

Agenda Report

Fullerton City Council

MEETING DATE: FEBRUARY 4, 2020

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH A. DOMER, CITY MANAGER

PREPARED BY: MATT FOULKES, COMMUNITY AND ECONOMIC

DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN REVISION, ZONING AMENDMENT,

TENTATIVE TRACT MAP, MAJOR SITE PLAN AND CERTIFICATION OF A MITIGATED NEGATIVE DECLARATION FOR A NEW 33-UNIT RESIDENTIAL DEVELOPMENT AT 751 EAST BASTANCHURY ROAD

SUMMARY

On January 8, 2020, the Planning Commission recommended that the City Council approve a General Plan Revision, Zoning Amendment, Tentative Tract Map, Major Site Plan and Certification of a Mitigated Negative Declaration for a new 33-unit residential development at 751 East Bastanchury Road. Pursuant to the Fullerton Municipal Code, the City Council is the final approval body for requests to amend a property's General Plan designation and zoning classification.

RECOMMENDATION

Adopt the following resolutions:

RESOLUTION NO. 2020-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON. CALIFORNIA. CERTIFYING MITIGATED NEGATIVE DECLARATION. INCLUDING PROJECT DESIGN FEATURES. STANDARD MITIGATION MEASURES, **MITIGATION** CONDITIONS. MONITORING REPORTING PROGRAM AND ANALYSIS 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

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A GENERAL PLAN REVISION TO CHANGE THE COMMUNITY DEVELOPMENT TYPE FROM GREENBELT CONCEPT

TO LOW-MEDIUM DENSITY RESIDENTIAL 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

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ZONING AMENDMENT TO CHANGE THE ZONING CLASSIFICATION FROM O-G (OIL AND GAS) TO PRD-I (PLANNED RESIDENTIAL DEVELOPMENT-INFILL) 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

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ONE-LOT TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES OVER 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

RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A MAJOR SITE PLAN APPLICATION FOR A 33 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT, INCLUDING SITE, ARCHITECTURAL AND LANDSCAPE CONCEPT PLANS, 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

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

Fiscal and Organizational Stability.

FISCAL IMPACT

All City costs associated with the application review, processing, environmental analysis, plan check, permitting and inspections are paid entirely by the applicant. Additionally, the applicant will pay all associated impact fees related to parks, schools, utilities and others as well as bonds related to off-site improvements or mitigation measures identified in the Mitigated Negative Declaration.

DISCUSSION

The proposed project includes development of the 2.4 acre site with 33 residential condominium units. The proposed units are clustered in seven buildings, six of which contain five units each and one containing three units. All buildings will be two stories (maximum 30 feet) in height. The unit mix for the project consists of 7 two-bedroom units and 26 three-bedroom units, ranging in size from 1,123 to 1,536 square feet. Each unit includes an attached two-car garage and private open space in the form of a fenced yard area, covered porch or balcony.

Common areas include open space (approx. 18,000 square feet), vehicular and pedestrian circulation paths / drives, guest parking (33 spaces), private parking (66 garage spaces), gated entrance and trash enclosures. Interior streets, sidewalks and

parking areas will be privately owned and maintained by the Homeowner's Association (HOA). If approved, construction is projected to occur in three phases with anticipated completion in mid-2021.

As proposed, the project requires a General Plan Revision, Zoning Amendment, Tentative Tract Map, Major Site Plan and a Mitigated Negative Declaration.

General Plan Revision

The applicant is requesting a General Plan Revision to change the Community Development Type (land use designation) from Greenbelt Concept to Low-Medium Density Residential (6.1-15 units per acre). The Greenbelt Concept designation is commonly utilized for large tracts of land, primarily in the East and West Coyote Hills areas and is reflective of the properties prior use as an oil / gas site. The proposed Low-Medium Density designation is appropriate given the properties frontage on Bastanchury Road, which provides the only means of ingress and egress to the site. Bastanchury Road is classified as a major arterial roadway in the General Plan and in many other areas of the City, a property of this size fronting on a major arterial roadway would be used for higher density housing. However, due to the adjacency of the site to singlefamily homes located within the President Homes neighborhood, the applicant elected to pursue a more compatible Low-Medium density designation. The proposed development density is better aligned with State and local housing goals that emphasize the need for increased housing production to accommodate existing and future housing needs and to provide housing in a variety of sizes and types to meet the needs of all segments of the community.

Zoning Amendment

The property is currently zoned O-G (Oil / Gas) reflecting its historic ownership by Unocal and its prior use for oil exploration and production. This project requests to rezone the property to PRD-I (Planned Residential Development-Infill). The PRD-I classification is intended for use on vacant or underutilized sites less than 40 acres in size, located within or near existing residential neighborhoods. In the PRD-I zone, standards are based on the type of street on which the site is located and the type of housing proposed. The proposed development meets, and in the case of common open space, private open space and setback, exceeds the minimum standards contained in the PRD-I zone for the selected building and frontage types.

Tentative Tract Map

The proposed map is for a one-lot subdivision for condominium purposes. The HOA will own and maintain common facilities onsite, such as open space, private streets, guest parking areas, walkways, street lights, etc., while individual condominium units will be under private ownership. Four easements are indicated on the Tentative Tract Map, including:

- Public emergency access easement over all private driveways
- · Easement for sanitary sewer running on the east side of the property
- Public water easement for water facilities at the front of the tract near the access drive

 Access and landscape maintenance easement on the south facing slope located along the north side of the tract.

This slope area is owned by the Fullerton School District. The project applicant has negotiated an easement which will allow grading and landscaping of the slope, with a future HOA responsible for ongoing maintenance. The slope is not visible from the school property and is currently not planted or irrigated. Conversely, the slope is highly visible from within the tract and therefore slope plantings and maintenance would benefit future residents.

Major Site Plan

A Major Site Plan is required to review site design, circulation and parking, grading, buffering, architectural design and landscaping pursuant to the design criteria contained in Fullerton Municipal Code Section 15.47.060. As proposed, the project complies with all applicable design criteria in FMC 15.47.060 and a more detailed discussion and analysis of the project's compliance is provided in the Planning Commission Staff Report and Resolutions (Attachment 7).

Environmental Review

A Mitigated Negative Declaration was prepared to evaluate the potential environmental effects of the project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines. The Mitigated Negative Declaration finds that the project will have a less than significant impact on the environment, with the implementation of project design features, standard conditions of approval and mitigation measures. A Mitigation Monitoring and Reporting Program (MMRP) has also been prepared to document implementation of mitigation measures. A Notice of Determination will be filed for this project.

Planning Commission Action

The Planning Commission considered the proposed development project at its meeting on January 8, 2020. Following a presentation by staff, public testimony and consideration by the Planning Commission, the Commission voted 4 - 1 (Commissioner Shanfield opposed) to recommend approval of the requested entitlements to the City Council. As part of the motion to approve the item, the Commission amended / added the following conditions of approval, also reflected in the City Council resolutions:

- Engineering Letter Condition No. 1 under UTILITIES was amended to remove the requirement to underground the electrical lines on Bastanchury Road. All other overhead services (telecommunication lines) on Bastanchury Road shall be undergrounded.
- 2. Prior to permit issuance, the developer shall submit a striping plan for a right turn pocket adjacent to the outer lane of westbound Bastanchury Road for review and approval by the City Traffic Engineer. It is understood that this turn pocket will be removed, when Bastanchury Road is restriped to its ultimate lane configuration of three lanes in each direction.

Attachments:

- Attachment 1 PowerPoint Presentation
- Attachment 2 Draft Resolution No. 2020-XX (Mitigated Negative Declaration)
- Attachment 3 Draft Resolution No. 2020-XX (General Plan Revision)
- Attachment 4 Draft Resolution No. 2020-XX (Zoning Amendment)
- Attachment 5 Draft Resolution No. 2020-XX (Tentative Tract Map)
- Attachment 6 Draft Resolution No. 2020-XX (Major Site Plan)
- Attachment 7 Planning Commission Staff Report and Exhibits
- Attachment 8 Mitigated Negative Declaration
- Attachment 9 Plans: Site Plan, Floor Plan and Elevations, Landscape Concept, Tentative Tract Map
- Attachment 10 Draft January 8, 2020 Planning Commission Minutes

RESOLUTION NO. 2020-11

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

Resolution No. 2020-11 Page 2

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

Exhibit A: Mitigation Monitoring and Reporting Program



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
AESTHETIC	cs				
Project Des	sign Features				
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 QUALI	тү				
Air Quality/	Greenhouse Gas Emissions Construction Design Features				
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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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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
Air Quality/	Greenhouse Gas Emissions Operational Design Features				
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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
Constructio	on Measures				
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:	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
	 All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust; 				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		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	State atten such perm	ucks that are to haul excavated or graded material on-site shall comply with a Vehicle Code Section 23114 (Spilling Loads on Highways), with special stion to Sections 23114(b)(F), (e)(4) as amended, regarding the prevention of material spilling onto public streets and roads. Prior to the issuance of grading hits, the Applicant shall demonstrate to the City of Fullerton how the Project ations 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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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	provisions set forth in Sections 23114(b)(F), (e)(4).				
MM AQ-3	The following measures shall be implemented to the extent feasible to reduce VOC emissions resulting from application of architectural coatings:	Include materials and paints to be used on the building	Prior to the issuance of a building permit;	Community and Economic	To be satisfied
	 Contractors shall use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; 	plans; Site inspections	Ongoing during construction	Development Department –	
	 Use required coatings and solvents with a VOC content lower than required under Rule 1113; 			Building Official	
	Construct/build with materials that do not require painting; and				
	 Use pre-painted construction materials. 				
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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
Operationa	l 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: 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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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
BIOLOGICA	AL RESOURCES				
Standard C	onditions 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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		elopment so the Director of Development Services can determine the tree uirements for site development. The plot plan shall:				
	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.				
CULTURA	L AND	TRIBAL CULTURAL RESOURCES				
Mitigation	Measur	res				
CUL-1	with	archaeological monitor shall be present to observe ground disturbing activities in the project site on a part-time basis. The monitor shall work under the direct ervision of a qualified archaeologist (M.A., R.P.A. in anthropology or naeology).	Site inspections	During site ground disturbance activities	Community and Economic Development Department	To be satisfied
	•	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.				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching, within the project site.				
	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	Professional Standards for Monitors	Evidence of certification	Prior to site ground	During site ground	To be satisfied
	The Native American Monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification.		disturbance activities	disturbance activities	
CUL-5	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.	Site inspections	During site ground disturbance activities	Community and Economic Development	To be satisfied
	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.			Department	
	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				



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	and/or landowner to develop a formal Treatment Plan that would serve to reduce impacts to the resources.				
	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	Unanticipated Discovery of Human Remains and Associated Funerary Objects	Site inspections	During site ground	Community and	To be satisfied
	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.		disturbance activities	Economic Development Department	
	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				



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NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		discovery is to be kept confidential and secure to prevent any further disturbance.				
	•	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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NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		Construction on-site shall be halted until the Treatment Plan is prepared. Once complete, a final report of all activities shall to 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 S	OILS				
Standard C	onditio	ns and Requirements			4	
SC-GEO-1	Calif appl forth	project is required to conform to the seismic design parameters of the 2016 fornia Building Code and the 2016 California Green Building Standards Code (or icable adopted code at the time of plan submittal or permit issuance), as set in Title 14 of the City of Fullerton's Municipal Code at the time the grading plans 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



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
Mitigation	Measures				
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	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).	Site inspections	Before and during site ground disturbing activities	Community and Economic Development Department	To be satisfied
	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.				



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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.				
	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.				
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
	USE GASES				
Standard C	onditions 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



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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 N	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 A	AND HAZARDOUS MATERIALS				
Applicable 1	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



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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:		construction		
	 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. 				
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 reabandonment 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



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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
HYDROLOG	GY AND WATER QUALITY				
Standard C	onditions and Requirements				
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
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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



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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					
Applicable 1	The Fullerton Plan FEIR Mitigation Measures				
MM HAZ-5	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: At least one unobstructed lane shall be maintained in both directions on surrounding roadways.	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
	 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.				
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					
Standard Co	onditions and Requirements				
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



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
Project De	sign Features				
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	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.	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
	 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. 				



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	 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
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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



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NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	Ensure that construction equipment is properly muffled according to industry standards and be in good working condition.				
* 4	 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. 		1		
	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	
Constructio	on Measures				
N-A	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.	language in construction bids; Site inspections during	Prior to grading or remediation (whichever occurs	Community and Economic Development	To be satisfied
	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.		first); Site inspections Department; Public Work Department – Engineering Department		
	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:				
	■ 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 				
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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
Operationa	al 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 SE	ERVICES				
FIRE PROT	FECTION				
Standard C	Conditions and Requirements	A			
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.	language in construction bids; Site inspections during	Prior to the issuance of a building permit; Site Inspections	Community and Economic Development Department; Fire Department	To be satisfied
POLICE PR	ROTECTION				
Applicable	The Fullerton Plan FEIR Mitigation Measures				
Refer to MM	M HAZ-6 cited under Hazards and Hazardous Materials.				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

				The modern co	VIFORM
NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
SCHOOLS					
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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/RE	CREATION				
Standard C	onditions and Requirements				
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
TRANSPOR	RTATION				
Standard C	onditions and Requirements				
purpose of the transportation	Fullerton requires that all residential developments to pay a standard Traffic Impact Fee (his fee is to fund transportation improvements needed as a result of the new development on facilities, improvements, and/or programs. An additional TIF is required if the development The additional TIF would be the standard TIF rate adjusted to reflect the portion of the de	t. Revenue generated by the nent contributes over 10 percent.	e fee is accumulated and cent of the overall growt	d reserved until the C	ity finances futur
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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 WAS	STE				
Standard C	onditions 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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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:	bids and plans; Site inspections			
	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.		8		
	The estimated date on which demolition or construction is to commence.				
SC-US-2	In accordance with Section 42649 of the California Public Resources Code (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.	Evidence of compliance	Prior to the issuance of Certificate of Occupancy	Community and Economic Development Department	To be satisfied
WASTEWA	TER				
Applicable	The Fullerton Plan FEIR Mitigation Measures				
MM WW-1	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.	Approval of engineering study; Direct observation; Construction and building inspections	Prior to the issuance of a building permit and Prior to the issuance of Certificate of Occupancy	Public Works Department; Community and Economic Development Department – Building Division	To be satisfied



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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		- cation			7
Standard C	onditions 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

City of Fullerton

RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 2020-11

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five and that the above and foregoing Resolution No. 2020-11 was adopted at the February 4, 2020 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES: Fitzgerald, Flory, Silva, Zahra

COUNCIL MEMBER NOES: Whitaker

COUNCIL MEMBER ABSTAINED: None

COUNCIL MEMBER ABSENT: None

Lucinda Williams, City Clerk

RESOLUTION NO. 2020-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A GENERAL PLAN REVISION TO CHANGE THE COMMUNITY DEVELOPMENT TYPE FROM GREENBELT CONCEPT TO LOW-MEDIUM DENSITY RESIDENTIAL (6.1-15 UNITS/ACRE) 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

APPLICANT: BRANDYWINE HOMES PROPERTY OWNER: FULLERTON PUBLIC LIBRARY FOUNDATION

RECITALS

WHEREAS, an application was filed with the City of Fullerton Community and Economic Development Department for a General Plan Revision to change the Community Development Type from Greenbelt Concept to Low-Medium Density Residential (6.1-15 units per acre) for a 2.4 acre site in conjunction with an application for 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 Council of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code, held a duly noticed public hearing for PRJ19-00087 / LRP19-00001; and

WHEREAS, the City prepared a Mitigated Negative Declaration pursuant to Sections 15070-15073 of the California Environmental Quality Act (CEQA) Guidelines. The Mitigated Negative Declaration concludes that with the implementation of project design features, standard conditions and mitigation measures, the project will not have a significant impact on the environment. The City Council has considered the Mitigated Negative Declaration prior to taking action on this project; and

WHEREAS, the proposed Low-Medium Density designation is appropriate for a site with over 400 feet of frontage along a major arterial roadway with no vehicular connections to adjacent neighborhoods; and

WHEREAS, the proposed Low-Medium Density better aligned with State and local housing goals that emphasize the need for increased housing production to accommodate existing and future housing needs and providing a variety of housing sizes and types to meet the needs of all segments of the community.

RESOLUTION

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

- 1. In all respects as set forth in the Recitals of the Resolution.
- 2. The City Council, pursuant to Fullerton Municipal Code §15.72, finds as follows:

General Plan Revision:

Finding: That the project is consistent with the following General Plan goals and policies:

P1.11 Compatibility of Design and Uses. Support projects, programs, policies and regulations to consider the immediate and surrounding contexts of projects to promote positive design relationships and use compatibility with adjacent built environments and land uses, including the public realm.

The project incorporates many design elements and building materials found in the surrounding area. It also is consistent with side and rear setback requirements and building height standards applicable to the adjacent single family residential zone.

Goal 3: A supply of safe housing ranging in cost and type to meet the needs of all segments of the community

The project adds 33 residential units to the City's housing supply; the unit square footage and bedroom count is conducive to a price point which will be achievable for entry-level home ownership.

Policy 3.1: Provision of Adequate Sites for Housing Development

The General Plan designation for the site is residential, and the requested General Plan Revision and Zoning Amendment will allow for housing at the proposed density of 14 units per acre. The project is also aligned with local and state goals to increase the production of new housing to accommodate existing housing needs.

THEREFORE, the City Council of the City of Fullerton does hereby APPROVE LRP19-00001, to change the Community Development Type of a 2.4 acre property located at 751 East Bastanchury Road from Greenbelt Concept to Low-Medium Density Residential (6.1-15 units/acre).

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

Jennifer Fitzgerald, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date

City of Fullerton

RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 2020-12

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five and that the above and foregoing Resolution No. 2020-12 was adopted at the February 4, 2020 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES: Fitzgerald, Flory, Silva, Zahra

COUNCIL MEMBER NOES: Whitaker

COUNCIL MEMBER ABSTAINED: None

COUNCIL MEMBER ABSENT: None

Lucinda Williams, City Clerk

RESOLUTION NO. 2020-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ZONING AMENDMENT TO CHANGE THE ZONING CLASSIFICATION FROM O-G (OIL AND GAS) TO PRD-I (PLANNED RESIDENTIAL DEVELOPMENT-INFILL) 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 - LRP19-00002

APPLICANT: BRANDYWINE HOMES PROPERTY OWNER: FULLERTON PUBLIC LIBRARY FOUNDATION

RECITALS:

WHEREAS, an application was filed with the City of Fullerton Community and Economic Development Department to change the zoning classification of a 2.4 acre parcel located at 751 East Bastanchury Road from O-G (Oil and Gas) to PRD-I (Planned Residential Development-Infill) in conjunction with an application for 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 Council of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code, held a duly noticed public hearing for PRJ19-00087/LRP19-00002; and

WHEREAS, the City prepared a Mitigated Negative Declaration pursuant to Sections 15070-15073 of the California Environmental Quality Act (CEQA) Guidelines. The Mitigated Negative Declaration concludes that with the implementation of project design features, standard conditions and mitigation measures, the project will not have a significant impact on the environment. The City Council has considered the Mitigated Negative Declaration prior to taking action on this project; and

WHEREAS, the property's current zoning designation of O-G (Oil/Gas) reflects its historic ownership by Unocal and its prior use for oil exploration and production although the single well location on the property was plugged and capped in 1994; and

WHEREAS, the proposed zoning designation of Planned Residential Development, Infill (PRD-I) is intended for use on vacant or underutilized sites less than 40 acres in size, located within or near existing residential neighborhoods; and

WHEREAS, the proposed development complies with all of the development standards contained in the PRD-I zoning classification, and exceeds the minimum common open space requirement in this zone by over 2,000 square feet; and

WHEREAS, the proposed PRD-I zoning classification is consistent with the proposed Low-Medium Density General Plan land use designation being requested for this site.

RESOLUTION

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

- 1. In all respects as set forth in the Recitals of the Resolution.
- 2. The City Council, pursuant to Fullerton Municipal Code §15.72, finds as follows:

<u>Finding</u>: That the amendment is consistent with the objectives of the Zoning Ordinance and General Plan.

<u>Fact</u>: The proposed General Plan Community Development Type is Low-Medium Density Residential and the proposed zoning classification is PRD-I (Planned Residential Development-Infill). Table 14 of The Fullerton Plan identifies that these General Plan and zoning designations are consistent.

<u>Fact</u>: The PRD-I zone was created for infill sites less than 40 acres in size, to facilitate development compatible with its surroundings. The proposed site development meets this objective.

THEREFORE, the City Council of the City of Fullerton does hereby APPROVE LRP19-00002, to change the zoning classification of a 2.4 acre property located at 751 East Bastanchury Road from O-G (Oil and Gas) to PRD-I (Planned Residential Development-Infill).

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

Jennifer Fitzgerald, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date

City of Fullerton

RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 2020-13

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five and that the above and foregoing Resolution No. 2020-13 was adopted at the February 4, 2020 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES: Fitzgerald, Flory, Silva, Zahra

COUNCIL MEMBER NOES: Whitaker

COUNCIL MEMBER ABSTAINED: None

COUNCIL MEMBER ABSENT: None

Lucinda Williams, City Clerk

RESOLUTION NO. 2020-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A ONE-LOT TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES OVER 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 - SUB19-00001 (TTM 19008)

APPLICANT: BRANDYWINE HOMES PROPERTY OWNER: FULLERTON PUBLIC LIBRARY FOUNDATION

RECITALS

WHEREAS, an application was filed with the City of Fullerton Community and Economic Development Department for a one-lot Tentative Tract Map for condominium purposes for a 2.4 acre parcel located at 751 East Bastanchury Road, more specifically described as:

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

WHEREAS, the Tentative Tract Map for condominium purposes facilitates the individual sale of each unit as a residential condominium; and

WHEREAS, the Planning Commission of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code, held a duly noticed public hearing for PRJ19-00087 – TTM-19008; and

WHEREAS, FMC Section 16.02.030 authorizes the City Council to act on a Tentative Tract Map; and

WHEREAS, the City prepared a Mitigated Negative Declaration pursuant to Sections 15070-15073 of the California Environmental Quality Act (CEQA) Guidelines. The Mitigated Negative Declaration concludes that with the implementation of project design features, standard conditions and mitigation measures, the project will not have a significant impact on the environment. The City Council has considered the Mitigated Negative Declaration prior to taking action on this project; and

WHEREAS, the City Council has considered the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program and comments received during the public review process prior to approving Tentative Tract Map application SUB19-00001 (TTM19008).

RESOLUTION

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

- 1. In all respects as set forth in the Recitals of the Resolution.
- 2. The City Council, pursuant to FMC Section 16.02.030 finds as follows:

<u>Finding:</u> Each tentative tract map filed shall be examined by the City Engineer and Director of Community and Economic Development for its correctness and compliance with City ordinances and policies.

<u>Fact:</u> That Tentative Tract Map No. TTM-19008 meets the requirements of Title 16 of the Fullerton Municipal Code and the State of California Subdivision Map Act. The City Engineer and Director of Community and Economic Development have reviewed the proposed map in relation to the provisions of Title 16 of the Fullerton Municipal Code and the Subdivision Map Act and have found the map to be in conformance with these regulations.

<u>Finding:</u> That the subdivision, along with its improvement and design, conforms to The Fullerton Plan, as follows:

<u>Fact</u>: The proposed tentative tract map is a one lot subdivision for condominium purposes.

<u>Fact:</u> The map includes easements for utilities and public facilities as necessary for future residents.

<u>Fact:</u> The proposed subdivision creates individual for-sale residential townhome units on property zoned for multiple family residential development, in furtherance of Goal 3 and Policy Action 3.4 of The Fullerton Plan that support the provision of a range of housing options to serve all segments of the community.

THEREFORE, the City Council of the City of Fullerton does hereby APPROVE said Tentative Tract Map TTM-19008, subject to the following conditions of approval:

- The project shall be developed and maintained in substantial conformance with TTM-19008 as follows, except to the extent that the plans or designs are modified during the approval process or by the conditions herein.
 - a. Gated 2.4 acre residential community with homeowner association, private streets and private onsite water and sewer systems.
 - b. 33 two-story residential condominium units.
 - c. Approximately 18,000 square feet of usable common open space, including approximately 4,000 square feet within a permanent easement on Fullerton School District property, directly adjacent to and integrated with the project site.
- The Tentative Tract map shall be in subject to all provisions of the Public Works Engineering Department letter dated January 8, 2020 (Exhibit A) except as amended by the Planning Commission as it relates to undergrounding requirements for electrical lines along Bastanchury Road.
- The Tentative Tract map shall be subject to implementation of the Mitigation Monitoring and Reporting Program (Exhibit B), and also to the project design features and standard conditions identified in the Mitigated Negative Declaration.

- 4. Project implementation shall be consistent and comply with all conditions of approval in Resolution PC-2020-07 for the concurrent Major Site Plan application.
- 5. Prior to the recordation of the Tract Map, the applicant shall provide draft Covenants, Conditions, and Restrictions (CC&Rs) and any corresponding Agreements to the Directors of Community and Economic Development and Public Works Departments for review and approval. The CC&Rs shall address ongoing maintenance for facilities including, but not limited to buildings, common circulation, parking and landscape areas, utilities, water quality BMPs to the satisfaction of the City.
- 6. The applicant shall agree to indemnify, hold harmless, and defend the City of Fullerton, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this tentative parcel map.

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

Jennifer Fitzgerald, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date

Exhibit A - Public Works - Engineering Department Letter dated January 8, 2020

Exhibit B - Mitigation Monitoring and Reporting Program

Exhibit C - Tentative Tract Map TTM 19008



PUBLIC WORKS - ENGINEERING DEPARTMENT

303 West Commonwealth Avenue, Fullerton, California 92832-1775

Telephone * 714.738.6845 Fax * 714.738.3115 Website * www.cityoffullerton.com

Item No. 3 January 8, 2019 Revised

Honorable Planning Commission City Hall City of Fullerton

Subject: PRJ19-00087

TTM 19008

751 East Bastanchury Road

The proposed Major Site Plan is located on the north side of East Bastanchury Road, approximately 150 feet west of Puente Street. The proposed project is surrounded by Beechwood School on the north, single family homes on the east, Bastanchury Road with the Morningside Residential community on the south side of Bastanchury Road, and Loma Vista Memorial Park on the west.

The existing site is undeveloped and is covered with grass and weeds.

The application includes Tentative Tract Map (TTM) 19008 that proposes a one-lot subdivision for residential condominium purposes. The Final Map will provide for 33 residential condominium units and common areas including private drives.

The Major Site Plan including TTM 19008, has been reviewed by the Engineering staff. If approved, the approval shall be contingent upon compliance with the conditions included in this report.

TENTATIVE TRACT MAP

- Existing public and private easements shall be shown on the tract map and shall not be affected by the proposed development. Any modification to an existing public and/or private easement shall be coordinated and approved by applicable easement owners.
- An easement for police patrol, emergency vehicle access, fire protection, and refuse collection shall be dedicated to the City of Fullerton over on-site vehicular circulation system.

- The existing 20-foot wide public sewer easement located along the easterly property line shall be abandoned on the map due to the fact that the existing 10inch sewer main is located outside of said easement.
- 4. A new 20-foot wide sewer easement shall be dedicated to the City of Fullerton on the final map. The easement shall be configured as needed to accommodate the existing sewer main in the middle of the easement.
- Southern California Edison (SCE) overhead facilities are located on project site immediately west of the easterly property line; however, there is no record for SCE easement or public utility easement dedicated for these facilities. The applicant shall address this matter with SCE prior to recordation of final map.
- 6. The applicant shall obtain an easement or execute the encroachment agreement with Beechwood School for all hardscape and landscape improvements, including grading, landscaping, drainage, and pedestrian walkway, located on the school property and outside of the map limits.
- 7. The final map shall be recorded with the Orange County Recorder's Office prior to issuance of building permits.

PROJECT FRONTAGE IMPROVEMENTS

- 1. The project has approximately 430-foot frontage along East Bastanchury Road.
- All existing damaged/uplifted concrete sidewalk and curb and gutter shall be removed and replaced with the new concrete curb and gutter and sidewalk in accordance with City of Fullerton Standards Nos. 120 and 122.
- Access to the project is proposed via a new right-in/right-out driveway. Easterly side of the driveway shall have a minimum 27-foot radius to accommodate westbound right turning vehicles at higher speed. The driveway configuration shall be reviewed and approved by the City Traffic Engineer.
- 4. Existing driveway at the east side of the property shall be removed and replaced with full height curb and gutter, and sidewalk.
- 5. After completion of on-site construction operations and installation of all wet and dry utility connections, the developer shall rehabilitate asphalt concrete (AC) pavement by removing and replacement of a minimum 3 inch of AC pavement over the entire width of the street along project's frontage.
- 6. The developer shall repair the damaged portion of the median, including landscaping and irrigation, that exists along project's frontage.
- 7. Traffic Study dated November 25, 2019, evaluated three intersections for the adequacy of site distance for U-turn movements that will have to be utilized by the proposed development. It was determined that signalized intersection of Puente Street and East Bastanchury Road and unsignalized intersection of

Amberleaf Street and East Bastanchury Road have adequate sight distance for U-turn circulation. Third studied intersection, signalized intersection of Fairway Isles Drive – Silver Pine Street/East Bastanchury Road, does not have adequate sight distance for U-Turn movements. Therefore, the developer shall install "No U-Turn" sign(s) at the subject intersection at locations approved by the City Traffic Engineer.

8. The developer shall install a new street light with a new service panel as a replacement for the existing light attached to the power pole. The proposed street light luminaire shall have a City-approved LED luminaire. The LED lighting shall produce lighting photometric similar to the existing or better. Location of new street light shall be determined by a Photometric Study and/or as approved by the Public Works Director

UTILITIES

1. According to Section 16.05.060 of Fullerton Municipal Code, the project is subject to the requirement for undergrounding of all proposed and existing utilities that provide direct service to the subject property, including electric and all telecommunication systems, and undergrounding of all existing overhead facilities (except electrical transmission lines) located on East Bastanchury Road along project's frontage.

DRAINAGE

- 1. Site development pursuant to this tract map shall not result in the increase of storm water run-off and flow intensity to the adjacent properties nor obstruct storm water flow into the site. The size and alignment of on-site drainage facilities shall be based upon detailed hydrology and hydraulic calculations prepared by a California Registered Engineer and shall be approved by the City Engineer.
- The project site currently accepts off-site storm drainage from Beechwood School site. The project proposes to contain this drainage in a pass-through private storm drain system that, along with the proposed on-site storm drain system, will outlet into the public 36-inch Corrugated Metal Pipe (CMP) located on East Bastanchury Road.
- 3. The developer conducted a video inspection of the CMP, which identified some damage in the segment of the pipe located between the proposed connection and the existing junction structure located at the southerly street right-of-way. The developer shall rehabilitate this segment of the CMP by lining the pipe with a cured-in-place liner.
- 4. The existing junction structure at the point of connection of the on-site storm system to the 36-inch CMP shall be removed and reconstructed with a new junction structure with manhole per City Standards.

- The developer shall submit a Water Quality Management Plan (WQMP) for review and approval of the City Engineer prior to the issuance of grading permit. Engineering reviewed the Preliminary WQMP dated September, 2019 and found it acceptable.
- Best Management Practices (BMPs) storm water treatment facilities shall be shown on the grading plan and shall be designed in accordance with the Cityapproved WQMP.
- 7. Grading plan shall be reviewed and approved, and a grading permit shall be issued prior to issuance of building permits.
- 8. Site grading shall adhere to the approved grading plan. Any deviations from the approved grading plan will require a submittal of grading plan revision for the City Engineer's review and approval.
- In addition to all retaining walls, any above-ground construction, regardless of its height, that may alter the existing storm water flow pattern shall be shown on the grading plan.
- 10. The project is over an acre and will require a Storm Water Pollution Prevention Plan (SWPPP). The developer shall comply with state regulations pertaining to SWPPP preparation, reporting, facilitation, and maintenance during construction operations.
- 11.On-site storm drain system including the extension on the school property shall be privately owned and maintained.

WATER

- On-site water system that is exclusively serving the proposed development shall be privately owned and maintained and shall be designed in accordance with California Plumbing Code and Fire Department requirements.
- 2. Master meter(s) fore fire, domestic, and irrigation services with backflow devices shall be installed immediately behind the street right-of-way line within the water easement dedicated on the final map.
- 3. The developer shall submit a hydraulic analysis for the proposed on-site water system to ensure that it is able to support the demand of the proposed development. The analysis shall include pipeline velocities during maximum hour demand and the minimum water pressure at each lot. The developer shall also provide hydraulic calculations to properly size the new meters. All proposed and existing hydrants must meet Fire Department minimum required flow (City of Fullerton's Water Rates, Rules, and Regulations, Rule 15.A and 15.B).

- 4. The project shall install one public fire hydrant located near the drive entrance and one private fire hydrant located within the tract per Fire Department's requirement.
- 5. Front footage fees will be applied to this development for 10" main located on Bastanchury Road per the City of Fullerton Water Rates, Rules and Regulations (Rule 15.C.1).

SEWER

- The project proposes to connect on-site sewer system to the existing City-owned 10-inch sewer main located on-site. The proposed connection shall be installed in accordance with City's standards. The existing sewer main shall be located within the newly dedicated sewer easement.
- 2. On-site sewer system, including the connection to the City-owned sewer main, shall be privately owned and maintained.

GENERAL

- All work in the public right of way shall be constructed in accordance with the Standard Plans and Standard Specifications for Public Works Construction, latest edition. This includes supplements thereto and City of Fullerton Standard Drawings.
- Before undertaking any grading or construction work of any type within the public right of way, the owner must first obtain the applicable permits from the Public Works Department.
- During site improvement, all trucking operations and deliveries to the project site that are overweight or oversize will require a transportation permits from the Public Works Department.
- 4. Trucking operations shall be coordinated in a manner as not to impact City's streets. Any temporary street occupancy will require a City Engineer's authorization, and if approved, a temporary occupancy permit from the Public Works Department.
- 5. The project shall utilize the City's benchmarks. A list of the City's benchmarks is available on the City of Fullerton website.
- Subdivision and Topographic Mapping shall be in the new horizontal datum NAD83 (2011) Epoch 2017.50.
- 7. The developer shall provide and maintain all necessary flag persons, barricades, delineators, signs, flashers, and any other safety equipment as set forth in the latest publication of the State of California, Manual of Traffic Control, or as

- required by the Public Works Department permit requirements to ensure safe passage of pedestrian and vehicular traffic.
- 8. Street trenches required for the installation of utility connections shall comply with City of Fullerton Standard No. 312.
- 9. Any controlling survey monumentation (property lines, tract lines, street centerline, etc.) which are at risk of being destroyed or disturbed during the course of this project must be preserved in accordance with Section 8771(b) of the California Business and Professions Code (Professional Land Surveyors Act). Pre-construction field ties, along with the preparation and filing of the required Corner Records or Record of Survey with the County of Orange, shall be accomplished by, or under the direction of, a licensed surveyor or civil engineer authorized to practice land surveying. Copies of said records shall be furnished to the City Engineer for review and approval prior to issuance of any onsite or offsite construction permits. Any monuments disturbed or destroyed by this project must be reset and post-construction Corner Records or Record of Survey filed with the County of Orange. A copy of recorded documents shall be submitted to the City Engineer for review and approval prior to issuance of any permits within the public right of way.
- 10. A final map shall be prepared in accordance with the Subdivision Map Act and submitted to the City of Fullerton and Orange County Surveyor's Office for review and comment. The final map shall be prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying in the State of California, and shall be recorded with the County of Orange Recorder's Office. Two copies of the recorded Map and a digital copy (identical to that required by the County Surveyor) are to be submitted to the Public Works Department.
- 11.A checklist for the first submittal of the final map is available on the City's website.

PERMITS, BONDS AND CASH

- Prior to issuance of building permits, all public improvements shall be guaranteed
 to be installed by the execution of a Subdivision Agreement secured by sufficient
 bonds or sureties for both Faithful Performance and Labor and Materials, as
 required by the State Subdivision Map Act and in a form approved by the City
 Attorney.
- 2. In addition, all cash fees and deposits shall be collected by the City prior to the recordation of the final map.
- 3. All of the public improvements, studies, designs, plans, calculations and other requirements shall be installed, provided and supplied by the developer in accordance with City and State codes, policies and requirements at no cost to the City. All work shall comply with City standards and specifications and with the City of Fullerton Municipal Codes.

- The final map shall be recorded with the Orange County Recorder's office within two years from the date of the Planning Commission resolution.
- 5. Public Works Department expenses, including project management, plan check, inspection, review, processing, and recordation of the Final Map will be charged against the reimbursable account created for the project. The initial \$10,000 shall be deposited with the Public Works Department concurrently with the first review submittal of the Final Map and/or public improvement plans. Any amount remaining in the account after completion of the project will be refunded to the project. If the amount deposited is insufficient to complete the project review and inspection process, additional deposit(s) will be required as necessary to finalize the project.

COVENANTS, CONDITIONS AND RESTRICTIONS

- The Home Owner's Association shall be responsible for the maintenance of on-site storm drain, storm water quality/BMPs facilities, water, sewer, street lighting, hardscape improvements, landscaping, and irrigation within this development.
- 2. The documents, covenants, conditions, restrictions, and by-laws (CC&Rs) of the Home Owner's Association shall be submitted to the Directors of Community Development and Public Works Departments for review and approval prior to the recordation of the Final Map.

ENGINEERING FINDINGS

A finding is hereby made that the design of the subdivision and the type of improvements proposed will not conflict with easements of record or those established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision; or if such easements exist, alternate easements for access or for use will be provided and that these easements will be substantially equivalent to ones previously acquired by the public.

Yelena Voronel, P.E., MPA

City Engineer/Assistant PW Director

YV:scm

c: Meg McWade, Public Works Director

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

<u>Section 4.0</u> 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.



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
AESTHETIC	es				
Project Des	sign Features				
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 QUALIT	ΤΥ				
Air Quality/	Greenhouse Gas Emissions Construction Design Features				
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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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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
Air Quality/	Greenhouse Gas Emissions Operational Design Features				
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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
Constructio	on Measures				
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:	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
	 All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust; 				

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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	•	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	State atten such perm	ucks that are to haul excavated or graded material on-site shall comply with a Vehicle Code Section 23114 (Spilling Loads on Highways), with special action to Sections 23114(b)(F), (e)(4) as amended, regarding the prevention of material spilling onto public streets and roads. Prior to the issuance of grading nits, the Applicant shall demonstrate to the City of Fullerton how the Project actions 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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	provisions set forth in Sections 23114(b)(F), (e)(4).				
MM AQ-3	The following measures shall be implemented to the extent feasible to reduce VOC emissions resulting from application of architectural coatings:	al coatings: to be used on the building plans; Site inspections of a building plans; Site inspections of a building plans; Site inspections of a building of a building plans; Site inspections constructions	Prior to the issuance of a building permit;	Community and Economic	To be satisfied
	 Contractors shall use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; 		Ongoing during construction	Development Department –	
	 Use required coatings and solvents with a VOC content lower than required under Rule 1113; 			Building Official	
	 Construct/build with materials that do not require painting; and 				
	 Use pre-painted construction materials. 				
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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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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
Operationa	I 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: 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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	 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
BIOLOGICA	AL RESOURCES				
Standard C	onditions 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



File No.: PRI12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		elopment so the Director of Development Services can determine the tree irrements for site development. The plot plan shall:				
	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.				
CULTURA	L AND	TRIBAL CULTURAL RESOURCES				
Mitigation	Measur	res				
CUL-1	withi supe	archaeological monitor shall be present to observe ground disturbing activities in the project site on a part-time basis. The monitor shall work under the direct ervision of a qualified archaeologist (M.A., R.P.A. in anthropology or aeology).	Site inspections	During site ground disturbance activities	Community and Economic Development Department	To be satisfied
	•	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.				
	٠	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.				

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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching, within the project site.				
	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	Professional Standards for Monitors	Evidence of certification	Prior to site ground	During site ground	To be satisfied
	The Native American Monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification.		disturbance activities	disturbance activities	
CUL-5	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.	Site inspections	During site ground disturbance activities	Community and Economic Development	To be satisfied
	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.		1 11	Department	
	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				



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NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		and/or landowner to develop a formal Treatment Plan that would serve to reduce impacts to the resources.				
		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	Una	inticipated Discovery of Human Remains and Associated Funerary Objects	Site inspections	During site ground	Community and	To be satisfied
		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.		disturbance activities	Economic Development Department	
	•	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				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		discovery is to be kept confidential and secure to prevent any further disturbance.			11	
	•	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.				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		Construction on-site shall be halted until the Treatment Plan is prepared. Once complete, a final report of all activities shall to 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.		Vo.		
GEOLOGY	AND S	OILS				
Standard C	onditio	ns and Requirements				
SC-GEO-1	Calif appli forth	project is required to conform to the seismic design parameters of the 2016 fornia Building Code and the 2016 California Green Building Standards Code (or icable adopted code at the time of plan submittal or permit issuance), as set in Title 14 of the City of Fullerton's Municipal Code at the time the grading plans 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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
Mitigation	Measures				
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	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).	Site inspections	Before and during site ground disturbing activities	Community and Economic Development Department	To be satisfied
	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.	if			
	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.				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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.				
	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.				
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
GREENHO	USE GASES				
Standard C	Conditions and Requirements		<u> </u>		
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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 N	fleasures				
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 A	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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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:		construction		
	 Excavation and disposal at a permitted, off-site facility; 				
	 On-site remediation, if necessary; or 		N		
	Other measures as deemed appropriate by the City of Fullerton Fire Department.				
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 reabandonment 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

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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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
HYDROLOG	GY AND WATER QUALITY				
Standard C	onditions and Requirements				
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
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF	TIMING OF	TO BE VERIFIED	STATUS
NO.	WILLIAM WEAGURE	VERIFICATION	IMPLEMENTATION	BY	JIAIOO
LAND USE					
Applicable '	The Fullerton Plan FEIR Mitigation Measures				
MM HAZ-5	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:	Submittal and approval of Traffic Control Plan	Prior to issuance of construction permits; Ongoing during	Public Works Department – City Traffic Engineer	To be satisfied
	 At least one unobstructed lane shall be maintained in both directions on surrounding roadways. 		grading and construction		
	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.				
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					
Standard Co	onditions and Requirements				
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

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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
Project Des	sign Features				
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	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.	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
	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.				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	 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
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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

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File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.		MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
		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	used feasi	ect applicants shall require by contract specifications that heavily loaded trucks during construction would be routed away from residential streets to the extent ble. Contract specifications shall be included in construction documents, which 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	as fa	City shall require mechanical equipment from future development to be placed or practicable from sensitive receptors. Additionally, the following shall be idered 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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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	
Constructi	on Measures				
N-A	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.	language in construction bids; Site inspections during	Prior to grading or remediation (whichever occurs	Community and Economic Development	To be satisfied
	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.		first); Site inspections	Department; Public Work Department – Engineering Department	
	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:				
	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 				
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



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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
Operationa	al 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 SE	ERVICES				
FIRE PRO	TECTION				
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.	language in construction bids; Site inspections during	Prior to the issuance of a building permit; Site Inspections	Community and Economic Development Department; Fire Department	To be satisfied
POLICE PR	ROTECTION				
Applicable	The Fullerton Plan FEIR Mitigation Measures				
U. 1	// HAZ-6 cited under Hazards and Hazardous Materials.				



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
SCHOOLS					
Applicable	The Fullerton Plan FEIR Mitigation Measures				
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/RE	CREATION	3111	1		
Standard C	onditions and Requirements				
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
TRANSPOR	RTATION				
Standard C	onditions and Requirements				
purpose of the transportation	Fullerton requires that all residential developments to pay a standard Traffic Impact Fee (his fee is to fund transportation improvements needed as a result of the new developmen on facilities, improvements, and/or programs. An additional TIF is required if the development The additional TIF would be the standard TIF rate adjusted to reflect the portion of the de	t. Revenue generated by the nent contributes over 10 percent	e fee is accumulated and cent of the overall growt	d reserved until the C	ity finances futur
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

Draft Final | January 2020 7-27



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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 WAS	STE				
Standard C	onditions 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



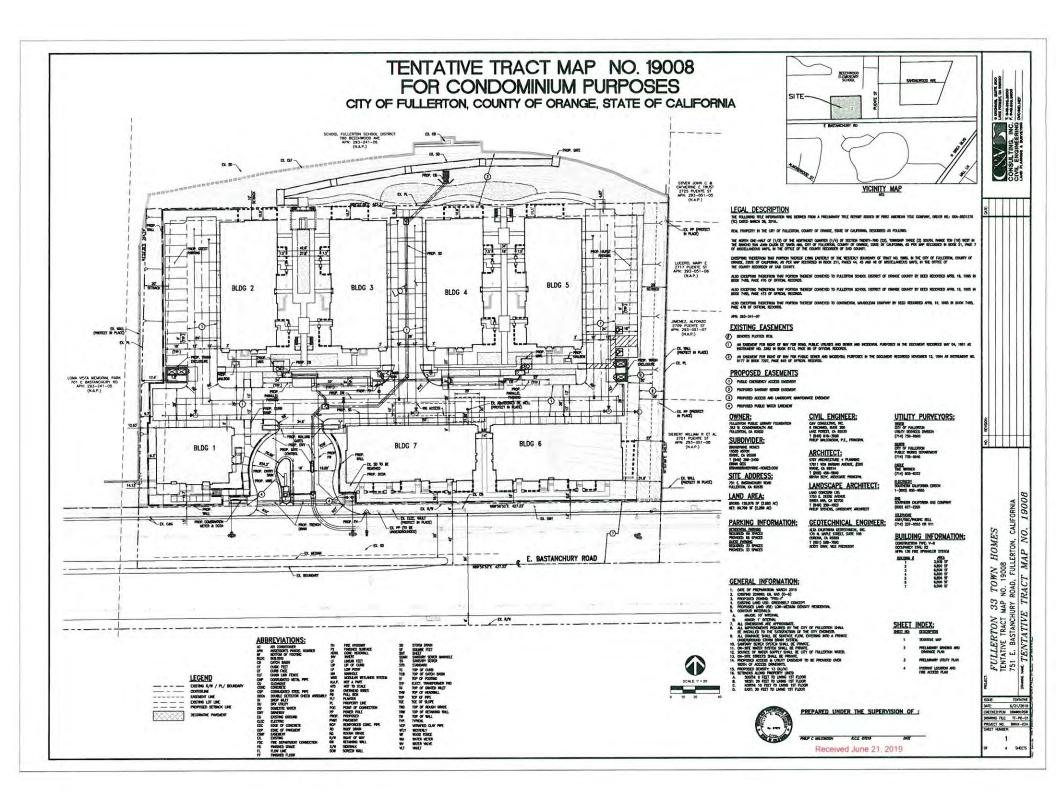
File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

NO.	MITIGATION MEASURE	METHOD OF VERIFICATION	TIMING OF IMPLEMENTATION	TO BE VERIFIED BY	STATUS
	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:	bids and plans; Site inspections			
	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.				
SC-US-2	In accordance with Section 42649 of the California Public Resources Code (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.	Evidence of compliance	Prior to the issuance of Certificate of Occupancy	Community and Economic Development Department	To be satisfied
WASTEWA	TER				
Applicable	The Fullerton Plan FEIR Mitigation Measures				
MM WW-1	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.	Approval of engineering study; Direct observation; Construction and building inspections	Prior to the issuance of a building permit and Prior to the issuance of Certificate of Occupancy	Public Works Department; Community and Economic Development Department – Building Division	To be satisfied



File No.: PRJ12-00272; LRP12-00013; LRP12-00014; TTM-17487; ZON12-00042

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 C	onditions 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



City of Fullerton

RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 2020-14

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five and that the above and foregoing Resolution No. 2020-14 was adopted at the February 4, 2020 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES: Fitzgerald, Flory, Silva, Zahra

COUNCIL MEMBER NOES: Whitaker

COUNCIL MEMBER ABSTAINED: None

COUNCIL MEMBER ABSENT: None

Lucinda Williams, City Clerk

RESOLUTION NO. 2020-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A MAJOR SITE PLAN FOR A 33 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT, INCLUDING SITE, ARCHITECTURAL AND LANDSCAPE CONCEPT PLANS, 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 - ZON19-00027

APPLICANT: BRANDYWINE HOMES PROPERTY OWNER: FULLERTON PUBLIC LIBRARY FOUNDATION

WHEREAS, an application was filed with the City of Fullerton Community and Economic Development Department for a Major Site Plan for development of a 33-unit condominium development located on a 2.4 acre property at 751 East Bastanchury Road, more specifically described as:

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

WHEREAS, the City Council of the City of Fullerton, in compliance with the noticing requirements of Fullerton Municipal Code, held a duly noticed public hearing for PRJ19-00087 – Major Site Plan ZON19-00027; and

WHEREAS, FMC Section 15.76.060 authorizes the City Council to act on a Major Site Plan when multiple applications for the same project are processed concurrently they shall be reviewed, and approved or denied by the highest review authority; and

WHEREAS, the City prepared a Mitigated Negative Declaration pursuant to Sections 15070-15073 of the California Environmental Quality Act (CEQA) Guidelines. The Mitigated Negative Declaration concludes that with the implementation of project design features, standard conditions and mitigation measures, the project will not have a significant impact on the environment. The City Council has considered the Mitigated Negative Declaration prior to taking action on this project; and

WHEREAS, the City Council has considered the Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program and comments received during the public review process prior to approving Major Site Plan application ZON19-00027.

RESOLUTION

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

1. In all respects as set forth in the Recitals of the Resolution.

2. The City Council, pursuant to FMC Section 15.47.040.B.2.b finds as follows:

<u>Finding</u>: That the proposed use is permitted in the requested PRD-I (Planned Residential Development –Infill) zoning classification.

<u>Fact</u>: The project site is zoned O-G (Oil and Gas) and a concurrent application has been filed to reclassify the property to PRD-I which allows infill residential development at 13.75 units per acre as proposed.

<u>Fact</u>: The site plan complies with applicable zoning standards pursuant to FMC Chapters 15.10, 15.12 and 15.20.

<u>Finding</u>: That the proposed project design is pleasant in character and harmonious with the past development of Fullerton, illustrating a design compatibility with the desired developing character of the surrounding area.

Fact: The proposed development is pleasant in character and harmonious with development in the surrounding area. The adjacent single family neighborhood to the east, President Homes, is a mature neighborhood, with spacious yards and well-tended landscape and hardscape features. The neighborhood is largely comprised of midcentury ranch homes, one or two stories in height, with a variety of architectural treatments and materials. Primary materials include stucco or wood siding, with brick or stone accent materials, decorative shutters and wall mounted light fixtures. Neighborhoods on the south side of Bastanchury are newer, generally gated communities. Lots are smaller and homes are generally two stories in height. In nearby Fairway Village, most units are attached, two stories in height, with stucco exteriors and red tile roofs. The architectural design of the proposed residential units share many characteristics with the homes in Fairway Village, including buildings of similar size, scale and materials. The proposed development has been carefully designed to provide setbacks from property lines that meet or exceed the required setbacks in the President Homes neighborhood and maintain a two-story height as also permitted in the R-1 zone. The use of a variety of materials, accents and architectural details similar to those in the surrounding area establishes continuity and design compatibility with nearby neighborhoods built at various times over the past 50-60 years.

<u>Finding</u>: The project screens exterior trash, storage areas and service yards from view of nearby streets and adjacent structures in a manner that is compatible with building site design.

<u>Fact</u>: Trash areas are located interior to the development and are not visible from nearby streets. Trash enclosures will screen views of trash collection bins. The use of central trash collection as opposed to individual trash bins reduces the area dedicated to trash collection and allows the HOA to maintain and manage trash collection activities instead of leaving it up to individual condominium owners.

Finding: that the project blends proposed grading with the contours of the project site

<u>Fact</u>: The proposed grading concept maintains the slope areas on perimeters of the site, with new development to be constructed at a lower elevation than on surrounding properties. The lower elevation of new homes relative to existing homes to the east will help to reduce visual impacts and privacy concerns.

<u>Finding</u>: The traffic patterns of the proposed development will minimize impacts on surrounding properties and streets and accommodate emergency vehicles.

<u>Fact</u>: Vehicle access to the proposed development is located on Bastanchury Road, which is a major arterial roadway. No direct vehicular connections are provided to surrounding streets. Pedestrian access to the adjacent Beechwood Elementary School from the development will help minimize school related vehicular trips from the development onto Puente Street. The entry and drive aisles have been designed at appropriate widths to allow emergency vehicle access and turnarounds.

<u>Finding</u>: Buildings are sited so as to avoid crowding and to allow for a functional use of the space between buildings.

<u>Fact</u>: The site plan provides common, usable open space between facing buildings and provides more than 2,000 square feet more open space area that the PRD-I zone requires..

<u>Finding</u>: Landscaping has been designed to create a pleasing appearance from both within and off the site, and to accommodate adequate sight distances for motorists and pedestrians entering and exiting the site.

<u>Fact</u>: The landscape plans indicate a varied palette of plant materials, appropriate for the local climate. Accent trees at the project entry will enhance views from the street, while providing low growing plant materials at grade alongside the access driveway that will allow for adequate sight distances for motorists and pedestrians entering and exiting the site.

<u>Fact</u>: Within the interior of the project site, all slope areas are landscaped with trees, shrubs and grasses. Areas between buildings will be landscaped to accommodate active and passive outdoor uses, including providing lawn areas, bench seating and walkways.

THEREFORE, the City Council of the City of Fullerton does hereby APPROVE said Major Site Plan ZON-2019-00027, subject to the following conditions of approval:

- The project shall be developed and maintained in substantial conformance with TTM-19008, site and building plans dated June 21, 2019 (Exhibit B) and landscape concept plan dated November, 2019 (Exhibit C) as follows, except to the extent that the plans or designs are modified during the approval process or by the conditions herein.
 - a. Gated 2.4 acre residential community with homeowner association, private streets and private onsite water and sewer systems
 - b. 33 two-story condominium units
 - Residential buildings not to exceed two stories or 30 feet on height.
 - d. Approximately 18,000 square feet of usable common open space, including approximately 4,000 square feet within a permanent easement on Fullerton School District property, directly adjacent to and integrated with the project site.
- 2. Project shall comply with all Project Design Features, Standard Conditions and Mitigation Measures in the Mitigated Negative Declaration dated December 2019.

- 3. Project implementation shall comply with all provisions of the City of Fullerton Public Works Department - Engineering letter dated January 8, 2020, excepting condition No. 1 under "Utilities" to remove the requirement to underground the electrical lines and pole along Bastanchury Road, but continue to require the undergrounding of the remaining utility lines (telecommunications, cable, etc.) (Exhibit A)
- The Director of Community and Economic Development may approve minor modifications to the approved Major Site Plan; however, major modifications shall require approval by the Planning Commission.
- 5. In plan check submittal, building design and materials shall be consistent with approved plans and with criteria stated in FMC Sections 15.10.030.G and 15.10.030.E:
 - a. Trim around doors and windows, including sills and shutters, shall have the appearance of wood or other material appropriate for the architectural style, and shall not be covered with a stucco finish. (FMC15.10.030.G.ii – Façade elements constructed of foam or foam molding are prohibited.) [see same code section for related material standards]
 - b. Roof and balcony drains shall be designed as an integral part of the structure and be architecturally appropriate (15.10.030.E.iii)
- 6. Prior to or concurrent with submittal of plans for building permits, the applicant shall provide a materials manual to the Planning Division, documenting the building materials and architectural details including, but not limited to, wall materials, accent materials, windows, railings, doors and exterior lighting for review and approval by the Community and Economic Development Director. The manual shall include cut sheets and/or manufacturer's brochures for details (and samples if required). The review shall verify consistency with the approved plans and representations made by the applicant.
- 7. Project identification signage shall be submitted under separate permit and shall be architecturally compatible with the style of the development as determined by the Director of Community and Economic Development.
- 8. Prior to issuance of building permits a Landscape Documentation Package shall be submitted to the City for plan check review and approval in compliance with Fullerton Municipal Code Chapter 15.50. The Landscape Documentation Package includes, but is not limited to, certified landscape and irrigation design plans including water efficiency calculations. Landscaping and irrigation shall be installed in accordance with the approved landscape plans, with installation completed and a one-year maintenance bond in an amount of \$500, posted as a prerequisite to the final approval of the development and/or occupancy of the units.
- 9. Landscaping shall be designed in a manner that does not impede vision of motorists or pedestrians at the intersection of site driveways with the public right of way. The Homeowner's Association shall be responsible for maintaining landscaping in accordance with the approved landscape plans.
- 10. The property owner and/or HOA shall be responsible for maintaining the landscaping in accordance with the approved landscape plans. Dead plants shall be replaced in a timely manner with the same or similar species, type and size identified on the approved landscape plans.

- 11. Applicant/Property Owner are responsible for ensuring that information contained in construction plans and drawings is consistent among architectural, structural, grading, electrical, mechanical, plumbing, fire, utility, and public improvement plans as well as other construction drawings for site development pursuant to this parcel map. This responsibility may be transferred by the Applicant/Property Owner to the Project Architect. While the City aims to correct inconsistencies, they are the ultimate responsibility of the Applicant/Property Owner/Project Architect to remedy, up to and including completing construction revisions prior to receiving final occupancy approvals.
- 12. The applicant shall agree to indemnify, hold harmless, and defend the City of Fullerton, its officers, agents and employees, from any and all liability or claims that may be brought against the City arising out of its approval of said project.
- 13. Garages shall be equipped with hanging storage or shelving units to provide for storage in the garage and to maintain the garage for parking of vehicles.
- 14. The Project HOA CC&Rs shall include a provision that garages shall be maintained for parking and that 19-feet (wide) by 19-feet (deep) shall remain clear for vehicle parking in the garage.
- 15. Construction plans shall be submitted to the Community and Economic Development Department for review and issuance of building permits; plans shall comply with Fullerton Building Codes, as adopted and in effect at time of plan submittal.
- 16. Prior to initiating both grading and construction, the grading contractor and building contractor shall initiate a meeting with City staff, including representatives from both the Planning and Building Divisions to review the conditions of approval and mitigation measures. Contractors shall be responsible for documenting compliance with mitigation measures related to grading and construction operations in a format approved by the Community and Economic Development Department Director.
- 17. Prior to permit issuance, the developer shall submit a striping plan for a right turn pocket adjacent to the outer lane of westbound Bastanchury Road for review and approval by the City Traffic Engineer. It is understood that this turn pocket will be removed, when Bastanchury Road is restriped to its ultimate lane configuration of three lanes in each direction.

Fire Department Conditions:

- 1. Rescue windows with ladder pads shall be provided for each sleeping room.
- Knox key switch or Knox box shall be required for gate access.

Police Department Conditions:

- Project shall provide adequate lighting throughout the development for security purposes; but which does not adversely impact residents of the site or neighboring properties.
- Applicant shall provide the Police Department with a letter from the Fullerton School District that includes the following:

- A specific request that the developer provide a gate to connect the tract to the school property.
- b. A plan to supervise, lock and utilize the gated access.
- c. Indemnification of the City and the Fullerton Police Department from any issues that may arise due to the gate.

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

Jennifer Fitzgerald, Mayor

ATTEST:

Lucinda Williams, City Clerk

Date

Exhibit A - Public Works - Engineering Department Letter dated January 8, 2020

Exhibit B - Site Plan

Exhibit C - Landscape Concept Plan



PUBLIC WORKS - ENGINEERING DEPARTMENT

303 West Commonwealth Avenue, Fullerton, California 92832-1775

Telephone * 714.738.6845 Fax * 714.738.3115 Website * www.cityoffullerton.com

Item No. 3 January 8, 2019 Revised

Honorable Planning Commission City Hall City of Fullerton

Subject: PRJ19-00087

TTM 19008

751 East Bastanchury Road

The proposed Major Site Plan is located on the north side of East Bastanchury Road, approximately 150 feet west of Puente Street. The proposed project is surrounded by Beechwood School on the north, single family homes on the east, Bastanchury Road with the Morningside Residential community on the south side of Bastanchury Road, and Loma Vista Memorial Park on the west.

The existing site is undeveloped and is covered with grass and weeds.

The application includes Tentative Tract Map (TTM) 19008 that proposes a one-lot subdivision for residential condominium purposes. The Final Map will provide for 33 residential condominium units and common areas including private drives.

The Major Site Plan including TTM 19008, has been reviewed by the Engineering staff. If approved, the approval shall be contingent upon compliance with the conditions included in this report.

TENTATIVE TRACT MAP

- Existing public and private easements shall be shown on the tract map and shall not be affected by the proposed development. Any modification to an existing public and/or private easement shall be coordinated and approved by applicable easement owners.
- An easement for police patrol, emergency vehicle access, fire protection, and refuse collection shall be dedicated to the City of Fullerton over on-site vehicular circulation system.

- The existing 20-foot wide public sewer easement located along the easterly property line shall be abandoned on the map due to the fact that the existing 10inch sewer main is located outside of said easement.
- 4. A new 20-foot wide sewer easement shall be dedicated to the City of Fullerton on the final map. The easement shall be configured as needed to accommodate the existing sewer main in the middle of the easement.
- 5. Southern California Edison (SCE) overhead facilities are located on project site immediately west of the easterly property line; however, there is no record for SCE easement or public utility easement dedicated for these facilities. The applicant shall address this matter with SCE prior to recordation of final map.
- 6. The applicant shall obtain an easement or execute the encroachment agreement with Beechwood School for all hardscape and landscape improvements, including grading, landscaping, drainage, and pedestrian walkway, located on the school property and outside of the map limits.
- 7. The final map shall be recorded with the Orange County Recorder's Office prior to issuance of building permits.

PROJECT FRONTAGE IMPROVEMENTS

- 1. The project has approximately 430-foot frontage along East Bastanchury Road.
- All existing damaged/uplifted concrete sidewalk and curb and gutter shall be removed and replaced with the new concrete curb and gutter and sidewalk in accordance with City of Fullerton Standards Nos. 120 and 122.
- Access to the project is proposed via a new right-in/right-out driveway. Easterly side of the driveway shall have a minimum 27-foot radius to accommodate westbound right turning vehicles at higher speed. The driveway configuration shall be reviewed and approved by the City Traffic Engineer.
- 4. Existing driveway at the east side of the property shall be removed and replaced with full height curb and gutter, and sidewalk.
- 5. After completion of on-site construction operations and installation of all wet and dry utility connections, the developer shall rehabilitate asphalt concrete (AC) pavement by removing and replacement of a minimum 3 inch of AC pavement over the entire width of the street along project's frontage.
- 6. The developer shall repair the damaged portion of the median, including landscaping and irrigation, that exists along project's frontage.
- 7. Traffic Study dated November 25, 2019, evaluated three intersections for the adequacy of site distance for U-turn movements that will have to be utilized by the proposed development. It was determined that signalized intersection of Puente Street and East Bastanchury Road and unsignalized intersection of

Amberleaf Street and East Bastanchury Road have adequate sight distance for U-turn circulation. Third studied intersection, signalized intersection of Fairway Isles Drive – Silver Pine Street/East Bastanchury Road, does not have adequate sight distance for U-Turn movements. Therefore, the developer shall install "No U-Turn" sign(s) at the subject intersection at locations approved by the City Traffic Engineer.

8. The developer shall install a new street light with a new service panel as a replacement for the existing light attached to the power pole. The proposed street light luminaire shall have a City-approved LED luminaire. The LED lighting shall produce lighting photometric similar to the existing or better. Location of new street light shall be determined by a Photometric Study and/or as approved by the Public Works Director

UTILITIES

1. According to Section 16.05.060 of Fullerton Municipal Code, the project is subject to the requirement for undergrounding of all proposed and existing utilities that provide direct service to the subject property, including electric and all telecommunication systems, and undergrounding of all existing overhead facilities (except electrical transmission lines) located on East Bastanchury Road along project's frontage.

DRAINAGE

- Site development pursuant to this tract map shall not result in the increase of storm water run-off and flow intensity to the adjacent properties nor obstruct storm water flow into the site. The size and alignment of on-site drainage facilities shall be based upon detailed hydrology and hydraulic calculations prepared by a California Registered Engineer and shall be approved by the City Engineer.
- The project site currently accepts off-site storm drainage from Beechwood School site. The project proposes to contain this drainage in a pass-through private storm drain system that, along with the proposed on-site storm drain system, will outlet into the public 36-inch Corrugated Metal Pipe (CMP) located on East Bastanchury Road.
- 3. The developer conducted a video inspection of the CMP, which identified some damage in the segment of the pipe located between the proposed connection and the existing junction structure located at the southerly street right-of-way. The developer shall rehabilitate this segment of the CMP by lining the pipe with a cured-in-place liner.
- 4. The existing junction structure at the point of connection of the on-site storm system to the 36-inch CMP shall be removed and reconstructed with a new junction structure with manhole per City Standards.

- The developer shall submit a Water Quality Management Plan (WQMP) for review and approval of the City Engineer prior to the issuance of grading permit. Engineering reviewed the Preliminary WQMP dated September, 2019 and found it acceptable.
- Best Management Practices (BMPs) storm water treatment facilities shall be shown on the grading plan and shall be designed in accordance with the Cityapproved WQMP.
- Grading plan shall be reviewed and approved, and a grading permit shall be issued prior to issuance of building permits.
- Site grading shall adhere to the approved grading plan. Any deviations from the approved grading plan will require a submittal of grading plan revision for the City Engineer's review and approval.
- In addition to all retaining walls, any above-ground construction, regardless of its height, that may alter the existing storm water flow pattern shall be shown on the grading plan.
- 10. The project is over an acre and will require a Storm Water Pollution Prevention Plan (SWPPP). The developer shall comply with state regulations pertaining to SWPPP preparation, reporting, facilitation, and maintenance during construction operations.
- 11. On-site storm drain system including the extension on the school property shall be privately owned and maintained.

WATER

- On-site water system that is exclusively serving the proposed development shall be privately owned and maintained and shall be designed in accordance with California Plumbing Code and Fire Department requirements.
- 2. Master meter(s) fore fire, domestic, and irrigation services with backflow devices shall be installed immediately behind the street right-of-way line within the water easement dedicated on the final map.
- 3. The developer shall submit a hydraulic analysis for the proposed on-site water system to ensure that it is able to support the demand of the proposed development. The analysis shall include pipeline velocities during maximum hour demand and the minimum water pressure at each lot. The developer shall also provide hydraulic calculations to properly size the new meters. All proposed and existing hydrants must meet Fire Department minimum required flow (City of Fullerton's Water Rates, Rules, and Regulations, Rule 15.A and 15.B).

- 4. The project shall install one public fire hydrant located near the drive entrance and one private fire hydrant located within the tract per Fire Department's requirement.
- 5. Front footage fees will be applied to this development for 10" main located on Bastanchury Road per the City of Fullerton Water Rates, Rules and Regulations (Rule 15.C.1).

SEWER

- The project proposes to connect on-site sewer system to the existing City-owned 10-inch sewer main located on-site. The proposed connection shall be installed in accordance with City's standards. The existing sewer main shall be located within the newly dedicated sewer easement.
- 2. On-site sewer system, including the connection to the City-owned sewer main, shall be privately owned and maintained.

GENERAL

- All work in the public right of way shall be constructed in accordance with the Standard Plans and Standard Specifications for Public Works Construction, latest edition. This includes supplements thereto and City of Fullerton Standard Drawings.
- Before undertaking any grading or construction work of any type within the public right of way, the owner must first obtain the applicable permits from the Public Works Department.
- During site improvement, all trucking operations and deliveries to the project site that are overweight or oversize will require a transportation permits from the Public Works Department.
- 4. Trucking operations shall be coordinated in a manner as not to impact City's streets. Any temporary street occupancy will require a City Engineer's authorization, and if approved, a temporary occupancy permit from the Public Works Department.
- 5. The project shall utilize the City's benchmarks. A list of the City's benchmarks is available on the City of Fullerton website.
- 6. Subdivision and Topographic Mapping shall be in the new horizontal datum NAD83 (2011) Epoch 2017.50.
- 7. The developer shall provide and maintain all necessary flag persons, barricades, delineators, signs, flashers, and any other safety equipment as set forth in the latest publication of the State of California, Manual of Traffic Control, or as

- required by the Public Works Department permit requirements to ensure safe passage of pedestrian and vehicular traffic.
- 8. Street trenches required for the installation of utility connections shall comply with City of Fullerton Standard No. 312.
- 9. Any controlling survey monumentation (property lines, tract lines, street centerline, etc.) which are at risk of being destroyed or disturbed during the course of this project must be preserved in accordance with Section 8771(b) of the California Business and Professions Code (Professional Land Surveyors Act). Pre-construction field ties, along with the preparation and filing of the required Corner Records or Record of Survey with the County of Orange, shall be accomplished by, or under the direction of, a licensed surveyor or civil engineer authorized to practice land surveying. Copies of said records shall be furnished to the City Engineer for review and approval prior to issuance of any onsite or offsite construction permits. Any monuments disturbed or destroyed by this project must be reset and post-construction Corner Records or Record of Survey filed with the County of Orange. A copy of recorded documents shall be submitted to the City Engineer for review and approval prior to issuance of any permits within the public right of way.
- 10. A final map shall be prepared in accordance with the Subdivision Map Act and submitted to the City of Fullerton and Orange County Surveyor's Office for review and comment. The final map shall be prepared by a Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying in the State of California, and shall be recorded with the County of Orange Recorder's Office. Two copies of the recorded Map and a digital copy (identical to that required by the County Surveyor) are to be submitted to the Public Works Department.
- 11.A checklist for the first submittal of the final map is available on the City's website.

PERMITS, BONDS AND CASH

- Prior to issuance of building permits, all public improvements shall be guaranteed
 to be installed by the execution of a Subdivision Agreement secured by sufficient
 bonds or sureties for both Faithful Performance and Labor and Materials, as
 required by the State Subdivision Map Act and in a form approved by the City
 Attorney.
- In addition, all cash fees and deposits shall be collected by the City prior to the recordation of the final map.
- 3. All of the public improvements, studies, designs, plans, calculations and other requirements shall be installed, provided and supplied by the developer in accordance with City and State codes, policies and requirements at no cost to the City. All work shall comply with City standards and specifications and with the City of Fullerton Municipal Codes.

- The final map shall be recorded with the Orange County Recorder's office within two years from the date of the Planning Commission resolution.
- 5. Public Works Department expenses, including project management, plan check, inspection, review, processing, and recordation of the Final Map will be charged against the reimbursable account created for the project. The initial \$10,000 shall be deposited with the Public Works Department concurrently with the first review submittal of the Final Map and/or public improvement plans. Any amount remaining in the account after completion of the project will be refunded to the project. If the amount deposited is insufficient to complete the project review and inspection process, additional deposit(s) will be required as necessary to finalize the project.

COVENANTS, CONDITIONS AND RESTRICTIONS

- 1. The Home Owner's Association shall be responsible for the maintenance of on-site storm drain, storm water quality/BMPs facilities, water, sewer, street lighting, hardscape improvements, landscaping, and irrigation within this development.
- 2. The documents, covenants, conditions, restrictions, and by-laws (CC&Rs) of the Home Owner's Association shall be submitted to the Directors of Community Development and Public Works Departments for review and approval prior to the recordation of the Final Map.

ENGINEERING FINDINGS

A finding is hereby made that the design of the subdivision and the type of improvements proposed will not conflict with easements of record or those established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision; or if such easements exist, alternate easements for access or for use will be provided and that these easements will be substantially equivalent to ones previously acquired by the public.

Yelena Voronel, P.E., MPA

City Engineer/Assistant PW Director

YV:scm

c: Meg McWade, Public Works Director

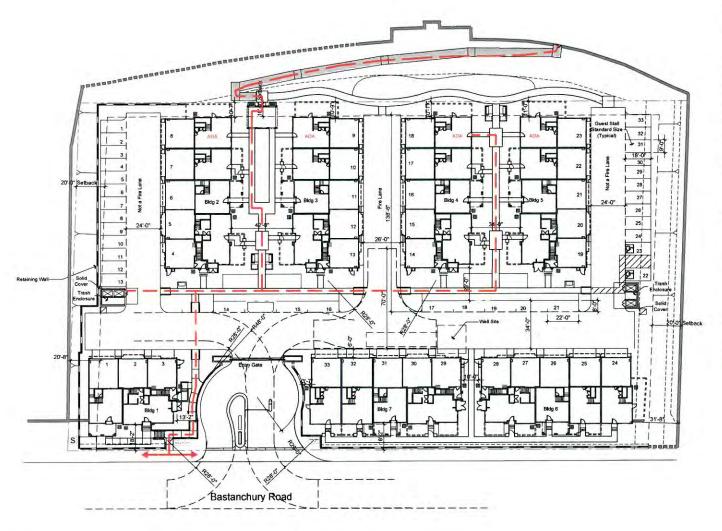


Sheet Index

- A0.1 Sheet Index
- A1.0 Conceptual Site Plan
- Conceptual Landscape Plan L-1
- A1.1 Open Space Exhibit
 A2.0 Building Elevation Building A
- A2.1 A3.0
- Building Elevation Building A Building Plans Building A Building Plans Building B Unit Plans Building B A3.1
- A4.0 **Unit Plans** A4.1
- A4.2 Unit Plans
- Unit Plans A4.3
- Unit Plans A4.4
- A5.0 Sections & Trash Enclosure
- A6.0 Details







FULLERTON 33 TOWNHOMES

FULLERTON, CA # 2018-1177 Tract No. 19008

Site Summary 2.40 Acres Gross Site Area: **Dwelling Units:** 33 Units Gross Density: 13 DU/AC Frontage Type: Stoop 34,236 sf / 32.7% Pavement Area: R-2 Occupancy: Construction Type: Type VA NFPA 13 Fire Sprinkler:

Plan	Туре	Area	#
1	2 bd/2 ba, Side by Side Garage	1,123 sf	7
2	3 bd/2.5 ba, Side by Side Garage	1,316 sf	7
3	3 bd/2.5 ba, Side by Side Garage	1,503 sf	7
4a	3 bd/2.5 ba, Side by Side Garage	1,509 sf	6
4b	3 bd/2.5 ba, Side by Side Garage	1,536 sf	6
Total	Units		33

Building Summary

Building Type	First Floor Area	#	
5-Plex	4,929 sf	х6	29,574 sf
3-Plex	2,879 sf	x 1	2,879 sf
Building Coverage			32,453 sf

Parking Required

Residential:	33x2	66 Spaces
Guest:	33x1	33 Spaces
Spaces Rec	uired (3/unit)	99 Spaces

Parking Provided

Private Garages:	66 Spaces		
Open Parking:	33 Spaces		
Spaces Provided (3/unit)	99 Spaces		

Development Standards Summary

Standard	Required	Provided		
Front Setback	0' Min.	18' Min.		
Side Yard Setback	20' Min.	20' Min.		
Rear Setback	10' Min.	10' Min.		
Lot Coverage:	60% max.	31% (32,500 sf)		
Building Height:	2 story, 30'	2 story, 30'		

Accessible Path of Travel













Common Open Space Required 15% of Site:

15,682 sf



Private Patios/Private Yards

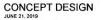
Common Open Space (10' x 10' Min.) 13,929 sf

Common Community Space 4,112 sf Total Common Open Space Provided: 18,041 sf













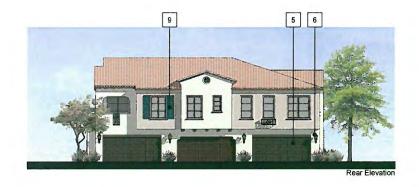


Material Legend

- Concrete S-Tile Roof
 Stucco 1
 Stucco 2

- Vinyl Window
 Metal Garage Door
- Light Fixture
 Decorative Smooth Finish Trim
- Decorative Tile
 Decorative Shutter
- 10. Gable Accent
- 11. Decorative Wrought Iron
- 12. Decorative Awning13. Decorative Wood Finish Trim







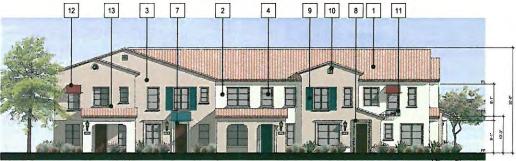






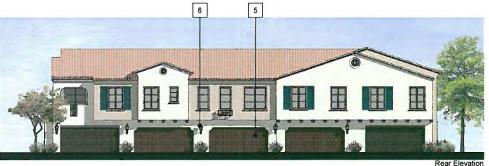






- Material Legend
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- 3. Stucco 2
- 4. Vinyl Window
- 5. Metal Garage Door
- 6. Light Fixture
- 7. Decorative Smooth Finish Trim 8. Decorative Tile
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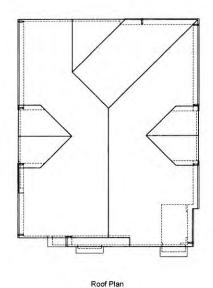


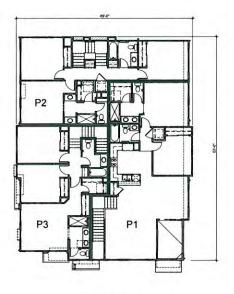


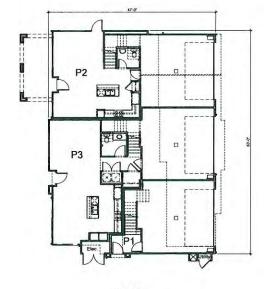












First Floor 2879 SQ. FT. gross

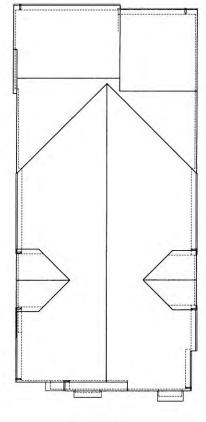
Second Floor 2867 SQ. FT. gross

Building A 5,746 Gross SQ. FT. Total Occupancy: R-2 Construction:Type VA Fire Sprinkler: NFPA 13

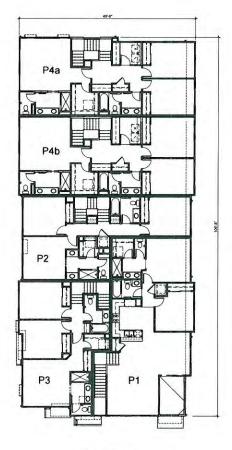






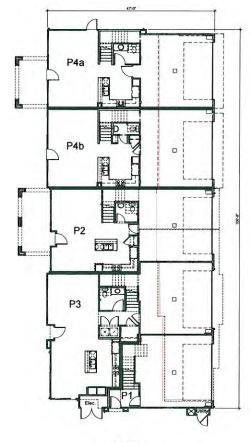






Second Floor 5026 SQ. FT. gross

Building B 9,955 Gross SQ. FT. Total Occupancy: R-2 Construction:Type VA Fire Sprinkler: NFPA 13

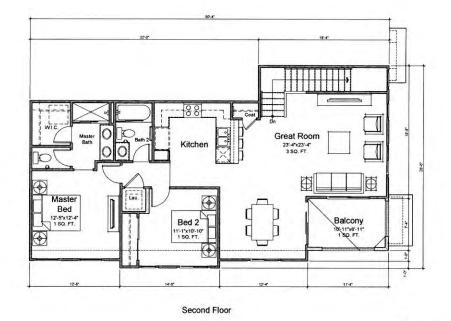


First Floor 4929 SQ. FT. gross

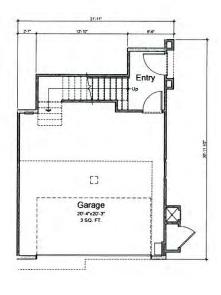








Plan 1
2 Bed, 2 Bath
1,123 S.F. Net
Private Balcony: 75 S.F.

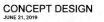


First Floor

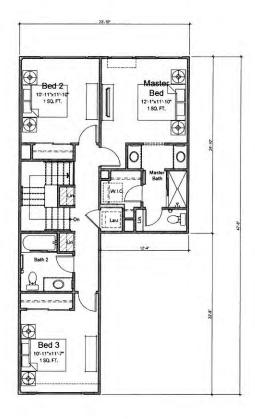


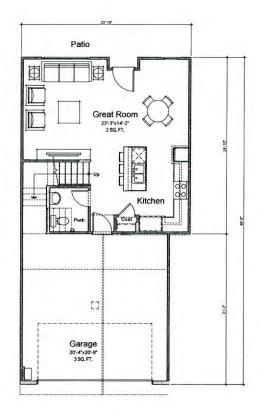












Second Floor

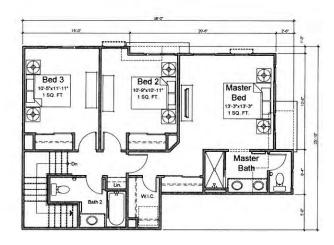
First Floor

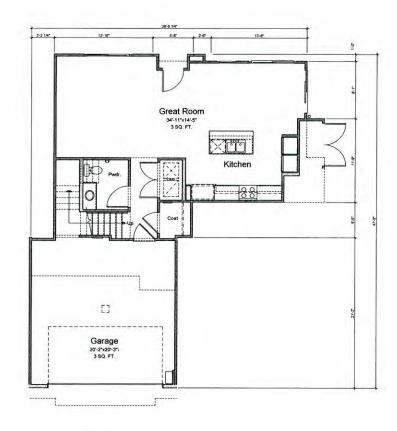
Plan 2 3 Bed, 2.5 Bath 1,316 S.F. Net











Second Floor

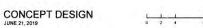
First Floor

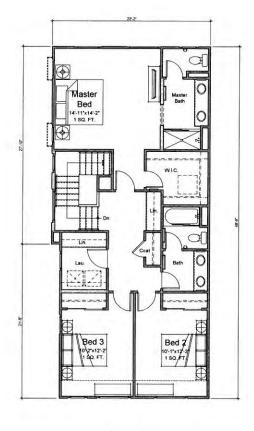
Plan 3 3 Bed, 2.5 Bath 1,503 S.F. Net











Great Room 21'-7'x14'-0" 2 SQ. FT. XIO Kitchen [3 Garage 20'-5"x20'-2" 3 SQ, FT.

Second Floor

First Floor

Plan 4a 3 Bed, 2.5 Bath (Accessible Ground Floor) 1,509 S.F. Net

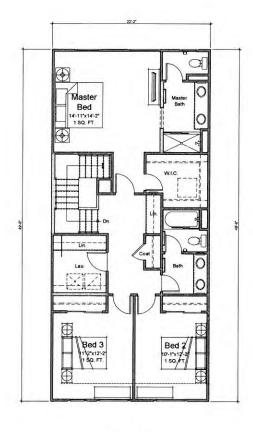




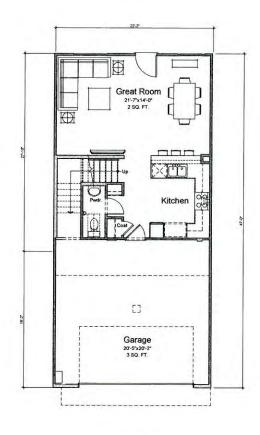




A4.3







First Floor

Plan 4b 3 Bed, 2.5 Bath 1,536 S.F. Net

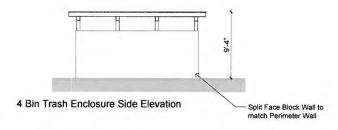


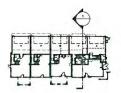


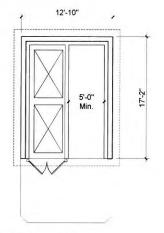


CONCEPT DESIGN

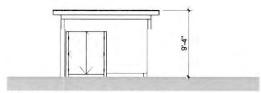




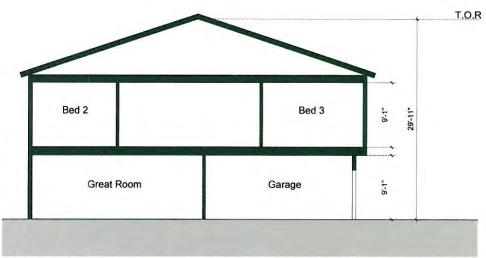




4 Bin Trash Enclosure Plan



4 Bin Trash Enclosure Front Elevation



Building B Section 1







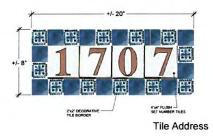
Vinyl Fence



Gable Accent



Decorative Corbel

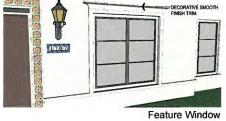


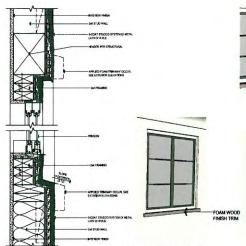








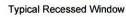






Decorative Tile





Balcony Detail



888.456.5849 ktgy.com







 All landscape areas shall be irrigated by an automatic irrigation system all the trees be irrigated via separate, dedicated bubbles riccusts all other landscape areas shall be irrigated via a drip irrigation system. The entire irrigation system shall be on an automatically controlled system with a separate programs capable of irrigating each hydrocore independently. The intent of the landscape and water delivery systems is to meet all aspects of the City of Fullerton water efficiency landscape ordinance.

Fence & Wall Legend

Existing Low Wall w/Tubular Stee

B Existing Screen Wall to remain

Tubular Steel Fence

Full Height Slump Block Wall

36" High Slump Block w/Sack Finish 8 Pilaster/Gate

Combo Retaining Wall w/ Tubular Steel Fence/Guard F

Full Height Vinyl Fence

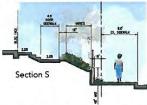
Concept Imagery











Brandywine Homes



Shrubs Shrubs			Shrubs Si		Succulents		Grasses		Vines		
OTANICAL NAME	COMMON NAME	BOTANICAL NAME	COMMON NAME	BOTANICAL NAME	COMMON NAME	BOTANICAL NAME	COMMON NAME	BOTANICAL NAME	COMMON NAME	BOTANICAL NAME	COMMON NAME
nigozanthus spp.	Kangaroo Paw	Dodonaea viscosa 'Purpurea'	Purple Hopseed Bush	Pittosporum spp	Tobira	Aeonium spp.	NCN	Carex tumulicola	Berkely Sedge	Bougainvillea	San Diego Red
speragus densifiorus prengeri	Sprenger Asperagus	Feljos sellowiana Grewia occidentalis	Pineapple Gusva Levender Starflower	Prodocarpus spp. Prunus caroliniana 'Bright 'n	Fern Pine Carolina laurel cherry	Agave spp.	Agave	Festuca spp. Junous patens	Fescue California Gray Rush	Calliandra haematocephala Distictus buccinatoria	Pink Powder Puff Blood Red Trumpet Vine
ugainvillea spp.	NCN	Hemerocellis species	Daylily	Tight'		Aloe spp.	Aloe	Lomandra longifolia	Lomandra breeze	Distictus 'rivers'	Royal Trumpet Vine
us japonica 'Green Beauty'	Japanese Boxwood	Heuchera sanguinea	Coral Bells	Rhapheolipis spp.	Indian Hawthorn (Pink)	Control of the Contro	Orange Stalked Bulbine	Muhlenbergia 'Regal Mist'	Pink Muhly	Ficus spp.	Creeping Fig
listemon 'Little John'	Dwarf Bottlebrush	Lantana montevidensis	Lantana	Rose spp.	Rose	Crassula spp.	Silver Dollar Plant	Muhlenbergia rigens	Deer Grass	Gelsemium sempervirens	Carolina Jessamine
issa macrocarpa	Natal Plum	Lavendula spp.	Levender	Rosmerinus spp.	Rosemary	Echeveria spp.	Hens and Chicks	Pennisetum spathiolatum	Slender Velt Grass	Hardenbergia violacea	Ulac Vine
tus x hybridus	White Rockrose	Ligustrum japonicum 'Texanum'	Wax Leaf Privet	Salvia spp.	Sage	Graptopetalum paraguayense	Ghost Plant	Hesperaloe spp.	Red Yucce	Jasminum polyanthum	Jasmine
a miniata	Keffir Lily	Myoporum pervifolium	NCN	Strelitzia spp.	Bird of Paradise	Kalanchoe luciae (K. thyrsifiora)	Paddle Plant		1	Parthenocissus tricuspidata	Boston Ivy
nella spp.	Gray Paroo Lily	Nandina spp.	Heavenly Bamboo	Trachelospermum jasminoides Yucca recurvifolia (Y. pandula)	Star Jasmine Yucca	Sedum spp.	Sedum			Tecomeria capensis	Cape Honeysuckle

Senedo spp. NCN Conceptual Landscape Plan





Fullerton, CA Tentative Tract No. 19008



Landscape Key

Entry Island, Key Ped & Monument Sign

Enhanced Paving

Tree Palette

Ulmus parvifolia 'Drake'
• Drake's Chinese Elm

Quercus virginiana • Southern Live Oak

Magnolia 'Little Gem'

Little Gem Magnolia

Pistacia chinensis • Chinese Pistache Platanus racemosa

City of Fullerton

RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. 2020-15

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five and that the above and foregoing Resolution No. 2020-15 was adopted at the February 4, 2020 City Council regular meeting by the following vote:

COUNCIL MEMBER AYES: Fitzgerald, Flory, Silva, Zahra

COUNCIL MEMBER NOES: Whitaker

COUNCIL MEMBER ABSTAINED: None

COUNCIL MEMBER ABSENT: None

Lucinda Williams, City Clerk