastructure and Public Services | 4-1 |
| 4.1 | Circulation | 4-1 |
| 4.1.1 | Overview | 4-1 |
| 4.1.2 | Local Streets..... | 4-1 |
| 4.1.3 | Pedestrian and Bicycle Circulation | 4-6 |
| 4.2 | Water and Sewer..... | 4-6 |
| 4.2.1 | Water Facilities Plan..... | 4-6 |
| 4.2.2 | Sewer Plan..... | 4-6 |
| 4.3 | Drainage and Water Quality Management Plan..... | 4-9 |
| 4.4 | Dry Utilities | 4-9 |
| 4.4.1 | Telephone | 4-9 |
| 4.4.2 | Natural Gas | 4-9 |
| 4.4.3 | Electricity | 4-11 |
| 4.4.4 | Cable and Internet | 4-11 |
| 4.5 | Schools | 4-11 |
| 4.6 | Solid Waste | 4-11 |
| 4.7 | Public Safety | 4-11 |
| 4.8 | Fire | 4-11 |
| 4.9 | Library..... | 4-11 |

Table of Contents

| | | |
|-------------------|----------------------------------------------------------------------------------------------|------------|
| Section 5. | Grading Plan | 5-1 |
| 5.1 | Existing Conditions | 5-1 |
| 5.2 | Grading Concept | 5-1 |
| 5.3 | Remedial Action Plan | 5-4 |
| 5.4 | Interface with Adjacent Land Use | 5-4 |
| | | |
| Section 6. | Design Guidelines | 6-1 |
| 6.1 | Overview | 6-1 |
| 6.2 | Landscape Guidelines | 6-1 |
| 6.2.1 | General Guidelines | 6-3 |
| 6.2.2 | Project Entry | 6-3 |
| 6.2.3 | Streetscapes | 6-5 |
| 6.2.4 | Fire Protection Plan | 6-7 |
| 6.2.5 | View Corridors | 6-7 |
| 6.2.6 | Lighting | 6-10 |
| 6.3 | Residential Design Guidelines | 6-10 |
| 6.3.1 | Design Fundamentals | 6-10 |
| 6.3.2 | Garage Treatments | 6-10 |
| 6.3.3 | Building Setback Fundamentals | 6-11 |
| 6.3.4 | Architectural Mass | 6-11 |
| 6.3.5 | Colors and Materials | 6-12 |
| 6.3.6 | Architectural Features | 6-13 |
| 6.4 | Walls and Fences | 6-14 |
| 6.4.1 | View Fencing | 6-14 |
| | | |
| Section 7. | Green and Sustainable Program | 7-1 |
| 7.1 | Water Quality Treatment | 7-1 |
| 7.2 | Energy, Air, and Water | 7-2 |
| 7.3 | Directing Development Toward Existing Communities and Reduction in Vehicle Miles Traveled | 7-2 |

Table of Contents

| | | |
|-------------------|-----------------------------------------------------------------|------------|
| 7.4 | Fire and Life Safety..... | 7-3 |
| 7.5 | Open Space | 7-3 |
| 7.6 | Oil and Gas Production | 7-4 |
| Section 8. | General Plan Consistency..... | 8-1 |
| 8.1 | Orange County General Plan | 8-1 |
| Section 9. | Implementation and Administration..... | 9-1 |
| 9.1 | Purpose and Intent..... | 9-1 |
| 9.2 | Interpretation | 9-1 |
| 9.3 | Severability | 9-1 |
| 9.4 | Applicability | 9-1 |
| 9.5 | Subdivision Maps..... | 9-1 |
| 9.6 | Adjustments to a Planning Area Boundary | 9-2 |
| 9.7 | Modifications to Area Plan..... | 9-2 |
| 9.8 | Area Plan Amendments..... | 9-2 |
| 9.9 | Appeals..... | 9-3 |
| 9.10 | Compliance with Mitigation Measures | 9-3 |
| 9.11 | Project Financing..... | 9-3 |
| 9.11.1 | Facilities and Services | 9-3 |
| 9.11.2 | Operation and Maintenance | 9-3 |
| 9.12 | Project Phasing | 9-4 |
| 9.13 | Maintenance | 9-4 |
| 9.13.1 | Public Maintenance | 9-4 |
| 9.13.2 | Homeowner Association /Private Property Owner Maintenance | 9-4 |
| 9.13.3 | Permanent Open Space Maintenance | 9-5 |
| 9.14 | Public Services..... | 9-5 |

Table of Contents

| Table | Page |
|-------------------------------------------------------------------|-------------|
| Table 1-1 Area Plan Summary | 1-1 |
| Table 3-1 Land Use Summary..... | 3-3 |
| Table 6-1 Cielo Vista Plant Palette | 6-2 |
| | |
| Exhibit | Page |
| Exhibit 1-1 Regional Location Map | 1-2 |
| Exhibit 1-2 Vicinity Map | 1-3 |
| Exhibit 1-3 Illustrative Land Use Plan..... | 1-4 |
| Exhibit 1-4 Existing General Plan Land Use and Zoning..... | 1-7 |
| Exhibit 1-5 Zone Change Area | 1-9 |
| | |
| Exhibit 2-1 Project Setting | 2-2 |
| Exhibit 2-2 Existing Site Conditions | 2-3 |
| Exhibit 2-3 Natural Communities | 2-7 |
| Exhibit 2-4 Sensitive Natural Communities | 2-8 |
| Exhibit 2-5 Southern California Black Walnut Trees Locations..... | 2-9 |
| | |
| Exhibit 3-1 Land Use Plan..... | 3-2 |
| | |
| Exhibit 4-1 Master Circulation Plan | 4-3 |
| Exhibit 4-2 Local Street Sections | 4-4 |
| Exhibit 4-3 Local Street Sections..... | 4-5 |
| Exhibit 4-4 Water Facilities Plan | 4-7 |
| Exhibit 4-5 Sewer Master Plan | 4-8 |
| Exhibit 4-6 Drainage and Water Quality Management Plan | 4-10 |
| | |
| Exhibit 5-1 Conceptual Grading Plan | 5-2 |
| Exhibit 5-2 Grading Cut and Fill..... | 5-3 |
| Exhibit 5-3 Grading Concept Cross Section – 1 | 5-5 |
| Exhibit 5-4 Grading Concept Cross Section – 2 | 5-6 |



Table of Contents

| | |
|-----------------------------------------------------------|-----|
| Exhibit 6-1 Project Entry at Via del Agua | 6-4 |
| Exhibit 6-2 Streetscapes Plan | 6-6 |
| Exhibit 6-3 Fuel Modification Zones | 6-8 |
| Exhibit 6-4 Fuel Modification Cross Section Details | 6-9 |

Section 1: Introduction and Project Overview

Section 1. Introduction and Project Overview

The Cielo Vista Area Plan (Area Plan) is a plan for development of a residential neighborhood on approximately 83.96 acres located within unincorporated Orange County. North County BRS Project, LLC, (NCBRS) the Project Applicant (Applicant) controls the approximately 83.96 acre site (Project Site) comprising the Area Plan. The Area Plan is a guide for the development of a cohesive and uniformly designed residential neighborhood and the preservation of significant open space within the Project Site.

1.1 Project Location

The Project Site is located approximately 1.7 miles northwest of the 91 Freeway and approximately 6 miles east of the 57 Freeway in unincorporated Orange County. Primary access to the Project Site is provided from Yorba Linda Boulevard, located to the south, and San Antonio Road located approximately 1,200 feet west of the Project Site boundary. The regional context and local setting of the Project Site are illustrated on Exhibit 1-1, “Regional Location Map,” and Exhibit 1-2, “Vicinity Map.”

Existing single family residences within the City of Yorba Linda are located adjacent to the Project Site on the west, north, and south. Approximately 469 acres of vacant land within unincorporated Orange County located adjacent to the Project Site on the east comprises the Esperanza Hills Specific Plan area approved by Orange County in June 2015.

1.2 Project Summary

The Area Plan provides design and development criteria to guide development of the Project Site. Up to 83 single family detached residential dwellings are proposed on approximately 41.28 acres (49%) of the Project Site. Approximately 42.68 acres (51%) of the Project Site are reserved as permanent open space. The Cielo Vista land use plan is illustrated on Exhibit 1-3, “Illustrative land Use Plan,” and further described in Table 1-1, “Area Plan Summary.”

Table 1-1 – Area Plan Summary

| Land Use | Gross Acres | Residential Dwelling Units |
|-------------|-------------|----------------------------|
| Residential | 41.28 (49%) | 83 |
| Open Space | 42.68 (51%) | |
| Total | 83.96 | 83 |

Section 1: Introduction and Project Overview

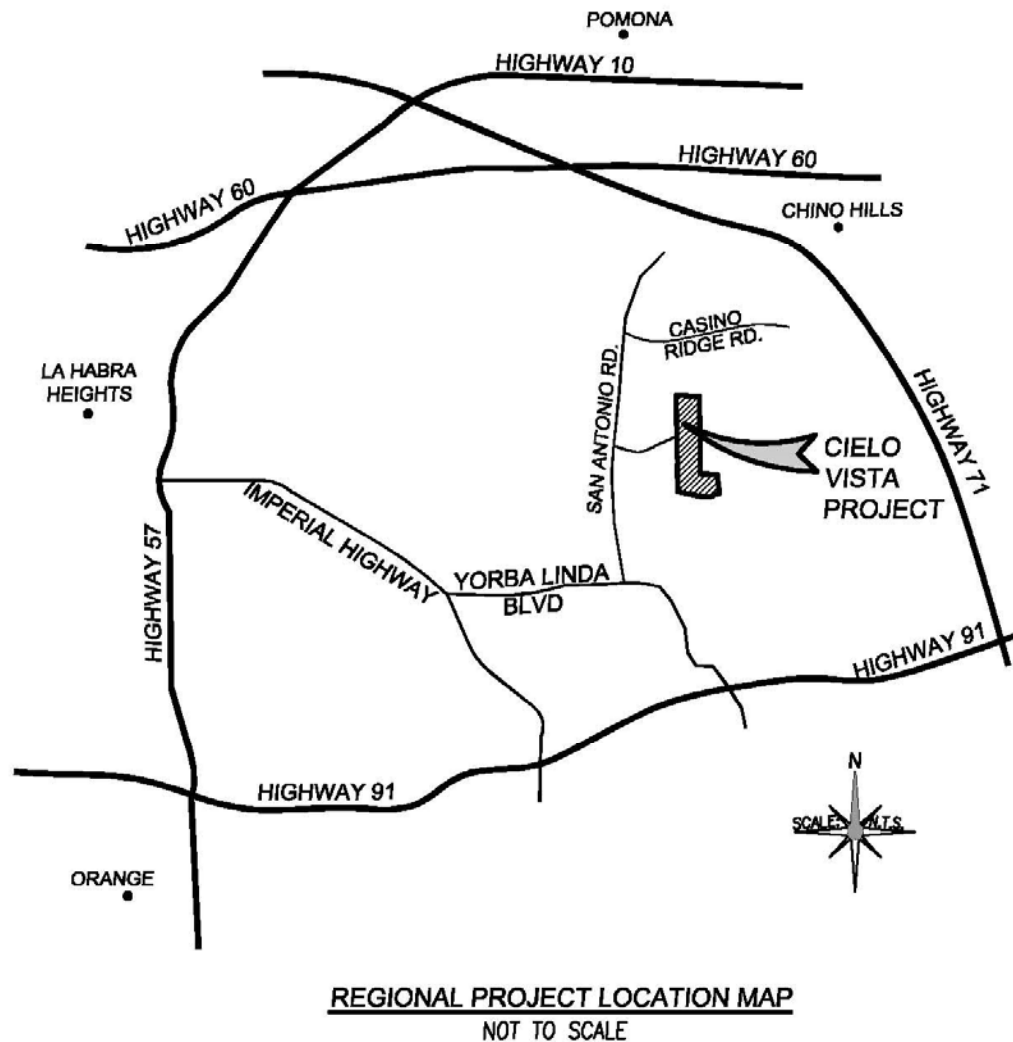


Exhibit 1-1 Regional Location Map

Section 1: Introduction and Project Overview

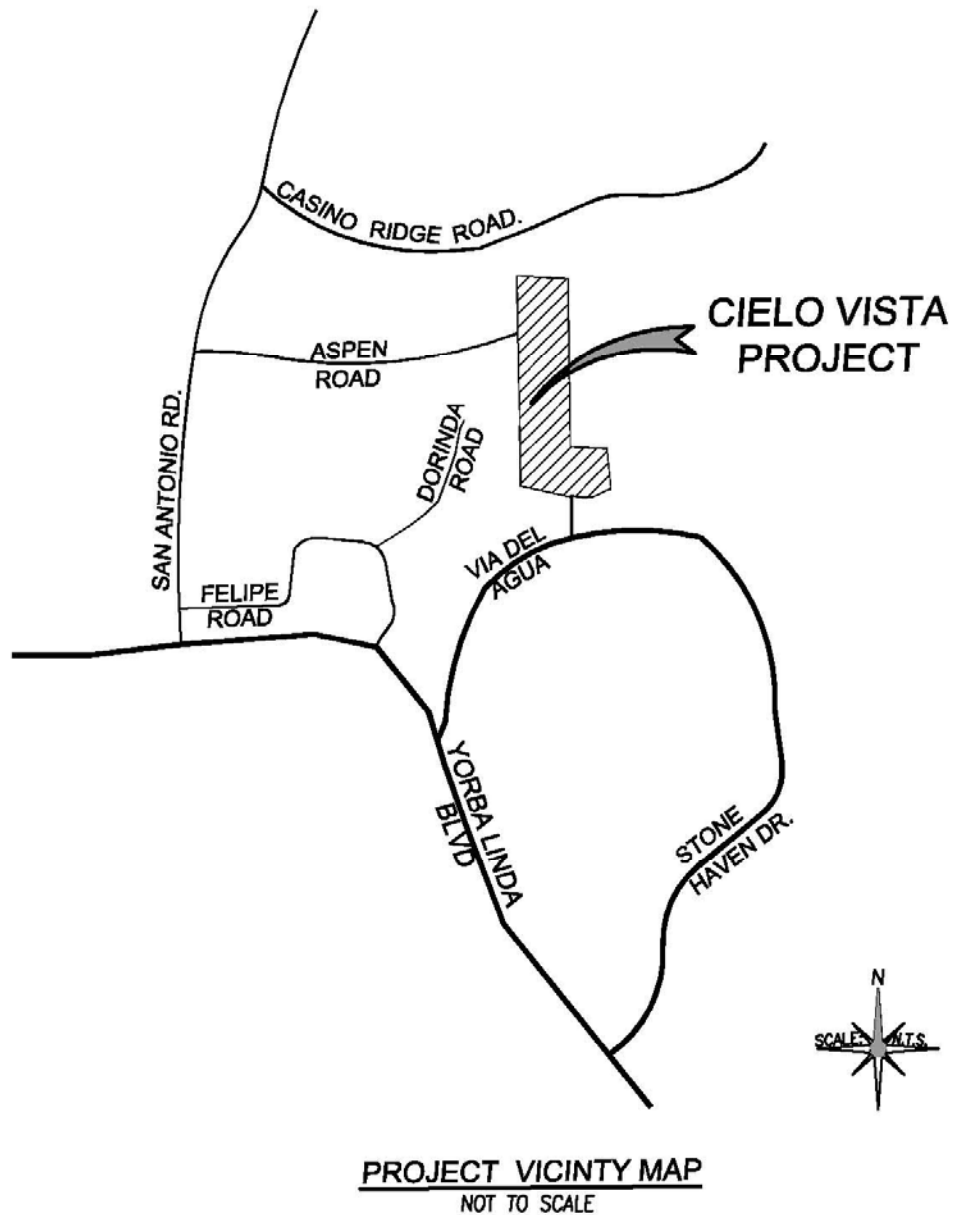


Exhibit 1-2 Vicinity Map

Section 1: Introduction and Project Overview

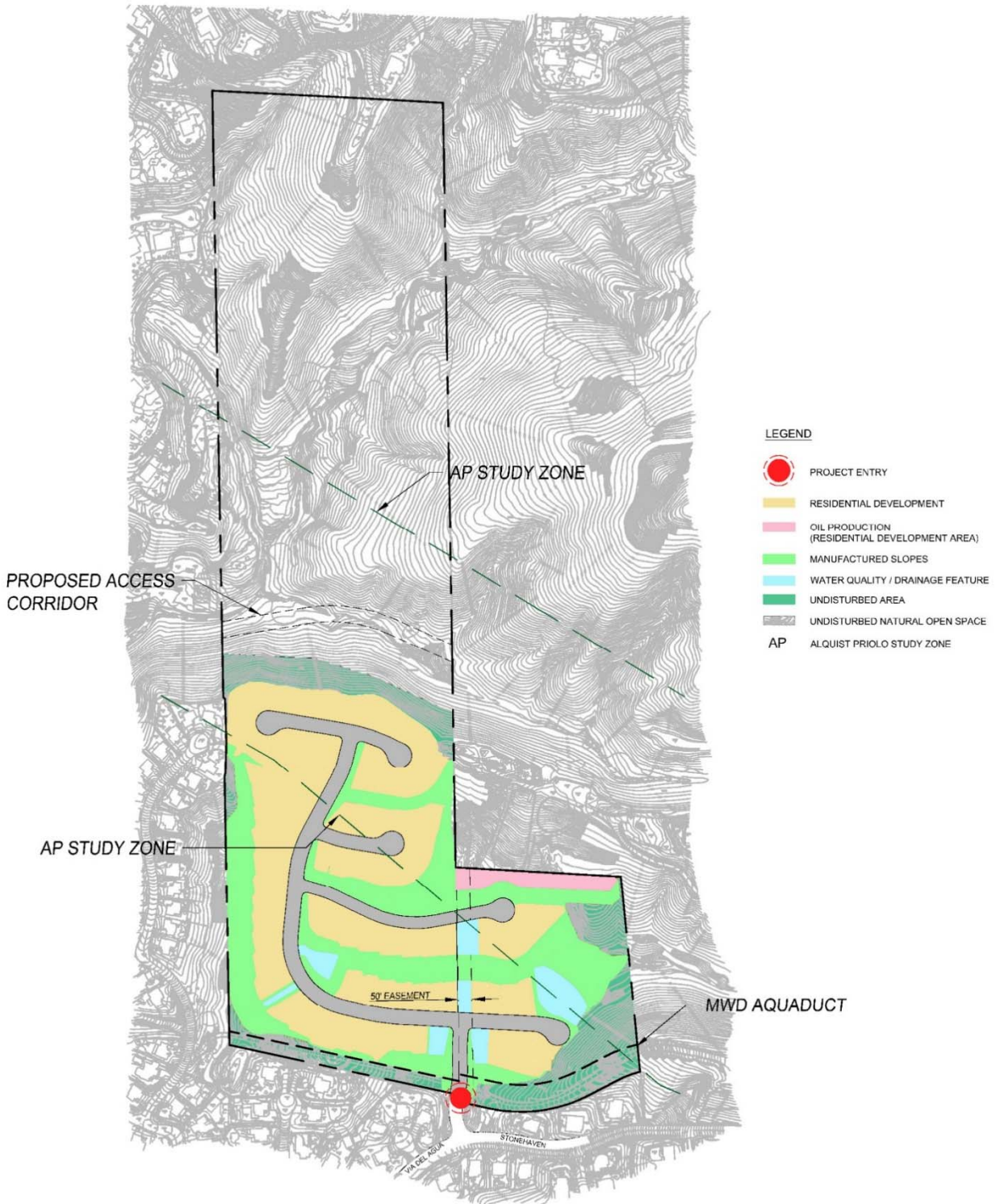


Exhibit 1-3 Illustrative Land Use Plan

Section 1: Introduction and Project Overview

1.2.1 Residential Land Use

Residential land use, at a gross density of 1.0 dwelling units per acre, is proposed within the Project Site. Up to 83 single family detached residential dwellings units are proposed for construction on lots with a minimum area of 7,200 square feet.

1.2.2 Open Space Land Use

Open space areas are reserved in the uppermost elevations of the Project Site. Open space areas include preserved sensitive biological resource areas, natural drainage courses, and canyons. A proposed access corridor is shown on Exhibit 1-3, "Illustrative Land Use Plan." This access corridor was analyzed as Option 2 and as Alternative 3, Option 2B in "Environmental Impact Report No. 616 (Esperanza Hills)," which was certified by the Orange County Board of Supervisors on March 10, 2015. Approximately 42.68 acres of open space are planned for permanent preservation as part of the Area Plan.

1.2.3 Access and Circulation

Access to the Project Site is provided from existing dedicated public rights of way in the City of Yorba Linda. As part of the Project a new local street is planned to connect to existing Via del Agua a public local street to provide access to the residential development area. The Area Plan includes a network of local residential streets to provide vehicular access throughout the residential development area of the Project Site. The Cielo Vista master plan of circulation (Exhibit 4-1, Master Circulation Plan) includes a fifty foot wide emergency vehicle access easement provided within the Project Site connecting to a shared boundary with the Esperanza Hills Specific Plan area.

1.2.4 Pedestrian Walkways, Bicycle Access, and Trails

The Area Plan includes a walkway system within local residential streets providing pedestrian connectivity within the Project Site and to surrounding residential neighborhoods. On-street bicycle circulation is available within all Project local streets offering connectivity between the Project Site and surrounding residential neighborhoods where Project local streets connect with the existing adjacent public streets. The City of Yorba Linda General Plan designates an area within the northwesterly portion of the Project Site for the potential extension of the San Antonio Park Equestrian Trail. The City does not have an adopted trail plan or a proposed connection location for the trail to the Project Site, however, since the Project Site is located within the City's Sphere of Influence, the Area Plan is designed to accommodate the future construction by the City of Yorba Linda of this General Plan designated equestrian trail in accordance with an adopted trail plan.

Section 1: Introduction and Project Overview

1.2.5 Oil Field Operations

The Project Site has historically been used for oil production and contains five operational wells, one abandoned well, and related facilities. Prior to commencement of residential development, existing oil wells and facilities as well as production facilities located within that portion of the residential development area will be abandoned, or re-abandoned as necessary, in accordance with the standards of the State of California Division of Oil, Gas and Geothermal Resources (CalDOGGR), the state agency governing the operation of oil production facilities, the Regional Water Quality Board (RWQCB), Orange County Fire Authority (OCFA), Orange County Health Care Agency (OCHA), and the Orange County Oil Code. Soil contaminated by historical oilfield production activities will be removed from the site or remediated on-site to meet the cleanup standards of CalDOGGR, OCFA, and OCHA which are the agencies with jurisdiction over the cleanup. Future homeowners will be provided with notification as to the previous use of the site as an oilfield and the extent of continued oil production activities in the area. The Area Plan provides a site within the residential development area where oil operations can continue as illustrated on Exhibit 1-3, "Illustrative Land Use Plan" and Exhibit 1-5, "Zone Change Areas."

1.3 General Plan and Zoning

The Orange County General Plan designates approximately 41.28 acres of the Project Site as Suburban Residential, which permits development of residential land uses at a density of 0.5-18 dwelling units per acre, and approximately 42.68 acres of the Project Site as Open Space(5). The Project Site is zoned A1-General Agriculture and A1(O) – General Agriculture with Oil Production Overlay per the Orange County Zoning Map. The existing General Plan land use designations and zoning for the Project Site are illustrated on Exhibit 1-4, "Existing General Plan Land Use and Zoning."

The Project Site is within the City of Yorba Linda Sphere of Influence. The design of the Cielo Vista Area plan assures that annexation of the Project Site would be possible if the City proposes annexation in the future. The City of Yorba Linda General Plan Land Use Map identifies the Project Site to be within Area Plan C-Murdock Property which is designated as Low Density Residential permitting a density of 0-1.0 dwelling unit per acre for residential development.

Section 1: Introduction and Project Overview

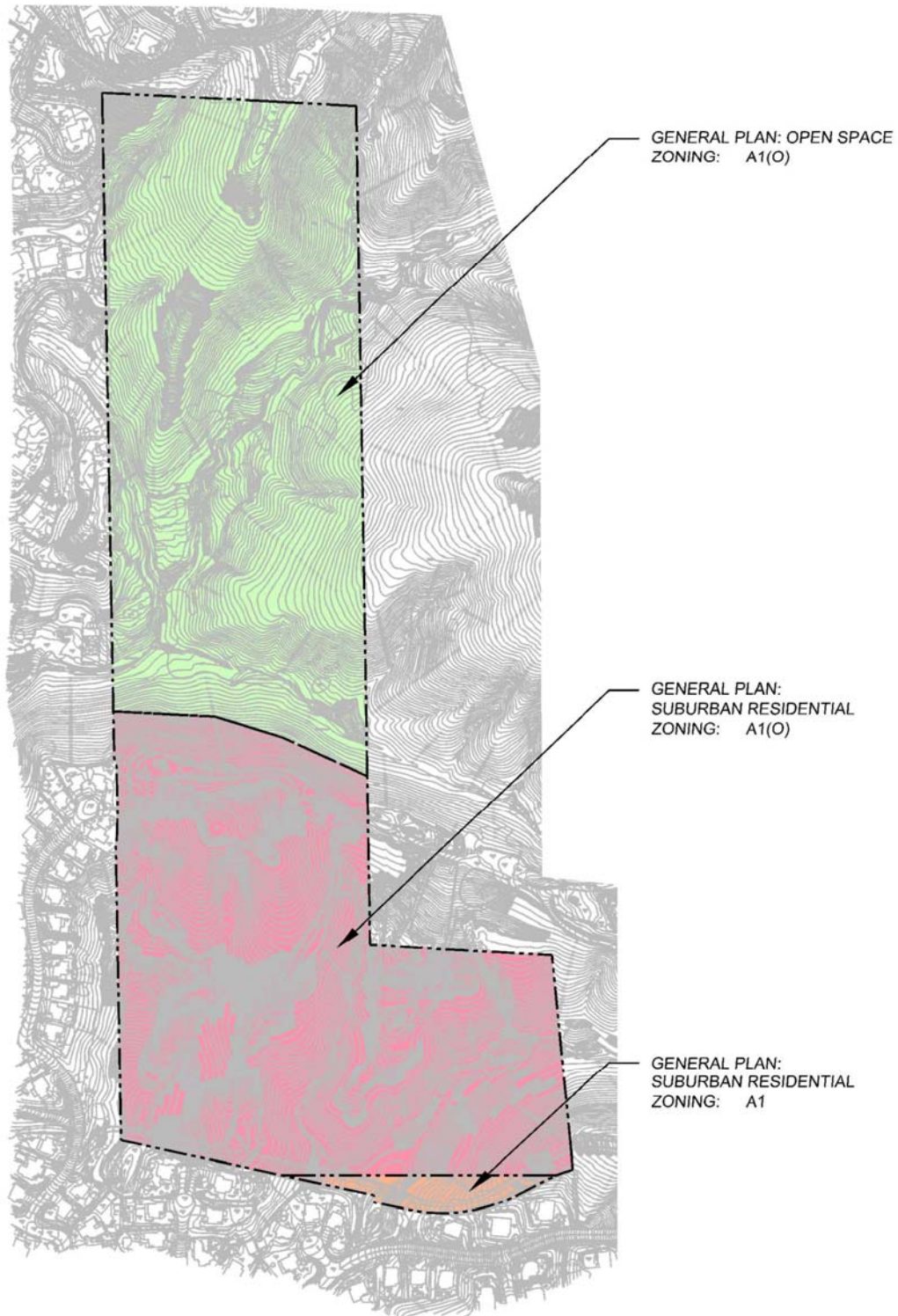


Exhibit 1-4 Existing General Plan Land Use and Zoning

Section 1: Introduction and Project Overview

The Project includes an application for approval of a zone change for the approximately 41.28 acres proposed for residential development from A1(O) to R-1 and R-1(O) for a portion of the residential development area and a zone change from A1 to R1 for the remaining portion of the residential development area to permit development of single family detached residential dwellings on lots with a minimum area of 7,200 square feet. The areas subject to the zone change application are illustrated on Exhibit 1-5, "Zone Change Area."

Following County approval of the zone change, residential development within the Project Site will be subject to all R-1 and R-1(O) development regulations pursuant to Section 7-9-74, "Single Family Residence," District Regulations and Section 7-9-117, "Oil Production," of the County of Orange County Zoning Code.

1.4 Area Plan Vision

The vision for development of Cielo Vista is guided by the following planning principles.

1.4.1 Neighborhoods that Blend with the Natural and Built Environment

The Cielo Vista land use plan responds to the physical and natural characteristics found within and around the Project Site. The Area Plan provides for the preservation of approximately 42.68 acres of the Project Site as permanent open space to ensure the continued environmental stewardship of this valuable resource. Approximately 41.28 acres of the Project Site are planned for residential development.

The Area Plan is designed to complement and blend with the character of existing residential neighborhoods located adjacent to the Project Site within the City of Yorba Linda. Landscaped areas or undisturbed slopes are provided adjacent to residential development areas to serve as natural buffers between existing residential neighborhoods and planned development of new homes. Primary access to and from the Project Site is provided through connections to existing improved local streets.

1.4.2 Well Designed Neighborhoods

The Area Plan is designed within an open space setting and provides for the development of executive style homes with large square footage, multiple bedrooms and bathrooms, and areas for entertaining on large lots with views of open space. Residential development within the Project Site will be comprised of up to 83 residential dwelling units on lots designed to address the lifestyle and buying preferences of the "move up" economic segment of the marketplace.

Section 1: Introduction and Project Overview

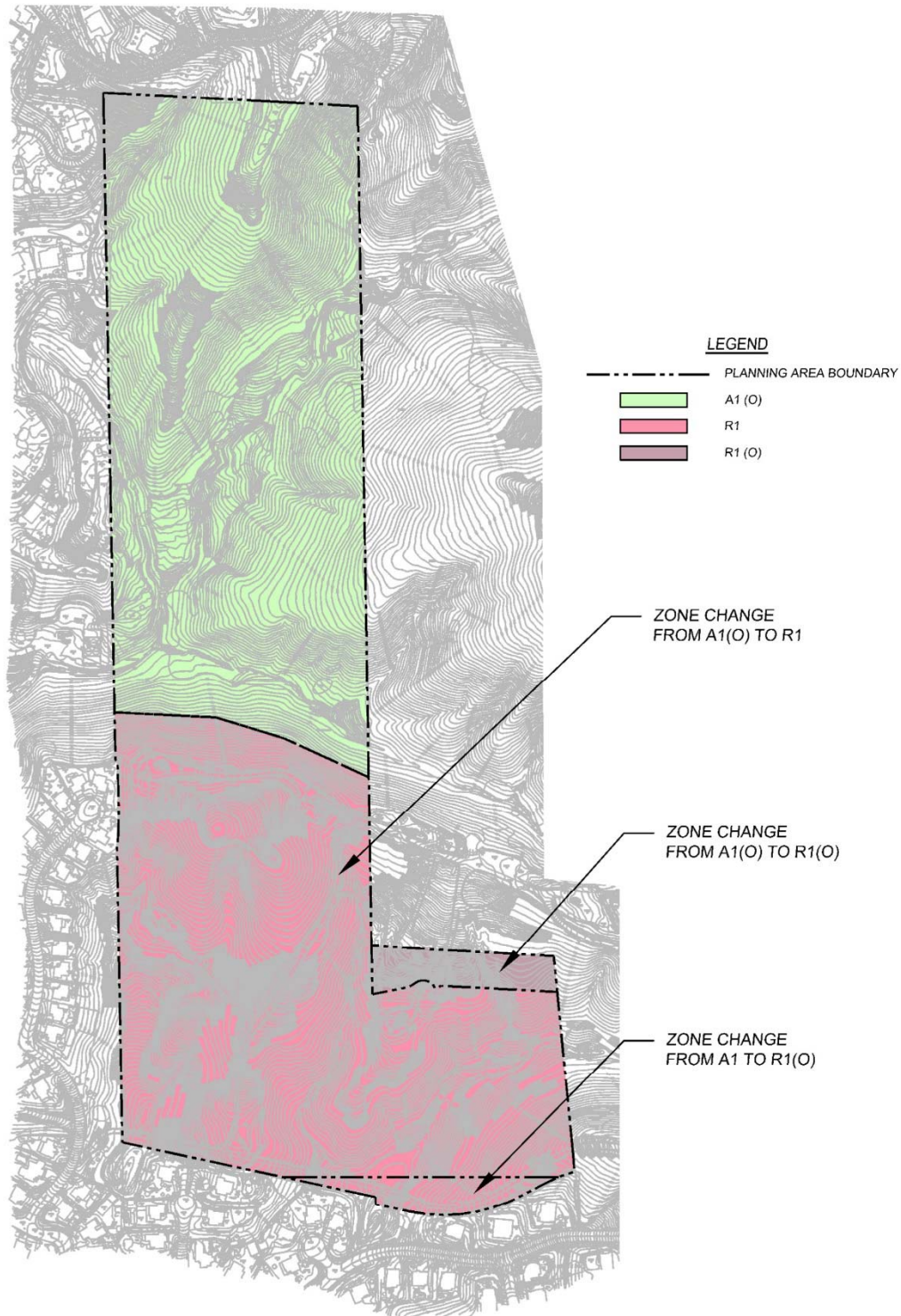


Exhibit 1-5 Zone Change Area

Section 1: Introduction and Project Overview

1.5 Area Plan Purpose

The purpose of the Cielo Vista Area Plan is to:

- 1) Establish design criteria as described in Section 6, "Design Guidelines" for new residential land use proposed for development within the Project Site and to provide a sufficient level of detail to guide the County review and approval of subsequent development applications including landscape plans, grading plans, and building plans.
- 2) Provide a plan responsive to the physical constraints found within and around the Project Site and to blend with the character of existing, surrounding adjacent residential neighborhoods.
- 3) Provide a mechanism as described in Section 9, "Implementation and Administration," to implement the policies of the Orange County General Plan relative to the Project Site and the R-1 and R1(O) zoning development regulations of the County of Orange Zoning Code for the Project Site.
- 4) Provide for design goals and planning objectives to ensure that Cielo Vista is developed as a cohesive and uniform planned residential neighborhood.
- 5) Provide a plan for new infrastructure, grading, design criteria, green and sustainable goals for development, and procedures ensuring that development of Cielo Vista is implemented in a uniform and cohesive manner.
- 6) Provide planning and design criteria as described in Section 6, "Design Guidelines," to ensure that development of the Project Site is compatible with the existing adjacent residential land uses.
- 7) Provide for oil production facility abandonment and site remediation within the Project Site.
- 8) Through coordination with Orange County Fire Authority, provide for a Fire Protection Plan for the Project Site which also benefits the surrounding residential neighborhoods.

1.6 Area Plan Objectives

Planning and design objectives for Cielo Vista are described on the following pages. The following objectives are established to provide a foundation for the design of a residential neighborhood which responds to the natural setting as well as to the existing surrounding built environment.

Section 1: Introduction and Project Overview

Objective 1:

Design a land use plan providing for a balance of residential and open space land uses adequately served by public facilities, infrastructure, and utilities through the following measures.

- Create an aesthetically pleasing and distinctive residential neighborhood identity through the establishment of a definitive entry and entry monument, streetscapes, and walls.
- Provide for a circulation system providing pedestrian and bicycle connectivity from the planned residential development area to existing residential neighborhoods surrounding the Project Site through a network of streets with on-street bicycle access within the rights of way and sidewalks separated from the street by landscaped parkways. Pedestrian and bicycle connectivity to adjacent surrounding residential neighborhoods is provided via the connection of a proposed local street to existing Via Del Agua.
- Maintain the natural setting afforded the Project Site through preservation of open space within the boundaries of the Project Site.
- Provide for adequate storm water collection facilities to contain on-site and off-site flows affecting the property.
- Provide facilities for water quality treatment and ground water replenishment.
- Concentrate development of new residential uses within a defined area and provide for buffering of natural open space areas from new development.
- Design a land plan optimizing view potential and providing public accessibility to view areas.
- Participate in payment of appropriate Development Impact Fees to accommodate the public service needs generated by the Project.
- Provide for a Fire Protection Plan which protects the Project Site and increases protection to surrounding residential neighborhoods from the threat of wild land fires.

Objective 2:

Implement a development plan for a cohesive neighborhood environment through the following design goals.

- Creation of a strong sense of arrival into the Project through an enhanced Project Entry.
- Provision of landscaped pedestrian walkways creating an inviting street scene for pedestrians.
- Creation of an open space setting for the residents through conservation of open space.

Section 1: Introduction and Project Overview

Objective 3:

Incorporate the following green and sustainable design features into the land use plan.

- Homes designed with opportunities for home offices allowing people to work from home reducing driving time and vehicle emissions.
- Use of native plant materials or drought tolerant plant materials in the landscaping of public spaces and encouragement that homeowners utilize drought tolerant plant materials in private yard areas.
- Residences equipped with currently available technology for internet access allowing residents to shop and work on-line, helping to reduce vehicle trips to employment centers and shopping.
- Use of passive solar design and energy efficient construction materials and techniques in home design to help reduce energy demand.
- Use of “night sky friendly” outdoor lighting within streets.
- Preservation of permanent open space areas within the Project Site to include natural features and appropriate land use buffers to reduce fire hazards.
- Use of a plant palette which includes canopy trees to achieve natural ventilation and cooling.
- Use of water conserving landscape planning techniques and irrigation systems in public landscape areas.

1.7 Public Benefits

Construction of infrastructure and public facilities necessary to serve the residential development area of Cielo Vista will be paid for by the development and may include the creation of public financing districts such as Assessment Districts. The creation of Assessment Districts allows for the sale of bonds for purposes of funding public improvements paid for by the property owners within the Project Site.

The development of Cielo Vista includes the permanent preservation of approximately 42.68 acres of open space. The continued environmental stewardship of the permanent open space within the Project Site is provided for either as a responsibility of the Project's homeowner association, through the dedication of open space areas to an appropriate public or quasi-public State agency, or through a land conservation/trust organization. Funding for the permanent stewardship of the open space may be accomplished through an Assessment District.

Maintenance of landscaping within Cielo Vista will be provided for through special financing districts and/or homeowner associations created for the Project. Development of Cielo Vista is subject to the payment of established County Impact Fees for public services such as fire and sheriff and through the payment of County and/or City of Yorba Linda development fees for library services. The developer of Cielo Vista will pay the

Section 1: Introduction and Project Overview

appropriate school fees as required by the State of California and the established County in-lieu fee for park facilities.

1.8 Governing Documents

Development of Cielo Vista is governed by the following:

- The Orange County General Plan, which establishes policies for land use, circulation, recreation and resources, noise, public safety, and housing within the Cielo Vista Area Plan.
- The Cielo Vista Area Plan which includes a land use plan, infrastructure plan, design guidelines, a green and sustainable program, and implementation procedures.
- The County of Orange Zoning Code establishing the regulations governing development of residential uses within the Area Plan.
- The Orange County Subdivision Code regulating the subdivision of land within Cielo Vista.
- Covenants, Conditions, and Restrictions (CC&Rs) established by the developer of Cielo Vista as a means of ensuring and enforcing quality design during development and the continued maintenance of common areas.

1.9 Area Plan Components

The Area Plan is organized into the following sections in addition to Section 1, “Introduction and Overview.”

SECTION 2 - SITE CONDITIONS

The physical setting for Cielo Vista is described in this section outlining the existing physical conditions found within and surrounding the Project Site.

SECTION 3 - LAND USE PLAN

The Land Use Section describes the residential development area and the open space preservation area planned for Cielo Vista.

SECTION 4 - INFRASTRUCTURE PLAN

This section describes circulation improvements, planned backbone water, sewer, and storm drain systems, and public utilities serving Cielo Vista.

SECTION 5 - GRADING PLAN

The grading plan describes the grading concept for Cielo Vista, including cut and fill, contours and grades, and grading for remedial work.

Section 1: Introduction and Project Overview

SECTION 6 - DESIGN GUIDELINES.

The Design Guidelines define architectural and landscape design elements to ensure that Cielo Vista is developed as a welcoming neighborhood of design quality and character with definitive architecture and attractive landscaping.

SECTION 7 - GREEN AND SUSTAINABLE PROGRAM

This section identifies green and sustainable goals for Cielo Vista.

SECTION 8 - GENERAL PLAN CONSISTENCY

The relationship of the Area Plan to the applicable policies of the Orange County General Plan and the City of Yorba Linda General Plan is discussed in Section 8.

SECTION 9 - IMPLEMENTATION

The policies and procedures for the administration of the Area Plan, procedures for the review and approval by the County of specific development proposals within the Project Site, Project financing, and Project maintenance responsibilities within the development are described in this section.

Section 2: Site Conditions

Section 2. Site Conditions

2.1 Project Setting

The Project Site is located within unincorporated Orange County and within the City of Yorba Linda Sphere of Influence (SOI) within an established urban setting. The Casino Ridge residential community abuts the Project Site on the north, and established residential neighborhoods abut the Project Site on the south and west. The approximately 469 acre Esperanza Hills Specific Plan area, proposed for residential development, abuts the Project Site on the east. A Metropolitan Water District (MWD) Easement extends along the southern boundary within the Project Site. The physical setting of the Project Site is illustrated on Exhibit 2-1, "Project Setting."

2.2 Existing Access

Regional access to the Project Site is provided from the 91 Freeway, located approximately 1.7 miles southwest and southeast of the Project Site, and from the 57 Freeway, located approximately 6 miles west of the Project Site. Yorba Linda Boulevard, a major arterial roadway, connects the 91 Freeway and the 57 Freeway through the City of Yorba Linda and is proximate to the Project Site. Existing access to the Project Site is provided from Aspen Way which terminates at the westerly boundary of the Project Site. Aspen Way extends approximately 1200 feet west of the Project Site connecting to San Antonio Road, which intersects with Yorba Linda Boulevard. The southerly access is from Via del Agua, a residential street, located to the south of the Project Site which connects with Yorba Linda Boulevard. As part of the approval of existing adjacent residential development, right of way was irrevocably offered for dedication to allow for construction of a future street connecting the Project Site with Via del Agua.

2.3 Existing Land Use

The majority of the Project Site is vacant but subject to a mineral lease for oil production as part of the Esperanza Oil Field. The Esperanza lease is now held by Santa Ana Canyon Development. Oil production facilities within the Project Site now include five operational wells, one abandoned well, a tank, unimproved oil field service roads, and unimproved drill pad sites scattered throughout the Project Site. A Southern California Gas Company Easement of approximately 100 feet in width crosses the northwesterly edge of the Project Site. A Metropolitan Water District (MWD) Easement extends along the southern boundary within the Project Site. Existing land use is illustrated on Exhibit 2-2, "Existing Site Conditions."

Section 2: Site Conditions



Exhibit 2-1 Project Setting

Cielo Vista Area Plan
Project Alternative 5

October 2015

Section 2: Site Conditions

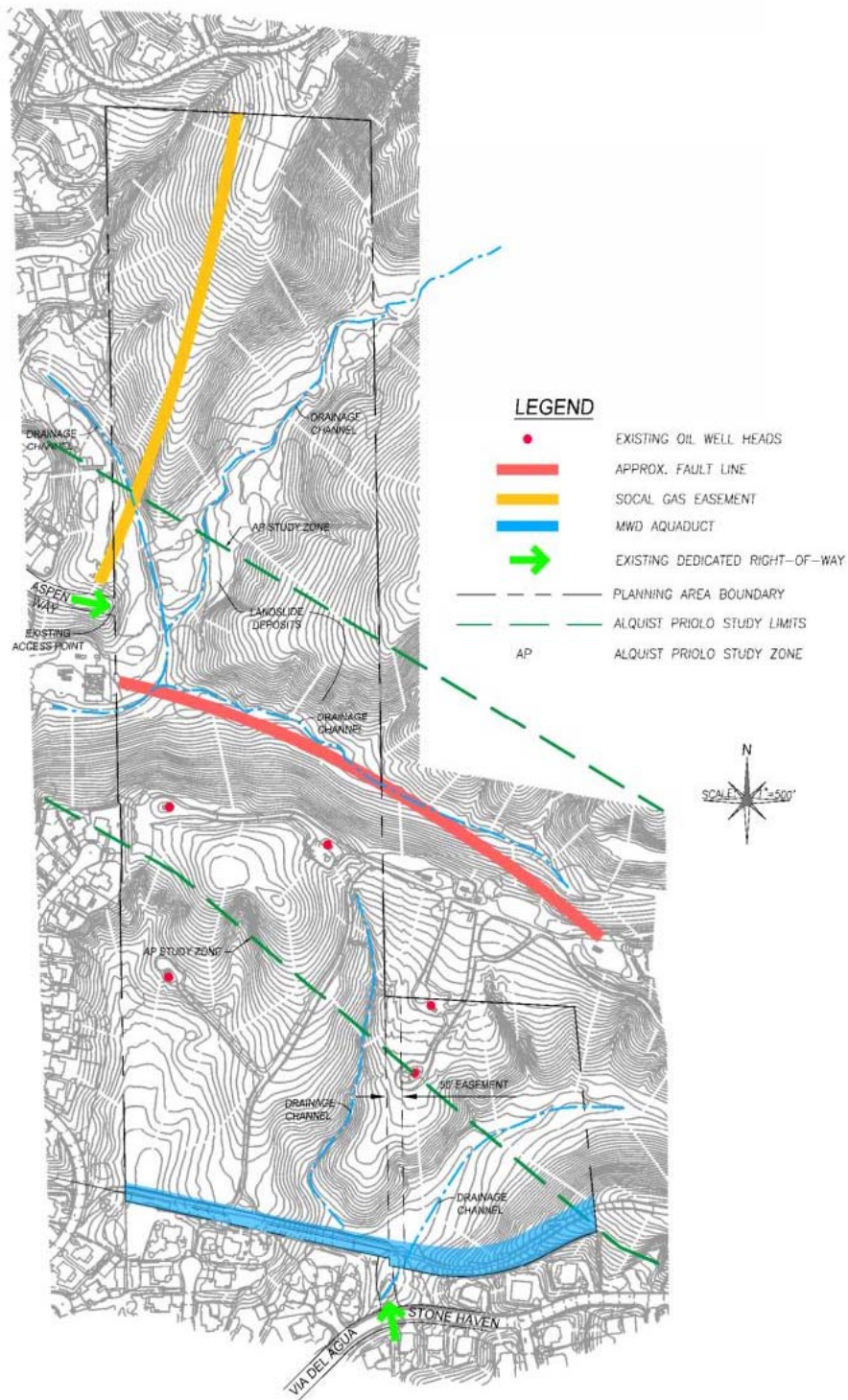


Exhibit 2-2 Existing Site Conditions

Section 2: Site Conditions

2.4 Topography and Geology

The topography of the Project Site is characterized by steep sloping hillsides vegetated by scrub and chaparral. Elevations range from approximately 565 feet above mean sea level (MSL) in the southern portions of the Project Site to approximately 885 feet above MSL at the highest point in the northern portions of the Project Site. The site is characterized by two major drainages. A north-south trending drainage extends from the northerly edge of the Project Site and joins a major east-west drainage that extends into adjoining land to the east. Side slopes within the east-west drainage vary from 1.5:1 to 2:1 (horizontal/vertical). A minor drainage runs parallel to the major east-west drainage near the southerly edge of the Project Site. Preliminary geotechnical studies prepared for the Area Plan indicate that a branch of the Whittier Fault Zone traverses the Project Site within the major east-west drainage. The residential planning areas of Cielo Vista avoid disturbance of the major east-west drainage.

The Environmental Impact Report (EIR) prepared for the Project evaluates seismic and geologic conditions found within the Project Site and identifies appropriate mitigation measures including the use of any setbacks that may be required in accordance with the Alquist Priolo Act. The EIR geotechnical studies included preliminary trenching near the fault zone and concluded that the residential areas of Cielo Vista avoid disturbance of the fault. However the Project EIR includes a mitigation measure requiring additional fault trenching to be conducted prior to issuance of precise grading permits in order to confirm that the areas of preliminary fault trenching are not active. If the results of additional trenching conclude that any of the fault trenching locations are active faults, precise grading permits for residential development in the subject areas will not be issued unless additional studies are prepared and approved by the County confirming that some or all of the areas are suitable for residential construction. Preliminary geotechnical studies also identify a potential ancient landslide along the primarily northwest facing slope located within the northerly portion of the Project Site. This geologic feature lies within the Project's Open Space land use area and is completely avoided by development. Existing topographic conditions and the Whittier Fault Zone are illustrated on Exhibit 2-2, "Existing Site Conditions."

2.5 Biological Features

The EIR prepared for the Project evaluated the plant communities, habitats, and wildlife found within the Project Site. A summary of the findings and conclusions of the EIR studies is provided below. The Project EIR identifies appropriate measures to mitigate and monitor any potential impacts to biological resources as part of the Project.

Section 2: Site Conditions

Site biological resources were also evaluated as part of the Project EIR. The biological survey identified the following Natural Communities, based on the Orange County Habitat Classification System, as occurring within the Project Site and as illustrated on Exhibit 2-3, "Natural Communities."

- Encelia Scrub
- Mixed Sage Scrub
- Laurel Sumac Chaparral
- Ruderal
- Ruderal/Sagebrush Scrub
- Ruderal/ Blue Elderberry Woodland
- Ruderal /Mixed Sage Scrub
- Ruderal /Encelia Scrub
- Ruderal/ Chaparral Bushmallow Scrub
- Ruderal/Mule Fat Scrub
- Blue Elderberry Woodland
- Chaparral Bushmallow Scrub
- Chaparral Bushmallow Scrub/Encelia Scrub
- Disturbed Plant Communities
- Southern Willow Scrub
- Mule Fat Scrub
- Blue Elderberry Woodland/Laurel Sumac Chaparral/Mixed Sage Scrub
- Blue Elderberry Woodland/Laurel Sumac Chaparral

Of the Natural Communities found within the Project Site five are listed as Sensitive Natural Communities in the Project EIR due to their decline in the region and/or their ability to support sensitive species. The Natural Communities listed as sensitive include the Blue Elderberry Woodland, Southern Willow Scrub, Blue Elderberry Woodland/Laurel Sumac Chaparral, Blue Elderberry Woodland/Laurel Sumac Chaparral/Mixed Sage Scrub and Encelia Scrub. The locations of these Sensitive Natural Communities are illustrated on Exhibit 2-4,"Sensitive Natural Communities." The Project EIR evaluates the impact of the proposed development on the Sensitive Natural Communities and recognizes that a portion of the approximately 42.68 acres proposed as permanent open space as part of the Project, would support sensitive habitat communities,

Section 2: Site Conditions

Approximately 47 southern California black walnut trees were observed within the Project Site, approximately 20 of which occur within three stands located throughout the Project Site as illustrated In Exhibit 2-5, "Southern California Black Walnut Tree Locations." The Project EIR prepared for the Cielo Vista Area Plan describes the southern California black walnut tree as a sensitive plant species, however the species does not constitute a "monotypic woodland structure" as seen elsewhere in the surrounding region where entire hillsides are covered with canopies of the trees. For this reason, the southern California black walnut trees within the Project Site are not considered a species of high sensitivity.

The Project EIR evaluated the potential impact to the southern California black walnut trees within the Project Site as a result of the development of Cielo Vista. The Project EIR concluded that the Project would impact the southern California black walnut trees. However, because the trees are not considered a species of high sensitivity the impacts to the trees would not constitute a significant impact requiring mitigation.

Wildlife surveys performed as part of the Project EIR identified habitat suitable with the Project Site for sensitive and/or endangered species including the least Bell's vireo, the coastal California gnatcatcher, and the southwestern willow flycatcher. As part of the EIR biological surveys conducted for the Project, no coastal California gnatcatchers or southwestern willow flycatchers were observed, however the least Bell's vireo was observed, and habitat supporting this species would be impacted by the Project. The EIR identifies a mitigation measure requiring the Project Applicant to obtain all Federal and State regulatory permits prior to development in impacted areas and to provide on and/or off site replacement and/or enhancement of least Bell's vireo habitat at a ratio of no less than 2:1.

Section 2: Site Conditions

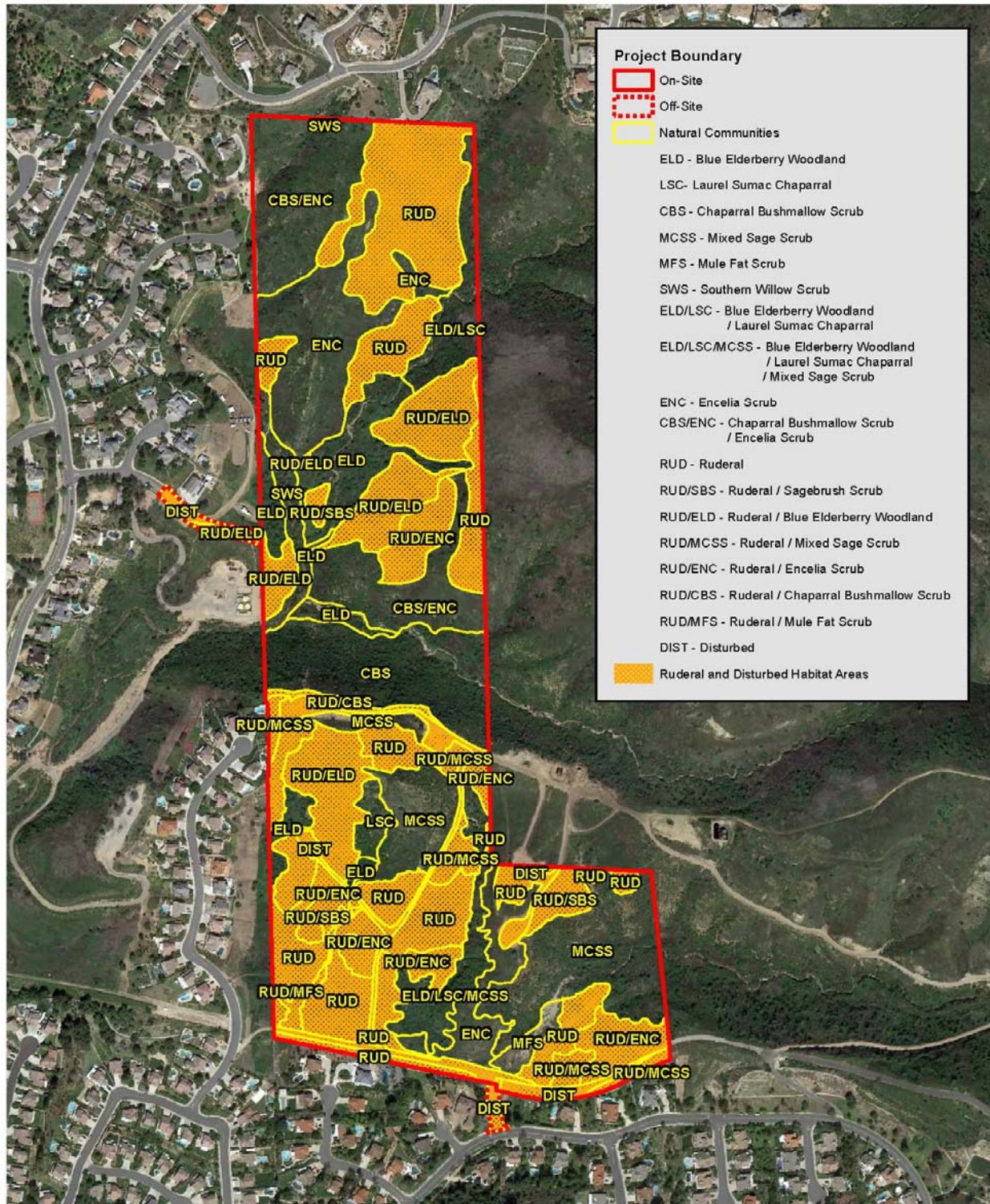


Exhibit 2-3 Natural Communities

Section 2: Site Conditions

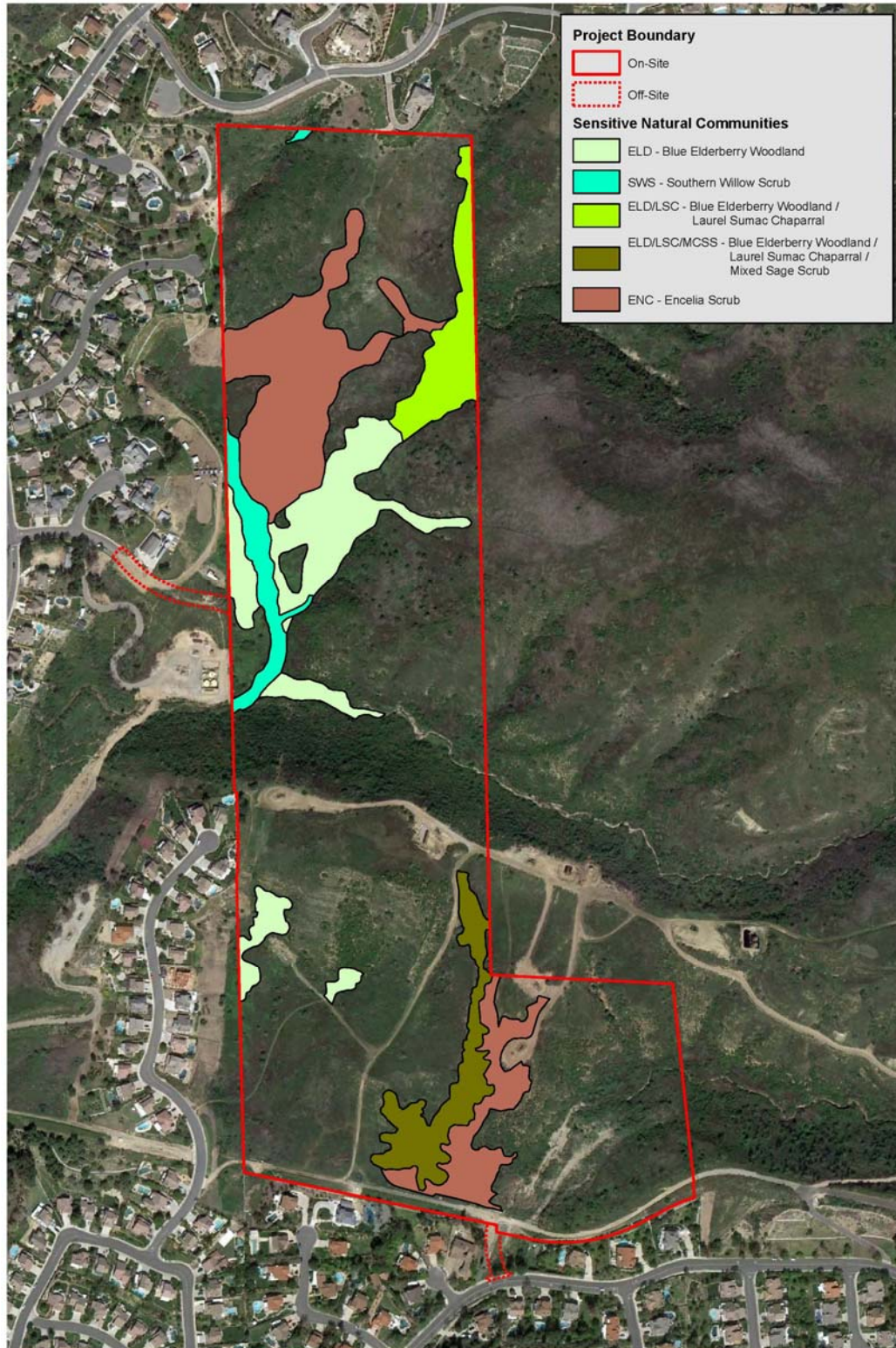


Exhibit 2-4 Sensitive Natural Communities

Section 2: Site Conditions



Exhibit 2-5 Southern California Black Walnut Trees Locations

Section 2: Site Conditions

2.6 Cultural Resources

As part of the Project EIR, a cultural and paleontological resources records search was performed for the Project Site. The records' search indicate no cultural resources or paleontological resources have been recorded within the Project Site. A cultural and paleontological resources site survey was conducted over accessible areas of the Project Site. No cultural or paleontological resources were observed during the survey. Though the records search and site survey conducted indicate a low potential for cultural and paleontological resources to be located within the Project Site, the Project EIR includes an evaluation of the potential for cultural and paleontological resources to occur within the Project Site and recommendations for mitigating any potential impacts to cultural and paleontological resources during development of the Project including monitoring of Project construction. In the event cultural or paleontological resources are discovered during Project development, reasonable and proper steps to preserve such resources would be implemented.

2.7 Resource Conservation

The Area Plan responds to natural and man-made features found within and around the Project Site. The careful consideration of the existing environment within and surrounding Cielo Vista has led to the following Area Plan design components:

- Natural topographical features forming drainages and slopes are retained within permanent open space areas of the Project Site.
- Natural habitat of the Least Bell's Vireo on-site and off-site, impacted by development will be replaced and/or enhanced at a minimum ratio of 2:1 in coordination with permitting processes of the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.
- Portions of the approximately 42.68 acres proposed as permanent open space will support Sensitive Habitat Communities.
- Approximately 51% of the Area Plan is designated as permanent open space.
- Residential development is located outside of the minimum setback from potential landslide areas and seismic fault zones.

Section 3: Land Use Plan

Section 3. Land Use Plan

3.1 Overview

The land use plan for Cielo Vista is a design for a residential neighborhood within an open space setting, emphasizing compatibility with surrounding land uses and providing a circulation system consistent with those of the surrounding neighborhoods. Landscaped streets and the Project Entry provide unifying design elements for Cielo Vista. Pedestrian and bicycle connectivity is provided through linkages and connections within the Project streets connecting the residential area with adjacent existing residential neighborhoods. Approximately 51% of the Project Site is preserved as natural open space. The land use plan included as Exhibit 3-1, “Land Use Plan” illustrates the development plan for Cielo Vista. The “Land Use Plan Summary,” Table 3-1, describes the components of the land use plan and a summary of proposed development.

Section 3: Land Use Plan

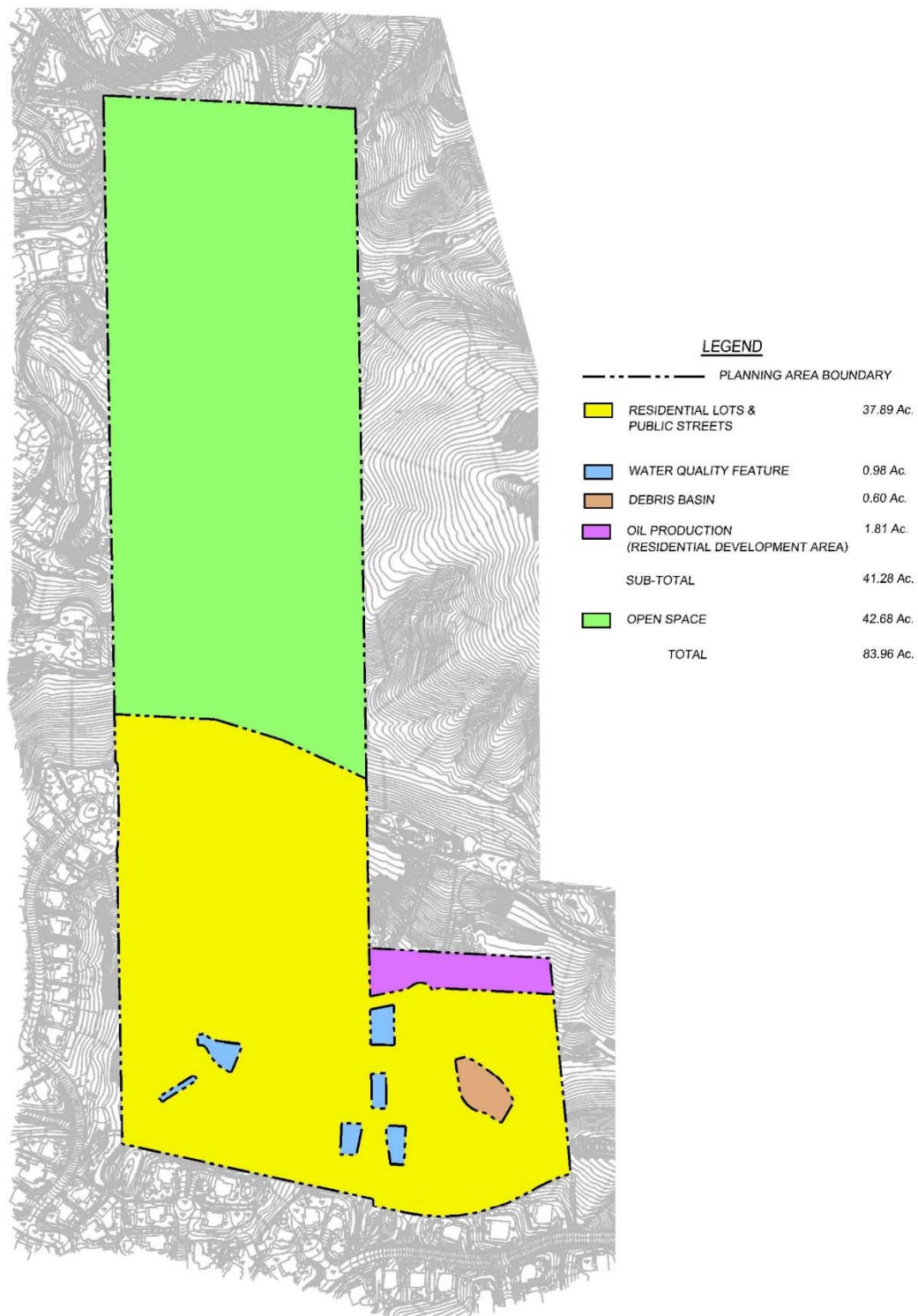


Exhibit 3-1 Land Use Plan

Section 3: Land Use Plan

Table 3-1 Land Use Summary

| Land Use | Acres (approximate) | Dwelling Units |
|-----------------------------------------------------------------------------------------------|---------------------|----------------|
| Residential | | |
| Residential Development Area | | |
| Net Residential Development Area ¹ | 39.70 | 83 |
| Water Quality Features | .98 | |
| Debris Basin | .60 | |
| Subtotal | 41.28 | |
| Total Residential | 41.28 (49%) | 83 |
| Open Space | 42.68 (51%) | |
| Total | 83.96 | 83 |
| 1) Including 1.81 acres of Oil Production (residential development area) and Project streets | | |

3.2 Residential Land Use

Residential land use comprises approximately 41.28 acres of Cielo Vista. Residential single family detached residential dwellings on lots with a minimum area of 7,200 square feet are permitted for development within Cielo Vista. The Area Plan proposes that up to 83 residential dwelling units be developed as described in Table 3-1, "Land Use Summary." Residences are planned as single family front loaded homes placing an emphasis on architectural elements oriented toward the street and incorporating a mix of garage configurations and designs such as recessed garages, mid or deep recessed garages, split garages, and/or tandem garages in order to minimize the view of garages from the street and to provide a varied street scene. Residential development within Cielo Vista will comply with all R-1 and R-1(O) development regulations pursuant to Section 7-9-74, "Single Family Residence," District Regulations and Section 7-9-117, "Oil Production," of the Orange County Zoning Code.

3.3 Oil and Gas Production Facilities

Prior to grading for any development within the residential development area of Cielo Vista, all operational and non-operational wells within the boundaries of the residential development area, along with other oil facilities will be removed and abandoned or re-abandoned pursuant to the requirements of CalDOGGR, RWQCB, OCFA, OCHA, and Orange County Zoning Code Sections 7-8-1 et seq. (The Orange County Oil Code). Soil contaminated by the historical oilfield production activities will be removed from the site or remediated on-site to meet the cleanup standards of CalDOGGR, the RWQCB, OCFA, and OCHA the agencies with jurisdiction over the cleanup. No habitable structure will be permitted within ten feet of any abandoned well. Future homeowners will be provided with notification as to the previous use of the site as an oilfield and the extent of continued oil production activities in any other portions of the Project Site.

Section 3: Land Use Plan

Approximately 1.81 acres located within the residential development area are proposed to be zoned R-1(O) and can be used as an oil pad for continued oil operations including consolidation of wells relocated from the rest of the Project Site and slant drilling of new wells below ground. This area would be available to the current oil operators for continued oil operations. Any future wells would be drilled from the oil pad pursuant to the requirements of CalDOGGR and the Orange County Oil Code. Plantings and walls will be provided around surface oil operational equipment to screen these facilities to the extent feasible. Access to continued oil production sites will be provided by existing public streets and new Project streets connecting with existing oil field service roads.

No habitable structure will be permitted within 150 feet of any operational surface well or within 50 feet of a subsurface pumping unit/well enclosed within a concrete vault, pursuant to approval by the Orange County Fire Authority of a Request for Alternative Materials and Methods Design. At the time that oil operations on the 1.81 acre oil pad site cease, wells will be abandoned, any contaminated soils will be remediated pursuant to the requirements of CalDOGGR, the Regional Water Quality Control Board, and all other agencies with jurisdiction over the cleanup, and the site may be used for residential development.

3.4 Open Space

Approximately 42.68 acres of Cielo Vista, are to be preserved as permanent natural open space within the hillsides and canyons of the Project Site. Open space contains sloping hillsides vegetated by scrub and chaparral. Elevations range from approximately 585 feet above MSL in the southern portions of the Project Site to approximately 885 feet above MSL at the highest point in the northern portions of the Project Site. The main westerly draining canyon bisecting the Project Site is preserved within the permanent open space area. Portions of the open space area will support sensitive habitat communities. The Area Plan accommodates the future extension by the City of Yorba Linda of the General Plan designated San Antonio Park Equestrian Trail through the permanent open space area. The open space areas of Cielo Vista adjacent to the residential development area also include some fuel modification zones for fire protection.

3.4.1 Fuel Modification

A fire protection plan is proposed for Cielo Vista consisting of three fuel modification zones and a special maintenance area. Each zone and the special maintenance area are designed specifically to help suppress a fire in different ways. Detailed information on the Cielo Vista fire protection plan is included in Section 6, “Design Guidelines,” of the Area Plan.

Section 4: Infrastructure and Public Services

Section 4. Infrastructure and Public Services

Development of Cielo Vista includes construction of new roadways, water mains, wastewater mains, and drainage facilities. All are designed to connect to existing facilities located adjacent to the Project Site that have sufficient capacity to serve Cielo Vista. Utilities will be provided to the Project by existing utility service providers. Public services will be provided to the Project by existing agencies as described in this section.

4.1 Circulation

4.1.1 Overview

Regional access to the Project Site is provided by Yorba Linda Boulevard, a major east-west arterial, which connects SR 91 and SR 57. Via del Agua, a local collector street, intersects Yorba Linda Boulevard and connects to the Project Site on the south. Local access to the Project Site is provided from Via del Agua within an irrevocable dedication to the City of Yorba Linda of street right of way which exists between the southerly boundary of the Project Site and Via del Agua. This right of way will be improved as a local roadway providing access to the Project Site.

The street system within Cielo Vista consists of local residential streets with sidewalks on both sides of the street. Internal streets to be constructed as part of the Project will vary in width from 56 feet to 44 feet of right of way with sidewalks separated from the street by landscaped parkways. Parkway will be planted with shade trees, shrubs, and groundcover. Sidewalks within the Project Site will provide internal pedestrian connectivity as well as connectivity to the surrounding residential neighborhoods. On-street bicycle access and connectivity are provided within the right of way of the local street system. The Project includes provision of a 50 foot wide emergency vehicle access easement within the residential development area of the Project Site connecting to the boundary of the adjacent Esperanza Hills Specific Plan area. Access to continued oil production sites will be provided by existing public streets connecting with existing oil field service roads in open space areas and by new local Project streets connecting to the oil production site located within the residential development area. The circulation plan for Cielo Vista is illustrated on Exhibit 4-1, "Master Circulation Plan."

4.1.2 Local Streets

New local streets planned as part of the development of Cielo Vista are illustrated on Exhibit 4-1, "Master Circulation Plan," and on the street sections, Exhibits 4-2 and 4-3, "Local Street Sections." New local streets planned for the Project will be private and improved to County public street standards.

Section 4: Infrastructure and Public Services

4.1.2.1 Streets “A” and “B”

Street “A” serves as the access street to Cielo Vista and will extend approximately 150 feet north from a connection at Via del Agua to the southerly boundary of the Project Site. Within the Project Site, Street “A” extends north to intersect with Street “B.” Street “B” forms the backbone local street for the residential development area extending east to west and north to south. Streets “A” and “B” each have a total right of way of 56 feet and include a 40 foot wide travel area and a 4 foot sidewalk separated from the street by a 4 foot wide landscaped parkway between the curb and sidewalk on both sides of the street. Street “B” provides for parking on both sides of the street. The design for Streets “A” and “B” within Cielo Vista is illustrated on Exhibit 4-2, “Local Street Sections.”

4.1.2.2 Streets “C, D, and E”

Two types of local residential streets connect with Street “B” to serve residential lots. Street “C” has a 44 foot wide right of way which includes 30 feet of travel area and a 4 foot wide sidewalk separated from the street by a 4 foot wide landscaped parkway between the curb and sidewalk on both sides of the street. On-street parking is provided on one side of Street “C.” The design for Street “C” is illustrated on Exhibit 4-2, “Local Street Sections.”

Streets “D” and “E” each have a total right of way of 52 feet which includes 36 feet of travel area and a 4 foot wide sidewalk separated from the street by a 4 foot wide landscaped parkway between the curb and sidewalk on both sides of the street. On street parking is provided on both sides of Streets “D” and “E”. The design for Streets “D” and “E” within Cielo Vista is illustrated on Exhibit 4-3, “Local Street Sections.”

Section 4: Infrastructure and Public Services

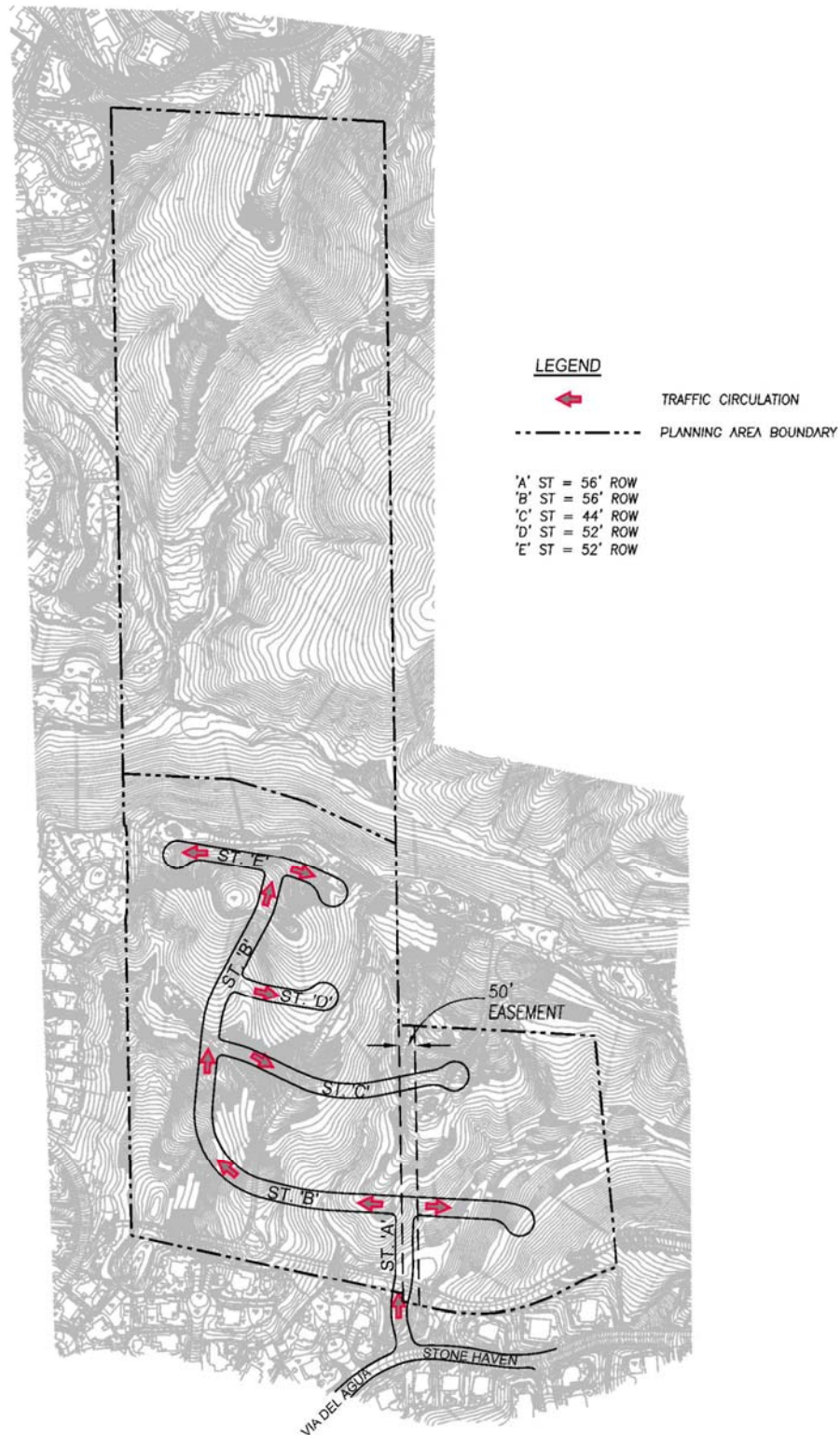
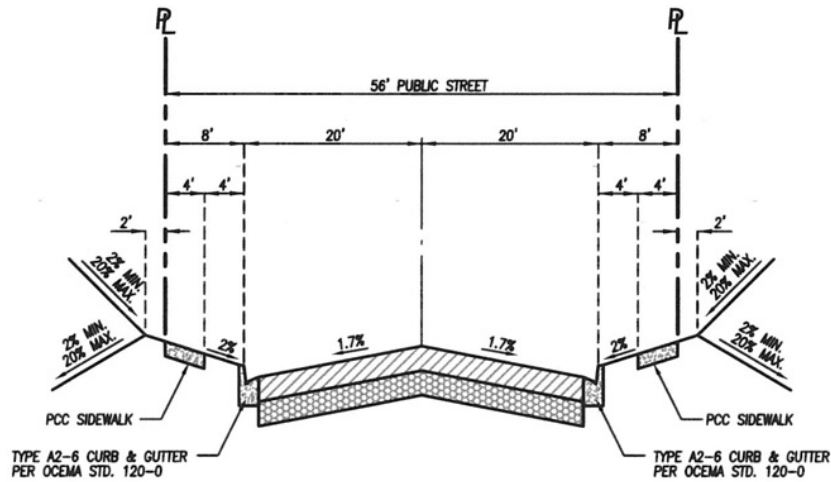


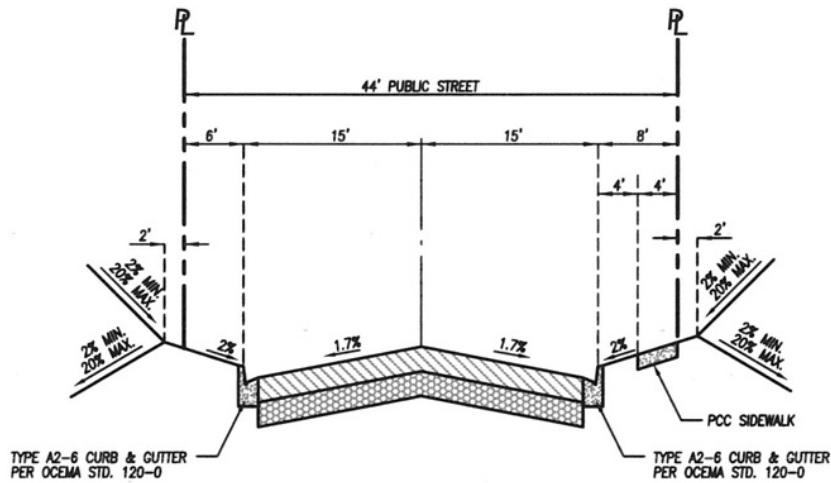
Exhibit 4-1 Master Circulation Plan

Section 4: Infrastructure and Public Services



Streets 'A' & B - 56' Public Street

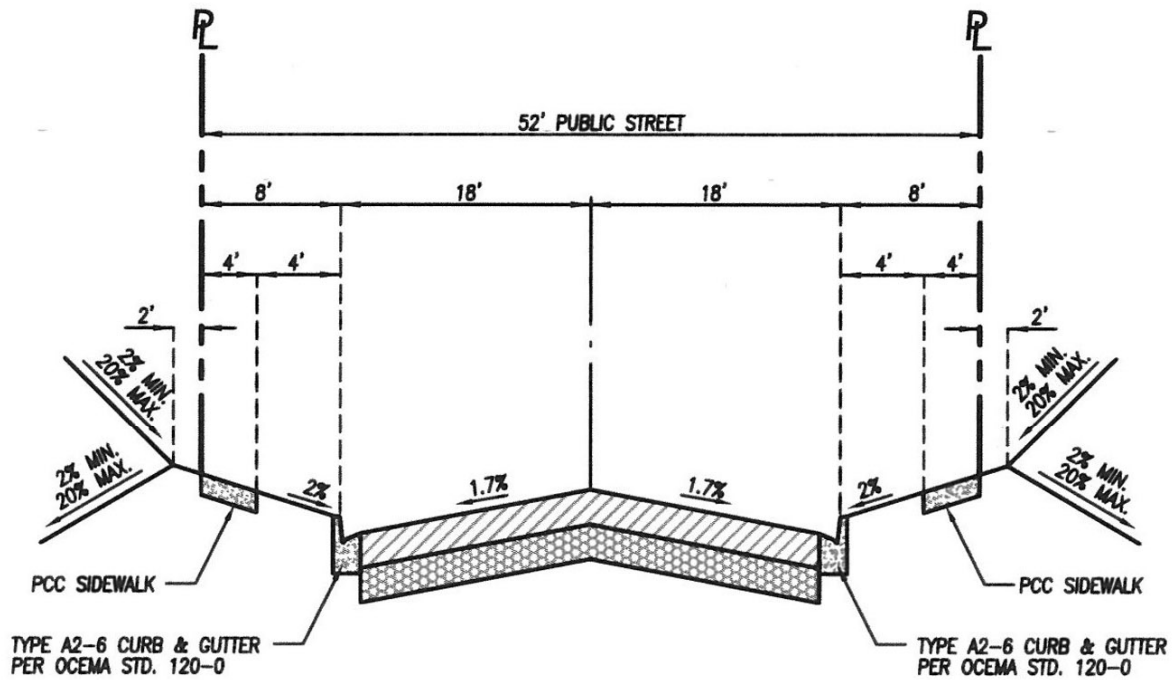
LOCAL (500-1200 ADT) PER OCEMA STD. 1107
NOT TO SCALE



Street 'C' - 44' Public Street

LOCAL-B (200-500 ADT) PER OCEMA STD. 1107
NOT TO SCALE

Exhibit 4-2 Local Street Sections



Streets 'D' & 'E' - Public Street

LOCAL (<500 ADT) PER OCMA STD. 1107
NOT TO SCALE

Exhibit 4-3 Local Street Sections

Section 4: Infrastructure and Public Services

4.1.3 Pedestrian and Bicycle Circulation

Walkways within the local streets of Cielo Vista form a comprehensive pedestrian circulation system throughout the residential development area. The local street system provides for on-street bicycle circulation. The proposed pedestrian and bicycle circulation system provided within the local streets of Cielo Vista provides connectivity between the residential development area within the Project Site, and existing off-site sidewalks and streets in adjacent residential neighborhoods, linking Cielo Vista to the surrounding community.

4.2 Water and Sewer

Water and sewer service is provided by the Yorba Linda Water District (YLWD). Facilities adjacent to the Project Site include:

- Existing 8 inch diameter sewer mains located in Stonehaven Drive.
- Existing 8 inch diameter water mains located in Stonehaven Drive.

4.2.1 Water Facilities Plan

YLWD has completed the "Northeast Area Planning Study" which identifies master plan upgrades and new improvements for this portion of its service area. Some of the proposed upgrades and improvements would support the Cielo Vista development. Those improvements may include the future addition of a water tank on or somewhere in the vicinity of the Project Site, expanded water lines, pumping facilities, and upgrades to booster stations. These will be constructed and financed according to agreements among YLWD and benefitting landowners.

On-site water facilities planned for Cielo Vista include a system of 8 inch diameter mains within local streets connecting to existing 8 inch diameter mains located within Via del Agua. On-site water service facilities for Cielo Vista are illustrated on Exhibit 4-4, "Water Facilities Plan."

4.2.2 Sewer Plan

Sanitary sewer service to the Project Site is provided by YLWD. On-site wastewater flows from the Project will be collected by an on-site system of 6 inch and 8 inch diameter lines designed to the standards of the YLWD and located within the streets of Cielo Vista. On-site sewer mains will connect to existing sewer mains located in Stonehaven Drive providing sewer service for planned residential development within Cielo Vista. The Sewer Master Plan for Cielo Vista is illustrated on Exhibit 4-5, "Sewer Master Plan."

Section 4: Infrastructure and Public Services

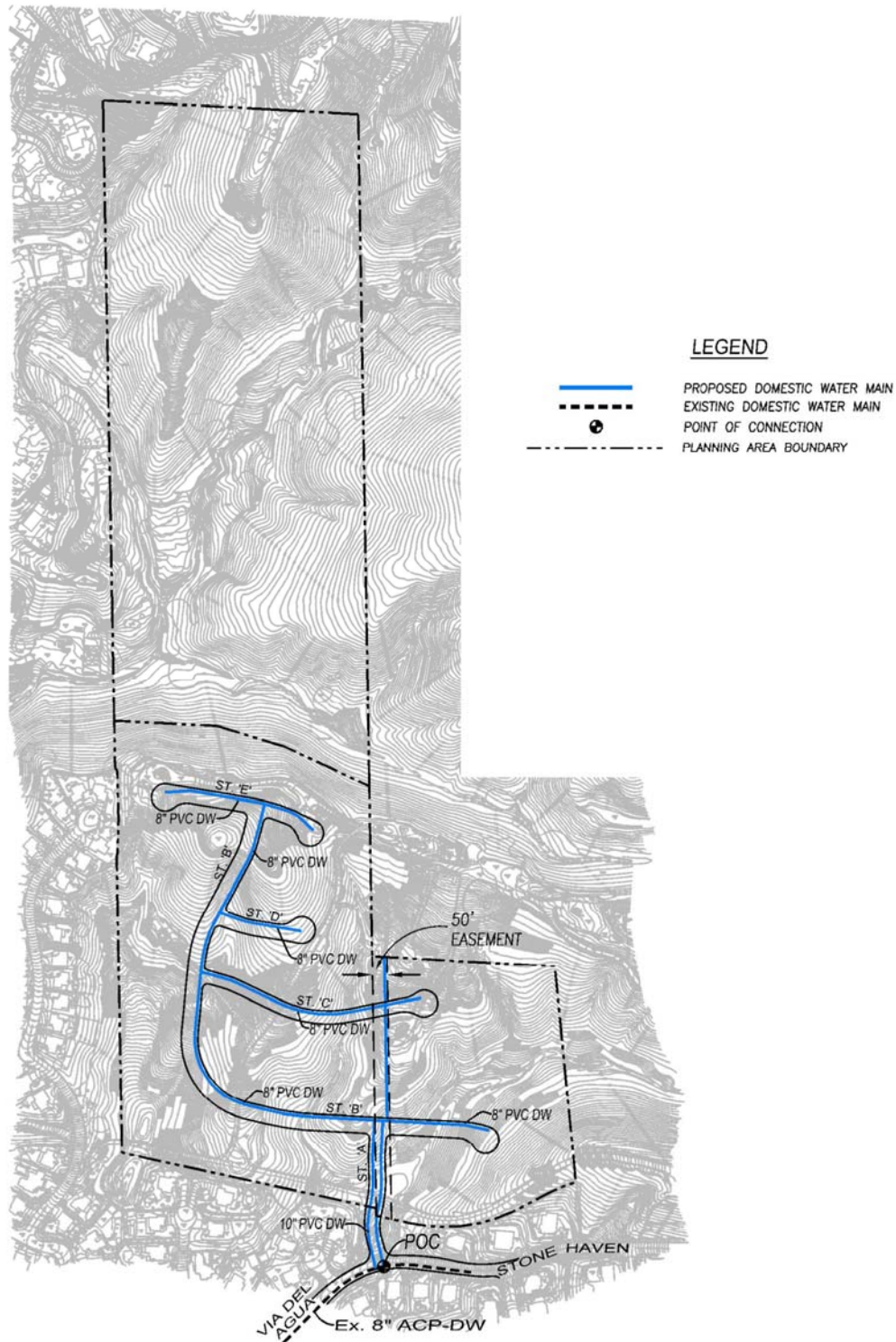


Exhibit 4-4 Water Facilities Plan

Section 4: Infrastructure and Public Services

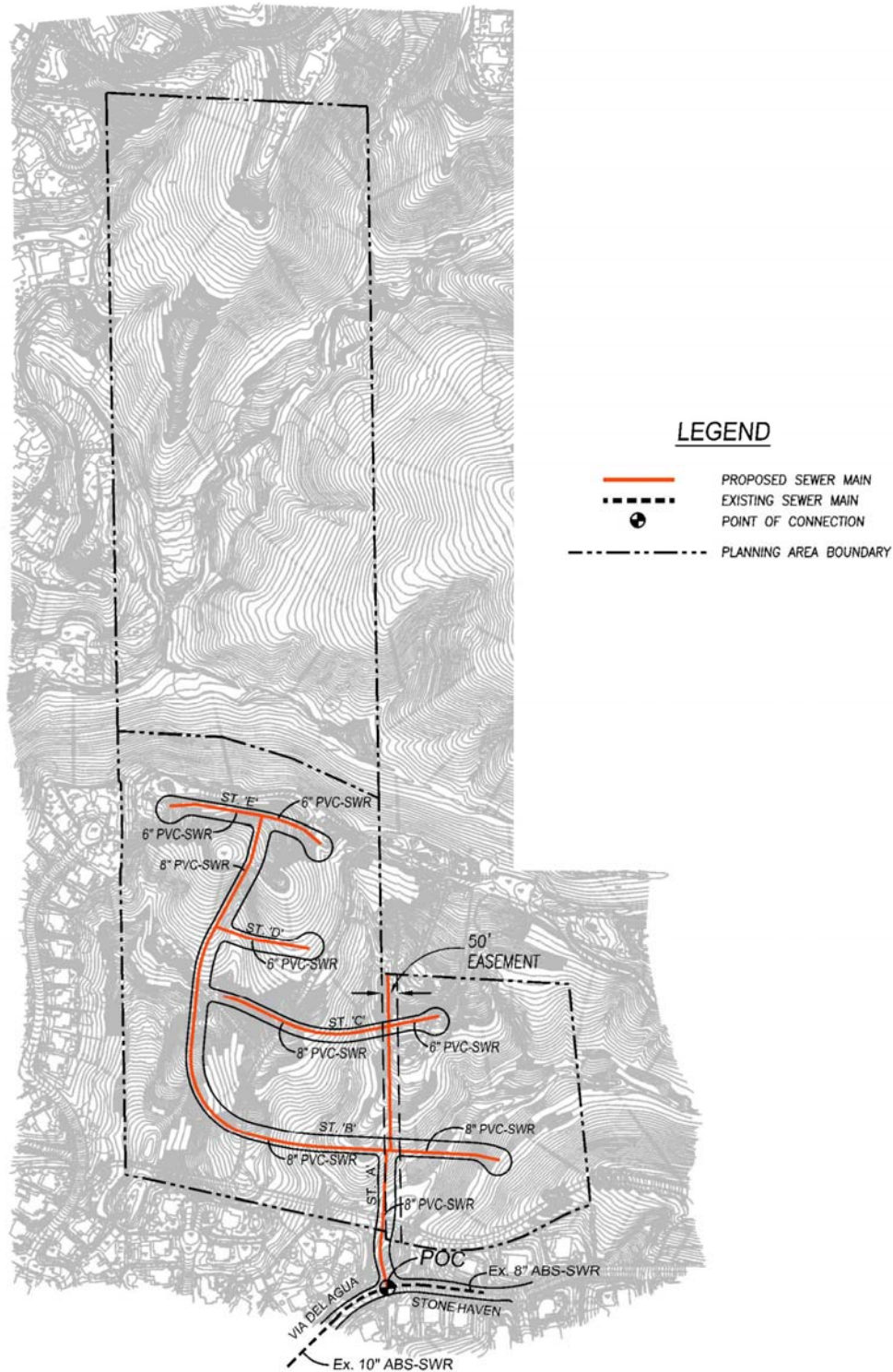


Exhibit 4-5 Sewer Master Plan

Section 4: Infrastructure and Public Services

4.3 Drainage and Water Quality Management Plan

As part of development of Cielo Vista, existing natural drainage patterns will be maintained to the extent feasible so that flows to the downstream facilities will remain close to conditions that exist prior to development. The existing natural drainages include an east-west canyon that separates the residential development area and the open space area. Approximately 630 acres located outside the boundaries of the Project Site are tributary to this channel. A smaller north-south tributary draining approximately 40 acres intersects this canyon, and both flow into an existing drainage stub located in the residential area near the southwest boundary of the Project Site. The bed of the north-south channel is planned for minor realignment to the east and will follow the base of a slope planned as part of the development of residential lots. Substantial portions of these natural drainage channels located within the Project Site are protected from development and will be maintained as open space.

Runoff from the developed areas of the Project Site will be collected in a storm drainage system within local streets and routed through several water quality features and a debris basin to be constructed as part of the Project. The Project storm drainage system will connect to existing City of Yorba Linda storm drain facilities following approval by the City's Public Works Division. The water quality features and debris basins will serve to mitigate the increased flow anticipated from the increased impervious surface created with the development and will also decrease pollutants in the runoff. A Conceptual Water Quality Management Plan (WQMP) prepared as part of the Project identifies structural and non-structural best management practices (BMPs) that would reduce pollution levels in storm water discharge in compliance with applicable water quality standards. The WQMP includes provisions for implementation of the WQMP during project construction and for long term maintenance of the structural and non-structural BMPs by the Home Owners Association (HOA) for Cielo Vista, the entity owning and maintaining the water quality basins. The WQMP includes detailed sizing parameters for the basins and provides guidelines to the HOA for the proper maintenance of the water quality basins. The drainage plan for Cielo Vista is illustrated on Exhibit 4-6, "Drainage and Water Quality Management Plan."

4.4 Dry Utilities

4.4.1 Telephone

AT&T is the telephone service provider for the Project Site. Telephone service for the Project Site will be provided by AT&T with all on-site facilities constructed as part of the Project placed underground.

4.4.2 Natural Gas

Southern California Gas Company is the provider of natural gas to the Project Site. On-site gas facilities constructed as part of the Project will be placed underground.

Section 4: Infrastructure and Public Services

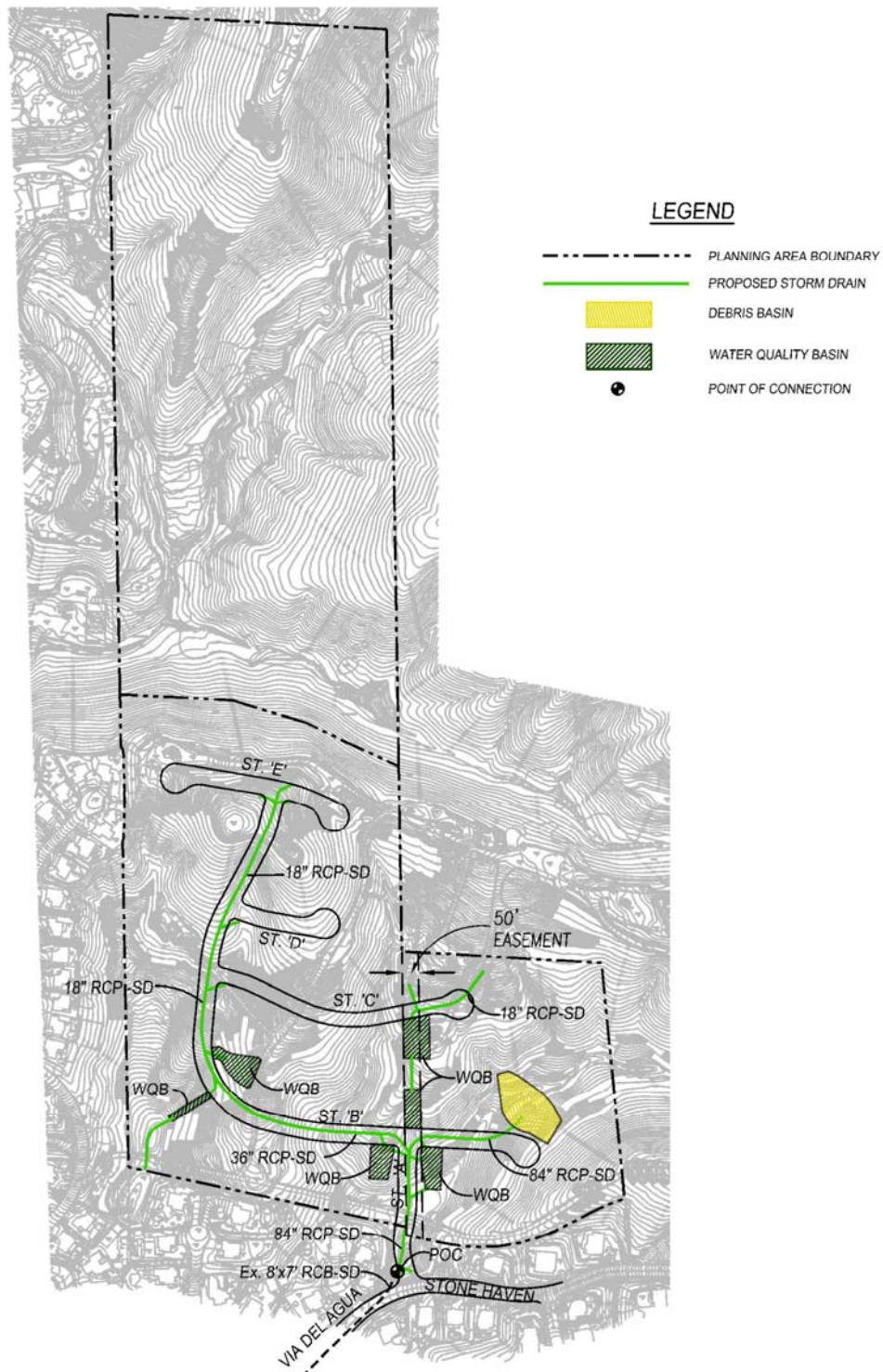


Exhibit 4-6 Drainage and Water Quality Management Plan

Section 4: Infrastructure and Public Services

4.4.3 Electricity

Southern California Edison (SCE) provides electricity to the Project Site from existing facilities in the vicinity of the Project Site. New facilities constructed as part of the Project will be located underground.

4.4.4 Cable and Internet

Time Warner is the cable service provider for the Project Site. Cable service for the Cielo Vista development will be provided by Time Warner with all on-site facilities constructed as part of the Project placed underground.

4.5 Schools

The Placentia-Yorba Linda Unified School District (District) is the school district serving the grade K-12 school needs of the future residents of Cielo Vista. Based on existing school boundaries, the school facilities which could serve Cielo Vista include the Travis Ranch School for grades K-8 and Yorba Linda High School for grades 9-12. The developer of Cielo Vista will pay school mitigation fees as required by State of California.

4.6 Solid Waste

Yorba Linda Disposal provides solid waste services for the City of Yorba Linda. This service can be extended to Cielo Vista.

4.7 Public Safety

Police protection is provided by the Orange County Sheriff Department.

4.8 Fire

Fire protection is provided by the Orange County Fire Authority.

4.9 Library

The nearest County public library to the Project Site is the Villa Park Branch located approximately 6.3 miles to the southwest. The nearest City of Yorba Linda public library is located 3.2 miles to the west of the Project Site. Residents of Cielo Vista will likely use the City of Yorba Linda facility for library services due to its proximity to the Project Site. As part of Project approval and prior to issuance of building permits for the Project, the Applicant will enter into a capital facilities and equipment agreement with the Orange County Public Library and/or the Yorba Linda Public Library. This Agreement shall specify the pro-rata fair share funding of capital improvements and equipment, to serve the Project.

Section 4: Infrastructure and Public Services

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Section 5: Grading Plan

Section 5. Grading Plan

5.1 Existing Conditions

The Project Site is irregularly shaped and consists of approximately 83.96 acres. The lowest elevation, along the southern boundary is approximately 565 feet above MSL. The Project Site rises from the southerly boundary to about 780 feet MSL, at which point elevations begin to drop into a westerly trending drainage with a bottom of about 640 feet MSL. From this point, the elevation again rises to about 885 feet MSL at the far northerly edge of the Project Site.

5.2 Grading Concept

Approximately 49% of the Project Site will be developed for residential land use and will be graded. The balance of the Project Site (51%) is proposed for permanent open space. Some grading for fuel modification purposes may be required within the open space area adjacent to the residential development area. The Project grading plan provides for grading quantities to balance so that no import or export of soil, except for export of contaminated soils will be required. The grading plan for Cielo Vista will fully comply with County grading standards.

It is estimated that approximately 600,000 cubic yards of grading will be required for the Project. Grading within the residential development area will create five local streets, generally parallel to the natural site contours, at elevations of 615, 690, 720 and 750 feet. These streets serve residential lots with differences in elevation taken up by landscaped slopes. The grading concept for Cielo Vista is illustrated in Exhibit 5-1, “Conceptual Grading Plan”. Cuts will generally vary from 0 feet to 60 feet across the Project Site. Fills will generally vary from one foot to 45 feet. Cut and fill areas are illustrated on Exhibit 5-2, “Grading Cut and Fill.”

Section 5: Grading Plan

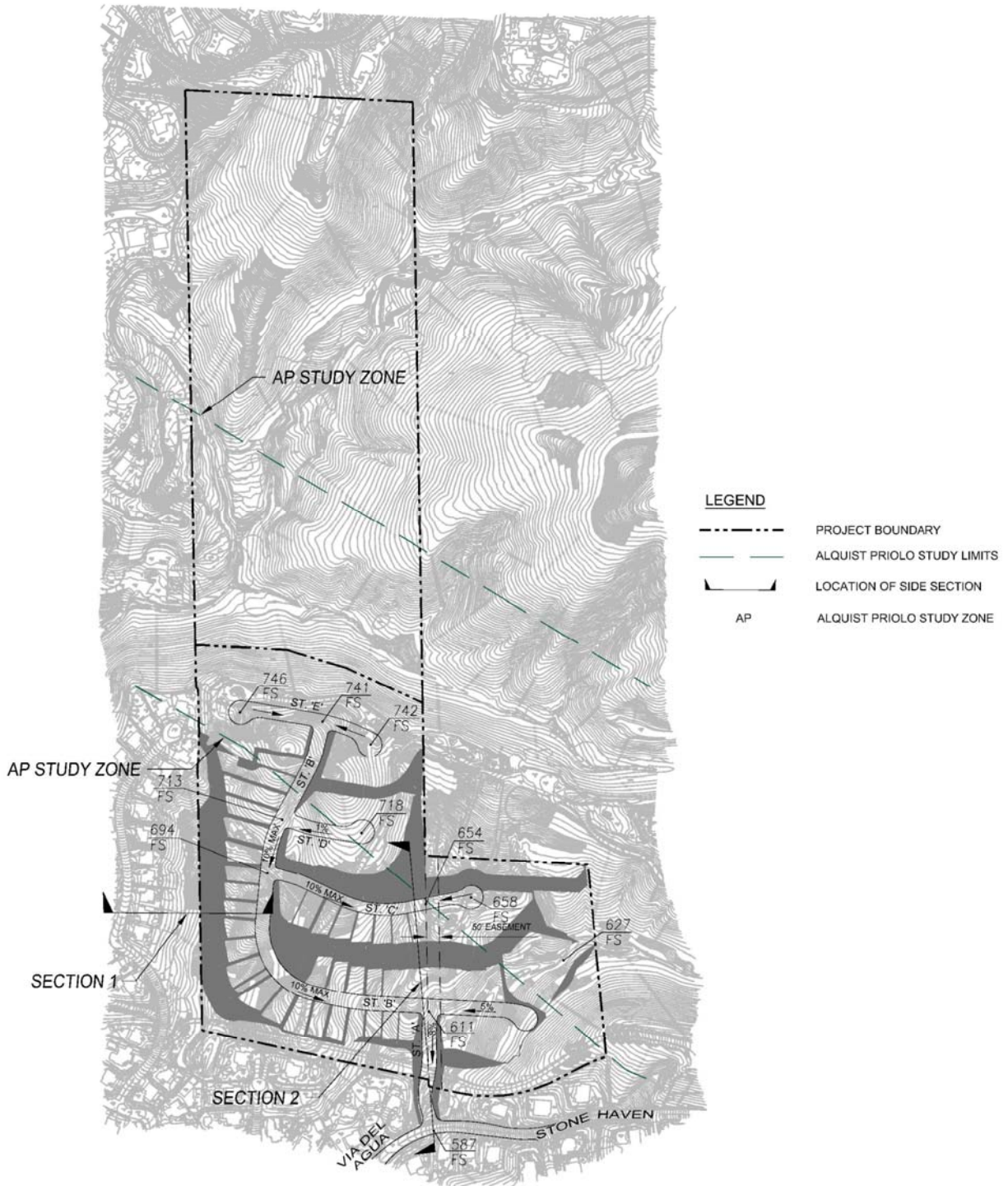


Exhibit 5-1 Conceptual Grading Plan

Section 5: Grading Plan

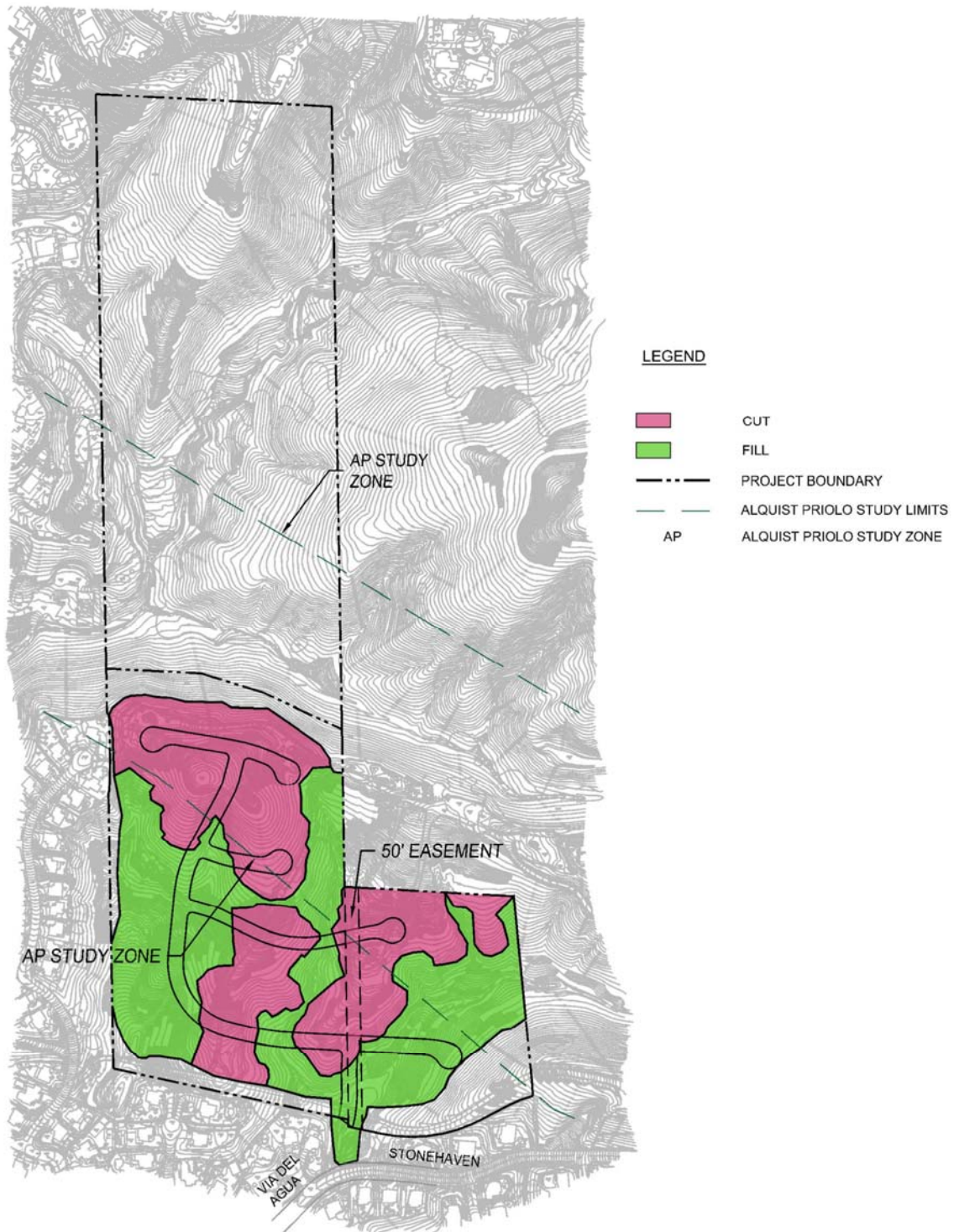


Exhibit 5-2 Grading Cut and Fill

Section 5: Grading Plan

5.3 Remedial Action Plan

The Project Site contains five operational oil wells, one abandoned oil well, and related facilities. Prior to development of residential land uses all wells within the residential development area will be abandoned and relocated to a separate drilling island. The abandoned well sites will be remediated to standards acceptable to CalDOGGR, the RWQCB, OCFA, and OCHA the agencies with regulatory jurisdiction over the cleanup process. Remedial grading may extend beyond the limits of the residential development area. All remedial grading will balance on-site with potentially some deep burial of contaminated soils; no export of remediated soils is proposed.

5.4 Interface with Adjacent Land Use

The grading concept for Cielo Vista addresses the potential for view impacts to adjacent residential land uses with a plan designed to minimize and soften, or in some cases, eliminate views of the Project to adjacent properties. The grading cross-sections included as Exhibits 5-3 and 5-4, “Concept Grading Sections,” illustrate the relationship of graded and built residential lots within Cielo Vista in two key locations which have the greatest potential view impact to existing adjacent residential areas.

Section 5: Grading Plan

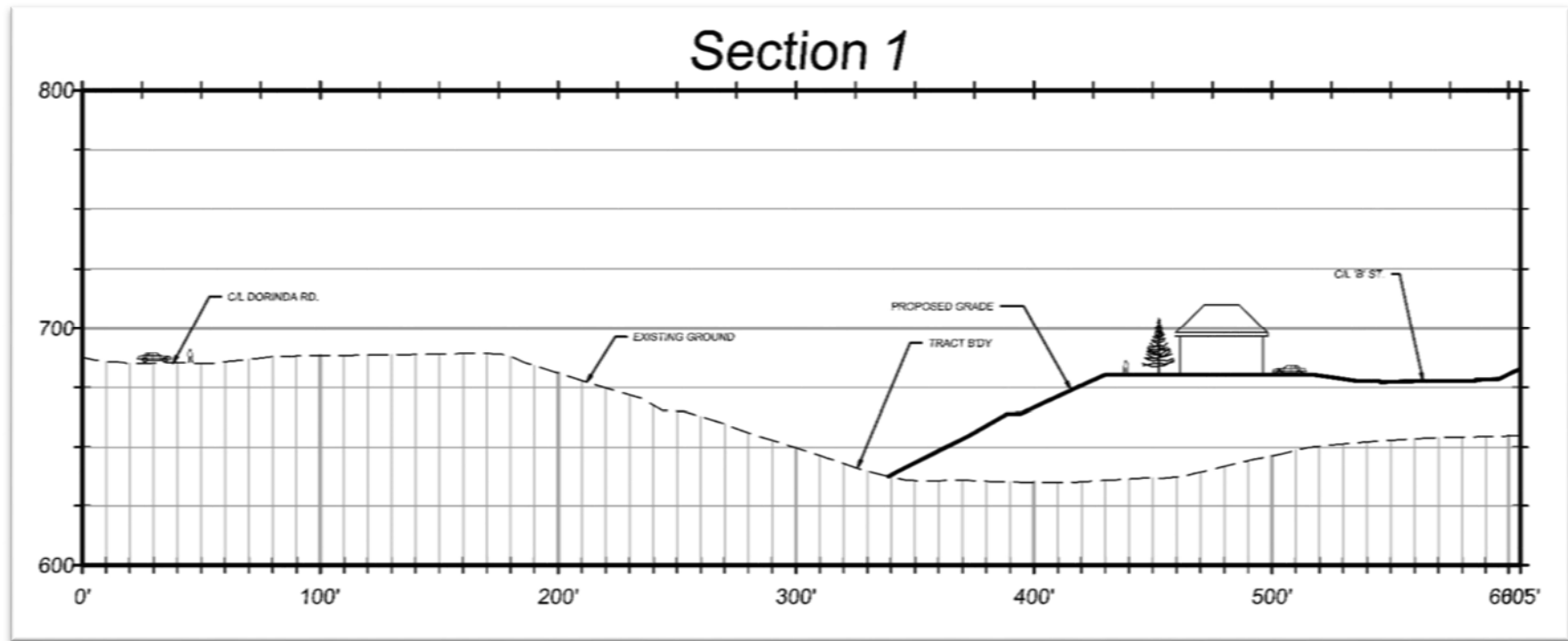


Exhibit 5-3 Grading Concept Cross Section – 1

Section 5: Grading Plan

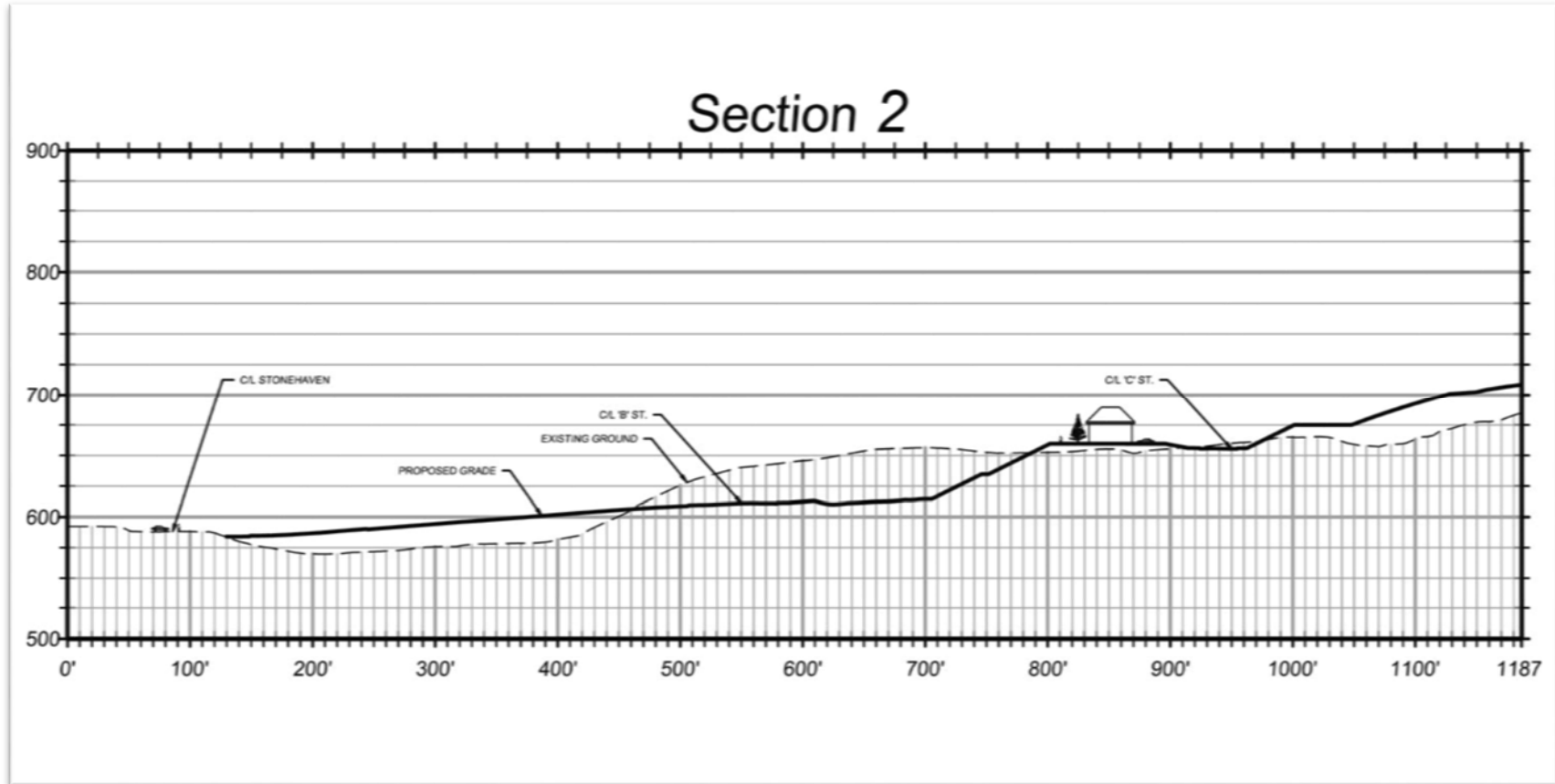


Exhibit 5-4 Grading Concept Cross Section – 2

Section 6: Design Guidelines

Section 6. Design Guidelines

6.1 Overview

The design guidelines contained herein address landscaping and residential design criteria for Cielo Vista.

6.2 Landscape Guidelines

The landscape design for Cielo Vista establishes a strong relationship between the built environment and the natural open space areas to be preserved as part of the Area Plan. Landscaping within Cielo Vista will utilize a plant palette that respects and enhances the existing native plant communities found within the Project Site through the use of fire resistant plants, native, and appropriate non-native drought tolerant species as described in Table 6-1, “Cielo Vista Plant Palette.” The final landscape and irrigation plan for the Project will comply with the Orange County 2010 Irrigation and Landscape Ordinance (Water Efficient Landscape Ordinance).

Section 6: Design Guidelines

Table 6-1 Cielo Vista Plant Palette

| | Common Name |
|-------------------------------------------------|---------------------|
| Trees | |
| Agonis Flexuosa | Peppermint Tree |
| Arbutus 'Marina' | Arbutus |
| Callistemon viminalis | Weeping bottlebrush |
| Geijera parviflora | Australian Willow |
| Lagerstroemia indica (mildew resistant hybrids) | Crape Myrtle |
| Loshostemon confertus | Brisbane Box |
| Melaleuca spp. | Melaleuca |
| Quercus ilex | Holly Oak |
| Rhus Landea | African Sumac |

| | Common Name |
|---------------------------------|---------------|
| Groundcovers | |
| Acacia redolens 'Desert Carpet' | Desert Carpet |
| Aptenia c. 'Red Apple' | Aptenia |
| Carissa macrocarpa | Natal Plum |
| Coprosma x kirkii | Coprosma |
| Bougainvillea spp. | Bougainvillea |
| Lantana spp. | Lantana |
| Myoporum parvifolium | Myoporum |

| | Common Name |
|-----------------------------------|-------------------|
| Shrubs | |
| Agapanthus spp. | Lily-of-the-Nile |
| Agave spp. | Agave |
| Aloe spp. | Aloe |
| Alyogyne huegelii | Blue Hibiscus |
| Coreopsis verticillata | Coreopsis |
| Cotoneaster spp. | Cotoneaster |
| Dodonaea viscosa | Hop Bush |
| Echium candicans | Pride of Madeira |
| Eleagnus x ebbingei | Silverberry |
| Euryops p. 'Viridis' | Euryops |
| Hemerocallis hybrid | Evergreen daylily |
| Heteromeles arbutifolia | Toyon |
| Kniphofia spp. | Red-Hot Poker |
| Leptospermum spp. | Tea Tree |
| Leucophyllum frutescens | Texas Ranger |
| Myrtus communis 'Compacta' | Myrtle |
| Pyracantha spp. | Firethorn |
| Phormium spp. | Flax |
| Rhamnus californica | Coffeeberry |
| Rhus Ovata | Sugar Bush |
| Salvia spp. | Sage |
| Senna spp. | Cassia |
| Teucrium spp. | Germander |
| Rosmarinus o. 'Huntington Carpet' | Dwarf Rosemary |

Section 6: Design Guidelines

6.2.1 General Guidelines

The following general criteria apply to all landscape and irrigation design for Cielo Vista.

- a. Landscape design shall emphasize the planting of long-lived plant species that are native to the region or well adapted to the climatic and soil conditions of the area.
- b. The landscape design should reinforce the distinct character of various features within the natural and man-made environments.
- c. Landscape treatment of all areas shall emphasize the planting of shade trees along streets to contrast with open space.
- d. The use of native and drought tolerant plant materials shall be utilized where appropriate.
- e. All public areas and rights of ways shall have water conserving automatic irrigation systems. Fixed and pop up spray heads shall be compatible with reclaimed water systems.
- f. Landscape plans for all development shall take into consideration service lines, traffic safety sight line requirements, and structures on adjacent properties to avoid conflicts as trees and shrubs mature.
- g. Street trees and trees planted near walkways or street curbs shall be selected and installed to prevent damage to sidewalks, curbs, gutters and other improvements.
- h. Irrigation for both public and private landscape areas shall be designed to be water-efficient. All irrigation systems shall have automatic controllers designed to properly water plant materials given the site's soil conditions. Irrigation systems for all public landscapes shall have automatic rain shut-off devices. Drip irrigation is encouraged. Spray systems shall have low volume, measured as gallons per minute (gpm), matched-precipitation heads.

6.2.2 Project Entry

The Project Entry to Cielo Vista establishes the design theme for the Project through a blend of hardscape and planting elements that form the first impression to visitors and residents entering the development. Entry lighting shall avoid intensely bright lighting of monuments and should be lit to provide a soft wash of light across the monument signage. Specimen trees should be up-lit with several fixtures into the canopy to avoid creating dark sides of the trees.

The Project Entry is established at the intersection of "A" Street and Via del Agua. The treatment of this Entry provides a relaxed but strong sense of arrival to the residential neighborhood. The landscape concept for the Project Entry to Cielo Vista is illustrated on Exhibit 6-1, "Project Entry at Via del Agua."

Section 6: Design Guidelines

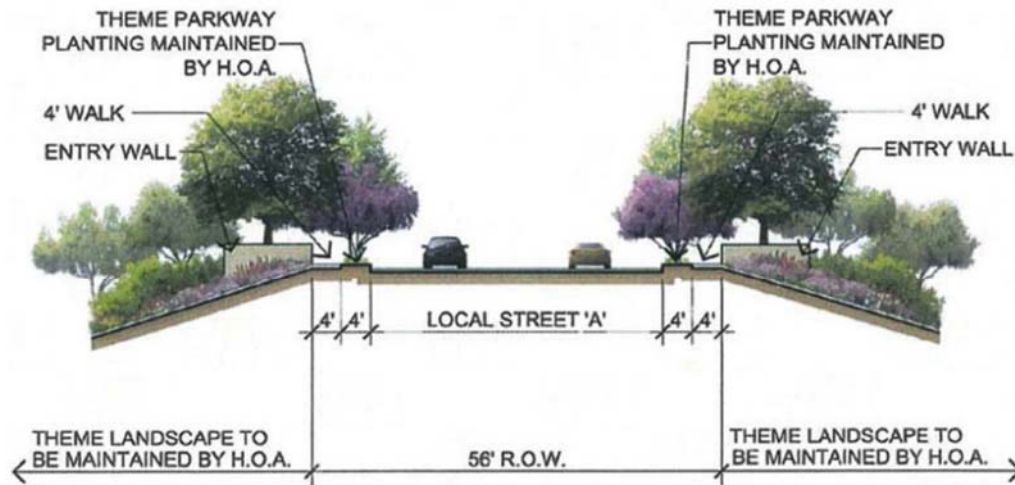


Exhibit 6-1 Project Entry at Via del Agua

Section 6: Design Guidelines

6.2.3 Streetscapes

The streetscapes of Cielo Vista provide a clear delineation between pedestrian and vehicular travel areas. Shrubs, low groundcovers, and ornamental grasses are used to the greatest extent possible to reduce maintenance and conserve resources. The planting plan for streets includes meandering drifts of shrubs, grasses, and groves of native and non-native trees. Uniformed spacing of trees is avoided in order to create an interesting and inviting pedestrian experience while also offering visual interest to motorists encouraging them to slow driving speeds and observe their surroundings. The following design criteria apply to streetscape design for Cielo Vista:

- Landscape treatments of each street shall be consistent throughout the length of the street in the neighborhood.
- Landscape treatments shall generally utilize street trees planted at intervals of 50 feet on center unless otherwise specified. Street trees shall be placed a minimum of eight feet from street light standards.
- Street tree planting as described below shall generally utilize one or two primary species for each street with a limited number of additional species to be used as accent planting.
- Low spreading groundcover or turf in the parkway strips adjacent to walkways should be planted and shall be consistent along the entire length of the street.
- Sidewalks shall be separated from the street by a landscaped parkway.

The streetscape plan for local streets within Cielo Vista is illustrated on Exhibit 6-2, “Streetscapes Plan.”

Section 6: Design Guidelines

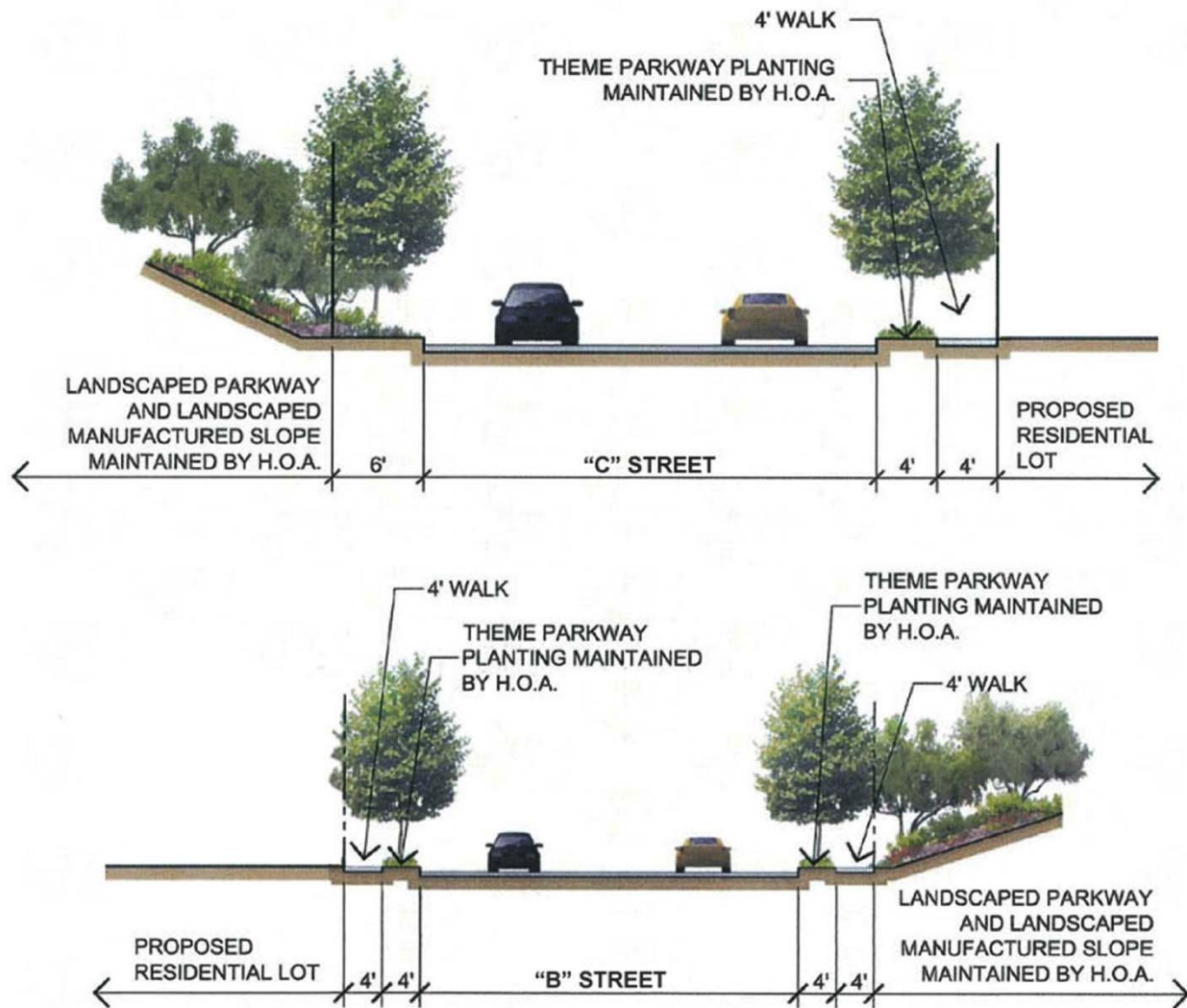


Exhibit 6-2 Streetscapes Plan

Section 6: Design Guidelines

6.2.4 Fire Protection Plan

Several areas of Cielo Vista require fuel modification. Fuel modification consists of 3 zones and a special maintenance area. Each zone is designed specifically to help suppress a fire in different ways as described below. The Fire Master Plan and Fuel Modification Plan prepared for the Project have been reviewed and initially approved by Orange County Fire Authority.

- Fuel modification Zone A is characterized by a 10 - 95 foot wide setback zone for non-combustible construction from all combustible development. This zone can be located either inside or outside of the protected development area but it must be kept clear of any combustible construction to provide a defensible space for fire suppression. A permanent irrigation system is required to maintain healthy vegetation with a high moisture content. Plants in this zone are required to be highly fire resistant and selected from the approved plant list as described in Table 6-1, "Plant Palette."
- Fuel modification Zone B is characterized by a 5 foot to 186 foot wide area located adjacent to Zone A and consisting of irrigated landscaping. All requirements of Zone A apply to Zone B with the additional requirement that surface fuels cannot exceed a maximum height of 18 inches and removal of dead and excessively "leggy" growth is required at all times. Plants in this zone are required to be selected from the approved plant list as described in Table 6-1, "Plant Palette."
- Fuel modification zone C is characterized by a 21 foot to 100 foot wide area located adjacent to Zone B to be non-irrigated and kept thinned and clear of shrubs.
- Special Maintenance Area Wet and Dry Zone is characterized by an area to be maintained in a manner similar to Zone C. In this zone irrigation would be utilized as necessary to keep plant material in a healthy condition.

The fuel modification plan for Cielo Vista is illustrated on Exhibit 6-3, "Fuel Modification Zones." The treatment within each fuel modification zone is illustrated on Exhibit 6-4, "Fuel Modification Cross Section Details."

6.2.5 View Corridors

Views from residential lots should be maintained by planting trees at the lower half of the adjacent slope. Views should be framed by planting trees at property lines.

Section 6: Design Guidelines

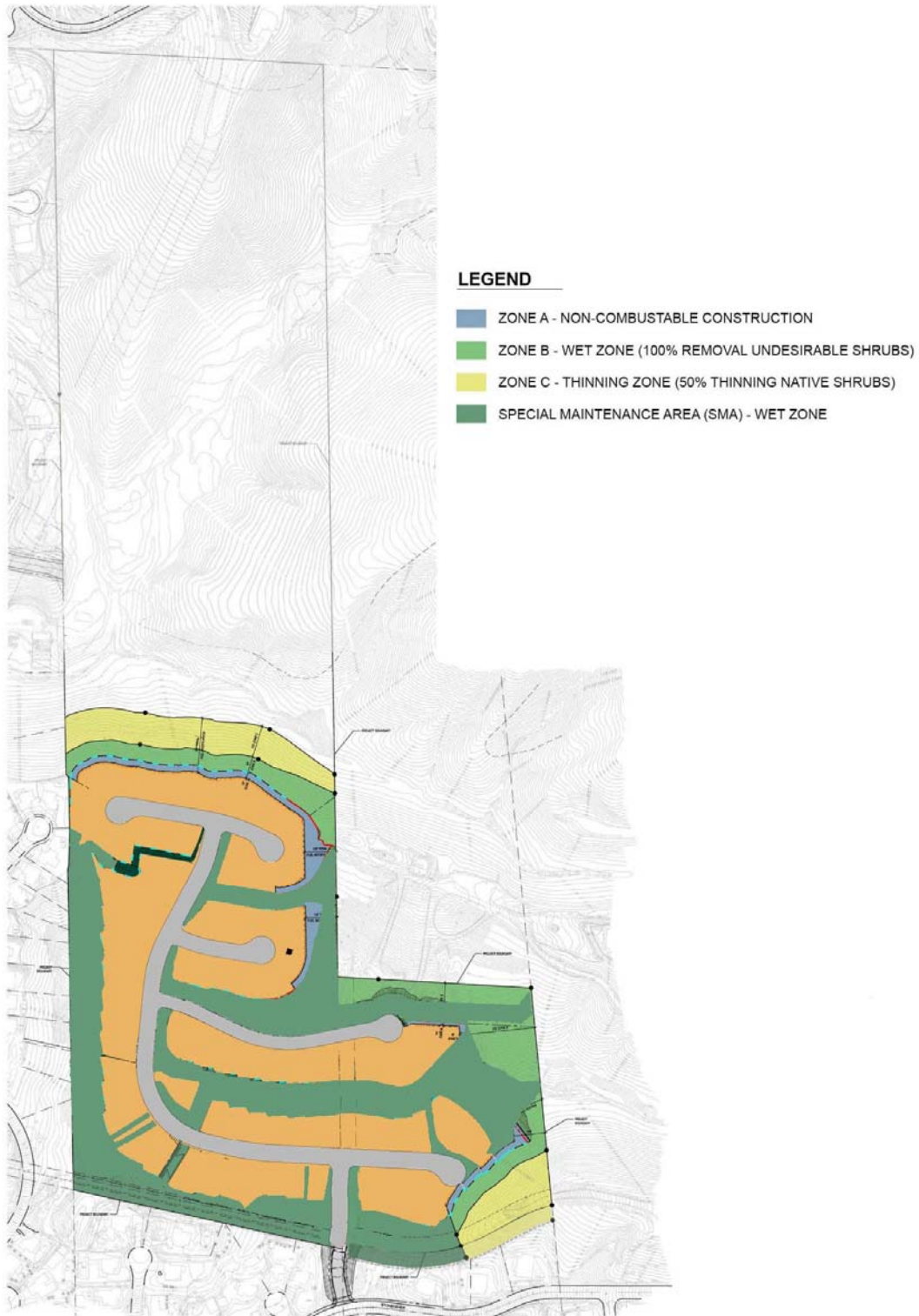


Exhibit 6-3 Fuel Modification Zones

Section 6: Design Guidelines

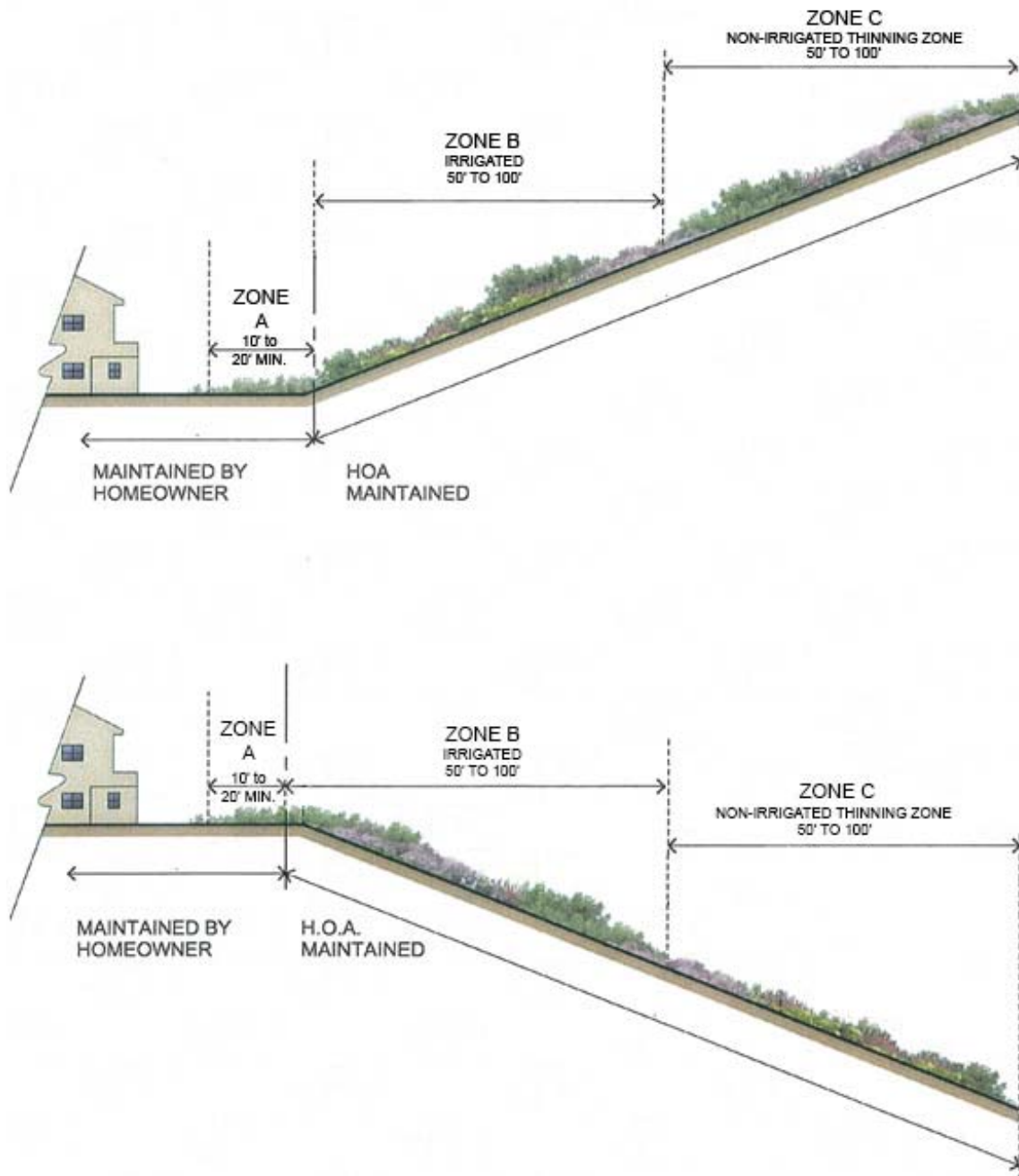


Exhibit 6-4 Fuel Modification Cross Section Details

Section 6: Design Guidelines

6.2.6 Lighting

Lighting of streets and select landscaped areas should be considered for safety and security. Utilization of “night sky friendly” light fixtures on streets shall be required. Maintaining the character of traditional materials will create a pedestrian scale for the neighborhood. Lighting fixtures within Cielo Vista shall be consistent in style, color, and materials in order to maintain uniformity throughout the Project.

6.3 Residential Design Guidelines

Residential uses within Cielo Vista will consist of single family detached homes with minimum lot areas of 7,200 square feet. Homes will be designed as conventional single family front loaded residences placing an emphasis on architectural elements oriented toward the street and incorporating a mix of garage configurations and designs to provide a varied street scene. The purpose of the following residential design guidelines is to establish design criteria for the development of this housing type within Cielo Vista.

6.3.1 Design Fundamentals

Implementation of the following fundamental elements of quality design are encouraged within Cielo Vista:

- Architecture forward residential design.
- Varied garage placement.
- Variety of compatible architectural styles.
- Use of variable setbacks.
- Enhanced side elevations at primary corners or from highly visible public streets.
- Varied floor plans and elevations.
- Varying plotting techniques.
- Compatible and authentic color treatments on homes.

6.3.2 Garage Treatments

The home and front yard, rather than the garage, should be the primary emphasis of the front elevation. The number of homes with a front facing garage located forward of the porch or front of the building elevation plane should be minimized. Garage visibility should be minimized though the use of techniques such as varying garage door patterns and the use of deep recessed door techniques, varying colors, splitting a double car garage door into two single doors, or using alternative garage configurations, such as corner garages, turn in garages, full or mid recessed garages, and/or tandem garages. Garage doors should match the style of the house. To further

Section 6: Design Guidelines

reduce the impact of garage doors on the street scene, garage doors should be architecturally treated with decorative relief cuts, panels, small decorative windows and similar treatments.

The following additional guidelines apply to garage treatments:

6.3.2.1 Garage Wall-Plane

A garage wall relief of 12 to 18 inches should be constructed for front loaded, garage forward, and street facing garages when the garage door is at the minimum allowed setback line. With other garage configurations a range of 6" to 12" is recommended.

6.3.2.2 Porte-Cochère

Use of a porte-cochère on a garage located toward the rear of the lot should be considered in order to create an additional screened parking space and outdoor private space for occasional use.

6.3.2.3 Three-Car Garage Treatment

When a plan has a three-car garage, the third car bay shall be offset 3 feet.

6.3.3 Building Setback Fundamentals

To provide more interesting neighborhood street scenes, variable front-yard setbacks are required, and variable side yard setbacks are encouraged through the use of the following techniques:

- Varied setbacks along streets.
- Reverse plotting along streets.
- Enhanced corner side yard setbacks.
- Variable lot widths.
- Special corner lot criteria.

6.3.4 Architectural Mass

6.3.4.1 Corner and Side On Home Elevations

Wrap around architecture shall be provided on all sides of homes facing the street. Neighborhood quality will be exemplified by adding a home plan designed specifically as an end of the block home or by enhancing a corner home with additional architectural details as found on the front elevation.

Section 6: Design Guidelines

6.3.4.2 Roof Forms

Rows of homes seen from a distance are perceived by their contrast against the skyline or background where the dominant impact is the shape of the building and roof line. Rear elevations and roof planes viewed from streets should be articulated to minimize the visual impact of repetitious flat planes and similar building silhouettes. Varied rear elevation forms should be provided.

6.3.4.3 Rear Elevations

Rear elevations visible from streets shall be articulated through the use of one or more of the following:

- Offset wall planes
- Roof plan breaks
- Color blocking
- Shutters and pot shelves on a second story
- Accent materials consistent with the home's architectural style

6.3.4.4 Streetscape Massing and Plotting

Implementation of the following design techniques should be considered to create an interesting and varied streetscape:

- Special architectural treatments such as feature entry location and feature window detail should be provided at street corners and other important focal points.
- Front doors and living room windows should be oriented toward the street.
- Design of buildings should create varied setbacks or offsets.
- The architectural style chosen for each home or building should be compatible with its massing in order to avoid making the style seem applied or superficial.
- Embellished elevations such as upgraded materials and details are encouraged at areas of the building that face a public street. This applies to the front, side, and rear elevations.

6.3.5 Colors and Materials

The colors and materials used at Cielo Vista should reflect a general contextual theme of harmony and neighborhood character. The selected color palette for each architectural style should share a “common sense” approach to the use of materials and colors indigenous to the region and be compatible with existing surrounding

Section 6: Design Guidelines

residential land use. New interpretations of classic combinations of materials and colors are encouraged as they relate to a general feeling of neighborhood unity.

Use of a variety of natural looking materials and colors should provide the diversity required for visual interest while unifying the homes within their settings and creating a timeless appeal. The selected architectural color palette should avoid monotony and provide a variety of color schemes while still maintaining a common theme or unifying concept.

- Each color scheme shall incorporate a minimum of three colors, for example, one body color, one trim color, and one accent color.
- A minimum of three different roofing colors shall be utilized on homes consistent with the architectural style of the home. Light roof colors should be selected over dark roof colors wherever possible for energy efficiency.
- Individual color schemes must be appropriate to the architectural styles with a harmonious selection of accent materials, roof profiles and colors.
- No adjacent home shall have the same color scheme. Color palettes that reflect traditional architectural themes are the basis for successful modern interpretations. Current color trends integrated within a historically-referenced framework create dynamic, yet timeless color combinations.

6.3.6 Architectural Features

The following minimum criteria apply to residential architectural features:

- Windows and opening shall be trimmed or otherwise treated. Windows must be grouped or located near strong architectural elements and be proportional to the building massing of the structure.
- Balconies should be designed in scale and proportion with the architecture of the building. Covered or trellised balconies are preferred. Scuppers or internal drains are required on all balconies for drainage.
- Chimneys shall be compatible in design, material, and color with the building. Chimney caps shall be compatible with the architecture of the residence.
- Vents for gas appliances, water heaters, and heating units shall be painted to match the roof color. Such elements shall be located to minimize visual impact on the building elevation viewed from the street.
- If awnings are provided, they must be designed as an integral part of the architecture. Unacceptable awning materials include metal louvers and untreated fabric.

Section 6: Design Guidelines

- Mechanical equipment shall not be mounted on or attached to any sloping roof. Mechanical equipment, when mounted on flat roofs, must be completely screened by parapet walls at least as tall as the equipment being screened. Ground mounted air conditioning units must be screened by walls at least 6 inches higher than the unit and located away from pedestrian pathways and public areas.
- Natural gas meters shall be screened. Screen walls shall be integral to the building architecture.
- Exposed gutters and downspouts shall be colored to either match or complement the wall to which they are mounted.

6.4 Walls and Fences

Walls and fences used to separate individual lots shall be designed according to the following criteria:

- Walls and fences shall be finished on both sides, with particular attention paid to the public side. Design of private fences shall be consistent in terms of material, color, and detail.
- Fencing and walls may be made of plaster, stucco, concrete, masonry finish, tubular steel, tempered glass, wood-like materials, weather treated wood, or similar quality material. Finish colors must be approved by the County and be consistent with the architectural character of the neighborhood.
- Walls and fences connecting two separate units, visible from public streets, shall be recessed behind the front building façade and screened with plants.
- Side yard gates may be wood or tubular steel.
- The use of bare or raw wood is prohibited.

6.4.1 View Fencing

View fences are intended to allow views of scenic vistas and open space from private residences while also providing security.

- View fences may include decorative tubular steel, clear glass, Plexiglas, treated wood, or similar quality materials. View fencing shall utilize a common design for each area.
- View fences shall be designed to provide security for rear yard pools, or be easily modified for security purposes in the event pools are added after initial construction. Such additions must be compatible with the fence design for the development area or overall Project boundary fences as applicable.
- View fences may include a solid or “open base” of approximately three feet in height with view fencing above the solid portion.

Section 7: Green and Sustainable Program

Section 7. Green and Sustainable Program

This section describes the measures and design criteria for green and sustainable development to be implemented as part of the Cielo Vista Area Plan. The Cielo Vista Green and Sustainable Program provides for development criteria on the following topics:

- Water Quality Treatment
- Energy Conservation and Water Conservation
- Directing Development Toward Existing Communities and Reduction in Vehicle Miles
- Fire and Life Safety
- Open Space Preservation
- Oil Operations Compatibility and Clean Up

7.1 Water Quality Treatment

The Project will incorporate BMPs for erosion control, sediment control, storm water and non-storm water management, and waste management/pollution control. Implementation of these BMPs will ensure that the Project's site hydrology, runoff, and water quality comply with all required permits, County policies, and the Project's Conceptual Water Quality Management Plan (WQMP), submitted by the Applicant as part of the Project's subdivision map for approval by the County, and Storm Water Pollution Prevention Plan (SWPPP) to be submitted for County approval prior to construction.

The first stage of water quality protection will occur through on-site water quality treatment measures to be implemented within the residential development area to treat runoff directly at the source prior to its discharge into the public storm drain system. These water quality treatment measures include the use of hydrologic source controls which include on-lot filtration/infiltration, impervious area dispersion, porous pavements in non-vehicular areas, amended soils, and landscaping materials with storm water filtering capabilities. The specific design details and locations of these on-site measures will be identified as part of the final design of WQMP facilities submitted for County approval.

The second stage of water quality protection will be provided by several water quality features, including water quality basins and bio-filtration planter boxes, and a debris basin constructed as part of the Project, to treat Project flows within residential planning areas and attenuate peak flow discharge prior to flows entering the storm drain system. The water quality features will serve to mitigate the increased flow anticipated from the increased impervious surface created with the development and will decrease pollutants in the runoff. The

Section 7: Green and Sustainable Program

WQMP includes detailed sizing parameters for the basins and provides guidelines to the Homeowner Association (HOA), the responsible entity, for the proper maintenance of the water quality basins.

7.2 Energy, Air, and Water

The following measures will be implemented as part of the development of Cielo Vista to address air quality and conservation of energy and water resources within the Project.

- Builder-installed indoor appliances, including dishwashers, showers and toilets, will be low-water use in compliance with the adopted California Building Code.
- Street lights will include shielding devices for “night sky” purposes. Light fixtures will be designed for “night sky” applications and adjusted to direct or reflect light downward.
- Drought-tolerant, native landscaping will be used in public common areas to reduce water consumption.
- Smart Controller irrigation systems will be installed in all public and common area landscaping.
- Residential landscape areas will be designed on a “hydro zone” basis to group plants according to their water and sun requirements.
- The developer and/or homeowners association for Cielo Vista will be required to provide educational information on recycling to all homeowners as part of the initial purchase of homes and again thereafter on an annual basis.
- During Project construction the developer of Cielo Vista will be required to use clean-burning diesel fuel, bio-diesel fuel, and/or other alternative fuels for heavy construction equipment to reduce construction emissions.

7.3 Directing Development Toward Existing Communities and Reduction in Vehicle Miles Traveled

The Cielo Vista Area Plan is a plan for a new residential neighborhood within an urban area that directs development towards existing communities already served by infrastructure, thereby helping to reduce vehicular emissions by providing homes closer to employment and shopping within an established urban area. These locational advantages can reduce overall vehicle miles traveled and reduce environmental impacts compared to locations in outlying areas. The following are characteristics of the Project.

- Cielo Vista will be served by the extension of existing public infrastructure and roadways located at the boundary of the Project Site eliminating the need for construction of additional arterial roadways or

Section 7: Green and Sustainable Program

regional infrastructure. The Project will pay its fair share of cost for a water reservoir and other water master plan improvements planned for construction by YLWD to serve regional needs.

- The Project includes construction of a network of walkways within public streets which will provide pedestrian connectivity within the residential development area of Cielo Vista and to existing adjacent residential neighborhoods.
- The local streets to be constructed as part of the Project provide for on-street bicycle circulation providing connectivity within the residential development area of Cielo Vista and to existing streets within adjacent residential neighborhoods.
- High speed communication technology, including wireless technology, available at the time of development construction, will be available to all homes to provide opportunities for telecommuting, on-line shopping, and other advanced communications activities.

7.4 Fire and Life Safety

The Cielo Vista Area Plan incorporates comprehensive and environmentally sensitive fire protection measures that benefit existing adjacent residential communities as well as new development proposed with the Project. Fire and life safety will be ensured through implementation of the following measures:

- The Project will be designed to provide fire-resistant construction for all structures adjoining natural open space, including the use of fire-resistant building materials and sprinklers.
- Development of the Project will provide additional fire protection to existing residential areas located along Via del Agua Drive and Stonehaven Drive which have historically been exposed to fire hazards in the adjacent open space areas.
- Three fuel management zones and a special maintenance area planned for the Project will provide fire protection for development within Cielo Vista from the potential of fire hazard within the open space areas surrounding the residential development area.

7.5 Open Space

Preservation of approximately 51% of the Project site as natural open space is planned as part of the design for Cielo Vista. The following specific measures will be implemented to enhance the open space preserve within the Project.

- The Project will protect and preserve the Project's open space through a permanent conservation easement which establishes and maintains the open space in perpetuity. The maintenance of the open space easement shall be the responsibility of either the Project's HOA, an appropriate public or quasi-

Section 7: Green and Sustainable Program

public State agency, or a land conservation/trust organization. Funding for the permanent stewardship of the open space may be accomplished through an Assessment District.

- Sensitive natural plant communities and sensitive habitat found within the Project site will be either preserved in place or replaced at levels required by federal and state permitting agencies.

7.6 Oil and Gas Production

Implementation of the Cielo Vista Area Plan provides for the abandonment and relocation of existing oil production facilities.

- Relocated oil production operations can occur within a drilling pad not accessible to the public. Plantings, barriers, signage, and information will be provided where necessary to ensure public safety. No habitable structure on lots adjacent to the drilling pad area shall be permitted within 150 feet of any operational surface well or within 50 feet of a subsurface pumping unit/well enclosed within a concrete vault, pursuant to approval by the Orange County Fire Authority of a Request for Alternative Materials and Methods Design. Plantings and walls will be provided around surface oil operational equipment to screen these facilities to the extent feasible
- Access to continued oil production sites within the open space area will be provided within existing oil field service roads. No new roadways will be constructed through open space areas.
- A Remedial Action Plan will be approved by the Regional Water Quality Control Board, Orange County Fire Authority, and the Orange County Health Care Agency.
- No habitable structures are permitted within ten feet of abandoned wells.
- Well abandonment will include decommissioning and abandonment of oil wells in accordance with CalDOGGR standards.
- Mitigation measures recommended as part of the Cielo Vista EIR will become requirements for development of the Project to protect habitable structures from potential exposure to methane.

Section 8: General Plan Consistency

Section 8. General Plan Consistency

The Cielo Vista Area Plan must be consistent with applicable goals and policies established in the Orange County General Plan (General Plan). This section describes the relationship of the Cielo Vista Area Plan to the applicable goals and policies of the General Plan.

8.1 Orange County General Plan

The following goals and policies of the Orange County General Plan are applicable to the Cielo Vista Area Plan.

| Goals, Objectives and Policies | Area Plan Consistency |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Land Use Element | |
| General Plan's Major Land Use Element Policies | |
| Policy 1 Balanced Land Use. To plan urban land uses with a balance of residential, industrial, commercial, and public land uses. | Consistency. The Project would introduce up to 83 single-family homes in an area designated for suburban residential land uses. |
| Policy 2 Phased Development. To phase development consistent with the adequacy of public services and facilities within the capacity defined by the General Plan. | Consistency. The Project Applicant will pay development fees and future Project residents will pay taxes which would be utilized by affected government services and facilities to offset the incremental increase in service demands created by the Project. |
| Policy 3 Housing Densities. To provide a variety of residential densities which permit a mix of housing opportunities affordable to the County's labor force. | Consistency. The Project would introduce up to 83 single-family homes in an area designated for suburban residential land uses, which would contribute to the ability of the County to meet demands for housing, particularly single-family homes. The Regional Housing Needs Assessment (RHNA) most recently adopted and approved by the SCAG Regional Council on July 12, 2007, includes an assessment of regional housing needs for very low income, low income, moderate income, and above moderate income groups for the planning period from January 2006 through June 2014. According to the RHNA, the housing needs for unincorporated County of Orange includes a total of 7,978 dwelling units, of which 1,777 would be very low income, 1,445 low income, 1,597 moderate income, and 3,159 above moderate income housing. The Project may contribute to meeting this need at either the moderate or above moderate income levels identified as between 81-120% of area median income and above 120% of area median income, respectively. A total of 4,756 of the 7,978 units are allocated to these categories. Because Project housing price points are yet to be defined, the income subcategory for the Project's residences is yet to be determined. |
| Policy 4 Land Use/Transportation Integration. To plan an integrated land use and transportation system that accommodates travel demand. | Consistency. The Project's proposed traffic improvements of the transportation system along with implementation of the prescribed mitigation measures identified in the Project EIR would accommodate Project traffic. |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
|------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Policy 6 New Development Compatibility. To require new development to be compatible with adjacent areas.</p> | <p>Consistency. The Project would be designed to complement and blend with the character of existing residential neighborhoods located adjacent to the Project Site within the City of Yorba Linda. Landscaped areas or natural open space areas would be provided adjacent to residential development areas to serve as natural buffers between existing residential neighborhoods and planned development of new homes. The Project would include 42.68 acres as permanent open space which would preserve a large portion of the site's natural, physical environment. Primary access to and from the Project Site is proposed through a connection to an existing improved local street. In addition, the consolidation of oil production-related uses within the Project Site outside of available public views would further improve compatibility with adjacent residential areas.</p> |
| <p>Policy 7 Creative Design Concepts. To encourage innovative concepts which contribute to the solution of land use problems.</p> | <p>Consistency. The Cielo Vista land use plan responds to the physical site development constraints found within and surrounding the Project Site. The retention of existing open space is a key Project element leading to the creation of the land use plan for the Project. The Project provides for the preservation of 42.68 acres as permanent open space. Development of residential uses within the Project Site is planned on 41.28 acres to incorporate the following design elements:</p> <ul style="list-style-type: none"> ▪ Homes designed with opportunities for home offices allowing people to work from home reducing driving time and vehicle emissions. ▪ Incorporation of native plant materials or drought tolerant plant materials into the landscaping of public spaces. Homeowners would be encouraged to utilize drought tolerant plant materials in private yard areas. ▪ Equipping residences with currently available technology for internet access allowing residents to shop and work on-line, helping to reduce vehicle trips to employment centers and shopping. ▪ Reducing energy demands for heating and cooling through the use of passive solar design and construction materials and techniques. ▪ Use of "night sky friendly" outdoor lighting within streets, private outdoor spaces, and public gathering spaces. ▪ Providing a design responsive to the physical setting by preserving existing natural drainages within the Project Site. ▪ Reducing fire hazards through the implementation of a fuel modification plan as well as appropriate buffering of land uses with an OCFA approved plant palette. ▪ Implementation of a plant palette which includes canopy trees to achieve natural ventilation and cooling. |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
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| <p>Policy 8 Enhancement of Environment. To guide development so that the quality of the physical environment is enhanced.</p> | <p>Consistency. The purpose of this policy is to ensure that land use activities seek to enhance the physical environment, including the air, water, sound levels, landscape, and plant and animal life. This policy does not mean that environmental enhancement precludes development. It recognizes the need to improve both the manmade and natural environments. Where aspects of the natural environment are deemed to be truly important, this policy requires that measures be taken to preserve these aspects. Consistent with this policy with respect to air quality, the Project EIR prescribes mitigation measures to be implemented to provide that the Project would not exceed applicable SCAQMD daily emission thresholds during construction and operation and as such would not violate any air quality standard or contribute to an existing or projected air quality violation.</p> <p>Consistent with this policy, natural features would be preserved within the permanent open space land use area of the Project Site which include a main westerly draining course and canyon bisecting the Project Site. The Project includes 42.68 acres of permanent open space which would serve to preserve a substantial portion of the natural, physical environment. In addition, the consolidation of oil production-related uses within the Project Site outside of available public views would further improve the aesthetic character of the area and enhance the compatibility with adjacent residential areas.</p> <p>Run-off from the developed areas of the Project Site would be collected in a storm drainage system within local streets and routed through Best Management Practices (BMPs) features to be constructed as part of the Project. The BMP features would serve to mitigate the increased flow anticipated from the increased impervious surface created with the development and would also decrease pollutants in the runoff. Prior to the issuance of a grading permit, a final WQMP would be developed for implementation by the HOA, the entity owning and maintaining the water quality and drainage BMP features. The WQMP would provide guidelines to the HOA for the proper maintenance of the BMPs and water quality features. The WQMP also identifies a host of other structural and non-structural BMPs to be implemented by the Project that would reduce pollution levels in storm water discharge in compliance with applicable water quality standards. The Project EIR includes a detailed discussion of the drainage and water quality treatment features to be implemented by the Project and the Conceptual WQMP prepared as part of the Project.</p> |
| <p>Goal 11 Ensure urban /storm water runoff and water quality protection principles are properly considered in the land use decision making process.</p> <p>Policy 11.1 Limit disturbance of natural water bodies and drainage systems; conserve natural area; protect slopes and channels; and minimize impacts from storm water and urban runoff on the biological integrity of natural drainage systems and water bodies.</p> | <p>Consistency. Within the residential development area storm water flows would be discharged into an existing concrete box located in Stonehaven Drive. Within the open space area, the natural on site drainage would not be altered and would maintain existing flow patterns.</p> |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Policy 11.2 Minimize changes in hydrology and pollutant loading; require incorporation of controls, including structural and non-structural BMP's, to mitigate the projected increases in pollutant loads and flows; ensure that post-development runoff rates and velocities from a site have no significant adverse impact on downstream erosion and stream habitat; minimize the quantity of storm water directed to impermeable surfaces and the MS4s (storm drain system); and maximize the percentage of permeable surfaces to allow more percolation of storm water into the ground.</p> | <p>Consistency. After development, the Project Site would retain substantial permeable areas on individual lots, with the exception of street and driveway surfaces. Within the residential development area storm water flows would be discharged into an existing concrete box located in Stonehaven Drive.</p> |
| <p>Policy 11.5 Provide for appropriate permanent measures to reduce storm water pollutant loads in storm water from the development site.</p> | <p>Consistency. Storm water flow control during project operation would be defined by a WQMP which provides for the capture of storm water flows(s) on the Project Site and other feature (filters, detention, etc.) in order to reduce pollutant loads, including suspended solids, organic compounds, pesticides, and the like.</p> |
| <p>Policy 13 Urban and Storm Runoff Regulations. The following policies establish a framework for the reduction of water pollution. The policies described updated objectives for responding to current water pollution regulations referenced on page VI-56 of the Resources Element.</p> <p>Supplemental consideration for the Santa Ana Regional Permit. Establish a Condition of Approval to ensure that permanent water quality treatment BMPs are adequately constructed, operated and maintained throughout the life of the project.</p> | <p>Consistency. Consistent with the policy, the Project would incorporate BMPs for erosion control, sediment control, storm water and non-storm water management, and waste management/pollution control. Implementation of these BMPs would ensure that the Project's site hydrology, runoff, and water quality comply with all required permits, County policies, and the Project's WQMP and SWPP. The BMPs would include various structural, non-structural, treatment control, hydro modification and bio treatment BMPs. The Project would include water quality basins and a debris basin to provide treatment of Project flows within the residential development area and attenuate peak flow discharge prior to flows entering the storm drain system. The water quality basins and debris basin would serve to mitigate the increased flow anticipated from the increased impervious surface created with the development and would decrease pollutants in the runoff. The Final WQMP would include detailed sizing parameters for the basins and provide guidelines to the HOA, the responsible entity, for the proper maintenance of the water quality basins.</p> |
| Resources Element | |
| Natural Resources | |
| <p>Goal 1 Protect wildlife and vegetation resources and promote development that preserves these resources.</p> <p>Policy 1 Wildlife and Vegetation. To identify and preserve the significant wildlife and vegetation habitats of the County.</p> | <p>Consistency. As part of the Project, 42.68 acres of open space would be preserved that would support wildlife and vegetation resources. Further, the Project EIR identified mitigation measures for Project implementation which include the re-vegetation and/or enhancement of sensitive habitat.</p> |
| <p>Policy 5 Landforms. To protect the unique variety of significant landforms in Orange county through environmental review procedures and community and corridor planning activities.</p> | <p>Consistency. The Project would include grading to accommodate the proposed building pads for future residences, local streets and supporting infrastructure improvements. Cuts would vary from generally 0-60 feet across the Project Site. Fills would generally vary from one foot to 45 feet. The Project grading plan proposes that grading quantities would balance on-site and that no import or export of soil would be required with the exception of contaminated soil from the on-site oil operation as necessary. While the Project's proposed grading activities would alter the topography in some areas of the site which consists of rolling hillsides, grading</p> |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
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| | techniques will be employed to maintain to maintain the integrity of the most prominent topographic features of the site and to maintain the hillside character, including the preservation of 42.68 acres of permanent open space within the Project Site. |
| Cultural-Historic Resources | |
| <p>Goal 2 To encourage through a resource management effort the preservation of the County's cultural and historic heritage.</p> <p>Objective 2.2 Take all reasonable and proper steps to achieve the preservation of archaeological and paleontological remains, or their recovery and analysis to preserve cultural, scientific, and educational values.</p> <p>Objective 2.3 Take all reasonable and proper steps to achieve the preservation and use of significant historic resources including properties of historic, historic architectural, historic archaeological, and/or historic preservation value.</p> <p>Objective 2.4 Provide assistance to County agencies in evaluating the cultural environmental impact of proposed projects and reviewing EIRs.</p> <p>Cultural Resources Policies The following policies addressing archaeological, paleontological, and historical resources shall be implemented at appropriate stages of planning, coordinated with the processing of a Project application as follows;</p> <ul style="list-style-type: none"> ▪ Identification of resources shall be completed at the earliest state of project planning and review such as general plan amendment or zone change. ▪ Evaluation of resources shall be completed at intermediate stages of project planning and review such as site plan review, as subdivision map approval or at an earlier stage of project review. ▪ Final preservation actions shall be completed at final stages of project planning and review such as grading, demolition, or at an earlier stage of project review. <p>Archaeological Resources Policies</p> <ul style="list-style-type: none"> ▪ To identify archaeological resources through literature and records research and surface surveys. ▪ To evaluate archaeological resources through subsurface testing to determine significance and extent. ▪ To observe and collect archaeological resources during the grading of a project. ▪ To preserve archaeological resources by: <ul style="list-style-type: none"> ○ Maintaining them in an undisturbed condition; or | <p>Consistency. A cultural resources analysis was conducted for the Project, which consisted of records searches and field reconnaissance. The analysis concluded that no known historic, archaeological, or paleontological resources occur on the Project Site. The potential for unknown archaeological resources to occur on the Project Site is low, however the potential for unknown paleontological resources to occur on the Project Site is higher. The Project EIR identifies mitigation measures for implementation as part of Project construction which would ensure consistency with the cultural resources policies by facilitating the recovery and analysis of important cultural and paleontological resources that may occur on the Project Site. Should historic archaeological resources be discovered during Project development, reasonable and proper steps to preserve such resources, as identified in the Project EIR, would be implemented. A Cultural Resources Study was prepared for the Project by qualified archaeologists as part of the Project EIR submitted to the County for review.</p> |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
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| <ul style="list-style-type: none"> ○ Excavating and salvaging materials and information in a scientific manner. <p>Paleontological Resources Policies</p> <ul style="list-style-type: none"> ▪ To identify paleontological resources through literature and records research and surface surveys. ▪ To monitor and salvage paleontological resources during the grading of a project. ▪ To preserve paleontological resources by maintaining them in an undisturbed condition. ▪ To develop, utilize, and promote effective technical conservation and restoration strategies. | |
| Water Resources | |
| <p>Policy 5 Water Quality. To protect water quality through management and enforcement efforts.</p> | <p>Consistency. A Conceptual WQMP has been prepared for the Project. The Final WQMP would be reviewed and approved by the County as part of the Project's Final Subdivision Map prior to issuance of a grading permit for the Project. The Final WQMP would implement BMPs to comply with applicable existing regulations for eliminating or minimizing pollutants in storm water runoff during construction and operation of the Project. The Final WQMP and BMPs would constitute management and enforcement efforts consistent with Policy 5.</p> |
| Energy Resources | |
| <p>Policy 3 Energy Conservation. To encourage and actively support the utilization of energy conservation measures in all new and existing structures in the County.</p> | <p>Consistency. The Project would include the following energy conserving features:</p> <ul style="list-style-type: none"> ▪ Builder-installed indoor appliances, including dish- washers, showers and toilets, would be low-water use. ▪ Drought-tolerant, native landscaping would be used in public common areas to reduce water consumption. ▪ Smart Controller irrigation systems would be installed in all public and common area landscaping. Community landscape areas would be designed on a "hydro zone" basis to group plants according to their water and sun requirements. ▪ Implementation of a plant palette which includes canopy trees to achieve natural ventilation and cooling. |
| <p>Policy 7 Solar Access. To support and encourage voluntary efforts to provide solar access opportunities in new developments.</p> | <p>Consistency. The Project has been designed to accommodate solar access. As such, residential roofs which would receive an adequate amount of sunlight to support the use of solar panels could be designed to accommodate the installation of photovoltaic panels or other current solar power technology.</p> |
| Transportation Element | |
| <p>Policy 1.2 Apply conditions to land use development projects to ensure that the direct and cumulative impacts of these projects are mitigated consistent with established level of service policies.</p> | <p>Consistency. The Project EIR prescribes mitigation measures for the Project to reduce potentially significant traffic impacts of the Project to a less than significant level to be consistent with adopted level of service policies.</p> |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
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| Objective 2.1 Plan, develop and implement a circulation system in the unincorporated areas, which is consistent with the Master Plan of Arterial Highways and circulation plans of adjacent jurisdictions. | Consistency. The Project would include local streets within the Project Site that would not conflict with the Master Plan of Arterial Highways and circulation plans of adjacent jurisdictions. |
| Policy 2.4 Apply conditions to development projects to ensure compliance with OCTA's transit goals and policies. | Consistency. The Project EIR determined that the Project would result in less than significant impacts to alternative transportation facilities. Any transit program requirements related to bus or rail would be provided by OCTA upon the agency's review of the tentative tract map. |
| Policy 2.5 Apply conditions to development projects to ensure implementation of the Circulation Plan as applicable. | Consistency. The Project EIR prescribes mitigation measures that would reduce Project traffic impacts to a less than significant level when implemented. Project implementation would not conflict with implementation the County's Circulation Plan. Appropriate conditions of approval will be applied to the Project by the County to ensure compliance with applicable County General Plan circulation policies. |
| Policy 3.1 Maintain acceptable levels of service on arterial highways pursuant to the Growth Management Element of the General Plan. | Consistency. The Project EIR prescribes mitigation measures that would reduce Project impacts to a less than significant level when implemented. The Project will either install or pay the full cost of installation (subject to reimbursement) of a traffic signal or pay its fair share cost for installation of a traffic signal at intersection of Via del Agua/Yorba Linda Boulevard. Installation of the traffic signal will improve the level of service at this intersection from LOS "F" to LOS "A." |
| Policy 3.2 Ensure that all intersections within the unincorporated portion of Orange County maintain a peak hour level of service "D", according to the County Growth Management Plan Transportation Implementation Manual. | Consistency. The Project EIR prescribes mitigation measures to ensure that key intersections serving the Project Site would operate at a LOS "D" or better. |
| Policy 3.3 Evaluate all proposed land use phasing plans for major development projects to ensure maintenance of acceptable Levels of Service on arterial highway links and intersections. | Consistency. The Project EIR evaluated the cumulative impacts of all proposed development projects in the area of the Project Site and prescribed mitigation measures that would ensure that all nearby arterial highways and intersections serving the Project Site would operate at acceptable levels of service. |
| Policy 5.1 Establish "traffic impact fees" for application to County development projects with measureable traffic impacts, as defined in the Growth Management Element of the General Plan. These fees may serve as local matching funds for Orange County Measure "M" state and federal highway funding programs. | Consistency. The Project would pay all applicable traffic impact fees as defined in the Growth Management Element of the General Plan as required by the County of Orange. |
| Policy 5.2 Use uniform analytical methods, in conformance with the Growth Management Plan, Measure M, and the Congestion Management Plan (CMP) to aid in transportation planning and impact evaluation and support the development and utilization of sub-area models to address detailed transportation issues. | Consistency. The Project EIR includes a traffic analysis utilizing methodologies and computer modeling approved by the County of Orange and staff of the City of Yorba Linda Planning Department. The traffic study is consistent with traffic modeling that occurs within the local and regional project vicinity to aid in transportation planning. |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy 5.5 Require as conditions of approval that the necessary improvements to arterial highway facilities, to which a project contributes measurable traffic, be constructed and completed within a specified time period or ADT/peak hour milestone to attain a Level of Service "D" at the intersections under the sole control of the County. | Consistency. A traffic signal will be installed at the intersection of Via del Agua/Yorba Linda Boulevard to attain a Level of Service "D" or better at this intersection prior to occupancy of Project residential units. Per the mitigation measure identified in the Project EIR, the Project will either pay its fair share for the installation of the traffic signal or will install or pay the full cost of installation of the traffic signal with the latter two alternatives subject to reimbursement. |
| Policy 5.7 Requires a condition of approval, that a development mitigation program, development agreement or developer fee program be adopted to ensure that development is paying its fair share of the costs associated with that development pursuant to Policy 5.1 ("Traffic Impact Fees"). | Consistency. Conditions of approval would be applied to the Project requiring payment of adopted Traffic Impact Fees associated with the Project's fair share of costs for traffic improvements. |
| Growth Management Element | |
| Goal 1 Reduce Traffic Congestion | Consistency. A traffic signal will be installed at the intersection of Via del Agua/Yorba Linda Boulevard to attain a Level of Service "D" or better at this intersection prior to occupancy of Project residential units. Per the mitigation measure identified in the Project EIR, the Project will either pay its fair share for the installation of the traffic signal or will install or pay the full cost of installation of the traffic signal with the latter two alternatives subject to reimbursement. |
| Goal 2 Ensure that adequate transportation facilities, public facilities, equipment, and services are provided for existing and future residents. | Consistency. The Project would provide adequate roadways that would support the proposed single family residential uses. Further conditions of approval would be applied to the Project requiring payment of adopted Traffic Impact Fees associated with the Project's fair share of costs for traffic improvements and services. |
| Objective 2 The circulation system shall be implemented in a manner which achieves the established Traffic Level of Service Policy. | Consistency. With implementation of prescribed Project EIR mitigation measures, all nearby arterial highways and intersections serving the Project Site would operate at acceptable levels of service. |
| Policy 3 It is the policy of the County that within three years of issuance of the first use and occupancy permit for a development project of five years of the issuance of a finished grading permit or building permit for said development project, whichever occurs first, that the necessary improvements to arterial highway facilities, to which the project contributes measureable traffic, are constructed and completed to attain Level of Service (LOS) "D" at intersections under the sole control of the County. LOS "C" shall also be maintained on Santiago Canyon Road links until such time as the uninterrupted segments of the roadway (i.e., no major intersections) are reduced to less than three miles. The "county of Orange Growth Management Element, Transportation Implementation Manual (TIM)" which was adopted by the Board of Supervisors in June 1989 and, as may subsequently be amended, establishes procedures and local parameters for the implementation of this policy. Amendments to the manual shall be approved by the Board of Supervisors only after a public hearing. | Consistency. The Project EIR prescribes a mitigation measure for the Project to attain a Level of Service "D" or better at the intersection of Via del Agua/Yorba Linda Boulevard and requires a traffic signal to be constructed at this intersection. The traffic signal to be constructed would be installed prior to occupancy of the Project's residential units. The traffic signal would be located within the City of Yorba Linda. As such, the Project Applicant and/or the County of Orange will work collaboratively with the City of Yorba Linda, as appropriate, to ensure the traffic signal is installed. |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Policy 4 Comprehensive traffic improvement programs shall be established to ensure that all new development provides necessary transportation facilities and intersection improvements as a condition of development approval. Participation in such programs shall be on a pro-rata basis and shall be required of all development projects except where an increased level of participation exceeding these requirements is established through negotiated legal mechanisms, such as a public facilities development agreement.</p> | <p>Consistency. With implementation of prescribed Project EIR mitigation measures, all nearby arterial highways and intersections serving the Project Site would operate at acceptable levels of service. The Project EIR prescribes a mitigation measure for the Project to attain a Level of Service "D" or better at the intersection of Via del Agua/Yorba Linda Boulevard and requires a traffic signal to be constructed at this intersection. The traffic signal to be constructed would be installed prior to occupancy of the Project's residential units. The traffic signal would be located within the City of Yorba Linda. As such, the Project Applicant and/or the County of Orange will work collaboratively with the City of Yorba Linda, as appropriate, to ensure the traffic signal is installed.</p> |
| Public Services and Facilities Element | |
| <p>Policy 1 Phasing and Funding. To implement public facilities in a manner that supports the implementation of the overall land use development policies and the needs of County residents and is consistent with the funding capabilities of the County. Proponents of planned communities or tentative tract or parcel maps in conventionally zoned communities shall provide ultimate, fair share infrastructure improvements for regional services as required by County and service provider plans in effect at the time of project implementation. Proponents shall also participate, on a fair share basis, in provision of community level facilities. The County and service providers shall strive to provide facilities and services necessary to complete the service system.</p> | <p>Consistency. Conditions of approval would be applied to the Project requiring payment of adopted development impact fees to address the Project's fair share cost for public services and facilities. The Project would pay applicable development fees for its fair share cost pertaining to schools, police service, fire protection services, libraries and hospitals. In addition, the Project would pay its fair share costs towards water supply improvements in the area that may be necessary to serve the Project, as determined appropriate by the Yorba Linda Water District.</p> |
| Water System | |
| <p>Policy 1 To ensure the adequacy of water system capacity and phasing, in consultation with the service providing agency(ies), in order to serve existing and future development as defined by the General Plan.</p> | <p>Consistency. The Project would be required to implement the mitigation measures prescribed by the Project EIR which would ensure the adequacy of water availability and infrastructure to meet the demands of the Project. Water connections would be provided by the Project in consultation with the Yorba Linda Water District, with the Project responsible for payment of all applicable water connection fees, pursuant to Yorba Linda Water District requirements.</p> |
| Wastewater Systems | |
| <p>Policy 1 To protect quality in both delivery systems and groundwater basins through effective wastewater system management.</p> | <p>Consistency. The Project would provide connections to existing sewer lines maintained by the Yorba Linda Water District. All wastewater leaving the site in the sewer lines would be treated by the Orange County Sanitation District in compliance with applicable wastewater regulatory requirements which would effectively protect groundwater basins in the region</p> |
| <p>Policy 3 To ensure the adequacy of wastewater system capacity and phasing in consultation with the service providing agency(ies) in order to serve existing and future developments as defined by the General Plan.</p> | <p>Consistency. The Project's wastewater demand would be adequately served by existing facilities maintained by the Yorba Linda Water District and Orange County Sanitation District. Sewer connections would be provided by the Project in consultation with the Yorba Linda Water District, with the Project responsible for payment of all applicable sewer connection fees. Adequate sewage treatment capacity is available to accommodate the Project.</p> |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
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| Local Special Services Districts | |
| <p>Policy 2 Land Use Review. Through the project review process, land use proposals shall be required to incorporate appropriate construction and landscape designs and materials to minimize the costs for public slope, median, and roadside maintenance.</p> | <p>Consistency. The following features of the Project would ensure the Project is consistent with this policy.</p> <ul style="list-style-type: none"> ▪ Drought-tolerant, native landscaping would be used in public common areas to reduce water consumption. ▪ Smart Controller irrigation systems would be installed in all public and common area landscaping. Community landscape areas would be designed on a “hydro zone” basis to group plants according to their water and sun requirements. ▪ The street medians and parkways would be planted with shrubs, low groundcovers, and ornamental grasses to the greatest extent feasible to reduce maintenance and conserve resources. |
| Orange County Fire Authority | |
| <p>Goal 1 Provide a safe living environment ensuring adequate fire protection facilities and resources to prevent and minimize the loss of life and property from structural and wild land fire damages.</p> | <p>Consistency. The Project will implement mitigation measures prescribed by the Project EIR and incorporates a design to minimize the potential for loss of life and property from structural and wild land fire damage. In the Project Site's existing undeveloped condition, no fuel modification exists on the Project Site, which exposes the existing adjacent single-family residential uses located to the west and south of the Project Site to substantial risks of wild land fires. With the implementation of the Project's fuel modification features, the risk of wild land fires to the existing single family residential uses adjacent to the Project Site would be substantially reduced.</p> |
| <p>Goal 2 To provide an adequate level of paramedic service for emergency medical aid in order to minimize trauma of injury of illness to patients.</p> | <p>Consistency. The incremental increase of population generated by the Project would not affect the ability of medical providers to provide adequate levels of paramedic service. Due to the proximity of the Project Site to numerous existing medical facilities and resources including hospitals, medical centers, medical clinics and offices, the effect of the Project on such facilities would be negligible. Any increased demand in medical services would be distributed over the region, resulting in a nominal increase in demand to any one hospital or medical facility and would not be sufficient to require expansion of existing hospitals or require the construction of new hospital facilities. The Project would implement all applicable safety and fire features per the Orange County Fire Authority requirements, thus minimizing the demand for paramedic services. Further, conditions of approval would be applied to the Project requiring payment of adopted development impact fees to address the Project's fair share cost of medical services and facilities.</p> |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective 1 To achieve desired level of fire protection and paramedic service through coordinated land use and facility planning. | Consistency. Compliance with the applicable regulatory requirements and implementation of the Project features including the approved Fuel Modification and Fire Master Plans, and prescribed EIR mitigation measures would ensure that the Project would not significantly affect fire level of protection services currently provided. Further, conditions of approval would be applied to the Project requiring payment of adopted development impact fees to address the Project's fair share cost for fire and paramedic protection services and facilities. |
| Policy 3 Site Design Criteria. Require all land use proposals to implement adequate site design so as to maximize fire protection and prevention in order to minimize potential damages. The site design criteria shall be established to reflect the levels of protection needed for projects in various fire hazard areas. Such criteria shall include consideration as to: structure type and density, emergency fire flow and fire hydrant distribution, street pattern and emergency fire access, fuel modification programs, automatic fire sprinkler systems, and other requirements as determined by the Fire Chief. In accordance with the Insurance Services Office (ISO) suggested standards, ultimate fire protection rating shall be maintained by General Plan land use categories as follows: 1) ISO 3 for all urban development including Residential (1C and 1B), Commercial (2A and 2B), Employment (3.0) and Public Facilities (4.0) which are within 5 miles from a fire station and less than 1000 feet from a hydrant; and (2) ISO 4 for Rural Residential (1A) which are within 5 miles from a fire station and less than 100 feet from a hydrant. For areas greater than 5 miles or 1000 feet, the ISO suggested standard is 9. | Consistency. The following features of the Project would ensure the Project is consistent with this policy. <ul style="list-style-type: none"> ▪ The Project would be designed to provide fire-resistant construction for all structures adjoining natural open space, including utilizing fire-resistant building materials and sprinklers. ▪ Development of the Project would provide additional fire protection to existing residential areas located along Via del Agua Drive and Stonehaven Drive which have historically been exposed to fire hazards in the adjacent open space areas. ▪ Three fuel management zones and a special maintenance are planned for the Project would provide fire protection for development within Cielo Vista from the potential of fire hazard within the open space areas surrounding proposed development areas. ▪ A fire Master Plan has been approved by the Orange County Fire Authority for the Project, which provides appropriate fire safety protective measures as required. |
| Orange County Sheriff/ Coroner | |
| Goal 1: Assure that adequate Sheriff patrol service is provided to ensure a safe living and working environment. | Consistency. The incremental increase in population from the Project would not substantially impact Sheriff protection services, including the average number of daily calls the serving officers respond to each year, particularly given the fact that the City of Yorba Linda recently signed a five year agreement with the Orange County Sheriff's Department for police services, which is expected to decrease response times. Further conditions of approval would be applied to the Project requiring payment of adopted development impact fees to address the Project's fair share cost for police protection services and facilities. |
| Objective 1.1: To maintain adequate levels of Sheriff patrol services through coordinated land use and facility planning efforts. | Consistency. See response to Goal 1 above. |
| Policy 1 Land Use Review. To continue to coordinate land use proposal reviews with the County Sheriff-Coroner Department to assure that Sheriff patrol service shall be adequately addressed. | Consistency. Pursuant to County policy, the Orange County Sheriff-Coroner Department would review all major land use proposals prior to project approvals to ensure that adequate Sheriff service is available and/or can be extended to the Project. |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
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| Schools | |
| Goal 1 Encourage the funding and development of adequate school facilities to meet Orange County's existing and future demand. | Consistency. The Project Applicant will pay the required Senate Bill 50 mitigation fees pursuant to Government Code Section 65995 to the Placentia Yorba Linda Unified School District to fully mitigate the Project's impacts to school facilities. |
| Objective 1.1 To achieve the desired level of school facilities through coordinated land use and facility planning. | Consistent. The Project will pay applicable school impact fees per Senate Bill 50, which would be utilized to fund school service and facilities that serve the project area. |
| Policy 1 To coordinate land use proposal reviews with appropriate school districts to assure that facility needs shall be adequately addressed, including the notification and participation of school district planners in initial County studies of all major developments. | Consistency. The Project will pay applicable school impact fees per Senate Bill 50, which would be utilized to fund school services and facilities that serve the project area. Pursuant to County policy, the Placentia Yorba Linda Unified School District would review the Project prior to its approval to ensure that school services are adequately addressed. |
| Policy 3 To continue to require compliance with AB 2926 | Consistency. The Project will pay applicable school impact fees per Senate Bill 50, which would not conflict with development impact fees implemented by AB 2926, which allows school districts to collect impact fees from developers of new residential space. |
| Orange County Public Library | |
| Goal 1 Assure that an adequate level of library service is provided within the service area of the Orange County Public Library | Consistency. The incremental population increase resulting from the Project would minimally impact library services and would not affect the ability of local libraries to provide library services. Further the Project will pay development impact fees to offset the incremental increase in demand for library services and facilities created by the Project. |
| Objective 1.1 To achieve desired level of public library service through coordinated land use and facility planning. | Consistency. Prior to issuance of building permits for the Project, the Applicant will enter into a capital facilities and equipment agreement with the Orange County Public Library and/or the Yorba Linda Public Library. This Agreement shall specify the pro-rata fair share funding of capital improvements and equipment, to serve the Project. |
| Safety Element | |
| Goal 2 Minimize the effects of natural safety hazards through implementation of appropriate regulations and standards which maximize protection of life and property. | Consistency. As indicated in the Project EIR, there is the potential for methane hazards to occur on the Project Site however implementation by the Project, as necessary, of methane mitigation measures prescribed by the Project EIR during construction and/or operation of the Project would ensure that people and property are not exposed to significant methane hazards. |
| Objective 2.1 To create and maintain plans and programs which mitigate the effects of public hazards. | Consistency. As indicated in the Project EIR, there is the potential for significant hazardous materials impacts primarily related to past and current oil activities within the Project Site. Implementation by the Project of mitigation measures prescribed in the Project EIR would ensure that potentially significant hazardous materials impacts are reduced to a less than significant level. In addition the site design for the Project incorporates a fuel modification plan to address the potential wildfire hazard. |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Goal 3 Raise the awareness of Orange County residents, workers, and visitors of the potential threat of public safety hazards. | Consistency. The Project EIR prescribes mitigation measures for implementation by the Project that would ensure that construction workers, residents, and visitors are made aware of potential hazardous materials threats. |
| Policy 3 Mineral Resources. To ensure the efficient use of all mineral lands consistent with sound resource management practices. | Consistency. Project implementation would permit continued oil production operations in a designated area of the Project Site in accordance with the standards of CalDOGGR, the state agency governing the operation of oil production facilities. |
| Policy 4 Mineral Extraction. To ensure opportunities for the extraction of minerals in the County and to protect the environment during and after these minerals are being extracted. | Consistency. Provisions are included as part of the Project for existing oil operations to continue production. An approximately 1.81 acre parcel located within the residential development area is proposed to be zoned R-1(O) and can be used for continued oil operations including consolidation of wells relocated from the rest of the Project Site and drilling of new wells. Oil operations within the residential development area would be abandoned or re-abandoned prior to development, as necessary, on accordance with CalDOGGR standards. Soil testing does not indicate that there are soils on the property that have been significantly contaminated, however should contaminated soils be discovered, the Project EIR prescribes a mitigation measure to ensure the soils would be remediated to meet the cleanup standards of CalDOGGR, the Regional Water Quality Control Board, and all other agencies with jurisdiction over the cleanup. Future homeowners would be provided with notification as to the previous use of the site as an oilfield and the extent of the continued oil production activities in the area. |
| Policy 5 To continue to coordinate land use proposal reviews with the County Sheriff-Coroner Department to assure that Sheriff patrol services are adequately addressed. | Consistency. Pursuant to County policy, the Orange County Sheriff-Coroner Department would review the Project proposal prior to its approval to ensure that that adequate Sheriff patrol services are adequately addressed. |
| Recreation Element | |
| Goal 1 Provide adequate local park sites to meet the recreation needs of existing and future residents and preserve natural resources within unincorporated Orange County. | Consistency. The Project's residents would create additional recreational demands on existing parks and recreation facilities. The Project is not proposing new park or recreational facilities however, per prescribed mitigation measures identified in the Project EIR, the Project Applicant would pay established in-lieu park fees to mitigate impacts to local and neighborhood park facilities that serve the Project. |
| Policy 2.32 To acquire park lands by requiring residential developers to provide a minimum of 2.5 net acres of usable local park land (i.e. park land that is relatively level, served by utilities, for multipurpose playfields, court sports, etc) for each prospective 1,000 residents. In no case shall the credit given for park land and improvements exceed the total requirements under the Local Park code. No credit banking shall be permitted when a developer provides full requirement in acreage and also provides improvement. | Consistency. Refer to consistency statement above for Goal 1. |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy 2.4 To acquire local park lands in unincorporated areas to provide active recreation facilities to meet the needs of present and future residents through dedications, or irrevocable offers of dedication, in fee title from residential developers. | Consistency. Refer to consistency statement above for Goal 1. |
| Noise Element | |
| Policy 4.1 To enforce the County's Noise Ordinance to prohibit or mitigate harmful and unnecessary noise within the County. | Consistency. The Project would comply with the County's Noise Ordinance during both construction and operation of the Project. Operational noise impacts associated with the Project would be mitigated with implementation of the Project EIR prescribed mitigation measures relating to oil facility operations. While construction noise may temporarily exceed levels permitted by the County of Orange Noise Ordinance, such noise is treated as being in compliance if it occurs during the designated construction hours prescribed by the Noise Ordinance. As the Project's construction activities would occur during the designated construction hours, the Project would comply with the Noise Ordinance. |
| Goal 5 To fully integrate noise considerations in land use planning to prevent new noise/land use conflicts. | Consistency. The Project's proposed single-family land uses are consistent with the County's land uses envisioned for the Project Site per the County's Land Use Element. The Project's single family uses would be a similar land use as those existing within the adjacent single-family neighborhoods located to the north, south and west of the Project Site. Noise sources and levels within the Project Site would be similar to those in the adjacent neighborhoods. |
| Policy 5.1 To utilize the criteria of acceptable noise levels for various types of land uses as depicted in Table VIII-2(in the County of Orange General Plan Noise Element) in the review of development proposals. | Consistency. The Project would implement prescribed mitigation measures relating to oil operations as identified in the Project EIR which would result in less than significant long-term operational noise impacts. The Project's proposed residential uses would be within the acceptable noise levels as depicted in Table VIII-2 of the County's General Plan. |
| Policy 5.4 To stress the importance of building and design techniques in future site planning for noise reduction. | Consistency. Conditions of approval would be applied to the Project requiring all residential units developed within the Project Site to be constructed in accordance with the County adopted noise standards for interior noise levels, assuming standard structural noise reduction(s). |
| Goal 6 To identify and employ mitigation measures in order to reduce the impact of noise levels and attain the standards established by the Noise Element, for both interior areas and outdoor living areas for noise sensitive land uses. | Consistency. The Project would comply with the County of Orange Noise Ordinance. Additionally, the Project will implement mitigation measures prescribed by the Project EIR to minimize construction noise to the extent feasible at the nearby noise sensitive residential land uses. During project operation, Project residents and surrounding noise sensitive receptors would not be exposed to interior or exterior noise levels that would exceed the standards established by the Noise Element with implementation of the prescribed mitigation measures relating to oil facility operations. |
| Policy 6.2 Continue enforcement of Chapter 35 of the Uniform Building Code, currently adopted edition, and the California Noise Insulation Standards (Title 25 California Administrative Code). | Consistency. All new residential units developed as part of the Project would be constructed in accordance with the applicable provisions of Chapter 35 of the Uniform Building Code and the California Noise Insulation Standards (Title 25 California Administrative Code). |

Section 8: General Plan Consistency

| Goals, Objectives and Policies | Area Plan Consistency |
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| Policy 6.3 To require that all new residential units have an interior noise level in living areas that is not greater than 45 decibels CNEL with it being understood that standard construction practices reduce the noise level by 12 decibels CNEL with the windows open and 20 decibels CNEL with the windows closed. Higher attenuation than listed above may be claimed if adequate field monitoring or acoustical studies are provided to and approved by the County. | Consistency. Conditions of approval would be applied to the Project requiring all residential units developed within the Project Site to be constructed in accordance with the County adopted noise standards for interior noise levels. |
| Policy 6.4 To require that all new residential units have an interior noise level in habitable rooms that does not exceed acceptable levels as caused by aircraft flyovers or as caused by individual passing railroad trains. | Consistency. Conditions of approval would be applied to the Project requiring all residential units developed within the Project Site to be constructed in accordance with the County adopted noise standards for interior noise levels. Further, the Project Site and future residential development would not be subject to excessive noise from aircraft flyovers and/or railroad noise. |
| Policy 6.5 All outdoor living areas associated with new residential uses shall be attenuated to less than 65 decibels CNEL. | Consistency. Mitigation measures prescribed for the Project by the Project EIR ensure that noise from oil well operations results in less than significant impact to Project residents. Otherwise there are no known noise generators impacting the Project that would result in outdoor noise levels exceeding 65 CNEL. Conditions of approval would be applied to the Project requiring all residential uses within the Project Site to be constructed in accordance with the County adopted noise standards. |
| Policy 6.7 To apply noise standards as defined in the Noise Element for noise-sensitive land uses. | Consistency. Conditions of approval would be applied to the Project requiring all residential units developed within the Project Site to be constructed in accordance with the County adopted noise standards for interior noise levels. |
| Housing Element | |
| Strategy 5a Encourage the use of energy conservation features in residential construction, remodeling and existing homes. <i>Action: Continue to require new construction and remodeling projects to meet energy conservation requirements.</i> | Consistency. Residential development as part of the Project would conform to Title 24 energy requirements. Other energy conserving features incorporated as part of the Project include: <ul style="list-style-type: none"> ▪ Builder-installed indoor appliances, including dishwashers, showers and toilets, would be low-water use. ▪ Drought-tolerant, native landscaping would be used in public common areas to reduce water consumption. ▪ Smart Controller irrigation systems would be installed in all public and common area landscaping. Community landscape areas would be designed on a "hydro zone" basis to group plants according to their water and sun requirements. |

Section 8: General Plan Consistency

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Section 9: Implementation and Administration

Section 9. Implementation and Administration

9.1 Purpose and Intent

This section establishes the procedures for implementation of the Area Plan.

9.2 Interpretation

Unless otherwise provided herein, any ambiguity concerning the content or application of the Cielo Vista Area Plan shall be resolved by the Director of Planning (Director) or the Director's designee, in a manner consistent with the goals, policies, purpose, and intent established in this Area Plan.

9.3 Severability

If any portion of this Area Plan is declared to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The legislative body hereby declares that they would have enacted this Area Plan, and each portion thereof, irrespective of the fact that any one or more portions be declared invalid or ineffective.

9.4 Applicability

The Cielo Vista Area Plan is a comprehensive plan for the development of the Project Site. The design and development criteria contained within the Cielo Vista Area Plan apply to all development proposed within the Project Site. The land use plan of the Area Plan establishes the boundaries of a residential development area and an open space area and establishes the type, pattern, and intensity of land use within each land use area. The Area Plan includes a plan for infrastructure and public improvements to serve the development, landscape and architectural design criteria, and green and sustainable goals applicable to all development within the Project Site.

9.5 Subdivision Maps

All development within Cielo Vista is subject to approval of subdivision maps pursuant to the requirements of the Orange County Subdivision Code. Following approval of tentative subdivision maps, final maps approved by the County and recorded with the County become the legal documentation defining lots within the Area Plan. Vesting Tentative Tract Map No. 17341 (Tentative Map) submitted by the applicant for approval by the County implements this Area Plan requirement. Approval by the County of the Tentative Map consistent with the Area Plan, will establish, among other things, development phasing and the methods of financing of construction, operation, and maintenance of public facilities, infrastructure improvements, and services for Cielo

Section 9: Implementation and Administration

Vista. The approved Tentative Map will also establish the plan for the compliance of the Project with County requirements for dedication of park land or payment of in-lieu fees.

The Cielo Vista Area Plan contains undisturbed, or natural, open space and disturbed, enhanced and graded, open space for fuel modification purposes. Prior to recordation of a final map to allow development of building sites, delineated open space areas, both undisturbed and disturbed, will be placed within an open space easement for permanent preservation of the open space areas. The maintenance of the open space easement shall be the responsibility of either the Project's Homeowner Association (HOA), an appropriate public or quasi-public State agency, or a land conservation/trust organization. Funding for the permanent stewardship of the open space may be accomplished through an Assessment District.

Open space easements will be of a type to permit fuel modification. Except for necessary connections to off-site infrastructure and public service facilities, such as, but not limited to, fire roads, utility lines, grading for purposes of stabilizing slopes, water storage, flood control, and privately owned water quality/urban runoff facilities, any other development in open space areas will be of an open space or habitat restoration nature, compliant with any easement(s) recorded on the property.

9.6 Adjustments to a Planning Area Boundary

Minor adjustments to the boundary of the residential development area may be approved by the Director as part of the review of an application for grading permits or a final map, provided the adjustment does not result in an increase of acreage for the residential development area of more than ten percent (10%), and provided the maximum number of dwelling units established for the Area Plan is not exceeded.

9.7 Modifications to Area Plan

The following constitute modifications to the Area Plan, which may be approved by the Director.

- a. Change in utility or public service provider.
- b. Change in roadway alignment of any roadway as illustrated on the "Master Circulation Plan" of the Area Plan when the change results in a centerline shift of 150 feet or less.
- c. Adjustment of the development area boundary consistent with the provisions of Section 9.6 of the Area Plan
- d. Other modifications which are deemed minor by the Director, which are in keeping with the purpose and intent of the approved Area Plan, and which are in conformance with the General Plan.

Section 9: Implementation and Administration

9.8 Area Plan Amendments

Any change to the Cielo Vista Area Plan which has not been deemed by the Director to be a “modification” pursuant to Section 9.7 “Modifications to Area Plan,” shall constitute an Area Plan Amendment. Area Plan amendments shall be reviewed and approved pursuant to the procedures established in Orange County Zoning Code Section 7-9-150, “Discretionary Permits and Procedures.” In the event the proposed amendment requires supplemental environmental analysis pursuant to CEQA, the entity requesting the Area Plan Amendment is responsible for any and all costs associated with preparing the necessary CEQA documentation.

9.9 Appeals

Appeals from any determination of the Director may be made pursuant to the provisions of Orange County Zoning Code Section 7-9-150.4 “Appeals.”

9.10 Compliance with Mitigation Measures

Development within the Project Site shall comply with all applicable mitigation measures as described in the Cielo Vista EIR No. 615 approved by the County for the Area Plan.

9.11 Project Financing

The financing of construction, operation, and maintenance of public improvements and facilities (the “facilities”), open space, and public services for Cielo Vista may include a combination of financing mechanisms. Final determination as to the facilities to be constructed and maintenance responsibilities, whether publicly or privately maintained, will be included as part of recordation of a final map. The following financing options can be considered for implementation:

9.11.1 Facilities and Services

- a. Private capital investment for the construction of facilities.
- b. Traditional Assessment Districts pursuant to the 1911 or 1913 enabling legislation, Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of a variety of public facilities and the provision of public services.

9.11.2 Operation and Maintenance

- a. By individual private property owner.
- b. By Homeowner Association (HOA).
- c. By Landscape and Lighting Maintenance District (LLMD).

Section 9: Implementation and Administration

- d. By traditional Assessment District, Community Facilities District (CFD), or other special district.

County approval is a prerequisite for the establishment and implementation of any and all special district-financing mechanisms.

9.12 Project Phasing

The phased development of the Project Site will commence in a manner designed to address the following objectives:

- a. Orderly build-out of the residential development area based upon market and economic conditions.
- b. Implementation of financing mechanisms without creating a financial or administrative burden on the County.
- c. Provision that adequate infrastructure and public facilities are constructed concurrent with development of each phase.
- d. Protection of public health, safety and welfare.

Phasing of development will be determined by the developer and the County. Appropriate levels of infrastructure, community facilities, and fuel modification will be installed and public services will be available to serve each phase of development as it occurs pursuant to the conditions of approval for the Tentative Map.

9.13 Maintenance

Public and private improvements constructed as part of development of the Area Plan will be maintained through a combination of public and private entities as described below.

9.13.1 Public Maintenance

The following public facilities are planned for public maintenance by either the County, a special district, or by the appropriate utility service provider.

- a. All travel areas of Project local residential streets within the boundaries of the Area Plan.
- b. Sidewalks within the public right of way.
- c. Public traffic signals and traffic control signs.
- d. Public right of way improvements constructed as part of the Project and located outside the boundaries of the Area Plan.
- e. All privately constructed public water facilities, sewer facilities, and drainage facilities within the boundaries of the Area Plan.
- f. Street lighting within rights of way of local residential streets.

Section 9: Implementation and Administration

9.13.2 Homeowner Association /Private Property Owner Maintenance

One or more Homeowner Associations (HOAs) may be established for the maintenance of private common area improvements within the residential development area of the Project Site. Private improvements to be maintained by either the HOA or private property owners include, but are not limited to:

- a. Parkway landscaping within the rights of ways of all local streets.
- b. Graded slopes and ungraded slopes within the boundary of the residential development area, fuel modification zones, detention and water quality treatment basins and facilities.
- c. Project Entry and signage, and common open space areas within the residential development area.
- d. Community perimeter walls and fencing.
- e. Landscape areas of lots, common area wall surfaces, and slopes internal to the development Project along residential local streets.
- f. Common area landscaping and lighting.

9.13.3 Permanent Open Space Maintenance

- a. The permanent open space within the Area Plan shall be placed in a permanent conservation easement and maintained either by a public/quasi-public agency, a land conservation/trust organization, or the Homeowner Association.

9.14 Public Services

The development of Cielo Vista will pay County adopted impact fees to fund the operation and maintenance of sheriff, coroner, fire and library services for the Project. The Project will pay City of Yorba Linda adopted traffic and drainage impacts fees. The Project will participate in the development fee program of the Orange County Library and/or the City of Yorba Linda Library system as determined by the County and the City.

Section 9: Implementation and Administration

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