

RESOLUTION NO. 2020-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, CERTIFYING A MITIGATED NEGATIVE DECLARATION, AND MITIGATION MONITORING AND REPORTING PROGRAM FOR A PROPOSED 33-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON A 2.4 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF BASTANCHURY ROAD, APPROXIMATELY 150 FEET WEST OF PUENTE STREET, ADDRESSED 751 EAST BASTANCHURY ROAD

PRJ19-00087 - LRP19-00001, LRP19-00002, SUB19-00001, ZON19-00027

APPLICANT: BRANDYWINE HOMES

PROPERTY OWNER: FULLERTON PUBLIC LIBRARY FOUNDATION

RECITALS

WHEREAS, applications were filed with the City of Fullerton Community and Economic Development Department for a General Plan Revision (LRP19-00001), Zoning Amendment (LRP19-00002), Tentative Tract Map (SUB19-00001) and Major Site Plan (ZON19-00027) in order to develop a 2.4 acre site with a 33-unit residential condominium development at 751 East Bastanchury Road, more specifically described as:

Orange County Assessor's Parcel No. 293-241-07

WHEREAS, the City of Fullerton prepared an Initial Study which determined that a Negative Declaration would be necessary to analyze the environmental effects of the project. The City prepared a Mitigated Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15070-15073, and in conformance with the Local CEQA Guidelines; and

WHEREAS, mitigation measures were identified to reduce or avoid significant effects on the environment, and a Mitigation Monitoring and Reporting Program was prepared to ensure and document compliance with the mitigation measures during project implementation; and

WHEREAS, the City of Fullerton is the lead agency on the project, and the City Council is the decision-making body for the applications associated with the proposed project; and

WHEREAS, the City provided a Notice of Intent to Adopt a Mitigated Negative Declaration to owners and residents of properties located within 300 feet of the project site and to potentially interested public agencies and to the Orange County Clerk advertising a 21 day public review period; and

WHEREAS, comments on the Mitigated Negative Declaration were received and responses to comments were prepared; and

WHEREAS, the City Council has considered the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, comments received during the public review period and responses to those comments; and

WHEREAS, The City Council does hereby adopt the Mitigated Negative Declaration dated December 2019 and Mitigation and Monitoring and Reporting Program for City of Fullerton Community Development Department project number PRJ19-00087.

RESOLUTION:

NOW, THEREFORE, BE IT FOUND DETERMINED AND RESOLVED by the City Council of the City of Fullerton, as follows:

1. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for PRJ19-00087 adequately address the anticipated environmental impacts of the project. On the basis of their review, the City Council finds that there is no evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment and that the Mitigated Negative Declaration reflects the Lead Agency's independent judgement and analysis.

THEREFORE, the City Council does hereby adopts the Mitigated Negative Declaration for a 33-Unit Condominium Development at 751 East Bastanchury Road.

ADOPTED BY THE FULLERTON CITY COUNCIL ON FEBRUARY 4, 2020.

Jennifer Fitzgerald, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date

Exhibit A: Mitigation Monitoring and Reporting Program

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 4.0 of this Initial Study/Mitigated Negative Declaration identifies the mitigation measures that will be implemented to reduce the impacts associated with the 33-Unit Condominium Development at 751 E. Bastanchury Road. The *California Environmental Quality Act (CEQA)* requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in *Public Resources Code* Section 21081.6,

. . . the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.

Public Resources Code Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to adoption of the Mitigated Negative Declaration.

The mitigation monitoring table that follow lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The City of Fullerton will have the responsibility for implementing the measures, and the Applicant will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
AESTHETICS					
<i>Project Design Features</i>					
PDF-AES1	The outdoor lighting for all common areas shall be shielded and directed downward.	Direct observation; Construction inspections	Review and approval of landscape plan; Prior to the issuance of Certificate of Occupancy	Community and Economic Development Department	To be satisfied
AIR QUALITY					
<i>Air Quality/Greenhouse Gas Emissions Construction Design Features</i>					
PDF-AQ1	Follow the standard South Coast Air Quality Management District (SCAQMD) rules and requirements with regards to fugitive dust control.	Direct observation; Construction inspections	During construction	Community and Economic Development Department	To be satisfied
PDF-AQ2	The use of heavy construction equipment and earthmoving activity shall be suspended during Air Alerts when the Air Quality Index reaches the "Unhealthy" level.	Direct observation; Construction inspections	During construction	Community and Economic Development Department	To be satisfied
PDF-AQ3	Utilize low emission "clean diesel" equipment with Tier 4 engine ratings.	Direct observation; Construction inspections	During construction	Community and Economic Development Department	To be satisfied
PDF-AQ4	Minimize the simultaneous operation of multiple construction equipment units.	Direct observation; Construction inspections	During construction	Community and Economic Development Department	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
PDF-AQ5	Establish staging areas for the construction equipment that are as distant as possible from adjacent sensitive receptors (school and residential land uses).	Direct observation; Construction inspections	During construction	Community and Economic Development Department	To be satisfied
PDF-AQ6	Utilize zero VOC and low VOC paints and solvents, wherever possible.	Include materials and paints to be used on the building plans; Site inspections	Prior to issuance of building permits; Ongoing during construction	Community and Economic Development Department	To be satisfied
PDF-AQ7	No wood burning fireplaces shall be installed, per SCAQMD Rule 445.	Include note on the building plans excluding wood burning fireplaces	Prior to issuance of building permits	Community and Economic Development Department	To be satisfied
<i>Air Quality/Greenhouse Gas Emissions Operational Design Features</i>					
PDF-AQ8	Comply with the mandatory requirements of Title 24 Part 6 Building Efficiency Standards and Title 24 Part 11 (CALGreen) of the California Building Standards Code.	Incorporation of standards on building plans	Review and approval of building plans	Community and Economic Development Department	To be satisfied
PDF-AQ9	Implement water conservation strategies, including low flow fixtures and toilets, water efficient irrigation systems, drought tolerant/native landscaping, and reduce the amount of turf.	Incorporation of strategies on building plans	Review and approval of building and landscape plans	Community and Economic Development Department	To be satisfied
PDF-AQ10	Use electric landscaping equipment, such as lawn mowers and leaf blowers, wherever possible.	Include requirement in HOA contract with landscape maintenance company	During project operations	Community and Economic Development Department	To be satisfied
PDF-AQ11	Comply with the mandatory requirements of CalRecycle's residential recycling program and implement zero waste strategies.	Evidence of compliance	During project operations	Community and Economic Development Department	To be satisfied



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<i>Applicable The Fullerton Plan FEIR Mitigation Measures</i>					
MM AES-1	For future development located in or immediately adjacent to residentially zoned properties, construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site, as distant from the residential use, as reasonably possible. Staging areas shall be screened from view from residential properties.	Direct observation; Construction inspections	During preconstruction and construction	Community and Economic Development Department – Building Inspector	To be satisfied
MM AES-2	Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. Streets surrounding the development site shall be swept daily and maintained free of dirt and debris.	Direct observation; Construction inspections; Review of equipment maintenance records.	During preconstruction and construction	Community and Economic Development Department	To be satisfied
MM AES-3	Construction worker parking may be located off-site with prior approval by the City. On-street parking of construction worker vehicles on residential streets shall be prohibited.	Direct observation; Construction inspections	During preconstruction and construction	Community and Economic Development Department	To be satisfied
<i>Construction Measures</i>					
MM AQ-1	Prior to issuance of any Grading Permit, the Community Development Director and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors: <ul style="list-style-type: none"> All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust; 	Preparation of Large Operation Notification (Rule 403); Direct observation; Construction inspections; Review of equipment maintenance records	Prior to the issuance of a grading permit; Ongoing inspections during construction	Community and Economic Development Department – Building Official	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<ul style="list-style-type: none"> ▪ Non-toxic soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain), according to manufacturers' specifications; ▪ All excavating and grading operations shall be suspended when wind gusts (as instantaneous gust) exceed 25 miles per hour; ▪ On-site vehicle speed shall be limited to 15 miles per hour; ▪ All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized; ▪ Visible dust beyond the property line which emanates from the Project shall be prevented to the maximum extent feasible; ▪ All material transported off-site shall be securely covered to prevent excessive amounts of dust prior to departing the job site; ▪ Track-out devices shall be used at all construction site access points; ▪ All delivery truck tires shall be watered down and/or scraped down prior to departing the job site; ▪ A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to fugitive dust generation; ▪ Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway; and ▪ Replace ground cover in disturbed areas as quickly as possible. 				
MM AQ-2	All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with special attention to Sections 23114(b)(F), (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. Prior to the issuance of grading permits, the Applicant shall demonstrate to the City of Fullerton how the Project operations subject to that specification during hauling activities shall comply with the	Preparation of Large Operation Notification (Rule 403); Direct observation; Construction inspections	Prior to the issuance of a grading permit; Ongoing during construction	Community and Economic Development Department – Building Official	To be satisfied



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	provisions set forth in Sections 23114(b)(F), (e)(4).				
MM AQ-3	<p>The following measures shall be implemented to the extent feasible to reduce VOC emissions resulting from application of architectural coatings:</p> <ul style="list-style-type: none"> ▪ Contractors shall use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; ▪ Use required coatings and solvents with a VOC content lower than required under Rule 1113; ▪ Construct/build with materials that do not require painting; and ▪ Use pre-painted construction materials. 	Include materials and paints to be used on the building plans; Site inspections	Prior to the issuance of a building permit; Ongoing during construction	Community and Economic Development Department – Building Official	To be satisfied
MM AQ-4	Prior to issuance of any Grading Permit, the Community Development Director and the Building Official shall confirm that the Grading Plan, Building Plans and specifications stipulate that ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, to the satisfaction of the City Engineer. Equipment maintenance records and equipment design specifications data sheets shall be kept on site during construction. The City Inspector shall be responsible for ensuring that contractors comply with this measure during construction.	Direct observation; Construction inspections; Review of equipment maintenance records	Prior to issuance of building and grading permits; Ongoing inspections during construction	Community and Economic Development Department – Building Official	To be satisfied
MM AQ-5	Electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce the associated emissions. Approval shall be required by the City of Fullerton Building and Safety Division prior to issuance of grading permits.	Include reference to on-site electrical hook-ups on grading plan and building plan notes; Construction inspections	Prior to the issuance of a grading permit; During construction	Community and Economic Development Department – Building Official	To be satisfied
MM AQ-6	Each individual implementing project shall submit a traffic control plan prior to the issuance of a grading permit and obtain a Haul Permit from the Public Works-Traffic Division. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as a flag person during all phases of	Preparation of Traffic Control Plan; Direct observation; Construction inspections	Prior to the issuance of a haul permit and grading permit; During construction	Public Works Department - Traffic Division	To be satisfied



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	construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.				
MM AQ-7	Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.	Direct observation; Construction inspections	Identified on the grading and building permits; Ongoing during grading and construction	Community and Economic Development Department; Public Works Department Engineering Section	To be satisfied
MM AQ-8	Proposed development projects that are subject to CEQA shall have construction related air quality impacts analyzed using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD. The results of the construction-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis may incorporate SCAQMD's Localized Significance Threshold analysis or other appropriate analyses as determined in conjunction with SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.	Preparation of Air Quality Analysis	Incorporation of Air Quality Analysis into Initial Study/Mitigated Negative	Community and Economic Development Department	Satisfied
Operational Measures					
MM AQ-9	Proposed developments within the City of Fullerton shall include, to the extent feasible, as a part of construction and building management contracts, the following measures: <ul style="list-style-type: none"> All residential and commercial structures shall be required to incorporate high efficiency/low polluting heating, air conditioning, appliances, and water heaters. 	Incorporation of measures as notes on grading and building plans; Construction inspection	Prior to the issuance of a building permit	Community and Economic Development Department	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<ul style="list-style-type: none"> All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping. All residential, commercial, and industrial structures shall be required to incorporate light colored roofing materials. 				
MM AQ-11	To identify potential implementing development project-specific impacts resulting from operational activities, proposed development projects that are subject to CEQA shall have long-term operational-related air quality impacts analyzed using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD (only for projects that are subject to a discretionary action and that require a General Plan amendment and/or Zone Change). The results of the operational-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis may incorporate SCAQMD's Localized Significance Threshold analysis, CO Hot Spot analysis or other appropriate analyses as determined in conjunction with SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.	Preparation of Air Quality Analysis	Incorporation of Air Quality Analysis into Initial Study/Mitigated Negative	Community and Economic Development Department	Satisfied
MM AQ-12	Signage shall be posted at loading docks and all entrances to loading areas prohibiting all on-site truck/auto idling in excess of five minutes.	Site inspection	Prior to the issuance of a grading or building permit; Periodic site inspections	Community and Economic Development Department	To be satisfied
BIOLOGICAL RESOURCES					
Standard Conditions and Requirements					
SC-BIO-1	All tree plantings, removals, or alterations associated with the project shall be conducted in accordance with the requirements set forth in the Fullerton Community Forestry Ordinance (Fullerton Municipal Code, Chapter 9.06 et seq.). Specifically, in compliance with Section 9.06.090, Planting Trees, prior to the issuance of a building permit, the Project Applicant/Developer shall submit a Plot Plan of the proposed	Plot Plan approval; Site inspections	Prior to the issuance of a building permit	Community and Economic Development Department	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<p>development so the Director of Development Services can determine the tree requirements for site development. The plot plan shall:</p> <ol style="list-style-type: none"> 1. Clearly show all existing trees, noting location, species, size, and condition; 2. Note whether existing trees will be retained, removed, or relocated; 3. Show proposed utilities, driveways, sidewalks and tree planting locations, and the size and species of proposed street trees; and 4. Conform with ground and aerial setback specifications, as defined in the Community Forest Management Plan. 				
CULTURAL AND TRIBAL CULTURAL RESOURCES					
<i>Mitigation Measures</i>					
CUL-1	<p>An archaeological monitor shall be present to observe ground disturbing activities within the project site on a part-time basis. The monitor shall work under the direct supervision of a qualified archaeologist (M.A., R.P.A. in anthropology or archaeology).</p> <ul style="list-style-type: none"> ▪ The qualified archaeologist shall be on-site at the pre-construction meeting to discuss monitoring protocols. ▪ Archaeological monitoring shall start at part-time. If no archaeological resources are discovered after half of the ground disturbance has occurred, monitoring can be reduced to spot-checking, at the discretion of the qualified archaeologist. ▪ The monitor shall be empowered to temporarily halt or redirect grading efforts if archaeological resources are discovered. ▪ In the event of an archaeological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified archaeologist has cleared the area. 	Site inspections	During site ground disturbance activities	Community and Economic Development Department	To be satisfied



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	<ul style="list-style-type: none"> In consultation with the qualified archaeologist the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area cleared. If the discovery is significant the qualified archaeologist shall notify the developer and City of Fullerton immediately. In consultation with the Applicant and/or Developer and the City of Fullerton, the qualified archaeologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find. 				
CUL-2	Prior to commencement of any demolition, grading, or construction activities, the Applicant shall present evidence to the City of Fullerton Community Development Department that a qualified Native American Monitor has been retained to provide Native American monitoring services during construction-related ground disturbance activities. The Native American Monitor shall be a lineal descendant of the project area and selected by the Applicant from the list of Tribal Governments participating in the ongoing consultation with the City under AB 52. The Native American Monitor shall be present at the pre-grading conference to establish procedures for tribal cultural resource surveillance. Those procedures shall include provisions for temporarily halting or redirecting work to permit sampling, identification, and evaluation of resources deemed by the Native American Monitor to be Tribal Cultural Resources as defined in Public Resources Code Section 21074. These procedures shall be reviewed and approved by the City of Fullerton Community Development Department prior to commencement of any subsurface disturbance on the project site.	Evidence of retention of qualified Native American Monitor	Prior to site disturbance activities	Community and Economic Development Department	To be satisfied
CUL-3	Retain a Native American Monitor. The Applicant shall be required to obtain the services of a qualified Native American Monitor per the requirements identified in Mitigation Measure CUL-2 during construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to,	Site inspections	Prior to and during site ground disturbance activities	Community and Economic Development Department	To be satisfied



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	<p>pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching, within the project site.</p> <ul style="list-style-type: none"> The Native American Monitor shall be present on-site during the construction phases that involve any ground disturbing activities described above. The Native American Monitor shall prepare daily monitoring logs that provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The Native American Monitor shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in Public Resources Code Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Native American Monitor has indicated that the site has a low potential for tribal cultural resources. 				
CUL-4	<p>Professional Standards for Monitors</p> <ul style="list-style-type: none"> The Native American Monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. 	Evidence of certification	Prior to site ground disturbance activities	During site ground disturbance activities	To be satisfied
CUL-5	<p>Unanticipated Discovery of Tribal Cultural Resources: All archaeological resources unearthed by project construction activities shall be evaluated by the Qualified Archaeologist and Native American Monitor.</p> <ul style="list-style-type: none"> If the resources are Native American in origin, the Native American Monitor shall coordinate with the Applicant and/or landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If a resource is determined by the Qualified Archaeologist to constitute a historical resource pursuant to CEQA Guidelines Section 15064.5(a) or has a unique archaeological resource pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the Applicant 	Site inspections	During site ground disturbance activities	Community and Economic Development Department	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<p>and/or landowner to develop a formal Treatment Plan that would serve to reduce impacts to the resources.</p> <ul style="list-style-type: none"> The Treatment Plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes. 				
CUL-6	<p>Unanticipated Discovery of Human Remains and Associated Funerary Objects</p> <ul style="list-style-type: none"> Prior to the start of ground disturbing activities, the Applicant and/or land owner shall arrange a designated site location within the footprint of the project site for the respectful reburial of the human remains and/or ceremonial objects. Any discoveries of human skeletal material shall be immediately reported to the Orange County Coroner. The Native American Monitor shall immediately divert work at minimum of 50 feet or stop work, if necessary, and place an exclusion zone around the burial. The Native American Monitor shall then notify the Qualified Archaeologist and the on-site construction manager who will call the Orange County Coroner. Work shall continue to be diverted or stopped, whichever is most appropriate, while the Coroner determines whether the remains are Native American. The 	Site inspections	During site ground disturbance activities	Community and Economic Development Department	To be satisfied



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	<p>discovery is to be kept confidential and secure to prevent any further disturbance.</p> <ul style="list-style-type: none"> ▪ If Native American, the Coroner shall notify the Native American Heritage Commission as mandated by State law, who will then appoint a Most Likely Descendent. ▪ In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside of working hours. ▪ The Native American Monitor and Most Likely Descendent shall make every effort to recommend diverting the project and keeping the remains in situ and protected. ▪ If the project cannot be diverted, it may be determined that burials shall be removed. The Native American Monitor and Most Likely Descendent shall work closely with the Qualified Archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. ▪ If data recovery is approved by the Native American Monitor and Most Likely Descendent, documentation shall be taken that includes, at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Native American Monitor and Most Likely Descendent for data recovery purposes. ▪ Cremations shall either be removed in bulk or by means as necessary to ensure completely recovery of all material. ▪ If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate Treatment Plan shall be prepared. The Applicant shall consult with the Native American Monitor and Most Likely Descendent regarding avoidance of all cemetery sites. 				



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	<ul style="list-style-type: none"> ▪ Construction on-site shall be halted until the Treatment Plan is prepared. Once complete, a final report of all activities shall be submitted to the Native American Heritage Commission. ▪ Any scientific study or the utilization of any invasive diagnostics on human remains is not authorized. ▪ If the Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the coroner. Reburial shall be in an appropriate setting. If the coroner determines the remains to be modern, the coroner shall take custody of the remains. ▪ Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects, and objects of cultural patrimony shall be removed to a secure container on-site, if possible. These items shall be retained and reburied within six months of recovery. ▪ The site of reburial/repatriation shall be at a location determined between the Tribe and a landowner at a site to be protected in perpetuity, and not on the project site. ▪ There shall be no publicity regarding any cultural materials recovered. 				
GEOLOGY AND SOILS					
<i>Standard Conditions and Requirements</i>					
SC-GEO-1	The project is required to conform to the seismic design parameters of the 2016 California Building Code and the 2016 California Green Building Standards Code (or applicable adopted code at the time of plan submittal or permit issuance), as set forth in Title 14 of the City of Fullerton's Municipal Code at the time the grading plans are submitted.	Plan review; Construction inspections	Prior to the issuance of a grading or building permit	Community and Economic Development Department – Building Official	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
<i>Mitigation Measures</i>					
GEO-1	Prior to the issuance of grading and/or building permits, the recommendations in Geotechnical Investigation Section 5.0 – Engineering Properties and Analysis, Section 6.0 - Conclusions and Recommendations, Section 7.0 – Design Considerations, and Section 8.0 – Lot Maintenance shall be confirmed or modified by a geotechnical engineer to ensure compliance with the California Building Code. The recommendations of the geotechnical engineer shall be implemented during site grading and construction, and project operations.	Review and confirmation or modification of recommendations by geotechnical engineer	Prior to the issuance of a grading or building permit	Community and Economic Development Department – Building Official	To be satisfied
GEO-2	Prior to the issuance of grading permits, the City shall review all project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits to ensure compliance with the applicable recommendations from the <i>Geotechnical Investigation</i> and other applicable Code requirements.	Plan review to ensure compliance with Geotechnical Investigation	Prior to the issuance of a grading permit	Community and Economic Development Department – Building Official	To be satisfied
GEO-3	<p>A paleontological monitor shall be present to observe ground disturbing activities within the project site. The monitor shall work under the direct supervision of a qualified paleontologist (B.S. /B.A. in geology, or related discipline with an emphasis in paleontology and demonstrated experience and competence in paleontological research, fieldwork, reporting, and curation).</p> <ul style="list-style-type: none"> ▪ The qualified paleontologist shall be on-site at the pre-construction meeting to discuss monitoring protocols. ▪ Paleontological monitoring shall start at full-time. If no paleontological resources are discovered after half of the ground disturbance has occurred, monitoring can be reduced to part-time or spot-checking, at the discretion of the qualified paleontologist. ▪ The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered. ▪ In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area. 	Site inspections	Before and during site ground disturbing activities	Community and Economic Development Department	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<ul style="list-style-type: none"> In consultation with the qualified paleontologist, the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed and the area cleared. If the discovery is significant the qualified paleontologist shall notify the developer and City of Fullerton immediately. <p>In consultation with the Applicant and/or Developer and the City of Fullerton, the qualified paleontologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find.</p>				
Applicable The Fullerton Plan FEIR Mitigation Measures					
MM CR-3	In the event that cultural resources (archaeological, historical, paleontological) are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. If not already retained, the project proponent shall retain a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), subject to approval by the City of Fullerton, to evaluate the significance of the finding and appropriate course of action as identified in Mitigation Measures CR-1, CR-2, and CR-4 of The Fullerton Plan Final EIR. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the State CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.	Site inspections	During site ground disturbance activities	Community and Economic Development Department	To be satisfied
GREENHOUSE GASES					
Standard Conditions and Requirements					
SC-GHG-1	Prior to issuance of building permits, the Property Owner/Developer shall be required to demonstrate to the Planning Department, Building Division that building plans meet the applicable Title 24 Energy Efficiency Standards for Residential and	Incorporation of standards on building plans	Prior to the issuance of a building permit	Community and Economic Development	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	Nonresidential Buildings (<i>California Code of Regulations</i> [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.			Department – Building Official	
SC-GHG-2	Prior to issuance of building permits, the Property Owner/Developer shall be required to demonstrate to the Community Development Department, Building Division that building plans meet the applicable California Green Building Standards (CalGreen) Code (24 CCR 11).	Incorporation of standards on building plans	Prior to the issuance of a building permit	Community and Economic Development Department – Building Official	To be satisfied
Mitigation Measures					
GHA-A	The Applicant shall participate in the latest CALGreen Tier 1 voluntary measures for new residential structures to minimize the building's impact on the environment and promote a more sustainable design. Residential voluntary measures, as described in the Title 24, Part 11, Appendix A4 of the California Building Standards Code, provide measures for planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The City of Fullerton Building Official shall be responsible for verifying that all applicable Tier 1 voluntary measures are implemented.	Incorporation of measures on building plans	Prior to the issuance of a building permit	Community and Economic Development Department – Building Official	To be satisfied
GHG-B	The Applicant shall construct or pay a fair-share contribution towards the City of Fullerton Bicycle Master Plan Proposed Bikeway Improvements, including Class III facilities along Bastanchury Road and Puente Street, in the vicinity of the project site.	Construct facilities or pay fair-share contribution	Prior to the issuance of Certificate of Occupancy	Community and Economic Development Department	To be satisfied
HAZARDS AND HAZARDOUS MATERIALS					
Applicable The Fullerton Plan FEIR Mitigation Measures					
MM HAZ-2	Prior to potential remedial excavation and grading activities, impacted areas shall be cleared of all maintenance equipment and materials (e.g., solvents, grease, waste oil), construction materials, miscellaneous stockpiled debris (e.g., scrap metal, pallets, storage bins, construction parts), above ground storage tanks, surface trash, piping, excess vegetation and other deleterious materials. These materials shall be removed off-site and properly disposed of at an approved disposal facility. Once	Written evidence of described language in construction bids; Evidence of remediation; Monitoring during grading and construction	Prior to remedial excavation, if necessary and/or issuance of a grading permit; Ongoing during grading and	Community and Economic Development Department – Building Official; Fire Department	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<p>removed, a visual inspection of the areas beneath the removed materials shall be performed. Any stained soils observed underneath the removed materials shall be sampled. In the event concentrations of materials are detected above regulatory cleanup levels during demolition or construction activities, the project Applicant shall comply with the following measures in accordance with Federal, State, and local requirements:</p> <ul style="list-style-type: none"> ▪ Excavation and disposal at a permitted, off-site facility; ▪ On-site remediation, if necessary; or ▪ Other measures as deemed appropriate by the City of Fullerton Fire Department. 		construction		
Mitigation Measures					
HAZ-A	Prior to the issuance of grading permits, the Phase I Environmental Site Assessment and Subsurface Assessment recommendation for Oil Well Re-abandonment shall be completed in compliance with California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) requirements. The site development plans shall identify the oil well setback distance consistent with City of Fullerton Building and Safety Codes and verified by DOGGR during the DOGGR Construction Site Plan Review process.	Provide compliance with California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) requirements for oil well re-abandonment and site plan review	Prior to the issuance of a grading permit	Community and Economic Development Department – Building Official; Fire Department	To be satisfied
HAZ-B	Prior to the issuance of grading permits, the recommendation in the Phase I Environmental Site Assessment and Subsurface Assessment for additional methane evaluation shall be conducted. The Applicant shall coordinate with the City of Fullerton to determine if any site-specific methane mitigation requirements, including but not limited well venting and/or methane barrier installation beneath the proposed building structures, are required for the residential buildings. If so, the building plans shall be revised to incorporate the identified methane mitigation requirements.	Conduct additional methane evaluation; Incorporate any mitigation requirements into the building plans; Submit revised building plans to City, if necessary	Prior to the issuance of a grading permit	Community and Economic Development Department – Building Official; Fire Department	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
HAZ-C	During site grading, if any impacted soils are encountered, the work shall be immediately stopped in that area, the impact assessed, and the potential need for remedial action identified by an Environmental Professional as defined in Section 312.10 of 40 Code of Federal Regulations (CFR 312). Any remedial action shall be reviewed and approved by the City of Fullerton Building Division prior to restarting site grading in the impacted soils area.	Site inspections; Prepare Remedial Action Plan, if necessary; Approve Remedial Action Plan, if required	During site grading	Community and Economic Development Department – Building Official; Fire Department	To be satisfied
HAZ-D	Any hazardous contaminated soils or other hazardous materials removed from the project site shall be transported only by a Licensed Hazardous Waste Hauler to approved hazardous materials disposal site, who shall be in compliance with all applicable State and federal requirements, including the U.S. Department of Transportation regulations under 49 CFR (Hazardous Materials Transportation Act), California Department of Transportation (Caltrans) standards, Occupational Safety and Health Administration (OSHA) standards, and under 40 CFR 263 (Subtitle C of Resource Conservation and Recovery Act). The City of Fullerton shall verify that only Licensed Haulers who are operating in compliance with regulatory requirements are used to haul hazardous materials.	Written evidence of described language in construction bids; Monitoring during grading and construction	Prior to issuance of construction permits; Ongoing during grading and construction	Community and Economic Development Department – Building Official; Fire Department	To be satisfied
HYDROLOGY AND WATER QUALITY					
<i>Standard Conditions and Requirements</i>					
SC-HYD-1	The proposed project shall comply with applicable provisions of Fullerton Municipal Code Section 14.01.015, Flood Zone Development.	Review and approval of plans	Prior to the issuance of a grading permit	Community Development Department	To be satisfied
<i>Applicable The Fullerton Plan FEIR Mitigation Measures</i>					
MM HYD-1	Prior to issuance of any Grading or Building Permit, and as part of the future development's compliance with the National Pollutant Discharge Elimination System (NPDES) requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana Regional Water Quality Control Board (RWQCB) providing notification and intent to comply with the State of California General Construction Permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Engineering for water quality construction activities on site. A copy of	Review and approval of plans	Prior to the issuance of a grading permit	Community and Economic Development Department; Public Works Department	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control Best Management Practices (BMPs) to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the SWPPP shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential storm water runoff impacts.				
MM HYD-2	Prior to issuance of any Grading Permit, future development projects shall prepare, to the satisfaction of the Director of Engineering, a Water Quality Management Plan (WQMP), which includes post-construction Best Management Practices (BMPs) that would be implemented as part of the project, in accordance with the Orange County Drainage Area Management Plan (DAMP), the General MS4 Permit (RWQCB Order No. R8-2009-0030, as amended), and the City of Fullerton's Water Quality Ordinance (Chapter 12.18 of the Fullerton Municipal Code). All BMPs of the WQMP shall be implemented during the operation phase. The project applicant shall comply with the BMPs detailed in the WQMP, and other measures as the City deems necessary to mitigate potential water quality impacts.	Review and approval of WQMP; Site inspections	Prior to the issuance of a grading permit; Ongoing during grading, construction, and operations	Public Works Department – City Engineer	To be satisfied
MM HYD-3	Prior to site plan approval, the project owner/developer(s) shall be required to coordinate with the City of Fullerton Engineering Department to determine requirements necessary to mitigate impacts to drainage improvements in order to accommodate storage volumes and flood protection for existing and future runoff. Proposed projects shall implement mitigation measures, if required, to the satisfaction of the City of Fullerton Public Works Director. For any new storm drainage projects/studies that have the potential to impact adjacent jurisdictions' storm drainage systems, the developer shall submit said studies to the applicable jurisdiction for review and approval.	Review and approval of design of flood control and storm drain structures; Compliance with project conditions of approval	Prior to site plan approval	Community and Economic Development Department; Public Works Department	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
LAND USE					
<i>Applicable The Fullerton Plan FEIR Mitigation Measures</i>					
MM HAZ-5	<p>Prior to construction, the Applicant shall prepare a Traffic Control Plan for implementation during the construction phase, as deemed necessary by the City Traffic Engineer. The Plan may include the following provisions, among others:</p> <ul style="list-style-type: none"> ▪ At least one unobstructed lane shall be maintained in both directions on surrounding roadways. ▪ At any time only a single lane is available, the Applicant shall provide a temporary traffic signal, signal carriers (i.e., flag persons), or other appropriate traffic controls to allow travel in both directions. ▪ If construction activities require the complete closure of a roadway segment, the Applicant shall provide appropriate signage indicating detours/alternative routes. 	Submittal and approval of Traffic Control Plan	Prior to issuance of construction permits; Ongoing during grading and construction	Public Works Department – City Traffic Engineer	To be satisfied
MM HAZ-6	The City Community Development Department shall consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of a development results in temporary lane or roadway closures.	Submittal and approval of Traffic Control Plan	Prior to issuance of construction permits; Ongoing during grading and construction	Community and Economic Development Department; Police Department – Traffic Division	To be satisfied
NOISE					
<i>Standard Conditions and Requirements</i>					
SC-N-1	All construction activities should be limited to the hours between 7 a.m. and 8 p.m. Monday through Saturday. Construction shall be prohibited during all other time periods and all day on Sundays and legal holidays. This measure is consistent with the City of Fullerton Noise Ordinance.	Site inspections during grading and construction	During construction; Ongoing during grading and construction	Community and Economic Development Department – Building Inspection	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
<i>Project Design Features</i>					
PDF-N1	The project shall incorporate building construction techniques that achieve the minimum interior noise standard of 45 dBA (Community Noise Equivalent Level (CNEL) for all residential units.	Incorporate as note on building plans; Construction inspection	Prior to the issuance of a building permit	Community and Economic Development Department – Building Official	To be satisfied
PDF-N2	A “windows closed” condition is expected to be required for all residential units within the project site to meet the interior noise standard. To accommodate a windows closed conditions, all units shall be equipped with adequate fresh air ventilation, per the requirements of the California Uniform Building Code (UBC).	Incorporate as note on building plans; Construction inspection	Prior to the issuance of a building permit	Community and Economic Development Department – Building Official	To be satisfied
PDF-N3	The project shall provide upgraded windows and sliding glass doors with STC ratings of ranging from 31 to 33 for first row units facing Bastanchury Road.	Incorporate as note on building plans; Construction inspection	Prior to the issuance of a building permit	Community and Economic Development Department – Building Official	To be satisfied
PDF-N4	<p>The project shall comply with California Title 24 building insulation requirements for exterior walls, roofs and common separating assemblies (e.g. floor/ceiling assemblies and demising walls), which shall be reviewed by the City prior to issuance of a building permit. A final acoustical study may be required to demonstrate compliance with building code standards.</p> <ul style="list-style-type: none"> ▪ Party wall and floor-ceiling assembly designs must provide a minimum STC of 50, based on lab tests. Field tested assemblies must provide a minimum noise isolation class (NIC) of 45. ▪ Floor-ceiling assembly designs must provide for a minimum impact insulation class (IIC) of 50, based on lab tests. Field tested assemblies must provide a minimum FIIC of 45. ▪ Entry doors from interior corridors must provide an STC of 26 or more. 	Incorporate as note on building plans; Construction inspection	Prior to the issuance of a building permit	Community and Economic Development Department – Building Official	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<ul style="list-style-type: none"> Penetrations or openings in sound rated assemblies must be treated to maintain required ratings. Interior noise levels due to exterior sources must not exceed a community noise equivalent level (CNEL) or a day-night level (LDN) of 45 dBA, in any habitable room. 				
PDF-N5	For proper acoustical performance, all exterior windows, doors, and sliding glass doors shall have a positive seal and leaks/cracks must be kept to a minimum.	Incorporate as note on building plans; Construction inspection	Prior to the issuance of a building permit; Homeowner maintenance	Community and Economic Development Department – Building Official	To be satisfied
PDF-N6	Delivery, loading/unloading activity, and trash pick-up hours shall be limited to daytime (7 a.m. – 10 p.m.) hours only.	Include in HOA Covenants, Conditions, and Restrictions (CC&Rs)	Prior to issuance of Certificate of Occupancy	Community and Economic Development Department – Building Official	To be satisfied
PDF-N7	Limit engine idling time for all delivery vehicles and moving trucks to 5 minutes or less.	Include in HOA Covenants, Conditions, and Restrictions (CC&Rs)	Prior to issuance of Certificate of Occupancy	Community and Economic Development Department – Building Official	To be satisfied
<i>Applicable The Fullerton Plan FEIR Mitigation Measures</i>					
MM N-1	Project applicants shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading or building permit (whichever is issued first). The construction BMPs shall include the following:	Evidence of described language in construction bids; Site inspections during grading and construction	Prior to the issuance of a grading permit; Site inspections prior to and during construction	Community and Economic Development Department	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<ul style="list-style-type: none"> Ensure that construction equipment is properly muffled according to industry standards and be in good working condition. Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. Schedule high noise-producing activities between the hours of 7:00 AM and 8:00 PM on any day except Sunday or a City-recognized holiday to minimize disruption on sensitive uses. Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. Use electric air compressors and similar power tools rather than diesel equipment, where feasible. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. 				
MM N-2	Project applicants shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading permit.	Evidence of described language in construction bids; Site inspections during construction	Prior to the issuance of a grading permit; Site inspections during construction	Community and Economic Development Department	To be satisfied
MM N-6	The City shall require mechanical equipment from future development to be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment,	Evidence of described language in construction	Prior to the issuance of a building permit	Community and Economic Development	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.	bids; Site inspections during grading and construction		Department	
Construction Measures					
N-A	<p>A noise barrier shall be provided along the northern property line of the project site to shield sensitive receptors from construction noise. Two options are available to achieve the required noise reduction.</p> <p>Option 1. Install a temporary construction noise barrier noise barrier along the north property line, adjacent to the existing Beechwood Elementary School. The barrier shall be a minimum of 8-feet high and present a solid face insulated with a sound blanket or other soundproofing material and be free of any gaps or opening to prevent noise intrusion.</p> <p>Option 2. Install a permanent 8-foot-high solid noise barrier wall along the north property line, adjacent to the existing Beechwood Elementary School. The permanent noise barrier wall shall be installed at the first phase of construction and prior to performing any excavation or grading activities. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. All gaps (except for weep holes) shall be filled with grout or caulking to avoid flanking. Noise control barrier may be constructed using one, or any combination of the following materials:</p> <ul style="list-style-type: none"> ▪ Concrete Masonry Unit (CMU) block ▪ Stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot ▪ Transparent glass (3/8 inch thick), acrylic, polycarbonate, or other transparent material with sufficient weight per square foot 	Evidence of described language in construction bids; Site inspections during grading and construction	Prior to grading or remediation (whichever occurs first); Site inspections	Community and Economic Development Department; Public Work Department – Engineering Department	To be satisfied
N-B	The Applicant shall implement a monitoring program during construction. The monitoring program shall report the continuous daily construction noise levels along the project site's north property line, adjacent to the school, and east property line, adjacent to the residential homes. Noise monitoring shall be performed at ground	Provide description of monitoring program; Provide weekly report summarizing daily activity;	Prior to and during grading and construction	Community and Economic Development Department –	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	level and behind the noise barrier wall. The monitoring program shall notify construction management personnel when noise levels approach the upper limits of the 8-hour Leq exceedance threshold (80 dBA). Construction activity shall cease prior to noise levels exceeding the 8-hour threshold.	Cease activity if noise levels exceed threshold		Building Official	
N-D	No impact pile driving activities shall be permitted on the project site during construction. If impact pile driving is required, a follow-up noise and vibration impact assessment shall be conducted and vibration monitoring program shall be performed, prior to start of any pile driving activity.	Evidence of described language in construction bids; Site inspections during grading and construction	Prior to the issuance of a building permit	Community and Economic Development Department	To be satisfied
Operational Measures					
N-C	All HVAC units shall at a minimum be partially enclosed behind a noise screening wall and shielded from line of sight of any adjacent property line. The noise screening wall shall be at least as high as the equipment.	Evidence of described language in construction bids; Site inspections during construction	Prior to the issuance of a building permit	Community and Economic Development Department	To be satisfied
PUBLIC SERVICES					
FIRE PROTECTION					
Standard Conditions and Requirements					
SC-PS-1	All development in the City shall comply with the Fullerton Fire Prevention Ordinance (Chapter 13 of the City's Municipal Code), which addresses fire prevention and include the City's Fire Code. All development shall also comply with the City's Building Code (Chapter 14 of the City's Municipal Code), which adopts the California Building Code and other codes related to building construction, in order to prevent the creation of fire hazards in the City.	Evidence of described language in construction bids; Site inspections during construction	Prior to the issuance of a building permit; Site Inspections	Community and Economic Development Department; Fire Department	To be satisfied
POLICE PROTECTION					
Applicable The Fullerton Plan FEIR Mitigation Measures					
Refer to MM HAZ-6 cited under Hazards and Hazardous Materials.					



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
SCHOOLS					
<i>Applicable The Fullerton Plan FEIR Mitigation Measures</i>					
MM SCH-1	Prior to the issuance of building permits, individual project applicants shall submit evidence to the City of Fullerton that legally required school impact mitigation fees have been paid per the mitigation established by the applicable school district.	Evidence of fee payment	Prior to the issuance of a building permit	Community and Economic Development Department	To be satisfied
PARKS/RECREATION					
<i>Standard Conditions and Requirements</i>					
SC-PS-3	In accordance with Chapter 21.12 of the City of Fullerton Municipal Code, prior to the issuance of each building permit, the Applicant shall pay the most current park dwelling fee and/or negotiated park fees to the City. All money collected as fees imposed by Chapter 21.12 shall be deposited in the park dwelling fund and used for the acquisition, development, and improvement of public parks and recreational facilities in the City, as proposed by the City's Five-Year Capital Improvement Program. The Community Development Department shall confirm compliance with this requirement prior to issuance of a building permit.	Evidence of fee payment	Prior to the issuance of a building permit	Community and Economic Development Department	To be satisfied
TRANSPORTATION					
<i>Standard Conditions and Requirements</i>					
The City of Fullerton requires that all residential developments to pay a standard Traffic Impact Fee (TIF) to the Community Development Department based on the City's Fee Schedule. The purpose of this fee is to fund transportation improvements needed as a result of the new development. Revenue generated by the fee is accumulated and reserved until the City finances future transportation facilities, improvements, and/or programs. An additional TIF is required if the development contributes over 10 percent of the overall growth from Existing Conditions to Buildout Conditions. The additional TIF would be the standard TIF rate adjusted to reflect the portion of the development exceeding 10 percent.					
SC-TRF-1	In accordance with Chapter 21.30 of the City of Fullerton Municipal Code, the Project Applicant/Developer shall participate in the implementation of the City's Master Plan of Highways through the payment of Traffic Impact Fees, which shall occur at the	Evidence of fee payment	At the issuance of a building permit	Community and Economic Development	To be satisfied



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	issuance of each building permit to the satisfaction of the City Engineering Department.			Department	
SC-TRF-2	In accordance with Chapter 8.28, Weight Limits, of the City of Fullerton Municipal Code, contractors shall not operate any vehicles (including commercial vehicles) that exceed the weight limit established by the City for individual streets (as posted on signs). Commercial vehicles may use restricted streets for the purpose of delivering or picking up materials or merchandise by entering a restricted use street at its intersection with the unrestricted street nearest to the destination, then proceeding by the most direct route to the destination and traveling directly to the nearest unrestricted street.	Submittal and approval of Traffic Control Plan; Site inspections	Prior to the issuance of a construction permit; Ongoing during grading and construction	Community and Economic Development Department	To be satisfied
SC-TRF-3	In accordance with Chapter 8.30, Truck Routes and Terminals, of the City of Fullerton Municipal Code, construction vehicles exceeding 10,000 pounds shall use designated truck routes to access construction sites. Non-designated truck routes shall be used only as necessary to traverse a street or streets to a destination for the purpose of loading or unloading.	Submittal and approval of Traffic Control Plan; Site inspections	Prior to the issuance of a construction permit; Ongoing during grading and construction	Community and Economic Development Department	To be satisfied
SC-TRF-6	The City requires construction on public rights-of-way to comply with the Standard Specifications for Public Works Construction (Green Book), which contains standards for maintenance of access, traffic control, and notification of emergency personnel. In addition, all lane closures and/or detours shall comply with the Work Area Traffic Control Handbook (WATCH) Manual, which provides guidelines for traffic control in construction work areas on local and county roads.	Evidence of requirements in construction bids and plans; Site inspections during construction	Prior to the issuance of a construction permit; Ongoing during grading and construction	Community and Economic Development Department	To be satisfied
UTILITIES					
SOLID WASTE					
Standard Conditions and Requirements					
SC-US-1	Prior to issuance of a building permit, the Applicant shall submit a Construction and Demolition Project Waste Management - Waste Reduction and Recycling Plan (Plan) to the Community Development Department. The Plan shall be submitted as part of the building permit application packet and shall be accompanied by a fee, as established by resolution of the City Council, which is sufficient to cover the City's	Submittal and approval of Waste Reduction and Recycling Plan; Evidence of requirements in construction	Prior to the issuance of a grading permit	Community and Economic Development Department	To be satisfied



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	<p>costs associated with reviewing and processing the Plan. The Plan shall indicate those materials to be recycled and/or disposed of and such other project information as required by the Compliance Official, including at least all of the following:</p> <ul style="list-style-type: none"> ▪ The estimated volume or weight of the project construction and demolition debris to be generated, listed by each type of materials, ▪ Volume or weight of construction and demolition debris to be reused, salvaged, or recycled listed by each type of material. ▪ The estimated volume or weight of construction and demolition debris that will be sent to a landfill and listed by each type of material. ▪ The facilities or service providers to be used by the Applicant. ▪ The estimated date on which demolition or construction is to commence. 	<p>bids and plans; Site inspections</p>			
SC-US-2	<p>In accordance with Section 42649 of the <i>California Public Resources Code</i> (Chapter 12.8 of Part 3 of Division 30), Mandatory Commercial Recycling Regulation, businesses generating more than four cubic yards of commercial solid wastes per week and multi-family residential dwellings of five units or more are required to implement recycling programs and/or arrange for recycling services.</p>	<p>Evidence of compliance</p>	<p>Prior to the issuance of Certificate of Occupancy</p>	<p>Community and Economic Development Department</p>	<p>To be satisfied</p>
WASTEWATER					
Applicable The Fullerton Plan FEIR Mitigation Measures					
MM WW-1	<p>Prior to issuance of a building permit for any future development project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City of Fullerton for review and approval. Any improvements recommended in the engineering study shall be installed prior to the certificate of occupancy for the development project. For any sewer projects/studies that have the potential to impact adjacent jurisdictions' sewer systems, the developer shall submit said studies to the applicable jurisdiction for review and approval.</p>	<p>Approval of engineering study; Direct observation; Construction and building inspections</p>	<p>Prior to the issuance of a building permit and Prior to the issuance of Certificate of Occupancy</p>	<p>Public Works Department; Community and Economic Development Department – Building Division</p>	<p>To be satisfied</p>



<p style="text-align: center;">MITIGATION MONITORING PROGRAM PROJECT: BRANDYWINE HOMES File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042</p>					
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
MM WW-2	Prior to issuance of a building permit for any future development project, the Project Applicant shall provide evidence that the Orange County Sanitation District (OCSD) has sufficient transmission and treatment plant capacity to accept sewage flows from buildings for which building permits are being requested.	Evidence of capacity from OCSD	Prior to the issuance of a building permit	Public Works Department; Community and Economic Development Department – Building Division	To be satisfied
WILDFIRE					
Standard Conditions and Requirements					
SC-WF-1	Pursuant to Fullerton Municipal Code (FMC) Chapter 13.19, Fire Prevention Standards, the owners and/or developers of property within fire hazard severity zones must comply with the Fullerton Fire Department's Fire Prevention Standard on Fuel Modification Plans and Maintenance (FMC Section 13.19.020), and Fire Prevention Standard on Brush Clearance (FMC Section 13.19.030, Protection Areas).	Submittal and approval of Fuel Modification Plan; Evidence of fuel modification maintenance; Evidence of brush clearance	Prior to the issuance of a grading and/or building permit; Ongoing fuel modification maintenance and brush clearance	Fire Department; Community and Economic Development Department	To be satisfied

