CITY OF IRVINE

CEQA MANUAL

Volume 3: Appendices

FINAL

May 2012

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Appendices

A ACRONYMS

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ACM	asbestos-containing materials
ACWM	asbestos-containing waste materials
ADT	average daily traffic
AELUP	Airport Environs Land Use Plan
af	acre-foot
agl	above grade level
ALUC	Airport Land Use Commission
amsl	above mean sea level
AQMP	Air Quality Management Plan
ARIA	Aquatic Resource Integrity Area
ATCM	Airborne Toxic Control Measures
BAT	best available technology
BAU	business as usual
BCT	best control technology
BMP	best management practices
BP	before present
C&D	City of Irvine Construction and Demolition (C&D) Debris Recycling and Reuse Ordinance
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention Plan
Cal/OSHA	California Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CEC	California Energy Commission

Appendices

APPENDIX A

CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CFR	Code of Federal Regulations
cfs	cubic feet per second
CGP	Construction General Permit
CGS	California Geologic Survey
CLOMR	Conditional Letter of Map Revision
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO2	carbon dioxide
Corps	United States Army Corps of Engineers
CTR	California Toxics Rule
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
DAMP	Drainage Area Management Plan
dB	decibel
dBA	A-weighted decibel
EIR	Environmental Impact Report
EMP	Emergency Management Plan
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
FAA	Federal Aviation Administration
FAR	Federal Air Regulations
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIND	Facility Information Detail
FIRM	Flood Insurance Rate Map
fps	feet per second
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
GCP	General Construction Permit

GHG	greenhouse gas
GMP	Groundwater Management Plan
gpm	gallons per minute
HCM	Highway Capacity Manual
HCP	habitat conservation plan
HVAC	Heating, Ventilating, and Air Conditioning System
IAWP	Interim Agricultural Water Program Reduction Guidelines
ICU	Intersection Capacity Utilization
ILP	Irvine Lake Pipeline
IPCC	Intergovernmental Panel on Climate Change
IRP	Integrated Water Resources Plan
IRWD	Irvine Ranch Water District
ITAM	Irvine Transportation Analysis Model
ITC	Irvine Technology Center
LAWRP	Los Alisos Water Reclamation Plant
LCP	Local Coastal Program
Ldn	day-night noise level
LEPC	Local Emergency Planning Committee
Leq	equivalent continuous noise level
LID	low impact development
LIP	Local Implementation Program
LOMR	Letter of Map Revision
LOS	Level of Service
LRDP	Long Range Development Plan
LST	Localized Significance Thresholds
LTFP	Long Term Facilities Plan
MBTA	Migratory Bird Treaty Act
MCAS	Marine Corps Air Station
MEP	maximum extent practical
mgd	million gallons per day
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MPR	Master Plan Report
MS4	municipal separate storm sewer systems
MWD	Metropolitan Water District of Southern California

MWDOC	Municipal Water District of Orange County
MWRP	Michelson Water Reclamation Plant
NAAQS	National Ambient Air Quality Standards
NCCP	natural communities conservation plan
NEPA	National Environmental Protection Act
NOI	Notice of Intent
NOX	nitrogen oxides
NPDES	National Pollution Discharge Elimination System
NPL	National Priority List
NSMP	Nitrogen Selenium Management Program
NTS	Natural Treatment System
O3	ozone
OCCOG	Orange County Council of Governments
OCFA	Orange County Fire Authority
OCFCD	Orange County Flood Control District
OCHCA	Orange County Health Care Agency
OCSD	Orange County Sanitation District
OCTAM	Orange County Transportation Analysis Model
OCWD	Orange County Water District
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PCB	polychlorinated biphenyls
PDF	Project Design Feature
PHGA	peak horizontal ground acceleration
PM	particulate matter
PPP	Plans, Programs, and Policies
PPV	Peak Particle Velocity
RCB	reinforced concrete box
RCP	Reinforced Concrete Pipe
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Conditions
RMP	Risk Management Plans
RMS	root mean square
RTP	Regional Transportation Plan

RWQCB	Regional Water Quality Control Board
SAMP	Special Area Management Plan (Biological Resources)
SAMP	Subarea Master Plan (Utilities and Service Systems)
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SERC	State Emergency Response Commission
SFHA	Special Flood Hazard Areas
SoCAB	South Coast Air Basin
SOX	sulfur oxides
SRA	Seismic Response Area (Geology and Soils)
SRA	Source Receptor Area (Air Quality)
STC	Sound Transmission Class
SWP	State Water Project
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TAZ	Traffic Analysis Zone
TCE	trichloroethylene
TDR	Transfer of Development Rights
TMDL	total maximum daily load
TRI	Toxic Release Inventory
TSS	total suspended solids
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
V/C	volume-to-capacity ratio
VdB	velocity decibels
VMT	vehicle miles traveled
VOC	volatile organic compounds
WDR	waste discharge requirements
WQMP	Water Quality Management Plan
WRMP	Water Resources Master Plan

WSPG	Water Surface Pressure Gradient

Appendices

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Aesthetics

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Appendices

C PLANS POLICIES AND PROGRAMS

Irvine CEQA Manual
Applicable Plans, Policies, and Programs

Topic	Type	Plans, Policies and Programs	Implementing Agency (Local, Regional, State, and Federal)
Aesthetics	**Standard Conditions**	***City Standard Condition 3.6 (Site Lighting Requirements).*** Prior to the issuance of building permits, the applicant shall demonstrate they have met the Irvine Uniform Security Code requirements for lighting by providing the below listed items for a complete review by the Police department. Failure to provide a complete lighting package will result in the delay of satisfaction of this condition. a. Electrical plan showing light fixture locations, type of light fixture, height of light fixture, and point-by-point photometric lighting analysis overlaid on the landscape plan with a tree legend. The photometric plan should only show those fixtures used to meet the Irvine Uniform Security Code requirements. b. Corresponding fixture cut-sheets (specifications) of those lights used to meet the Irvine Uniform Security Code. c. Site plan demonstrating that landscaping shall not be planted so as to obscure required light levels. d. Site plans that are full-scale and legible. ***City Standard Condition 4.8 (Wireless Facilities–Aesthetics).*** Prior to authorization to use, occupy and/or operate the wireless communication facility, any camouflaging and aesthetic conditions required under this approval shall be inspected and verified to have been met.	**Irvine (Local)**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 5 (Planning), Division 9 (Building Regulations), Chapter 5 (Uniform Security Code).*** Section 5-9-517 (Special Nonresidential Building Provisions) of Chapter 5 discusses standards and requirements for lighting and glare in the City, including heights of lighting fixtures; design, installation, and maintenance of lighting fixtures; standards for new development of multifamily and nonresidential development; lighting for parking areas; and sign illumination. The Uniform Security Code is designed, in part, to limit light and glare to the extent feasible while providing sufficient light in a safe manner. ***Irvine Zoning Ordinance, Chapter 3-8 (Wireless Communication Facility, Satellite Dish and Antenna Standards).*** This chapter of the Zoning Ordinance establishes development standards for wireless communication facilities, satellite dish antennae, and all other forms of antennae and accessory wireless equipment designed to take into account the general welfare of City residents and to be visually compatible with their surroundings while effectively serving the communication needs of the community. All wireless communication facilities, satellite dish antennae, and other forms of antennae are required to comply with the development standards outlined in this chapter, which include visual impact and screening standards. ***Irvine Zoning Ordinance, Chapter 3-16 (Lighting).*** As required by Chapter 3-16 of the City's Zoning Ordinance, outdoor lighting is required to be designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare. The level of lighting on the site shall comply with the requirements of the City's Uniform Security Code (Irvine Municipal Code, Title 5, Division 9, Chapter 5). ***Irvine Zoning Ordinance, Chapter 3-17 (Landscaping).*** This chapter of the Zoning Ordinance outlines the minimum site landscaping and maintenance requirements. This chapter also outlines the screening and landscaping requirements for parking areas and parking structures. ***Irvine Zoning Ordinance, Chapter 3-37 (Zoning District Land Use Regulations and Development Standards).*** This chapter of the Zoning Ordinance outlines the regulations and development standards that are applicable to land uses proposed throughout the various planning areas of the City, including setbacks, building heights, landscaping, and maximum building intensity (IBC only). ***Irvine Zoning Ordinance, Chapter 5-4 (Hillside Overlay District).*** This chapter of the Zoning Ordinance provides regulations for the development of those areas in the City of Irvine and its sphere of influence which, due to their topography, require special consideration to assure that they are developed in a way that will substantially maintain their natural character and environmental and aesthetic values in accordance with the policies set forth in Section 5-4-2. ***Irvine Zoning Ordinance, Division 7 (Signs).*** The intent of this division of the Zoning Ordinance, also known as the Sign Ordinance, is to promote and protect the public health, safety and welfare by regulating existing and proposed signs of all types within the City. This division outlines the standards and regulations that apply to the design and installation of signage,	**Irvine (Local)**

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Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
		including quantity, location, dimensions, lighting, etc.	
	Other Regulations	***General Plan Land Use Element*** *Policy A-1(a):* Develop identifiable City edges, pathways, entry points, and landmarks, and conserve visual resources along scenic corridors which characterize Irvine. *Policy A-3(b):* Ensure development in the hillside areas retains the character and aesthetic value of the natural landform through use of the Hillside Development Ordinance. ***California's Building Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 6, of the California Code of Regulations***. Outlines mandatory provisions for lighting control devices and luminaires.	**Irvine (Local)**
Agricultural Resources	**Standard Conditions**	There are no standard conditions applicable.	**N/A**
	Municipal/Zoning Code	There are no Municipal/Zoning Code provisions applicable.	**N/A**
	Other Regulations	***General Plan Conservation and Open Space Element*** *Policy L-10(a):* Provide for farming opportunities in the community, where feasible and appropriate, through an Agricultural Legacy Program facilitating limited-scale agricultural operations and programs on public lands. The program may include components such as edible landscape, metro-farming, heritage farming, model farming, educational and community service farming and other farm or farm market programs. *Policy L-10(b):* Consider creating a "working model" farm to act as a center for education and enjoyment of all age groups pursuant to the Agricultural Legacy Program in conjunction with the City's planning efforts concerning the re-use of MCAS El Toro, or with the South Coast Research Extension owned by UC Regents. *Policy L-10(d):* Permit agricultural uses, on an interim basis, on land designated for development, and consider agricultural uses as a part of the City's planning efforts for re-use of MCAS El Toro. *Policy L-10(f):* Allow for conversion of interim and permanent agricultural uses to development to provide land for the construction of housing units consistent with the Land Use and Housing Elements, and the development of commercial and industrial buildings consistent with the provision of job opportunities as described in the Land Use Element, where such conversion does not conflict with other L-10 policies.	**Irvine (Local)**
Air Quality	**Standard Conditions**	There are no applicable standard conditions regarding air quality.	**N/A**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 4 (Public Safety), Division 21 (Reduction of Air Pollution from Motor Vehicles.*** This division is intended to support the South Coast Air Quality Management District's (SCAQMD's) imposition of the vehicle registration fee and to bring the City into compliance with the requirements set forth in Health and Safety Code § 44243 in order to receive fee revenues for the purpose of implementing programs to reduce air pollution from motor vehicles. ***Irvine Municipal Code, Title 5 (Planning), Division 10 (Grading Code and Encroachment Regulations), Chapter 1 (Grading Code).*** The City of Irvine's Grading Code establishes rules and regulations to control excavation, grading, and earthwork construction (including fills and embankments), and establishes administrative requirements for issuance of permits, approval of plans, and inspection of grading construction in accordance with the requirements for grading and excavation contained in the Uniform Building Code as adopted and modified by City ordinance. The Grading Code also outlines dust control requirements. For example, as outlined in Section 5-10-127 (Import and export of Earth Material), where an excess of 5,000 cubic yards of earth material per project site is moved on public roadways from or to the site of an earth grading operation, the following requirements shall apply: A. Either water or dust palliative or both must be applied for the alleviation or prevention of excessive dust resulting from the loading or transportation of earth from, to or within the project site on public roadways. The permittee shall be responsible for maintaining public rights-of-way used for hauling purposes in a condition free of dust, earth or debris attributed to the grading operation. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.2 (Compatibility with Surrounding Land Uses) of Chapter 5-8 states that applicants for new residential and/or residential mixed use are required to submit data as determined by the Director of Community Development to evaluate compatibility uses	**Irvine (Local)**

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Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
		with respect to issues including but not limited to noise, odors, truck traffic and deliveries, hazardous materials handling/storage, air emissions, soil/groundwater contamination, and John Wayne Airport compatibility. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.3 (Residential Disclosures) of Chapter 5-8 states that all discretionary applications for residential or residential mixed use are required to include a condition of approval for disclosure to residents clearly outlining the issues associated with living in a mixed-use environment, including language regarding the proximity to John Wayne Airport, as follows: *Notice of Airport in Vicinity*. This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (i.e., noise, vibration, odors). ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.4 (Air Quality Standards) of Chapter 5-8 outlines the required standards for residential and residential mixed-use projects, including: • Use, service and maintenance of construction equipment, including the use of Tier 3 or higher emissions standards for off-road construction equipment and restrictions on non-essential idling. • Preparation of a dust control plan for ground-disturbing activities, which shall include measures for fugitive dust control under Rule 403 of the South Coast Air Quality Management District. • Limitations and restrictions on coatings and solvents that contain volatile organic compounds. • Requirement for the installation of Minimum Efficiency Reporting Value (MERV) filters of MERV 14 or better in the intake of residential ventilation systems for residences located within 500 feet of Interstate 405. • Requirement for the submittal of a Health Risk Assessment (HRA) for residential or residential mixed-use projects located within the distances to industrial uses outlined in Section 5-8-4.A.4. • Requirement for the submittal of a HRA for residential or residential mixed-use projects located within 1,000 feet of an industrial facility that emits toxic air contaminants. • Requirement for the submittal of an odor assessment for all residential projects located within 1,000 feet on an industrial facility that emits substantial odors. ***Irvine Zoning Ordinance, Chapter 2-13 (Hazardous Waste Facility Procedure).*** This chapter of the Zoning Ordinance establishes uniform standards, land use regulations and a permit process for controlling the location, design, maintenance and safety of offsite hazardous waste facilities. This chapter also outlines the environmental review process for such facilities, including the requirement for an analysis of all anticipated air quality impacts associated with the project and proposed mitigation to ensure no degradation of air quality in the area.	
	Other Regulations	***SCAQMD Rule 201 – Permit to Construct.*** The South Coast Air Quality Management District (SCAQMD) requires developers who build, install, or replace any equipment or agricultural permit unit, which may cause new emissions of or reduce, eliminate, or control emissions of air contaminants to obtain a permit to construct from the Executive Officer. ***SCAQMD Rule 402 – Nuisance Odors.*** SCAQMD prohibits the discharge of any quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property to be emitted within the South Coast Air Basin (SoCAB). ***SCAQMD Rule 403 – Fugitive Dust (PM_{10} and $PM_{2.5}$).*** SCAQMD prohibits any person to cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area such that: (a) the dust remains visible in the atmosphere beyond the property line of the emission source; or (b) the dust emission exceeds 20 percent opacity (as determined by the appropriate test method included in the Rule 403 Implementation Handbook), if the dust emission is the result of movement of a motorized vehicle. ***SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities.*** This rule specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.	**SCAQMD (Regional)**

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Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
		California Air Resources Board Rules. The California Air Resources Board (CARB) outlines a number of rules that limit nonessential idling of large commercial vehicles and equipment. • CARB Rule 2480 (13 CCR 2480): Airborne Toxics Control Measure to Limit School Bus Idling and Idling at Schools. Limits nonessential idling for commercial trucks and school buses within 100 feet of a school. • CARB Rule 2485(13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling. Limits nonessential idling to five minutes or less for commercial trucks. • CARB Rule 2449(13 CCR 2449): In-Use Off-Road Diesel Idling Restricts. Limits nonessential idling to five minutes or less for diesel-powered off-road equipment.	**CARB (State)**
Biological Resources	**Standard Conditions**	***City Standard Condition 2.20 (Wildlife Habitat Clearance).*** Prior to the issuance of permits for any grading activity including, but not limited to, clearing, grubbing, mowing, disking, trenching, grading, fuel modification, agriculture planting activity, and/or other related construction activity for a project that will involve removal of native plant communities and wildlife habitat, the applicant shall obtain written authorization from the appropriate Federal, State and local agencies having jurisdiction over the habitat area. The authorization shall state that said activity complies with the regulations enforced by those agencies. Additionally, any mitigation requirements set forth by such agencies shall be incorporated into the project's final design plans. This written authorization, along with plans and mitigation measures, shall be submitted to the Director of Community Development for review and shall have been approved by the Director prior to issuance of a permit for any grading activity. ***Standard Condition 3.13 (Open Space Education).*** Prior to issuance of the first building permit for a project adjacent to open space, location, design, and text for wild land interface signage shall be approved by the Director of Community Services in conjunction with the approval of the Master Landscape and Trails Plan, if any, or the Landscape Plan. The signage shall be located at all trailheads adjacent to the development. The signage shall educate users of the responsibilities associated with wild land interface and shall address relevant issues including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants. ***Standard Condition 6.10 (Open Space Education).*** For any project adjacent to open space, the project applicant or subsequent builder shall distribute a wild land interface brochure to all owners, residents, and/or tenants (to be obtained from The Nature Reserve of Orange County www.naturereserveoc.org) to educate owners, residents, and/or tenants of the responsibilities associated with living at the wild land interface. The brochure shall address relevant issues, including the role of natural predators in the wild lands and how to minimize impacts of human and domestic pets on native communities and their inhabitants. ***City Standard Condition 6.11 (Open Space Landscaping).*** Prior to the issuance of landscape construction plans for lots adjacent to any open space areas, the interface between the natural and developed areas shall be designed to employ techniques to minimize slopes and decrease slope angles, as well as, where appropriate, recreate natural features (i.e., drainage courses, rock outcroppings, landscaping, etc.), especially within areas adjacent to the Natural Communities Conservation Plan (NCCP) Reserve, pursuant to the provisions of the approved NCCP/Habitat Conservation Plan. The landscape plans shall be reviewed by the Director of Community Services, and approved by the Director of Public Works, with regard to the landscaped interface.	**Irvine (Local)**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 5 (Planning), Division 7 (Sustainability in Landscaping), Chapter 4 (Urban Forestry).*** Chapter 4, also knows as the Urban Forestry Ordinance, outlines the provisions for the protection and enhancement of the existing urban forest resource by application of sustainability in landscaping policies and through the provision of professional management. For example, if any trees are removed, the applicant is required to carry out a tree survey and obtain a permit for their removal in accordance with the City's urban forestry ordinance (including 1:1 replacement). ***Irvine Municipal Code, Title 3 (Community Services), Division 4 (Parks), Chapter 1 (In General).*** Sec. 3-4-132 (Protection of Natural, Cultural, Structural and Archaeological Resources) of Chapter 1 prohibits any person from possessing, destroying, injuring, defacing, removing, digging or disturbing from its natural state any of the following: plants, wildlife, artifacts, minerals, landscape structures, improvements, wood, and natural products. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.1 (Development Adjacent to San Diego Creek or San Joaquin Marsh) of Chapter 5-8 outlines the provisions for development adjacent to the San Diego Creek or San Joaquin Mark, including: the prohibition of highly reflective glass windows and use of building angles in order to reduce light and glare impacts on the creek and marsh environment and reduce the incidence of bird collisions, and the prohibition of the use of exotic plant species in landscape plans that may be invasive to native habitats.	**Irvine (Local)**
	Other Regulations	***General Plan Conservation and Open Space Element*** *Policy L-2(f):* Locate sensitive human use in preservation areas away from areas with rare or endangered species, including migratory bird species and rare plant species.	**Irvine (Local)**

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Topic	Type	Plans, Policies and Programs	Implementing Agency (Local, Regional, State, and Federal)
		Policy L-2(j): Light-sensitive biotic areas should be protected form glare caused by outdoor lighting fixtures. *Policy L-2(k):* If determined necessary through project review, a wall or fence combined with vegetation screening shall be constructed between light-sensitive habitat areas and adjacent urban development. Similar measures should be taken wherever light and glare might produce adverse impacts upon light-sensitive biotic areas. ***Eucalyptus Windrow Maintenance and Protection Plan for Lower Peters Canyon (September 1996)***.	
		Clean Water Act, Section 404. The United States Army Corps of Engineers (Corps) regulates discharges of dredged or fill material into "waters of the U.S." Pursuant to Section 404 of the federal Clean Water Act (CWA), a permit is required for any filling or dredging within waters of the U.S. The permit review process entails an assessment of potential adverse impacts to Corps wetlands and jurisdictional waters, wherein the Corps may require mitigation measures. Also, where a Section 404 permit is required, a Section 401 Water Quality Certification would also be required from the Regional Water Quality Control Board (RWQCB).	**SARWQCB (Regional)**
		Section 401 Water Quality Certification and 404 Permit of the Clean Water Act (CWA). Prior to any installation of any new storm drain connections to and/or discharges into the San Diego Creek or San Joaquin Marsh, the City or other project applicants shall 1) obtain a permit or other authorization from the Corps pursuant to Section 404 of the federal CWA; 2) obtain a Section 401 Water Quality Certification from the California Regional Water Quality Control Board (RWQCB), Santa Ana Region, pursuant to Section 401 of the CWA, which requires any applicant for a federal permit, such as a CWA Section 404 permit, to provide the licensing agency a certification from RWQCB that the project will comply with adopted water quality standards; and 3) provide notification to the California Department of Fish and Game (CDFG) of the project pursuant to Section 16-2 of the Fish and Game Code and comply with any further actions required by CDFG.	**Corps (Federal)** **CDFG (State)** **SARWQCB (Regional)**
		Clean Water Act, Section 401 and 402. Section 401(a)(1) of the CWA specifies that any applicant for a federal license or permit to conduct any activity that may result in any discharge into navigable waters shall provide the federal permitting agency a certification, issued by the state in which the discharge originates, that any such discharge will comply with the applicable provisions of the CWA. In California, the applicable Regional Water Quality Control Board (RWQCB) must certify that the project will comply with water quality standards. Permits requiring Section 401 certification include US Army Corps of Engineers (Corps) Section 404 permits and National Pollutant Discharge Elimination System (NPDES) permits issued by the Environmental Protection Agency (EPA) under Section 402 of the CWA. NPDES permits are issued by the applicable RWQCB. The City of Irvine is within the jurisdiction of the Santa Ana RWQCB (Region 8).	**Corps (Federal)**
Cultural Resources	**Standard Conditions**	***City Standard Condition 2.5 (Archeologist/Paleontologist).*** Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and/or a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works/OC Planning). The archaeologist and/or paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."	**Irvine (Local)**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 3 (Community Services), Division 4 (Parks), Chapter 1 (In General).*** Sec. 3-4-132 (Protection of Natural, Cultural, Structural and Archaeological Resources) of Chapter 1 prohibits any person from possessing, destroying, injuring, defacing, removing, digging or disturbing from its natural state any of the following: plants, wildlife, artifacts, minerals, landscape structures, improvements, wood, and natural products.	**Irvine (Local)**
	Other Regulations	***California Public Resources Code.*** Archeological, paleontological, and historical sites are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code. In addition, cultural and paleontological resources are recognized as nonrenewable, and therefore receive protection under the California Public Resources Code and CEQA. ***California Senate Bill 18.*** Senate Bill 18, (SB18) regarding Traditional Tribal Cultural Places (TTCP), was signed into law in September 2004 and went into effect on March 1, 2005. It places new requirements upon local governments for developments in or near a TTCP. Per SB 18, the law requires local jurisdictions to provide opportunities for involvement of California Native Americans tribes in the land planning process for the purpose of preserving traditional tribal cultural places.	**Irvine (Local)**
		California State Health and Safety Code. The discovery of human remains is regulated per California Health and Safety Code Section 7050.5.	**County Coroner (Local)**

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Energy	**Standard Conditions**	There are no standard conditions applicable.	**N/A**
	Municipal/Zoning Code	***Irvine Zoning Ordinance, Chapter 3-31 (Solar Energy System Standards).*** This chapter encourages investment in solar energy systems on all parcels in the City, both residential and nonresidential, while providing guidelines for the installation of those systems that are consistent with the architectural and building standards of the City. All solar energy systems shall comply with all applicable provisions of the City of Irvine Codes and the standards of this chapter. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** As outlined in Section 5-8-4.A.7 (Green-Point Rated Development) of Chapter 5-8, applicants for new residential development in the IBC are required to submit evidence to the satisfaction of the Director of Community Development that proposed buildings have been designed and constructed to be Green-Point Rated. ***Irvine Zoning Ordinance, Chapter 9-36 (Planning Area 36-Irvine Business Complex).*** Section 9-36-20 (Environmental Standards) of Chapter 9-36 outlines the environmental standards that are applicable to new development projects in the IBC. Provisions include: • Submittal of evidence that toilets, urinals, sinks, showers, and other water fixtures installed onsite are ultra-low-flow fixtures that exceed the Uniform Building Code. • Submittal of evidence for new non-residential developments that proposed buildings are designed and constructed to achieve the "Designed to Earn the Energy Star" rating.	**Irvine (Local)**
	Other Regulations	***2008 Building and Energy Efficiency Standards (CCR Title 24).*** Prior to the issuance of a building permit for residential, commercial, or office structures in the Irvine Business Complex, development plans for these structures shall be required to demonstrate that the project meets the 2008 Building and Energy Efficiency Standards. Commonly known as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2008 standards are approximately 15 percent more energy efficient than the 2005 Building and Energy Efficiency Standards. Plans submitted for building permits shall include written notes demonstrating compliance with the 2008 energy standards and shall be reviewed and approved by the Public Utilities Department prior to issuance of building permits. Design strategies to meet this standard may include maximizing solar orientation for daylighting and passive heating/cooling, installing appropriate shading devices and landscaping, utilizing natural ventilation, and installing cool roofs. Other techniques include installing insulation (high R value) and radiant heat barriers, low-e window glazing, or double-paned windows. ***Title 24 Code Cycles: Net-Zero Buildings (Residential & Non-Residential).*** The California Public Utilities Commission adopted its Long-Term Energy Efficiency Strategic Plan on September 18, 2008, presenting a roadmap for all new residential and commercial construction to achieve a zero-net energy standard. This Plan outlines the goal of reaching zero net energy in residential construction by 2020 and in commercial construction by 2030. Achieving this goal will require increased stringency in each code cycle of California's Energy Code (Title 24). ***Energy Efficient Traffic Lights.*** New traffic signals installed within the Irvine Business Complex will have light emitting diodes. The City is implementing a program to convert all traffic lights in the City to traffic light emitting diodes. ***Irvine Sustainability Community Initiative.*** The Irvine Sustainability Community Initiative (Initiative Ordinance 10-11), adopted by the voters of the City as Initiative Measure S on November 2, 2010, and certified by the City Council on December 14, 2010, became effective December 24, 2010. The ordinance was adopted to ratify and implement policies in support of renewable energy and environmental programs for a sustainable community. It outlines the City's direction for continuing to develop and implement programs geared towards green building, renewable energy and sustainability. For example, the City would continue to develop and implement recycling, zero waste or other innovative onsite business programs to divert waste from landfills and also continue to develop and implement the use of native, California-friendly and drought-tolerant landscaping.	**Irvine (Local)**
Geology and Soils	**Standard Conditions**	***Standard Condition 2.6 (Site Specific Geotechnical Study).*** Prior to the issuance of grading permits, the applicant shall provide to the Chief Building Official a site-specific geotechnical study for each proposed structure. The geotechnical report shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake. The contents of the geotechnical report shall include, but shall not be limited to, the following: a. Project description. b. A description of the geologic and geotechnical conditions at the site, including an appropriate site location map. c. Evaluation of site-specific seismic hazards based on geological and geotechnical conditions, in accordance with current industry standards of practice.	**Irvine (Local)**

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		d. Recommendations for earthwork and construction. e. Name of report preparer(s), and signature(s) of a certified engineering geologist and/or registered civil engineer, having competence in the field of seismic hazard evaluation and mitigation. f. Include the official professional registration or certification number and license expiration date of each report preparer in the signature block of the report. ***Standard Condition 3.3 (Disclosure Statements).*** Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included. a. Information on Noise resulting from aircraft and/or helicopter operations from John Wayne Airport. b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist (949) 724-7148. c. Map of Special Flood Hazard Area information for areas subject to inundation.	
	Municipal/Zoning Code	***Municipal Code, Title 5 (Planning), Division 9 (Building Regulations).*** The City of Irvine's building code regulations are included in Division 9 of the City's Municipal Code, as adopted under Section 5-9-101 (Adoption of Building Code). Division 9 adopted by reference the most recent version of the CBC. ***Municipal Code, Title 5 (Planning), Division 10 (Grading Code and Encroachment Regulations), Chapter 1 (Grading Code).*** The City of Irvine's Grading Code establishes rules and regulations to control excavation, grading, and earthwork construction (including fills and embankments), and establishes administrative requirements for issuance of permits, approval of plans, and inspection of grading construction in accordance with the requirements for grading and excavation contained in the UBC as adopted and modified by City ordinance. The Grading Code also contains water quality requirements.	**Irvine (Local)**
	Other Regulations	***California Building Code.*** Development in the City of Irvine is required to adhere to the building standards of the most recent California Building Code (CBC), also known as Title 24 of the California Code of Regulations. The most recent building standard adopted by the legislature and used throughout the state is the January 2008 version of the CBC. The 2008 CBC is based on the 2006 International Building Code. These codes provide minimum standards to protect property and the public welfare by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. ***City of Irvine Grading Manual.*** The City of Irvine Grading Manual (Grading Manual) is a compilation of rules, procedures and interpretations necessary to carry out the provisions of the City of Irvine Grading Code. The purpose of the Grading Manual is to assist users of the Grading Code by supplementing it with detailed information regarding rules, interpretations, standard specifications, procedures, requirements, forms and other information applicable to control excavation, grading and earthwork construction in the City of Irvine. The Grading Manual also contains guidelines for the preparation of geotechnical and geology reports, slope stability analysis and erosion control plans. Appendix B of the Grading Manual contains the "Technical Guidelines for Soil and Geology Reports" and Appendix D contains the "Minimum Standards for Slope Stability Analysis." The geotechnical and geology reports, slope stability analysis and erosion control plan are required to be submitted as part of the grading plan and are reviewed and approved by the Building & Safety Division of the Community Development Department.	**Irvine (Local)**
		South Coast Air Quality Management District Rules 402 and 403. Rules 402 and 403 require that fugitive dust be controlled during construction activities to limit exposure of nearby sites to fugitive dust resulting from construction activities. Rule 402 requires dust suppression techniques be implemented to prevent dust and soil erosion from creating a nuisance offsite. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emissions source.	**SCAQMD (Regional)**
		General Construction Permit. The General Construction Permit (GCP), issued by the State Water Resources Control Board (SWRCB) as Order 99-08-DWQ, NPDES Permit No. CAS000002, regulates stormwater and non-storm water discharges associated with construction or demolition activities including, but not limited to clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre. The GCP requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP), which must list Best Management Practices (BMPs) that the discharger will use to protect stormwater runoff and erosion control and the placement of those BMPs. The GCP, SWRCB Order No. 99-08-DWQ was updated in September 2009 as Order No. 2009-0009-DWQ, and took effect July 1, 2010.	**SARWQCB (Regional)**

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Greenhouse Gas Emissions	**Standard Conditions**	There are no standard conditions applicable.	**N/A**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 6 (Public Works), Division 3 (Transportation), Chapter 6 (Trip Reduction Facilities).*** This chapter is intended to meet the requirements of California Government Code Section 65089.3(b)(3), which requires development of a trip reduction and travel demand element to the Congestion Management Plan, and California Government Code Section 65089.3(b), which requires adoption and implementation of a trip reduction and travel demand ordinance. Developers of commercial, industrial and mixed-use projects are required to provide the trip reduction support measures set forth in Section 6-3-605, as applicable, within each such development. Measure include: A. A percentage of parking spaces, located as close as is practical to the entrance(s) of the use they are intended to serve, shall be reserved for use of carpool vehicles. B. Secure, adequate and convenient storage shall be provided for bicycles pursuant to the zoning code of the City. C. Bus bays, bus stops and bus shelters shall be provided adjacent to roads and streets traversing or bounding the development, as requested by the City and pursuant to proposed or existing bus stop locations identified by Orange County Transit District or its successor agency. D. A transportation information center shall be provided within each building generating 100 or more employees based on the chart below. E. A shower and locker room facility for each sex shall be provided in each building generating 400 or more employees based on the above employee generation factors. F. Sidewalks or other paved pathways following direct and safe routes from the external pedestrian circulation system to each building in the development shall be provided. ***Irvine Zoning Ordinance, Chapter 3-31 (Solar Energy System Standards).*** This chapter encourages investment in solar energy systems on all parcels in the City, both residential and nonresidential, while providing guidelines for the installation of those systems that are consistent with the architectural and building standards of the City. All solar energy systems shall comply with all applicable provisions of the City of Irvine Codes and the standards of this chapter. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** As outlined in Section 5-8-4.A.7 (Green-Point Rated Development) of Chapter 5-8, applicants for new residential development in the IBC are required to submit evidence to the satisfaction of the Director of Community Development that proposed buildings have been designed and constructed to be Green-Point Rated. ***Irvine Zoning Ordinance, Chapter 9-12 (Planning Area 12).*** Section 9-12-47.G (Green Building Requirements within the 5.5H Medical and Science Zoning District) of Chapter 9-12 states that project applicants are required to comply with all City, State, and Federal greenhouse gas emissions and green building requirements applicable to new development on a citywide basis that are in place at the time of each tentative tract map approval within Planning Area 12. ***Irvine Zoning Ordinance, Chapter 9-40 (Planning Area 40/Spectrum 8).*** Section 9-40-4.L (Green Building Requirements) of Chapter 9-40 states that project applicants are required to comply with all City, State, and Federal greenhouse gas emissions and green building requirements applicable to new development on a citywide basis that are in place at the time of each tentative tract map approval within Planning Area 40. ***Irvine Zoning Ordinance, Chapter 9-36 (Planning Area 36-Irvine Business Complex).*** Section 9-36-20 (Environmental Standards) of Chapter 9-36 outlines the environmental standards that are applicable to new development projects in the IBC. Provision include: • Requirement that construction contractors provide alternative transportation mode incentives, such as bus passes, and/or carpooling for workers to and from the worksite on days that construction activities require 200 or more workers. • Submittal of evidence that the project uses recycled materials for at least 20 percent of construction materials. • Requirement that construction contractors use off-road construction equipment that conforms to Tier 3 of the USEPA, or higher emissions standards for construction equipment over 50 horsepower that is commercially available. • Submittal of evidence that toilets, urinals, sinks, showers, and other water fixtures installed onsite are ultra-low-flow fixtures that exceed the Uniform Building Code. • Submittal of evidence that the projects landscape irrigation system is an automated, high-efficient irrigation system that reduces water waste. • Requirement to use reclaimed water on all master landscaped areas. • Requirement for new parking lots to include tree planting designed to result in 50 percent shading of parking lot surface areas within 15 years. • Requirement for the provision of onsite recycling facilities on all new developments as required by the Director of Public Works. • Submittal of evidence for new non-residential developments that proposed buildings are designed and constructed to achieve the “Designed to Earn the Energy Star” rating.	**Irvine (Local)**

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	Other Regulations	***Irvine Sustainability Community Initiative.*** The Irvine Sustainability Community Initiative (Initiative Ordinance 10-11), adopted by the voters of the City as Initiative Measure S on November 2, 2010, and certified by the City Council on December 14, 2010, became effective December 24, 2010. The ordinance was adopted to ratify and implement policies in support of renewable energy and environmental programs for a sustainable community. It outlines the City's direction for continuing to develop and implement programs geared towards green building, renewable energy and sustainability. For example, the City would continue to develop and implement green building practices for new and retrofitted buildings and homes in the City, such as those rated or certified by Energy Star, Leadership in Environmental Design (LEED), Build It Green or other comparable programs that address energy and water conservation, renewable energy and use of recycled materials. ***City of Irvine Construction and Demolition (C&D) Debris Recycling and Reuse Ordinance.*** The C&D ordinance requires that 1) all residential projects of more than one unit, 2) nonresidential developments on 5,000 square feet or larger, and 3) nonresidential demolition/renovations with more than 10,000 square feet of building recycle or reuse a minimum of 75 percent of concrete and asphalt and 50 percent of nonhazardous debris generated. ***2008 Building and Energy Efficiency Standards (CCR Title 24).*** Prior to the issuance of a building permit for residential, commercial, or office structures in the Irvine Business Complex, development plans for these structures shall be required to demonstrate that the project meets the 2008 Building and Energy Efficiency Standards. Commonly known as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2008 standards are approximately 15 percent more energy efficient than the 2005 Building and Energy Efficiency Standards. Plans submitted for building permits shall include written notes demonstrating compliance with the 2008 energy standards and shall be reviewed and approved by the Public Utilities Department prior to issuance of building permits. Design strategies to meet this standard may include maximizing solar orientation for daylighting and passive heating/cooling, installing appropriate shading devices and landscaping, utilizing natural ventilation, and installing cool roofs. Other techniques include installing insulation (high R value) and radiant heat barriers, low-e window glazing, or double-paned windows. ***Title 24 Code Cycles: Net-Zero Buildings (Residential & Non-Residential).*** The California Public Utilities Commission adopted its Long-Term Energy Efficiency Strategic Plan on September 18, 2008, presenting a roadmap for all new residential and commercial construction to achieve a zero-net energy standard. This Plan outlines the goal of reaching zero net energy in residential construction by 2020 and in commercial construction by 2030. Achieving this goal will require increased stringency in each code cycle of California's Energy Code (Title 24). ***Transit Service to LAX.*** Although the City of Irvine is serviced by John Wayne Airport, Los Angeles International Airport (LAX) is the regional air transportation hub. Providing direct transit service from the City to LAX can reduce single passenger trips to this destination. The Los Angeles World Airports operates three Flyaway shuttles that provide nonstop airport service to and from Westwood, Van Nuys, and Downtown Los Angeles via the Flyaway program. Since November 16, 2009, a Flyaway shuttle from the Irvine Metrolink Station to LAX provides nonstop service. Based on the ITAM model, a 0.25 percent reduction in VMT is achieved through implementation of this program. ***Comprehensive Signal Retiming and Coordination Program.*** Emissions are highest at the lowest travel speeds. The City is currently retiming and coordinating signals throughout Irvine under its ITEMS (Irvine Traffic Engineering System) program. The City plans to enhance signal coordination in the IBC area by the end of 2011. A program to retime and coordinate traffic signals would produce more even traffic flows, so that vehicles are not staring and stopping constantly. These types of programs can improve vehicular level of service (LOS), thereby decreasing emissions for the same volume of vehicles. Based on the ITAM model, a 1 percent citywide reduction in VMT is achieved through implementation of this program. ***Additional Fixed Route Shuttle System to Complement The i Shuttle.*** In March 2008, the City introduced The i Shuttle service, which complements regional bus service and provides direct express transportation to and from the nearby Tustin Metrolink Station, John Wayne Airport, and throughout the IBC. The i Shuttle currently operates 12 fully accessible, compressed natural gas (CNG) buses and is funded by the City of Irvine and the Orange County Transportation Authority. The City's shuttle system has the potential to further decrease VMT in the City by encouraging employees not living in the IBC to commute to work using mass transit. Fehr & Peers is currently preparing a comprehensive study of additional local shuttles designed to complement the existing fixed route bus service operated by OCTA and the existing The i Shuttle. This report (Irvine Transit Vision, June 2009) identified six new shuttle routes for within the City of Irvine that would connect from either the Irvine Metrolink Station or the Tustin Metrolink Station to various destinations in Irvine. The City will provide additional shuttle service using the Irvine Transit Vision as a guide. ***Energy Efficient Traffic Lights.*** New traffic signals installed within the Irvine Business Complex will have light emitting diodes. The City is implementing a program to convert all traffic lights in the City to traffic light emitting diodes. ***Waste Reduction.*** The City adopted a Zero Waste program in 2007 to approach waste management. The City recovers approximately 66 percent of its waste for recycling and composting, which exceeds the state's AB 939 waste diversion goals. Furthermore, waste haulers establish rate schedules according to bin size and frequency of collection. Commercial customers that subscribe to smaller bins (e.g., 2 cubic-yard bins) are routinely charged less by haulers. This pricing structure encourages waste reduction and recycling, and tends to minimize hauler pickups.	**Irvine (Local)**

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		Senate Bill 375. Senate Bill (SB) 375 requires the reduction of GHG emissions from light trucks and automobiles through land use and transportation efforts that will reduce vehicle miles traveled (VMT). In essence, SB 375's goal is to control GHGs by curbing urban sprawl and through better land use planning. SB 375 essentially becomes the land use contribution to the GHG reduction requirements of AB 32, California's global warming bill enacted in 2006. The proposed project is consistent with SB 375 strategies to reduce VMT and associated GHG emissions in that it represents a compact, mixed-use development, improves jobs/housing balance in the City and Orange County Council of Governments Subregion, and provides access to mass transit. According to the 2008 Regional Comprehensive Plan, SCAG's Land Use and Housing Action Plan can be expected to result in a 10 percent reduction in VMT in 2035 when compared to current trends.	**SCAG (Regional)**
		California Renewable Portfolio Standard. CARB's Renewable Portfolio Standard (RPS) is a foundational element of the State's emissions reduction plan. In 2002, Senate Bill 1078 established the California RPS program, requiring 20 percent renewable energy by 2017. In 2006, Senate Bill 107 advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II. On September 15, 2009, Governor Arnold Schwarzenegger signed Executive Order S-21-09 directing CARB to adopt regulations increasing RPS to 33 percent by 2020. These mandates apply directly to investor-owned utilities, in this case Southern California Edison (SCE). ***California Low Carbon Fuel Standard.*** On January 18, 2007, Governor Arnold Schwarzenegger issued Executive Order S-1-07 requiring the establishment of a Low Carbon Fuel Standard (LCFS) for transportation fuels. This statewide goal requires that California's transportation fuels reduce their carbon intensity by at least 10 percent by 2020. Regulatory proceedings and implementation of the LCFS have been directed to CARB. The LCFS has been identified by CARB as a discrete early action item in the Scoping Plan. CARB expects the LCFS to achieve the minimum 10 percent reduction goal; however, many of the early action items outlined in the Scoping Plan work in tandem with one another. To avoid the potential for double-counting emission reductions associated with AB 1493 (Pavley), the Scoping Plan has modified the aggregate reduction expected from the LCFS to 9.1 percent. ***California Assembly Bill 1493 – Pavley Standards.*** On July 22, 2002, Governor Gray Davis signed Assembly Bill 1493 requiring CARB to develop and adopt regulations designed to reduce greenhouse gases emitted by passenger vehicles and light-duty trucks beginning with the 2009 model year. The standards set within the Pavley regulations are expected to reduce GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016. California had petitioned the USEPA in December 2005 to allow these more stringent standards and California executive agencies have repeated their commitment to higher mileage standards. On July 1, 2009, the USEPA granted California a waiver that will enable the state to enforce stricter tailpipe emissions on new motor vehicles.	**State**
		Federal Corporate Average Fuel Economy (CAFE) Standards. The 2007 Energy Bill creates new federal requirements for increases in fleetwide fuel economy for passenger vehicles and light trucks. The federal legislation requires a fleetwide average of 35 miles per gallon (mpg) to be achieved by 2020. The National Highway Traffic Safety Administration is directed to phase in requirements to achieve this goal. Analysis by CARB suggests that this will require an annual improvement of approximately 3.4 percent between 2008 and 2020.	**Federal**
Hazards and Hazardous Materials	**Standard Conditions**	***Standard Condition 2.19 (Open Space Fuel Modification).*** Prior to issuance of precise grading permits for any lots adjacent to open space, the applicant shall submit a fuel modification plan prepared to the satisfaction of the Director of Community Development for review and approval, in consultation with the Director of Community Services. The fuel modification plan shall be approved by the Orange County Fire Authority (OCFA). The requirements set forth in this condition do not apply to developed, irrigated park land required or provided as part of the project design for this project. ***Standard Condition 3.8 (Used Motor Oil Collection).*** Prior to the issuance of building permits for a project that incorporates vehicle service bays, the applicant shall submit, and the Director of Community Development shall have approved, a plan to implement an on-site used oil (motor oil) collection program in accordance with state/local statutes and regulations. ***Standard Condition 3.9 (Used Motor Oil Signage).*** Prior to the issuance of building permits for a gas station without service bays, the applicant shall submit, and the Director Community Development shall have approved, a plan for the design and location of an advisory sign regarding the recycling of used motor oil. The sign shall advise the public that used motor oil is a household hazardous waste that should be disposed of properly and shall specify the locations and schedule of the regional collection facilities, including at least one collection facility in the City of Irvine. ***Standard Condition 3.14 (HOA/Fuel Modification).*** Prior to the issuance of building permits for any dwelling units on lots located adjacent to or within fuel modification zones, the applicant shall provide evidence that there is a requirement included in the CC&Rs that any changes to plant materials located within fuel modification zones must be approved by the Director of Community Development and be consistent with applicable Orange County Fire Authority requirements. For fuel modification zones adjacent to lands designated as Open Space changes in plant materials shall also be reviewed by the Director of Community Services.	**Irvine (Local)**
		Irvine Municipal Code, Title 4 (Public Safety), Division 9 (Emergency Services). The purposes of this division are to provide for the preparation and carrying out of plans for the protection of persons and property within this City in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this City with all other public agencies, corporations, organizations, and affected private persons..	

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Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
	Municipal/Zoning Code	***Irvine Municipal Code, Title 4 (Public Safety), Division 17 (Hazardous Materials).*** This division outlines the system of disclosure that is required to provide that information essential to firefighters, health officials, planners, elected officials, and other emergency service personnel in meeting their responsibilities for the health and welfare of the community in such a fashion that trade secrecy is not abridged. This division also implements the community's right and need for basic information on the use and disposal of hazardous materials in the City and provide for an orderly system for the provision of such information. ***Irvine Municipal Code, Title 5 (Planning), Division 10 (Grading Code and Encroachment Regulations), Chapter 1 (Grading Code).*** As outlined in Section 5.10-114 (Hazardous Conditions), of the Grading Code, hazardous conditions exist when the state of any natural ground, natural slopes, excavation, fill or drainage device, any of which exist on public or private property, is a menace to life or limb, or a danger to public safety, or endangers or adversely affects the safety, usability or stability of adjacent property, structures, or public or private facilities. This section outlines the authority given to the Chief Building Official for examining or causing to be examined every condition reported as hazardous as set forth in subsection A of this section. This section also outlines the provisions that may be undertaken in case of any such hazard. ***Irvine Zoning Ordinance, Chapter 2-13 (Hazardous Waste Facility Procedure).*** This chapter of the Zoning Ordinance establishes uniform standards, land use regulations and a permit process for controlling the location, design, maintenance and safety of off-site hazardous waste facilities. This chapter also outlines the environmental review process for such facilities, including the requirement for an analysis of all anticipated air quality impacts associated with the project and proposed mitigation to ensure no degradation of air quality in the area. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.2 (Compatibility with Surrounding Land Uses) of Chapter 5-8 states that applicants for new residential and/or residential mixed use is required to submit data as determined by the Director of Community Development to evaluate compatibility uses with respect to issues including but not limited to noise, odors, truck traffic and deliveries, hazardous materials handling/storage, air emissions, soil/groundwater contamination, and John Wayne Airport compatibility. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.4 (Air Quality Standards) of Chapter 5-8 outlines the required standards for residential and residential mixed-use projects, including: • Use, service and maintenance of construction equipment, including the use of Tier 3 or higher emissions standards for off-road construction equipment and restrictions on non-essential idling. • Preparation of a dust control plan for ground-disturbing activities, which would include measures for fugitive dust control under Rule 403 of the South Coast Air Quality Management District. • Limitations and restrictions on coatings and solvents that contain volatile organic compounds. • Requirement for the installation of Minimum Efficiency Reporting Value (MERV) filters of MERV 14 or better in the intake of residential ventilation systems for residences located within 500 feet of Interstate 405. • Requirement for the submittal of a Health Risk Assessment (HRA) for residential or residential mixed-use projects located within the distances to industrial uses outlined in Section 5-8-4.A.4. • Requirement for the submittal of a HRA for residential or residential mixed-use projects located within 1,000 feet of an industrial facility that emits toxic air contaminants. • Requirement for the submittal of an odor assessment for all residential projects located within 1,000 feet on an industrial facility that emits substantial odors. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.C (Airport Restrictions) of Chapter 5-8 outlines the provisions for development within the jurisdiction of the Airport Land Use Commission, including: building height limitations in accordance with the Orange County Environs Land use Plan standards and Federal Aviation Administration Part 77 Imaginary Surfaces for John Wayne Airport; the prohibition of residential land uses within Safety Zone 3; and sound attenuation standards for residential and park uses.	**Irvine (Local)**
		Hazardous Materials Disclosure Programs. The Unified Program is implemented at the local government level by Certified Unified Program Agencies (CUPAs). The CUPA with responsibility for the Irvine area is the Orange County Health Care Agency (OCHCA). The Hazardous Materials Division of OCHCA is designated by the State Secretary for Environmental Protection as the CUPA for Orange County. The CUPA is charged with the responsibility of conducting compliance inspections for regulated facilities in Orange County. Inspections and	

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		business plans are managed by the Orange County Fire Authority (OCFA) on behalf of CUPA. ***California Accidental Release Prevention Program.*** The California Accidental Release Prevention Program (CalARP) became effective on January 1, 1997, in response to Senate Bill 1889. The CalARP aims to be proactive and therefore requires businesses to prepare Risk Management Plans (RMPs), which are detailed engineering analyses of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. This requirement is coupled with the requirements for preparation of Hazardous Materials Business Plans under the Unified Program, implemented by the CUPA. ***Underground Storage Tanks.*** If any underground storage tanks (USTs) are encountered during site grading and excavation activities, they shall be removed in accordance with the existing standards and regulations of, and oversight by, the Orange County Health Care Agency (OCHCA), based on compliance authority granted through the California Code of Regulations, Title 23, Division 3, Chapter 16, Underground Tank Regulations. The process for UST removal is detailed in the OCHCA's "Underground Storage Tanks: The Basics." Soil samples from areas where storage tanks have been removed or where soil contamination is suspected shall be analyzed for hydrocarbons including gasoline and diesel in accordance with procedures set forth by OCHCA. If hydrocarbons are identified in the soil, the appropriate response/remedial measures will be implemented as directed by OCHCA with support review from the RWQCB until all specified requirements are satisfied and a Tank Closure Letter is issued. Any aboveground storage tank (AST) in existence at the commencement of site development shall be removed in accordance with all applicable regulations under the oversight of Orange County Fire Authority. Compliance requirements relative to the removal/closure of storage tanks are set forth through the California Health and Safety Code, Sections 25280 through 25299. ***Rule 29 of the Code of Federal Regulations (CFR) Part 1926.*** Federal law requires compliance with Rule 29 of the Code of Federal Regulations (CFR) Part 1926. Prior to site demolition activities, building materials shall be carefully assessed for the presence of lead-based paint, and its removal, where necessary, must comply with state and federal regulations, including Occupational Safety and Health Administration (OSHA) 29 CFR Part 1926. The OSHA rule establishes standards for occupational health and environmental controls for lead exposure. The standard also includes requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation of monitoring. Furthermore, the requirements of California Code of Regulations, Title 17, Division 1, Chapter 8, identify procedures that must be followed for accreditation, certification, and work practices for lead-based paint and lead hazards. Section 36100 thereof specifically sets forth requirements for lead-based paint abatement in public and residential buildings.	
	Other Regulations	***Asbestos-Containing Materials.*** Prior to site demolition activities, building materials must be carefully assessed for the presence of asbestos-containing materials (ACM), and removal of this material, where necessary, must comply with state and federal regulations, including SCAQMD Rule 1403, which specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACMs. The requirements for demolition and renovation activities include asbestos surveying; notification; ACM removal procedures and time schedules; ACM handling and cleanup procedures; and storage, disposal, and landfill disposal requirements for asbestos-containing waste materials. ***Title 22, Division 4.5 of the California Code of Regulations.*** During site decommissioning and demolition activities, hazardous wastes must be managed in accordance with the requirements of Title 22, Division 4.5 of the California Code of Regulations. Title 22 sets forth the requirements with which hazardous-waste generators, transporters, and owners or operators of treatment, storage, or disposal facilities must comply. These regulations include the requirements for packaging, storage, labeling, reporting, and general management of hazardous waste prior to shipment. In addition, the regulations identify standards applicable to transporters of hazardous waste such as the requirements for transporting shipments of hazardous waste, manifesting, vehicle registration, and emergency accidental discharges during transportation. ***Title 8 of the California Code of Regulations, Section 1529.*** During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations, Section 1529, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to asbestos. Asbestos-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code. ***Soil and/or Groundwater Contamination.*** Evidence of soil and/or groundwater contamination (e.g., chemical odors, staining) unrelated to above/underground storage tank releases may be encountered during site development. The appropriate agency (e.g., OCHCA, DTSC, or the Regional Water Quality Board) shall be notified if these conditions are encountered during construction or grading activities. With their oversight, an environmental site assessment would be completed and a determination shall be made as to whether a cleanup is required. Cleanup activities would be consistent with all applicable state and local rules, regulations, and laws. A cleanup would not be considered complete until confirmatory samples of soil and/or groundwater reveal levels of contamination below the standards established by the oversight agency. Alternatively, a risk assessment may be prepared for the site to determine that there are no human or environmental risks associated with leaving contamination below specific levels in place. Construction in the impacted area shall not proceed until a "no further action"	**OCHCA (Local)**

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		clearance letter or similar determination is issued by the oversight agency, or until a land use covenant is implemented.	
		Airport Environs Land Use Plan for John Wayne Airport. The Airport Environs Land Use Plan (AELUP) for John Wayne Airport is a 20-year land use compatibility plan for the airport to safeguard the general welfare of the inhabitants within its vicinity and ensure its continued operation. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. The California Department of Transportation's California Airport Land Use Planning Handbook provides guidelines for preparing airport compatibility plans. The handbook is a technical resource providing guidelines, in part, to define Aircraft Noise standards and criteria, accident potential zones, building height zones, and designated planning areas.	**Orange County Airport Land Use Commission (Local)**
		SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. This rule specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.	**SCAQMD (Regional)**
		Hazardous Materials Release Notification. Many state statutes require emergency notification of a hazardous chemical release. These statutes include: • Health and Safety Codes Sections 25270.7, 25270.8, and 25507 • Vehicle Code Section 23112.5 • Public Utilities Code Section 7673 (PUC General Orders #22-B, 161) • Government Code Sections 51018, 8670.25.5 (a) • Water Codes Sections 13271, 13272 • Labor Code Section 6409.1(b)10 ***Hazardous Materials Business Plans.*** Both the federal government (Code of Federal Regulations) and the State of California (Health and Safety Code) require businesses that handle more than a specified amount ("reporting quantity") of hazardous material or extremely hazardous material to submit a Hazardous Material Business Plan to their CUPAs. ***Title 8 of the California Code of Regulations, Section 1532.1.*** During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.	**State**
		Federal Air Regulations, Part 77. The Federal Aviation Administration (FAA) is charged with the review of construction activities that occur in the vicinity of airports. Their role in reviewing these activities is to ensure that new structures do not result in a hazard to navigation and thus derogate the safety of the National Airspace System. The regulations contained in Federal Air Regulations (FAR) Part 77 are designed to ensure that no hazards are allowed to exist that would endanger the public. The FAA, through FAR Part 77, established a method of identifying surfaces that should be free from obstructions in order to maintain sufficient airspace around airports. FAR Part 77, in effect, identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. In addition, Part 77 establishes standards for determining whether objects constructed near airports will be considered obstructions in navigable airspace, sets forth notice requirements of certain types of proposed construction or alterations, and provides for aeronautical studies to determine the potential impacts of a structure on the flight of aircraft through navigable airspace.	**FAA (Federal)**
	Standard Conditions	***Standard Condition 2.7 (Groundwater Survey).*** Prior to the issuance of precise grading permits, the applicant shall submit to the Chief Building Official a groundwater survey of the entire site. The analysis shall be prepared by a licensed geotechnical engineer versed in groundwater analysis and shall include the following information and analysis: a. Potential for perched groundwater intrusion into the shallow groundwater zone upon build-out. b. Analysis for relief of groundwater buildup and properties of soil materials on-site. c. Impact of groundwater potential on building and structural foundations. d. Proposed mitigation to avoid potential for groundwater intrusion within five feet of the bottom of the footings. ***Standard Condition 2.11 (Special Flood Hazard Area).*** Prior to the issuance of a precise grading permit for any lot or parcel wholly or partially located within the Special Flood Hazard Area (SFHA, FP 2 District), the applicant shall submit one of the following: a. The final approved Letter of Map Revision (LOMR) to the Flood Plain Administrator, as designated by the City Engineer; or b. Preliminary Elevation Certificates (North American Vertical Datum [NAVD] 1988) for each proposed structure based on construction documents to the Chief Building Official; or c. For non-residential construction only, a preliminary Floodproofing Certificate based on construction documents to the Chief Building Official.	**Irvine (Local)**

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Hydrology & Water Quality		***Standard Condition 2.12 (Water Quality–Notice of Intent).*** Prior to the issuance of preliminary or precise grading permits for a project that will result in soil disturbance of one (1) or more acres of land, the applicant shall provide the City Engineer with evidence that a Notice of Intent (NOI) has been filed with the State Water Resources Control Board. Such evidence shall consist of a copy of the NOI stamped by the State Water Resources Control Board or the Regional Water Quality Control Board, or a letter from either agency stating that the NOI has been filed. ***Standard Condition 2.13 (Water Quality Management Plan).*** Prior to the issuance of preliminary or precise grading permits, the applicant shall submit to the Chief Building Official for review and approval, a Water Quality Management Plan (WQMP). The WQMP shall identify the Best Management Practices (BMPs) that will be used on the site to control predictable pollutant runoff. ***Standard Condition 3.3 (Disclosure Statements).*** Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included. a. Information on Noise resulting from aircraft and/or helicopter operations from John Wayne Airport. b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist (949) 724-7148. c. Map of Special Flood Hazard Area information for areas subject to inundation. ***Standard Condition 3.4 (Special Flood Hazard Area).*** Prior to the issuance of a building permit for any structure wholly or partially located within the floodplain (FP 2 District) of the Special Flood Hazard Area (SFHA), the applicant shall submit one of the following: a. The final approved Letter of Map Revision (LOMR) to the Flood Plain Administrator, as designated by the City Engineer; or b. Preliminary Elevation Certificates (based on North American Vertical Datum [NAVD] 1988) for each proposed structure based on construction documents to the Chief Building Official; or c. For non-residential construction only, a preliminary Floodproofing Certificate for each building or structure based on construction documents showing floodproofing measures complying with adopted codes and standards and approved by the Chief Building Official. ***Standard Condition 4.5 (Special Flood Hazard Area).*** Prior to authorization to use, occupy, and/or operate, for any structure wholly or partially located within the Special Flood Hazard Area (SFHA, FP 2 District), the applicant shall submit one of the following: a. The final approved Letter of Map Revision (LOMR) to the Flood Plain Administrator, as designated by the City Engineer; or b. Final Elevation Certificates (based on North American Vertical Datum [NAVD] 1988) for each structure based on finished floor construction to the Chief Building Official; or c. For non-residential construction only, a final Floodproofing Certificate for each building or structure based on completed construction.	
	Municipal/Zoning Code	***Municipal Code, Title 6 (Public Works), Division 4 (Utilities), Chapter 3 (Sewage Disposal).*** The City of Irvine's Grading Code establishes rules and regulations to control excavation, grading. ***Municipal Code, Title 5 (Planning), Division 10 (Grading Code and Encroachment Regulations), Chapter 1 (Grading Code).*** The City of Irvine's Grading Code establishes rules and regulations to control excavation, grading, and earthwork construction (including fills and embankments), and establishes administrative requirements for issuance of permits, approval of plans, and inspection of grading construction in accordance with the requirements for grading and excavation contained in the UBC as adopted and modified by City ordinance. The Grading Code also contains water quality requirements and guidelines for the preparation of erosion control plans. For example, Section 6-4-315 (Required) states that a person shall not discharge or deposit or cause or suffer to be deposited or discharged any industrial waste into or upon any area in the City, or into any underground or surface waters in the City where such industrial waste is or may be deposited upon or may be carried through or over any area of the City except in conformity with the provisions of this chapter and unless he or she shall have first secured, in the manner hereinafter provided, a permit so to do from the Director. ***Municipal Code, Title 6 (Public Works), Division 8 (Pollution), Chapter 3 (Stormwater/Urban Runoff).*** This division outlines the provisions for the control of stormwater/urban runoff from new development and significant redevelopment, such as the requirement for submittal of a Water Quality Management Plan.	**Irvine (Local)**
	Other Regulations	***City of Irvine Grading Manual.*** The City of Irvine Grading Manual (Grading Manual) is a compilation of rules, procedures and interpretations necessary to carry out the provisions of the City of Irvine Grading Code. The purpose of the Grading Manual is to assist users of the Grading Code by supplementing it with detailed information regarding rules, interpretations, standard specifications, procedures, requirements, forms and other information applicable to control excavation, grading and earthwork construction in the City of Irvine. The Grading	**Irvine (Local)**

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		Manual also contains water quality requirements. For example, Section 9.4 (Disposal) of the Grading Manual states that All drainage generated within development, which includes surface water and all drainage facilities, shall drain independently within a system of disposal approved by the City. Drainage shall be designed to carry water to the nearest practical street, storm drain, or natural watercourse. Erosion of ground in the area of discharge, including a return of flow to a natural sheet flow condition, shall be prevented by installation of nonerosive down-drains, riprap, energy dissipators or other approved devices. ***Engineering Standard Plans.*** The City's Engineering Standard Plans provide detailed requirements (e.g., dimensions, location) and illustrations for the design and construction of among other things gutters, catch basins, desilting basins, and storm drains.	
		General Construction Permit. The General Construction Permit (GCP), issued by the State Water Resources Control Board (SWRCB) as Order 99-08-DWQ, NPDES Permit No. CAS000002, regulates stormwater and non-storm water discharges associated with construction or demolition activities including, but not limited to clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre. The GCP requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP), which must list Best Management Practices (BMPs) that the discharger will use to protect stormwater runoff and erosion control and the placement of those BMPs. The GCP, SWRCB Order No. 99-08-DWQ was updated in September 2009 as Order No. 2009-0009-DWQ, and took effect July 1, 2010. In addition to the requirements of the existing GCP, Order No. 2009-0009-DWQ contains additional requirements for construction sites based on the sites risk of discharging construction-related pollutants, as well as additional monitoring and reporting requirements. The updated permit also includes provisions for meeting specific numerical effluent limits (NELs) and Action Levels (ALs) for pollutants based on the site's risk level.	**SARWQCB (Regional)**
Land Use and Planning	**Standard Conditions**	There are no standard conditions applicable.	**N/A**
	Municipal/Zoning Code	***Irvine Zoning Ordinance.*** The City of Irvine Zoning Ordinance establishes zone-specific development regulations, including height limits, setback requirements, parking ratios, signs, and other development standards. The development regulations and standards are generally outlined in Division 3 (General Development Standards and Land Use Regulations), Division 4 (Parking), Division 5 (Overlay Districts), Division 7 (Signs), Division 8 (Conservation and Open Space Phased Dedication Districts), and Division 9 (Planning Areas). ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.C (Airport Restrictions) of Chapter 5-8 outlines the provisions for development within the jurisdiction of the Airport Land Use Commission, including: building height limitations in accordance with the Orange County Environs Land use Plan standards and Federal Aviation Administration Part 77 Imaginary Surfaces for John Wayne Airport; the prohibition of residential land uses within Safety Zone 3; and sound attenuation standards for residential and park uses.	**Irvine (Local)**
	Other Regulations	***Airport Environs Land Use Plan for John Wayne Airport.*** The Airport Environs Land Use Plan (AELUP) for John Wayne Airport is a 20-year land use compatibility plan for the airport to safeguard the general welfare of the inhabitants within its vicinity and ensure its continued operation. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. The California Department of Transportation's California Airport Land Use Planning Handbook provides guidelines for preparing airport compatibility plans. The handbook is a technical resource providing guidelines, in part, to define Aircraft Noise standards and criteria, accident potential zones, building height zones, and designated planning areas.	**Orange County Airport Land Use Commission (Local)**
		University of California, Irvine 2007 Long Range Development Plan (LRDP). The UCI LRDP is a comprehensive policy and land use plan that guides the growth of the campus. It identifies the physical development needed to achieve the academic needs and goals of the campus while demonstrating responsible conservation of limited resources. The 2007 LRDP provides a framework of policies and guidelines to shape land use and physical development at UCI through 2025–26. The plan is designed to support key academic and student life goals, identifies development objectives, delineates campus land uses, and estimates the new building space needed to support projected program expansion through the planning horizon year. The LRDP is neither an enrollment plan nor an implementation plan; rather, it provides a framework of policies and guidelines to influence future decisions on land use, enrollment, housing, parking, academic facilities, and urban and landscape design. The 2007 LRDP is also accompanied by an EIR, prepared in accordance with CEQA and University of California guidelines for implementation of CEQA.	**University of California Irvine (Local)**
		Southern California Association of Governments Orange County and the City of Irvine are at the western edge of a six-county metropolitan region composed of Orange, Los Angeles, Ventura, Riverside, San Bernardino, and Imperial Counties. The Southern California Association of Governments (SCAG) serves as the federally recognized metropolitan planning organization (MPO) for this southern California region. Orange County and its jurisdictions constitute the Orange County Subregion in the SCAG region. This subregion is governed by the Orange County Council of Governments. SCAG has developed plans to achieve specific regional objectives. The plans most applicable to a proposed project are discussed below. *Regional Comprehensive Plan*	**SCAG (Regional)**

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		The 2008 Regional Comprehensive Plan (RCP) is a major advisory plan prepared by SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance. The RCP presents a vision of how southern California can balance resource conservation, economic vitality, and quality of life. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region. Additionally, the RCP also outlines advisory and voluntary goals and policies that a development project should consider and demonstrate consistency with. *Regional Transportation Plan* On May 8, 2008, SCAG adopted the 2008 Regional Transportation Plan (RTP): Making the Connections to help coordinate development of the region's transportation improvements. The 2008 RTP is a $531.5 billion plan that emphasizes the importance of system management, goods movement, and innovative transportation financing. It strives to provide a regional investment framework to address the region's transportation and related challenges, and looks to strategies that preserve and enhance the existing transportation system and integrate land use into transportation planning. For Orange County, the 2008 RTP is based on OCP-2006 land use projections. The RTP also outlines goals that a development project should consider and demonstrate consistency with. *Compass Growth Vision* In 2004, SCAG adopted the Compass Blueprint Strategy, which is the part of the 2004 regional growth forecast policy that attempts to reduce emissions and increase mobility through strategic land use changes. Through extensive public participation and land use and transportation modeling and analysis, Compass Blueprint has resulted in a plan that identifies strategic growth opportunity areas (2% Strategy Opportunity Areas). These areas represent roughly 2 percent of the land area in our region. These are the areas where Compass Blueprint will help cities and counties to focus their energy to reap the maximum benefits from regional planning implemented in cooperation and partnership with the local community. The Compass Blueprint 2% Strategy is a guideline for how and where the Compass Growth Vision for southern California's future can be implemented toward improving mobility, livability, prosperity, and sustainability for local neighborhoods and their residents. Goals for the 2% Strategy Opportunity Areas include locating new housing near existing jobs and new jobs near existing housing, encouraging infill development, promoting development with a mix of uses, creating walkable communities, providing a mix of housing types, and focusing development in urban areas. Determine whether the project site is in a designated Compass 2% Strategy Opportunity Area. If the project site is determined to be within a Compass 2% Strategy Opportunity Area, and although the Compass Blueprint is an advisory policy and cities are not required to be consistent with it, the advisory Compass Blueprint 2% Strategy outlines guidelines that a development project should consider and demonstrate consistency with.	
Mineral Resources	**Standard Conditions**	There are no standard conditions applicable.	**N/A**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 3 (Community Services), Division 4 (Parks), Chapter 1 (In General).*** Sec. 3-4-132 (Protection of Natural, Cultural, Structural and Archaeological Resources) of Chapter 1 prohibits any person from possessing, destroying, injuring, defacing, removing, digging or disturbing from its natural state any of the following: plants, wildlife, artifacts, minerals, landscape structures, improvements, wood, and natural products.	**Irvine (Local)**
	Other Regulations	No other regulations are applicable.	**N/A**
Noise	**Standard Conditions**	***Standard Condition 3.3 (Disclosure Statements).*** Prior to the issuance of building permits, the applicant shall submit to the Director of Community Development for review and approval a completed occupancy disclosure form for the project. The approved disclosure form, along with its attachments, shall be included as part of the rental/lease agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal, with respect to each item marked with an "x" on the list below. The items marked "n/a" need not be included. a. Information on Noise resulting from aircraft and/or helicopter operations from John Wayne Airport. b. A copy of the City's earthquake preparedness packet (commercial, industrial, and ownership residential only). To obtain packets, contact the City of Irvine Emergency Management Specialist (949) 724-7148. c. Map of Special Flood Hazard Area information for areas subject to inundation.	**Irvine (Local)**

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		Standard Condition 3.5 (Final Acoustical Report). Prior to the issuance of building permits for each structure or tenant improvement, other than a parking structure, the applicant shall submit a final acoustical report prepared to the satisfaction of the Director of Community Development. The report shall demonstrate that the development will be sound attenuated against present and projected noise levels including stationary, roadway, aircraft, helicopter, and railroad noise to meet City interior and exterior noise standards. The final acoustical report shall include all information required by the City's Acoustical Report Information Sheet (Form 42-48). The report shall be accompanied by a list identifying the sheet(s) of the building plans that include required sound attenuation measures.	
	Municipal/Zoning Code	***Irvine Municipal Code, Title 6 (Public Works), Division 8 (Pollution), Chapter 2 (Noise).*** Chapter 2, also known as the City's Noise Ordinance, outlines the regulations necessary to control unnecessary, excessive and annoying noise in the City. The provisions of this chapter are applicable to nontransportation-related stationary noise sources. It outlines the noise level measurement criteria; establishes the noise zones and the maximum permitted exterior and interior noise standards in each zone; and discloses special noise provisions for construction, truck delivery and maintenance activities. For example, as outlined in Section 6-8-205 of the Noise Ordinance, no construction shall be permitted outside of the hours of 7:00 AM to 7:00 PM Monday through Friday and 9:00 AM to 6:00 PM Saturdays, unless a temporary waiver is granted by the Chief Building Official or authorized representative. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.2 (Compatibility with Surrounding Land Uses) of Chapter 5-8 states that applicants for new residential and/or residential mixed use is required to submit data as determined by the Director of Community Development to evaluate compatibility uses with respect to issues including but not limited to noise, odors, truck traffic and deliveries, hazardous materials handling/storage, air emissions, soil/groundwater contamination, and John Wayne Airport compatibility. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.3 (Residential Disclosures) of Chapter 5-8 states that all discretionary applications for residential or residential mixed use are required to include a condition of approval for disclosure to residents clearly outlining the issues associated with living in a mixed-use environment, including language regarding the proximity to John Wayne Airport, as follows: *Notice of Airport in Vicinity*. This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (i.e., noise, vibration, odors). ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.A.5 (Noise Standards) of Chapter 5-8 outlines general construction- and operational-related noise standards, including: • Requirement for project applicants to incorporate construction-related measures regarding equipment and staging areas on the cover sheet of grading plans to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved. • Requirements for the evaluation of vibration impacts from projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors. • Requirement for the submittal of evidence to the satisfaction of the Director of Community Development that occupancy disclosure notices for units with patios and/or balconies that do not meet the 65dBA CNEL are provided to all future tenants pursuant to the City's Noise Ordinance. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.C (Airport Restrictions) of Chapter 5-8 outlines the provisions for development within the jurisdiction of the Airport Land Use Commission, including: building height limitations in accordance with the Orange County Environs Land use Plan standards and Federal Aviation Administration Part 77 Imaginary Surfaces for John Wayne Airport; the prohibition of residential land uses within Safety Zone 3; and sound attenuation standards for residential and park uses.	**Irvine (Local)**
	Other Regulations	***Airport Environs Land Use Plan for John Wayne Airport.*** The Airport Environs Land Use Plan (AELUP) for John Wayne Airport is a 20-year land use compatibility plan for the airport to safeguard the general welfare of the inhabitants within its vicinity and ensure its continued operation. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. The California Department of Transportation's California Airport Land Use Planning Handbook provides guidelines for preparing airport compatibility plans. The handbook is a technical resource providing guidelines, in part, to define Aircraft Noise standards and criteria, accident potential zones, building height zones, and designated planning areas.	**Orange County Airport Land Use Commission (Local)**

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Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
		Vibration Standards. The City of Irvine does not have specific limits or thresholds for vibration. The human reaction to various levels of vibration is highly subjective. The Federal Transportation Administration (FTA) provides criteria for acceptable levels of groundborne vibration for various types of land uses that are sensitive to vibration based on the relative perception of a vibration event. ***General Plan Noise Element*** *Policy F-1(b):* Prohibit residential development within the 65 CNEL or aircraft noise contours. Policy F-1(c): Ensure that all proposed development projects are compatible with the existing and projected noise level by using the Land Use Noise Compatibility Matrix (Table F-2). Policy F-1(d): Require noise studies to be prepared in accordance with the City's environmental review procedure for all project that are not clearly compatible with the future noise level at the site. Policy F-1(e): Require noise studies to use the future motor vehicle noise reduction of 1.9 dBA in identifying future noise levels of streets. Policy F-1(f): Require noise studies to identify all the mitigation measures necessary to reduce the noise levels to me the CNEL standard (Table F-1) and Single Event Noise Standard. Policy F-1(g): Require compliance with Single Even Noise Standard for noise-sensitive land uses within the 60 CNEL of aircraft and railroad noise contours. Policy F-1(h): Require conditional use permits for noise-sensitive land uses such hospitals, libraries, churches, and schools to mitigate noise-related impacts.	**FTA (Federal)**
Population and Housing	**Standard Conditions**	There are no standard conditions applicable.	**N/A**
	Municipal/Zoning Code	***Irvine Zoning Ordinance, Chapter 2-3 (Affordable Housing Implementation Procedure).*** The City's Inclusionary Housing Ordinance, as contained in Chapter 2-3 of the Zoning Ordinance, should be considered in the analysis of a proposed project that consists of 50 residential or more, as it requires a minimum of 15 percent of the total units that are constructed to be affordable units. The breakdown of income categories for the 15 percent, along with other requirements and guidelines, are outlined in detail in Chapter 2-3.	**Irvine (Local)**
	Other Regulations	***Compliance with the City's Housing Element.*** Compliance with the City's Housing Element policies, which provide a strategic blueprint to ensure the siting of new very low, low, and moderate income housing units in future development projects to help the City continue to meet its state fair share housing requirements. Refer to the Land Use and Planning Topic for a description of the applicable SCAG RCP, RTP and Compass Growth Vision plans.	**Irvine (Local)**
Public Services	**Standard Conditions**	***Standard Condition 3.20 (Construction Site Security Plan).*** Prior to the issuance of the first building permit, a Construction Site Security Plan, per the Irvine Uniform Security Code, Section 5-9-521, shall be approved by the Chief of Police. Said plan shall be incorporated into the plan set approved for building permits. ***Standard Condition 3.17 (Emergency Access Plan).*** Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits. ***Standard Condition 4.9 (Emergency Access Inspection).*** Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan.	**Irvine (Local)**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 5 (Planning), Division 9 (Building Regulations), Chapter 5 (Uniform Security Code).*** The project applicant shall comply with all applicable requirements of the Uniform Security Code. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** As outlined in Section 5-8-4.D (Additional Requirements) of Chapter 5-8, in the event that a City-wide library impact fee is adopted and in force at the time of discretionary project approval, the project applicant shall pay this fee prior to the issuance of building permits.	**Irvine (Local)**

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	Other Regulations	***Senate Bill 50.*** Senate Bill 50 (SB 50, also known as Proposition 1A, codified in California Government Code Section 65995) was enacted in 1988 to address how schools are financed and how development projects may be assessed for associated school impacts. ***California Government Code Section 65995.*** Pursuant to California Government Code Section 65995, the individual applicants shall pay developer fees to the appropriate school districts at the time building permits are issued; payment of the adopted fees would provide full and complete mitigation of school impacts. Alternatively, the applicant may enter into a school finance agreement with the school district(s) to address mitigation to school impacts in lieu of payment of developer fees. The agreement shall establish financing mechanisms for funding facilities to serve the students from the project. If the applicant and the affected school district(s) do not reach a mutually satisfying agreement, then project impacts would be subject to developer fees. ***General Plan Public Facilities and Services Element.*** Tables G-1 and G-2 outline general guidelines and standards for the provision of public facilities and services, including: police services, fire services, school facilities, library services, child care and senior centers, community center/youth center, and swimming pools.	**Irvine (Local)**
		Orange County Fire Authority Codes. Every project applicant shall comply with all applicable Orange County Fire Authority codes, ordinances, and standard conditions regarding fire prevention and suppression measures relating to water improvement plans, fire hydrants, automatic fire extinguishing systems, fire access, access gates, combustible construction, water availability, and fire sprinkler systems.	**OCFA (Local)**
Recreation	**Standard Conditions**	***Standard Condition 1.11 (Open Space Irrevocable Offer).*** Prior to the release of a final map by the City for land that encompasses or lies within an Open Space Implementation Action Program District as shown on the City's General Plan and Zoning Ordinance or will be dedicated as public open space, the applicant shall submit an irrevocable offer of dedication for the preservation open space lot and/or easement, as required by the City's Phased Dedication and Compensating Development Opportunities Program. The irrevocable offer of dedication and/or easement shall be in the form approved by the City Attorney and prepared to the satisfaction of the Director of Community Development, the City Engineer, and the Director of Community Services. The offer shall be recorded concurrently with filing of the final map. ***Standard Condition 1.12 (Public Park Dedication).*** Prior to the release of the final map that includes public park land, the applicant shall submit all documents ready for recording of such dedication to the City Engineer and the Director of Community Services for review and approval. At the discretion of the City Engineer, the dedication of public park land may be recorded with the final map. ***Standard Condition 2.15 (Private Trail Reservation).*** Prior to the issuance of the first grading permit on land required as a private trail, the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required park land in perpetuity. ***Standard Condition 2.16 (Public Trail Dedication).*** Prior to the issuance of the first precise grading permit that includes public trails, the applicant shall submit all documents necessary to record nonexclusive easements for public use of such trails in a form or forms approved by the City Attorney and prepared to the satisfaction of the City Engineer, Director of Community Services, and Director of Community Development . The City Engineer may permit the public trail dedication to be recorded separately from the final map. ***Standard Condition 2.17 (Public Park Dedication).*** Prior to the issuance of the first precise grading permit for a lot that is to be dedicated as a public park, the applicant shall submit all documents necessary to record the public parkland dedication in a form or forms approved by the City Attorney and prepared to the satisfaction of the City Engineer, Director of Community Services, and Director of Community Development. ***Standard Condition 2.18 (Park Construction Phasing).*** Prior to the issuance of the first residential precise grading permit (with the exception of model homes), the applicant shall submit a park construction and phasing schedule to the Director of Community Development and obtain approval of the schedule from the Director of Community Services. The park construction and phasing schedule shall include the following information: a. Number and types of residential units to be built and estimated population count. b. Lot numbers and size of each public and private park. c. Improvements to be built within each park. d. A phasing plan specifying when each park will commence and complete construction. ***Standard Condition 3.11 (Park Design Consistency).*** Prior to the issuance of a building permit for any park, the applicant shall demonstrate that all related construction plans are consistent with approved Park Design _____-PPD.	**Irvine (Local)**

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Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
		Standard Condition 3.12 (Private Park Reservation). Prior to the issuance of building permits on land required as a private park by local and/or state development standards, the applicant shall submit and the Directors of Community Development and Community Services shall have approved an instrument reserving such required park land in perpetuity.	
	Municipal/Zoning Code	***Irvine Municipal Code, Title 5 (Planning), Division 5 (Subdivisions), Chapter 10 (Dedications; Reservations).*** As outlined in Section 5-5-1004 (Park Dedication) of Chapter 10**,** as a condition of approval of a tentative map, the subdivider shall dedicate land, and/or improvements/amenities, and/or pay a fee for the purpose of developing new or rehabilitating existing park or recreational facilities to serve the subdivision. ***C. Park Dedication Standards.*** All standards for park dedication shall comply with the Quimby Act (State of California Government Code section 66477), the California Subdivision Map Act and the City of Irvine General Plan Parks and Recreation Element. The developer of residential subdivisions shall dedicate park land and/or fees in lieu, at the rate of five acres per 1,000 population, apportioned as follows: • Two acres – Community parks • Three acres – Neighborhood parks ***E.2 Disposition of Land or Fees.*** All park fees shall be paid directly to the City cashier prior to issuance of any residential building permits for the building site or sites from which fees are to be derived. These fees are to be used only for the purpose of developing new or rehabilitating existing park or recreational facilities to serve the subdivision.	**Irvine (Local)**
	Other Regulations	No other regulations are applicable.	**N/A**
Transportation and Traffic	**Standard Conditions**	***Standard Condition 1.5 (Shared Access Agreement).*** Prior to the release of a final map by the City, the applicant shall submit to the City for review by the City Attorney the required shared access agreement. The City Engineer and the Director of Community Development shall have approved, appropriate documents (e.g., shared access agreement, CC&Rs, etc.) which ensure that utilities, access, parking, landscape areas, and drainage (including private catch basins) will be commonly shared and maintained. ***Standard Condition 3.17 (Emergency Access Plan).*** Prior to the issuance of the first building permit, the applicant shall submit and have approved by the Chief of Police an Emergency Access Plan, which identifies and locates all Knox Boxes, Knox key switches, and Click2Enter radio access control receivers. Said plan shall be incorporated into the plan set approved for building permits. ***Standard Condition 4.9 (Emergency Access Inspection).*** Prior to authorization to use, occupy, and/or operate, the applicant shall arrange for and have passed an inspection, to be performed by the Police Department and the Orange County Fire Authority, to ensure compliance with the Emergency Access Plan requirements. The inspector shall verify test acceptance and locations of all Knox boxes and key switches as depicted on the approved plan. ***Standard Condition 6.4 (Privacy Gates–Vehicle Stacking).*** If the Director of Public Works determines that the operation of the residential privacy gates approved with this application is negatively affecting the flow of traffic on an adjacent public roadway, the property owner or homeowners association may be required to submit a plan to the Director of Community Development that identifies specific measures to resolve these problems. The plan shall be submitted within 30 days of notification by the Public Works Department and shall be reviewed and approved by the Director of Community Development in consultation with the Director of Public Works. The property owner or homeowners association shall be required, at its sole expense, to implement any modifications required by the plan within 30 days of written notice from the Director of Community Development to implement such measures, or in such time frame as directed by the Director of Community Development in consultation with the Director of Public Works.	**Irvine (Local)**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 6 (Public Works), Division 3 (Transportation), Chapter 6 (Trip Reduction Facilities).*** This chapter is intended to meet the requirements of California Government Code Section 65089.3(b)(3), which requires development of a trip reduction and travel demand element to the Congestion Management Plan, and California Government Code Section 65089.3(b), which requires adoption and implementation of a trip reduction and travel demand ordinance. Developers of commercial, industrial and mixed-use projects are required to provide the trip reduction support measures set forth in Section 6-3-605, as applicable, within each such development. Measure include: A. A percentage of parking spaces, located as close as is practical to the entrance(s) of the use they are intended to serve, shall be reserved for use of carpool vehicles. B. Secure, adequate and convenient storage shall be provided for bicycles pursuant to the zoning code of the City. C. Bus bays, bus stops and bus shelters shall be provided adjacent to roads and streets traversing or bounding the development, as requested by the City and pursuant to proposed or existing bus stop locations identified by Orange County Transit District or its successor agency. D. A transportation information center shall be provided within each building generating 100 or more employees based on the chart below. E. A shower and locker room facility for each sex shall be provided in each building generating 400 or more employees based on the above employee generation factors. F. Sidewalks or other paved pathways following direct and safe routes from the external pedestrian circulation system to each building in the development shall be provided.	**Irvine (Local)**

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		Irvine Municipal Code, Title 6 (Public Works), Division 3 (Transportation), Chapter 7 (North Irvine Transportation Mitigation Program). The North Irvine Transportation Mitigation Program (NITM Program) is established for the purpose of providing funding for the coordinated and phased installation of required traffic and transportation improvements required under CEQA documents previously certified or adopted by the City in connection with land use entitlements for City Planning Areas 1, 2, 5, 6, 8, 9, 30, 40 and 51. The requirements regarding the preparation of traffic studies, reports, and analyses set forth in this chapter shall supersede the requirements regarding the preparation of traffic studies, reports, and analyses set forth in other City ordinances, resolutions, or determinations. This section also outlines the required NITM fees. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** Section 5-8-4.C (Airport Restrictions) of Chapter 5-8 outlines the provisions for development within the jurisdiction of the Airport Land Use Commission, including: building height limitations in accordance with the Orange County Environs Land use Plan standards and Federal Aviation Administration Part 77 Imaginary Surfaces for John Wayne Airport; the prohibition of residential land uses within Safety Zone 3; and sound attenuation standards for residential and park uses. ***Irvine Zoning Ordinance, Chapter 9-36 (Planning Area 36-Irvine Business Complex).*** As outlined in Section 9-36-14 (IBC Traffic Improvement Fee Program) of Chapter 9-36, the intent of the IBC Traffic Improvement Fee Program is to provide partial funding for implementation of the areawide circulation mitigation program identified in the Final Program EIR for the Irvine IBC Vision Plan. Section 9-36-14 requires all development projects within the IBC for which building permits are issued after the effective date of the 2010 IBC zoning ordinance to comply with the requirements of the 2010 IBC Traffic Improvement Fee Program, including the payment of fees prior to the issuance of building permits as established by this section for the construction of areawide traffic improvements, or if selected by the project applicant, construction of areawide improvements in lieu of payment of fees.	
	Other Regulations	***IBC Development Fee Program.*** A Development Fee program was established to fund area-wide circulation improvements within the IBC area. The improvements are required due to potential circulation impacts associated with buildout of the IBC area. Fees are assessed when there is new construction or when there is an increase in square footage within an existing building or the conversion of existing square footage to a more intensive use. The development fees collected are used strictly for circulation improvements right-of-way acquisition and transportation monitoring measures in the IBC area. Fees are calculated by multiplying the proposed square footage, dwelling unit or hotel room by the appropriate rate. The IBC Fees are included with any other applicable fees payable at the time the building permit is issued. ***Irvine Sustainability Community Initiative.*** The Irvine Sustainability Community Initiative (Initiative Ordinance 10-11), adopted by the voters of the City as Initiative Measure S on November 2, 2010, and certified by the City Council on December 14, 2010, became effective December 24, 2010. The ordinance was adopted to ratify and implement policies in support of renewable energy and environmental programs for a sustainable community. It outlines the City's direction for continuing to develop and implement programs geared towards green building, renewable energy and sustainability. For example, the City would continue to develop and implement participation in alternative transportation modes, including but not limited to alternate fuel, reduced emission or zero emission vehicles, mass transit services, carpooling, bicycling and walking. ***Transit Service to LAX.*** Although the City of Irvine is serviced by John Wayne Airport, Los Angeles International Airport (LAX) is the regional air transportation hub. Providing direct transit service from the City to LAX can reduce single passenger trips to this destination. The Los Angeles World Airports operates three Flyaway shuttles that provide nonstop airport service to and from Westwood, Van Nuys, and Downtown Los Angeles via the Flyaway program. Since November 16, 2009, a Flyaway shuttle from the Irvine Metrolink Station to LAX provides nonstop service. Based on the ITAM model, a 0.25 percent reduction in VMT is achieved through implementation of this program. ***Comprehensive Signal Retiming and Coordination Program.*** Emissions are highest at the lowest travel speeds. The City is currently retiming and coordinating signals throughout Irvine under its ITEMS (Irvine Traffic Engineering System) program. The City plans to enhance signal coordination in the IBC area by the end of 2011. A program to retime and coordinate traffic signals would produce more even traffic flows, so that vehicles are not staring and stopping constantly. These types of programs can improve vehicular level of service (LOS), thereby decreasing emissions for the same volume of vehicles. Based on the ITAM model, a 1 percent citywide reduction in VMT is achieved through implementation of this program. ***City of Irvine Engineering Standard Plans.*** The City's Engineering Standard Plans provide detailed requirements (e.g., dimensions, location) and illustrations for the design and construction of among other things roadways, driveways, curbs, raised medians, and sight distance. ***City of Irvine Street Design Manual.*** All grading and improvement projects, whether public or private, are required to be designed in accordance with the City of Irvine Design Manual (Design Manual). Information contained in the Design Manual includes detailed procedures for street design plan submittal, design criteria for City-approved projects, and the City of Irvine Engineering standard Plans. Copies of the Design Manual may be obtained from the City Clerk's Records Center.	**Irvine (Local)**

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Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
		Airport Environs Land Use Plan for John Wayne Airport. The Airport Environs Land Use Plan (AELUP) for John Wayne Airport is a 20-year land use compatibility plan for the airport to safeguard the general welfare of the inhabitants within its vicinity and ensure its continued operation. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. The California Department of Transportation's California Airport Land Use Planning Handbook provides guidelines for preparing airport compatibility plans. The handbook is a technical resource providing guidelines, in part, to define Aircraft Noise standards and criteria, accident potential zones, building height zones, and designated planning areas.	**Orange County Airport Land Use Commission (Local)**
		Federal Air Regulations, Part 77. The Federal Aviation Administration (FAA) is charged with the review of construction activities that occur in the vicinity of airports. Their role in reviewing these activities is to ensure that new structures do not result in a hazard to navigation and thus derogate the safety of the National Airspace System. The regulations contained in Federal Air Regulations (FAR) Part 77 are designed to ensure that no hazards are allowed to exist that would endanger the public. The FAA, through FAR Part 77, established a method of identifying surfaces that should be free from obstructions in order to maintain sufficient airspace around airports. FAR Part 77, in effect, identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. In addition, Part 77 establishes standards for determining whether objects constructed near airports will be considered obstructions in navigable airspace, sets forth notice requirements of certain types of proposed construction or alterations, and provides for aeronautical studies to determine the potential impacts of a structure on the flight of aircraft through navigable airspace.	**FAA (Federal)**
Utilities and Service Systems	**Standard Conditions**	***Standard Condition 2.24 (Solid Waste Recycling).*** Prior to the issuance of grading permits for a project that involves the demolition of an asphalt or concrete parking lot on site, the applicant shall submit a waste management plan demonstrating compliance with the requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers. ***Standard Condition 3.7 (Solid Waste Recycling).*** Prior to the issuance of building permits for a project that involves new construction or that involves the demolition or renovation of existing buildings on site, the applicant shall comply with requirements of Title 6, Division 7 of the City of Irvine Municipal Code relating to recycling and diversion of construction and demolition waste as applicable to said project. Over the course of demolition or construction, the applicant shall ensure compliance with all code requirements related to the use of City-authorized waste haulers.	**Irvine (Local)**
	Municipal/Zoning Code	***Irvine Municipal Code, Title 5 (Planning), Division 7 (Sustainability in Landscaping).*** The purpose of this division is to provide policies, standards, procedures, and guidelines to achieve long-term levels of sustainability in landscapes. Sustainability is a concept which emphasizes the environmental impacts and benefits of landscapes. In most instances, a sustainable landscape is one which provides positive levels of carbon storage and oxygen productivity after all demands for energy, water, soil improvement and maintenance activities to support have been accounted for. This division is intended to promote actions that conserve, recycle, and reuse the resources which are invested in landscapes. ***Irvine Zoning Ordinance, Chapter 3-23 (Solid Waste Collection Standards).*** This chapter of the Zoning Ordinance outlines the solid waste collection standards that apply to all residential and nonresidential developments. This chapter includes standards for collecting and loading recyclable materials in development projects as specified below pursuant to the California Solid Waste Refuse and Recycling Access Act of 1991 (Assembly Bill 1327). ***Irvine Zoning Ordinance, Chapter 3-31 (Solar Energy System Standards).*** This chapter encourages investment in solar energy systems on all parcels in the City, both residential and nonresidential, while providing guidelines for the installation of those systems that are consistent with the architectural and building standards of the City. All solar energy systems shall comply with all applicable provisions of the City of Irvine Codes and the standards of this chapter. ***Irvine Zoning Ordinance, Chapter 5-8 (Irvine Business Complex Residential Mixed-Use Overlay District).*** As outlined in Section 5-8-4.A.7 (Green-Point Rated Development) of Chapter 5-8, applicants for new residential development in the IBC are required to submit evidence to the satisfaction of the Director of Community Development that proposed buildings have been designed and constructed to be Green-Point Rated. ***Irvine Zoning Ordinance, Chapter 9-36 (Planning Area 36-Irvine Business Complex).*** Section 9-36-20 (Environmental Standards) of Chapter 9-36 outlines the environmental standards that are applicable to new development projects in the IBC. Provisions include: • Requirement that construction contractors provide alternative transportation mode incentives, such as bus passes, and/or carpooling for workers to and from the worksite on days that construction activities require 200 or more workers. • Submittal of evidence that the project uses recycled materials for at least 20 percent of construction materials.	**Irvine (Local)**

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		• Submittal of evidence that toilets, urinals, sinks, showers, and other water fixtures installed onsite are ultra-low-flow fixtures that exceed the Uniform Building Code. • Submittal of evidence that the projects landscape irrigation system is an automated, high-efficient irrigation system that reduces water waste. • Requirement to use reclaimed water on all master landscaped areas. • Requirement for the provision of onsite recycling facilities on all new developments as required by the Director of Public Works. • Submittal of evidence for new non-residential developments that proposed buildings are designed and constructed to achieve the "Designed to Earn the Energy Star" rating. ***Irvine Zoning Ordinance, Chapter 9-36 (Planning Area 36-Irvine Business Complex).*** The intent of Section 9-36-15 (IBC Neighborhood Infrastructure Improvement Fee Program) of Chapter 9-36 is to provide funding for implementation of the areawide neighborhood infrastructure improvements identified in the 2010 IBC Vision Plan. As outlined in Section 9-36-15, new development in the IBC that necessitates construction of these infrastructure improvements is required to pay its fair share of the cost for the infrastructure improvements prior to the issuance of building permits.	
	Other Regulations	***2008 Building and Energy Efficiency Standards (CCR Title 24).*** Prior to the issuance of a building permit for residential, commercial, or office structures in the Irvine Business Complex, development plans for these structures shall be required to demonstrate that the project meets the 2008 Building and Energy Efficiency Standards. Commonly known as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2008 standards are approximately 15 percent more energy efficient than the 2005 Building and Energy Efficiency Standards. Plans submitted for building permits shall include written notes demonstrating compliance with the 2008 energy standards and shall be reviewed and approved by the Public Utilities Department prior to issuance of building permits. Design strategies to meet this standard may include maximizing solar orientation for daylighting and passive heating/cooling, installing appropriate shading devices and landscaping, utilizing natural ventilation, and installing cool roofs. Other techniques include installing insulation (high R value) and radiant heat barriers, low-e window glazing, or double-paned windows. ***Title 24 Code Cycles: Net-Zero Buildings (Residential & Non-Residential).*** The California Public Utilities Commission adopted its Long-Term Energy Efficiency Strategic Plan on September 18, 2008, presenting a roadmap for all new residential and commercial construction to achieve a zero-net energy standard. This Plan outlines the goal of reaching zero net energy in residential construction by 2020 and in commercial construction by 2030. Achieving this goal will require increased stringency in each code cycle of California's Energy Code (Title 24). ***City of Irvine Construction and Demolition (C&D) Debris Recycling and Reuse Ordinance.*** The C&D ordinance requires that 1) all residential projects of more than one unit, 2) nonresidential developments on 5,000 square feet or larger, and 3) nonresidential demolition/renovations with more than 10,000 square feet of building recycle or reuse a minimum of 75 percent of concrete and asphalt and 50 percent of nonhazardous debris generated. ***Energy Efficient Traffic Lights.*** New traffic signals installed within the Irvine Business Complex will have light emitting diodes. The City is implementing a program to convert all traffic lights in the City to traffic light emitting diodes. ***Waste Reduction.*** The City adopted a Zero Waste program in 2007 to approach waste management. The City recovers approximately 66 percent of its waste for recycling and composting, which exceeds the state's AB 939 waste diversion goals. Furthermore, waste haulers establish rate schedules according to bin size and frequency of collection. Commercial customers that subscribe to smaller bins (e.g., 2 cubic-yard bins) are routinely charged less by haulers. This pricing structure encourages waste reduction and recycling, and tends to minimize hauler pickups. ***Irvine Sustainability Community Initiative.*** The Irvine Sustainability Community Initiative (Initiative Ordinance 10-11), adopted by the voters of the City as Initiative Measure S on November 2, 2010, and certified by the City Council on December 14, 2010, became effective December 24, 2010. The ordinance was adopted to ratify and implement policies in support of renewable energy and environmental programs for a sustainable community. It outlines the City's direction for continuing to develop and implement programs geared towards green building, renewable energy and sustainability. For example, the City would continue to develop and implement recycling, zero waste or other innovative onsite business programs to divert waste from landfills and also continue to develop and implement the use of native, California-friendly and drought-tolerant landscaping. ***Engineering Standard Plans.*** The City's Engineering Standard Plans provide detailed requirements (e.g., dimensions, location) and illustrations for the design and construction of among other things storm drains.	**Irvine (Local)**

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Applicable Plans, Policies, and Programs

Topic	*Type*	*Plans, Policies and Programs*	*Implementing Agency (Local, Regional, State, and Federal)*
		Requirement to Use Recycled Water. Irvine Ranch Water District (IRWD) will identify customers in a zone identified in the Plan ("the Plan" collectively refers to the Water Resources Master Plan, Sewer Master Plan, Natural Treatment System Master Plan, and addenda thereto) as an area capable of receiving service from the IRWD's recycled water system, and will determine the feasibility of providing recycled water service to these customers. IRWD will also review applications for new permits to determine the feasibility of providing recycled water service to these applicants. If recycled water service is determined by IRWD to be feasible, applicants for new water service shall be required to install on-site facilities to accommodate both potable water and recycled water service in accordance with these Rules and Regulations. IRWD may also require existing customers to retrofit existing on-site water service facilities to accommodate recycled water service. If IRWD does not require the use of recycled water service, the customer may obtain recycled water service upon request but only if IRWD has determined that recycled water service to the customer is feasible and authorizes such use. ***Connection Fees.*** Future project applicants in the IBC shall enter into agreement or agreements as necessary with IRWD to establish the appropriate financial fair share costs to be borne by the project proponent. Fair share costs may include, but are not limited to, those associated with the preparation of studies and infrastructure expansion necessary to analyze and serve the project. ***Fire Flow Analysis.*** In accordance with IRWD requirements, each redevelopment project in the IBC must provide a fire flow analysis. If the analysis identifies any deficiencies, the developer will be responsible for any water system improvements associated with the development project required to rectify the deficiencies and meet IRWD fire flow requirements.	**IRWD (Local)**
		California Water Code Section 10912 and California Government Code Section 66473.7. If a proposed development is considered a project as defined by California Water Code Section 10912 and/or a subdivision as defined by California Government Code Section 66473.7, then a water supply assessment shall be prepared and included in the analysis and appendices of the environmental document being prepared for the project. ***Senate Bill 610 (SB 610).*** SB 610, which was enacted in 2001 and became effective on January 1, 2002, requires cities and counties to request specific information on water supplies from the Public Water System (PWS) that would serve any project that is subject to CEQA. This information is to be included with the environmental review documents prepared pursuant to CEQA. ***Senate Bill 221 (SB 221).*** SB 221, which was enacted in 2001 and became effective on January 1, 2002, requires the PWS to provide written verification of sufficient water supply prior to the approval of a new subdivision.	**Irvine (Local) & IRWD (Local)**

Appendices

D EXAMPLE MITIGATION MEASURES

Air Quality (see also Greenhouse Gas Emissions)

Community Health Risk/Air Quality Compatibility

Example For residential or residential mixed-use projects within the distances to industrial uses outlined below, the Project Applicant shall submit a health risk assessment (HRA) prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD) to the Community Development Director prior to approval of any future discretionary residential or residential mixed use project. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand (1.0E-05), or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics (T-BACTs) are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, scrubbers at the industrial facility, or installation of Minimum Efficiency Reporting Value (MERV) filters rated at 14 or better at all residential units.

- 1,000 feet from the truck bays of an existing distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units, or where transport refrigeration unit operations exceed 300 hours per week.
- 1,000 feet from an existing chrome plating facility or facility that uses hexavalent chromium.
- 300 feet from a dry cleaning facility using perchloroethylene using one machine and 500 feet from a dry cleaning facility using perchloroethylene using two machines.
- 50 feet from gas pumps within a gas-dispensing facility and 300 feet from gas pumps within a gasoline-dispensing facility with a throughput of 3.6 million gallons per year or greater.

Example New residential developments within 500 feet of a high volume roadway with traffic volumes of 100,000 vehicles or more shall submit a health risk assessment (HRA) prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD) to the Community Development Director prior to approval of any future discretionary residential or residential mixed use project. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand (1.0E-05), or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to install high efficiency Minimum Efficiency Reporting Value (MERV) filters of MERV 14 or better in the intake of residential ventilation systems. MERV 14 filters have a Particle Size Efficiency rating of 90 percent for particulates 1.0 micron to 3.0 microns in size and a Particle Size Efficiency rating of 75 to 85 percent for particles 0.30 to 1.0 micron in size. A MERV 14 filter creates more resistance to airflow because the filter media becomes denser as efficiency increases. Heating, air conditioning and ventilation (HVAC) systems shall be installed with a fan unit power designed to force air through the MERV 14 filter. To ensure long-term maintenance and replacement of the MERV 14 filters in the individual units, the following shall occur:

a) Developer, sale, and/or rental representative shall provide notification to all affected tenants/residents of the potential health risk from the high-volume roadway for all affected units.

b) For rental units within 500 feet of the high-volume roadway, the owner/property manager shall maintain and replace MERV 14 filters in accordance with the manufacture's recommendations. The property owner shall inform renters of increased risk of exposure to diesel particulates from the high-volume roadway when windows are open.

c) For residential owned units within 500 feet of the high-volume roadway, the Homeowner's Association (HOA) shall incorporate requirements for long-term maintenance in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the MERV 14 filter in accordance with the manufacturer's recommendations. The HOA shall inform homeowner's of increased risk of exposure to diesel particulates from the high-volume roadway when windows are open.

Example All outdoor active-use public recreational areas associated with development projects shall be located more than 500 feet from the nearest lane of traffic from a high volume roadway, defined as a roadway with traffic volumes of 100,000 vehicles or more.

Example For all residential projects located within 1,000 feet of an industrial facility which emits toxic air contaminants, the Project Applicant shall submit a health risk assessment prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD) to the Community Development Director prior to approval of any future discretionary residential or mixed-use project. If the HRA shows that the incremental cancer risk exceeds one in one hundred thousand (1.0E-05), or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, scrubbers at the industrial facility, or installation of Minimum Efficiency Reporting Value filters rated at 14 or better at all residential units.

Odors

Example Prior to issuance of building permit for any residential projects located within 1,000 feet of an industrial facility that emits substantial odors, including but is not limited to

- wastewater treatment plants
- composting, greenwaste, or recycling facilities
- fiberglass manufacturing facilities
- painting/coating operations
- coffee roasters
- food processing facilities,

the Project Applicant shall submit an odor assessment to the Community Development Director prior to approval of any future discretionary action that verifies that the South Coast

Air Quality Management District (SCAQMD) has not received three or more verified odor complaints from any facility located within 1,000 feet of the site proposed for residential development. If the Odor Assessment identifies that the facility has received three such complaints, the applicant will be required to identify and demonstrate that Best Available Control Technologies for Toxics (T-BACTs) are capable of reducing potential odors to an acceptable level, including appropriate enforcement mechanisms. T-BACTs may include, but are not limited to, scrubbers at the industrial facility, or installation of Minimum Efficiency Reporting Value (MERV) filters rated at 14 or better at all residential units.

Construction

Example Applicants for new developments shall require that the construction contractor utilize off-road construction equipment that conforms to Tier 3 of the United States Environmental Protection Agency, or higher emissions standards for construction equipment over 50 horsepower that are commercially available. The construction contractor shall be made aware of this requirement prior to the start of construction activities. Use of commercially available Tier 3 or higher off-road equipment, or:

- of year 2006 or newer construction equipment for engines rated equal to 175 horsepower (hp) and greater;
- year 2007 and newer construction equipment for engines rated equal to 100 hp but less than 175 hp; and
- 2008 and newer construction equipment for engines rated equal to or greater than over 50 hp.

The use of such equipment shall be stated on all grading plans. The construction contractor shall maintain a list of all operating equipment in use on the project site. The construction equipment list shall state the makes, models, and numbers of construction equipment on-site.

Example Applicants for new developments shall require that the construction contractor to properly service and maintain construction equipment in accordance with the manufacturer's recommendations. Nonessential idling of construction equipment shall be restricted to five minutes or less in compliance with California Air Resources Board's Rule 2449.

Example Applicants for new developments shall require that the construction contractor prepare a dust control plan and implement the following measures during ground-disturbing activities in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM_{10} and $PM_{2.5}$ emissions. To assure compliance, the City shall verify compliance that these measures have been implemented during normal construction site inspections:

- During all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering.
- During all construction activities, the construction contractor shall sweep streets with Rule 1186 compliant PM_{10}-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.
- During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other suitable means.

- During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day.
- During all construction activities, the construction contractor shall limit on-site vehicle speeds on unpaved roads to no more than 15 miles per hour.
- The construction contractor shall apply chemical soil stabilizers to reduce wind erosion.

Example Applicants for new developments shall require that the construction contractor use coatings and solvents with a volatile organic compound (VOC) content lower than required under Rule 1113 (i.e., Super Compliant Paints). All architectural coatings shall be applied either by (1) using a high-volume, low-pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent applicant efficiency. The construction contractor shall also use precoated/ natural colored building, where feasible. Use of low-VOC paints and spray method shall be included as a note on architectural building plans.

Greenhouse Gas Emissions (see also Air Quality)

Bicycles

Example If garages are not proposed for multifamily residential developments, long-term bicycle parking shall be provided onsite and shall include one or more of the following:

- A bicycle locker
- A locked room with standard racks with access to limited bicyclists only
- A standard rack in a location that is staffed and/or monitored by video surveillance 24-hours per day

The location of common and/or private bicycle facilities shall be shown on site plans.

Example End-of-trip facilities, such as showers, lockers, and changing spaces, shall be provided for every 80 employee parking spaces, and separate facilities for each gender shall be provided for projects with 160 or more parking spaces. Such facilities shall be incorporated into the site plan prior to issuance of a building permit to the satisfaction of the Community Development Department.

Example Future applicants of new commercial, office, and retail development shall provide the following features to reduce project-related mobile-source air pollutant emissions:

- Preferential parking for carpools and vanpools totaling 5 percent of all spaces on-site.
- Preferential parking for alternative-fuel vehicles (e.g., compressed natural gas or hydrogen) totaling 5 percent of all spaces on-site.
- Secure bicycle parking and storage facilities for employees and visitors that can accommodate 15 percent of employees on-site.
- Commuter information boards indentifying bicycle paths and public transit routes and schedules.

Electric Vehicles and/or CNG Vehicles

Example Preferential parking space locations shall be provided for alternative-fueled vehicles, including electric vehicles and compressed natural gas vehicles, in all parking structures and lots prior to issuance of a building permit to the satisfaction of the Community Development Department. The location of these reserved parking spaces shall be identified on the site plan.

Example Residential developments that include garage parking shall be electrically wired to accommodate electric vehicle charging.

Water/Wastewater

Example If recycled water service is determined by the Irvine Water District (IRWD) to be feasible, applicants for new developments shall use reclaimed water in all master landscaped areas. This will include master landscaped commercial, multifamily, common, roadways, and park areas. Master landscapes will also incorporate weather-based controllers and efficient irrigation system designs to reduce overwatering, combined with the application of a California-friendly landscape palette.

Energy Efficiency

Example All development projects shall install Energy Star appliances. Installation of Energy-Star appliances shall be verified by the City during plan check.

Example Prior to the issuance of a building permit, development plans for these structures shall be required to demonstrate that the project achieves a minimum energy efficiency [SPECIFY AMOUNT] percent above the 2008 Title 24, Part 6, Energy Efficiency Standards for Residential and Nonresidential Buildings, of the California Building Code requirements. Design strategies to meet this standard may include maximizing solar orientation for daylighting and passive heating/cooling, installing appropriate shading devices and landscaping, utilizing natural ventilation, and installing cool roofs. Other techniques include installing insulation (high reflectivity value) and radiant heat barriers, compact fluorescent and/or light-emitting diode light bulbs, and low-emissivity window glazing or double-paned windows. Use of photovoltaics or other onsite generation of technologies that have equivalent energy reductions may be substituted for an increase in energy efficiency.

Construction

Example Development projects with over 10,000 square feet of demolition shall recycle or reuse a minimum of 75 percent of concrete and asphalt and 50 percent of nonhazardous debris. The construction contractor shall prepare a Waste Management Plan that calculates demolition volumes or weight and specifies materials to be recycled or salvaged. The Waste Management Plan shall be approved/verified by the Director of Public Works prior to commencement of demolition activities.

Example Applicants for new developments shall require that the construction contractor provide alternative transportation mode incentives such as bus passes and/or carpooling for workers to and from the worksite on days that construction activities require 200 or more workers. These requirements shall be noted on the grading plan cover sheet.

APPENDIX D

Noise

Construction

Example Applicants for individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall submit a noise vibration analysis prior to their application being deemed complete by the City. If average construction-related vibration is determined to exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime, additional requirements, such as use of less vibration intensive equipment or construction techniques shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).

Example Prior to issuance of grading permits, the project applicant shall incorporate the following measures as a note on the grading plan cover sheet to ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.

- Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
- Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.
- The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site, whenever feasible.
- Construction of sound walls that have been incorporated into the project design prior to construction of the building foundation; or installation of temporary sound blankets (fences typically composed of poly-vinyl-chloride-coated outer shells with adsorbent inner insulation) placed along the boundary of the project site during construction activities.

Noise Compatibility

Example Prior to issuance of certificate of occupancy, the project applicant shall submit evidence to the satisfaction of the Director of Community Development that occupancy disclosure notices for units with patios and/or balconies that do not meet the 65 dBA CNEL are provided to all future tenants pursuant to the City's Noise Ordinance.

Example Prior to issuance of building permits, the project applicant for any residential project within the 65 dBA CNEL contour of a major arterial or freeway shall retain an acoustical engineer to prepare an acoustic analysis that identifies required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling) to achieve the 45 dBA CNEL interior noise standard of Title 24 of the California Building Code. The acoustic analysis shall be submitted to the Director of Community Development to ensure compliance.

Example Residential and active recreational areas shall be prohibited in the 65 dBA CNEL noise contour of the John Wayne Airport. In addition, prior to issuance of building permits, the project applicant for any project within the 60 dBA CNEL contour of the John Wayne Airport shall retain an acoustical engineer to prepare an acoustic analysis that identifies required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling) to achieve the 45 dBA CNEL interior noise standard of Title 21 and Title 24 of the California Building Code. In addition to the 24-hour interior noise standard, the acoustic report shall detail compliance with the City's interior noise standard of 55 dBA L_{max} (10) for

single-event noise generated by the loudest 10 percent of aircraft overflights at the John Wayne Airport. Parks within the 60 dBA CNEL noise contour shall include signage indicating their proximity to John Wayne Airport and related airport noise. The acoustic analysis shall be submitted to the Director of Community Development to ensure compliance.

Transportation and Traffic

Example Prior to the issuance of the first building permit pursuant to the proposed project, the City of Irvine shall prepare a "nexus" study that will serve as the basis for requiring development impact fees under AB 1600 legislation, as codified by California Code Government Section 66000 et seq, for the proposed project. The established procedures under AB 1600 require that a "reasonable relationship" or nexus exist between the traffic improvements and facilities required to mitigate the traffic impacts of new development pursuant to the proposed project. The following traffic improvements and facilities are necessary to mitigate project impacts and shall be included, among other improvements, in the AB 1600 nexus study:

[List proposed improvements]

Example Prior to the issuance of the first building permit pursuant to the proposed project, the City of Irvine shall update the [specified development fee program] pursuant to the AB 1600 Nexus Study identified in Mitigation Measure X. The [specified development fee program] was established to fund area-wide circulation improvements within the IBC and adjoining areas. The improvements are required due to potential circulation impacts associated with buildout of the proposed project/planning area. Fees are assessed when there is new construction or when there is an increase in square footage within an existing building or the conversion of existing square footage to a more intensive use. The development fees collected are applied toward circulation improvements and right-of-way acquisition in the planning area and adjoining areas. Fees are calculated by multiplying the proposed square footage, dwelling unit or hotel room by the appropriate rate. The development impact fees of the proposed project are included with any other applicable fees payable at the time the building permit is issued. The City will use the development fees to, among other things, fund construction (or to recoup fees advanced to fund construction) of the transportation improvements identified in Mitigation Measure X.

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Appendices

E IRVINE STANDARD CONDITIONS OF APPROVAL

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Appendices

F REGULATORY INFORMATION

Hydrology and Water Quality

General Construction Permit

The 2009 General Construction Permit (GCP) is effective from July 1, 2010, through September 2, 2014. It must be complied with in order for development projects to demonstrate their compliance with the Clean Water Act regulations. The GCP is implemented at a local level by the Regional Water Quality Control Boards (RWQCB) in California. The City of Irvine is in the Santa Ana RWQCB. Applicable excerpts from the CGP are provided below.

Section 1.B, Activities Covered Under the General Permit

The following activities require documentation of compliance.

- "Any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre.

- Construction activity that results in land surface disturbances of less than one acre if the construction activity is part of a larger common plan of development or the sale of one or more acres of disturbed land surface.

- Construction activity related to residential, commercial, or industrial development on lands currently used for agriculture including, but not limited to, the construction of buildings related to agriculture that are considered industrial pursuant to U.S. EPA regulations, such as dairy barns or food processing facilities.

- Construction activity associated with Linear Underground/Overhead Utility Projects (LUPs) including, but not limited to, those activities necessary for the installation of underground and overhead linear facilities (e.g., conduits, substructures, pipelines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities) and include, but are not limited to, underground utility mark-out, potholing, concrete and asphalt cutting and removal, trenching, excavation, boring and drilling, access road and pole/tower pad and cable/wire pull station, substation construction, substructure installation, construction of tower footings and/or foundations, pole and tower installations, pipeline installations, welding, concrete and/or pavement repair or replacement, and stockpile/borrow locations.

- Discharges of sediment from construction activities associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities.[1]

- Storm water discharges from dredge spoil placement that occur outside of U.S. Army Corps of Engineers jurisdiction (upland sites) and that disturb one or more acres of land surface from construction activity are covered by this General Permit. Construction sites that intend to disturb one or more acres of land within the jurisdictional boundaries of a CWA § 404 permit should contact the appropriate Regional Water Board to determine whether this permit applies to the site."

Section XIII, Post-Construction Standards

Development sites must meet these standards by the time the project has been completed.

- "All dischargers shall comply with the following runoff reduction requirements unless they are located within an area subject to post-construction standards of an active Phase I or II municipal separate storm sewer system (MS4) permit that has an approved Storm Water Management Plan.

    - This provision shall take effect three years from the adoption date of this permit, or later at the discretion of the Executive Officer of the Regional Board.

    - The discharger shall demonstrate compliance with the requirements of this section by submitting with their NOI a map and worksheets in accordance with the instructions in Appendix 2 [of the Construction General Permit]. The discharger shall use non-structural controls unless the discharger demonstrates that non-structural controls are infeasible or that structural controls will produce greater reduction in water quality impacts.

    - The discharger shall, through the use of non-structural and structural measures as described in Appendix 2 [of the Construction General Permit], replicate the pre-project water balance (for this permit, defined as the volume of rainfall that ends up as runoff) for the smallest storms up to the 85th percentile storm event (or the smallest storm event that generates runoff, whichever is larger). Dischargers shall inform Regional Water Board staff at least 30 days prior to the use of any structural control measure used to comply with this requirement. Volume that cannot be addressed using nonstructural practices shall be captured in structural practices and approved by the Regional Water Board. When seeking Regional Board approval for the use of structural practices, dischargers shall document the infeasibility of using non-structural practices on the project site, or document that there will be fewer water quality impacts through the use of structural practices.

    - For sites whose disturbed area exceeds two acres, the discharger shall preserve the pre-construction drainage density (miles of stream length per square mile of drainage area) for all drainage areas within the area serving a first order stream14 or larger stream and ensure that post-project time of runoff concentration is equal or greater than pre-project time of concentration.

[1] Pursuant to the Ninth Circuit Court of Appeals' decision in *NRDC v. EPA* (9th Cir. 2008) 526 F.3d 591, and subsequent denial of the U.S. EPA's petition for reconsideration in November 2008, oil and gas construction activities discharging storm water contaminated only with sediment are no longer exempt from the NPDES program.

- All dischargers shall implement BMPs to reduce pollutants in storm water discharges that are reasonably foreseeable after all construction phases have been completed at the site (Post-construction BMPs)."

Orange County Municipal Stormwater Permit Santa Ana Region (Order No. R8-2009-0030)

The 2009 Orange County Municipal Stormwater Permit is effective from May 22, 2009 through April 1, 2014 or until the adoption of the subsequent permit. It must be complied with in order for new development and significant redevelopment projects to demonstrate their compliance with the Clean Water Act regulations. Permit requirements are implemented through the Drainage Area Management Plan, which includes the Model Water Quality Management Plan (WQMP) and Technical Guidance Document. These documents assist project proponents with addressing post-construction urban runoff and stormwater pollution from new development and significant redevelopment projects that qualify as Priority Projects.

Priority Project Categories
1. All significant redevelopment projects, where significant redevelopment is defined as projects that include the addition or replacement of 5,000 square feet or more of impervious surface on a developed site. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of the facility, or emergency redevelopment activity required to protect public health and safety. Where redevelopment results in the addition or replacement of less than fifty percent of the impervious surfaces of a previously existing developed site, and the existing development was not subject to WQMP requirements, the numeric sizing criteria discussed below applies only to the addition or replacement, and not to the entire developed site. Where redevelopment results in the addition or replacement of more than fifty percent of the impervious surfaces of a previously existing developed site, the numeric sizing criteria applies to the entire development.
2. New development projects that create 10,000 square feet or more of impervious surface (collectively over the entire project site) including commercial, industrial, residential housing subdivisions (i.e., detached single family home subdivisions, multi-family attached subdivisions (town homes), condominiums, apartments, etc.), mixed-use, and public projects. This category includes development projects on public or private land, which fall under the planning and building authority of the permittees.
3. Automotive repair shops (with SIC codes 5013, 5014, 5541, 7532-7534, 7536-7539).
4. 4. Restaurants where the land area of development is 5,000 square feet or more.
5. All hillside developments on 5,000 square feet or more, which are located on areas with known erosive soil conditions or where the natural slope is twenty-five percent or more.
6. Parking lots of 5,000 square feet or more of impervious surface exposed to storm water. Parking lot is defined as a land area or facility for the temporary storage of motor vehicles.

7.	Streets, roads, highways and freeways of 5,000 square feet or more of paved surface shall incorporate USEPA guidance, "Managing Wet Weather with Green Infrastructure: Green Streets" in a manner consistent with the maximum extent practicable standard. This category includes any paved surface used for the transportation of automobiles, trucks, motorcycles and other vehicles and excludes any routine road maintenance activities where the footprint is not changed.
8.	Retail gasoline outlets of 5,000 or more square feet with a projected average daily traffic of 100 or more vehicles per day.
9.	Emergency and public safety projects in any of the above-listed categories may be excluded if the delay caused due the requirement for a WQMP compromises public safety, public health and/or environmental protection.

Orange County Drainage Area Management Plan (2003)

The specific water pollutant control elements of the Orange County Stormwater Program are documented in the 2003 Drainage Area Management Plan (DAMP) which is the primary policy, planning and implementation document for municipal NPDES Stormwater Permit compliance. The DAMP was prepared and is periodically updated using a consensus building process that involving public and private sector input and public review through the California Environmental Quality Act (CEQA) process. DAMP Section 7.0 ensures that all new development and significant redevelopment incorporates appropriate Site Design, Source Control and Treatment Control BMPs to address specific water quality issues.

Water Quality Management Plan (WQMP) and Technical Guidance Document

The Model WQMP has been developed to aid development project proponents with addressing post-construction urban runoff and stormwater pollution from new development and significant redevelopment projects that qualify as Priority Projects. In general, Priority Projects include development that creates new impervious surface and significant redevelopment that adds or replaces 5,000 or more square feet of impervious area on an already developed site.

The Model WQMP describes the process that project proponents will employ for developing a Project WQMP for individual new development and significant redevelopment projects. A Project WQMP is a plan for minimizing the adverse effects of urbanization on site hydrology, runoff flow rates and pollutant loads. The permit also requires development of Conceptual or Preliminary WQMPs prior to submission of a Project WQMP.

The Technical Guidance Document is intended to provide guidance on how to complete the Conceptual/Preliminary WQMP or Project WQMP. The Municipal Stormwater Permit requires the use of Low Impact Development (LID) as a stormwater management strategy. LID emphasizes conservation and the use of existing site features integrated with distributed stormwater controls that are designed to more closely mimic natural hydrologic patterns of undeveloped sites than traditional stormwater controls. The Model WQMP Technical Guidance Document includes preventative site design practices as well as mitigative LID best management practices.

These documents and additional information can be found on the City's website at:

http://www.cityofirvine.us/programs/water/water-quality-requirements/

Or at: http://www.ocwatersheds.com/DAMP.aspx

Land Use and Planning

City of Irvine General Plan and Zoning Ordinance

Future development of all land within the City of Irvine is guided by the City of Irvine General Plan (General Plan), which underwent a comprehensive amendment on March 9, 1999. The most recent General Plan supplement reflecting subsequent amendments was issued in April 2010. The General Plan consists of a series of State-mandated and optional "elements" that direct the City's physical, social, and economic growth, including: Land Use, Circulation, Housing, Noise, Public Facilities, Waste Management, Energy, Safety, Parks and Recreation, Conservation and Open Space, Seismic, Cultural Resources, and Growth Management.

The City of Irvine Zoning Ordinance (Zoning Ordinance) establishes zone-specific development regulations, including building height limits, setback requirements, parking ratios, and other development standards, which are designed to promote compatibility. It is through the implementation of the Zoning Ordinance that long-term goals and objectives of the General Plan are implemented. The City establishes zoning regulations according to zoning designations as well as special development requirements for each planning area. The development regulations and standards are generally outlined in Division 3 (General Development Standards and Land Use Regulations), Division 4 (Parking), Division 5 (Overlay Districts), Division 7 (Signs), Division 8 (Conservation and Open Space Phased Dedication Districts), and Division 9 (Planning Areas).

Coastal Zone

The California Coastal Act of 1976 delineates an area along the California coastline for protection of its scenic and environmental resources. A portion of the Irvine Business Complex (IBC) is within Coastal Zone. As described in Chapter 2-7, Coastal Zone: Special Regulations for Development Located in Coastal Zone, of the Zoning Ordinance, a 40-acre parcel at the southern edge of the Irvine Business Complex (IBC), adjacent the Newport Back Bay, lies within the Coastal Zone as defined by the Coastal Act. One of the areas is the developed area bounded by Jamboree Road, MacArthur Boulevard, and Fairchild Road. Two other areas in the coastal zone are open space areas owned and managed by UC Irvine: the San Joaquin Marsh area located below Campus Drive together with the area of upland habitat located between the marsh, the San Diego Creek channel, MacArthur Boulevard, and Fairchild Road. UC Irvine's 2007 Long Range Development Plan (LRDP) identifies this area as open space.

Pursuant to the Coastal Act, the City of Irvine is required to have a Local Coastal Plan (LCP) for the Coastal Zone in its jurisdiction, which also includes the approximately 200 acres of the San Joaquin Marsh at the southern edge of the City, outside the IBC adjacent to the back bay. The City exercised its option to have the State Coastal Commission prepare this plan, which was prepared and certified by the Coastal Commission in 1982. The LCP delegates land use authority to the City through zoning code regulations outlined in Chapter 2-7 of the Zoning Ordinance. The land use plan in the LCP, as amended, allows for a mix of business and industrial uses, along with the potential for high density mixed-use development.

Airport Environs Land Use Plan for John Wayne Airport

The Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA) (amended December 19, 2002) is a 20-year land use compatibility plan for the airport to safeguard the general welfare of the inhabitants within its vicinity and ensure its continued operation. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. The California Department of Transportation's California Airport Land Use Planning Handbook provides guidelines for preparing airport compatibility plans. The handbook is a technical resource providing guidelines, in part, to define aircraft noise standards and criteria, accident potential zones, building height zones, and designated planning areas.

The southwest boundary of the IBC is adjacent to JWA and falls within the AELUP for JWA. The majority of the City is outside of the airport safety zones of JWA; however, portions of the IBC are within the airport safety zones. Additionally, portions of the IBC area are in the 60 and 65 dBA Community Noise Equivalent Level (CNEL) aircraft operation noise contours identified in the AELUP for JWA. Furthermore, the overall IBC area and other portions of the City's southern boundary are in the height restriction zone of JWA. The AELUP for JWA is available on the Orange County airport Web site (www.ocair.com).

University of California Long Range Development Plan

The University of California Irvine (UCI) Long Range Development Plan (LRDP) is a comprehensive policy and land use plan that guides the growth of the school campus. It identifies the physical development needed to achieve the academic needs and goals of the campus while demonstrating responsible conservation of limited resources. UCI's LRDP was last updated in 2007. It is the fourth LRDP for UCI, as previous plans were adopted in 1963, 1970, and 1989. The 2007 LRDP provides a framework of policies and guidelines to shape land use and physical development at UCI through 2025–26. The plan is designed to support key academic and student life goals, identifies development objectives, delineates campus land uses, and estimates the new building space needed to support projected program expansion through the planning horizon year (UCI 2007).

The LRDP is neither an enrollment plan nor an implementation plan; rather, it provides a framework of policies and guidelines to influence future decisions on land use, enrollment, housing, parking, academic facilities, and urban and landscape design. Individual capital projects would be subject to future approval by the University. The 2007 LRDP is also accompanied by an EIR, prepared in accordance with CEQA and University of California guidelines for implementation of CEQA.

The 2007 LRDP encompasses the main campus and its environs. It does not include remote campus sites such as the UCI Medical Center in Orange or the Shellmaker Island boathouse in Newport Beach.

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized Metropolitan Planning Organization (MPO) for this region, which encompasses over 38,000 square miles. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's MPO, SCAG cooperates with the Southern California Air Quality Management District (SCAQMD), the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents. SCAG has developed regional plans to achieve specific regional objectives. The SCAG plans most applicable to a proposed project are discussed below.

Regional Comprehensive Plan

The 2008 Regional Comprehensive Plan (RCP) is a major advisory plan prepared by SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the Southern California region for their information and voluntary use in preparing local plans and handling local issues of regional significance. The RCP presents a vision of how southern California can balance resource conservation, economic vitality, and quality of life. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region.

Regional Transportation Plan

On May 8, 2008, SCAG adopted the 2008 Regional Transportation Plan (RTP): Making the Connections to help coordinate development of the region's transportation improvements. The 2008 RTP is a $531.5 billion plan that emphasizes the importance of system management, goods movement, and innovative transportation financing. It strives to provide a regional investment framework to address the region's transportation and related challenges, and looks to strategies that preserve and enhance the existing transportation system and integrate land use into transportation planning. For Orange County, the 2008 RTP is based on OCP-2006 land use projections.

Compass Growth Vision

In 2004, SCAG adopted the Compass Growth Vision (CGV), which is a response, supported by a regional consensus, to the land use and transportation challenges facing southern California. SCAG developed the CGV in an effort to maintain the region's prosperity, continue to expand its economy, house its residents affordably, and protect its environmental setting as a whole. The CGV is a framework that helps local jurisdictions address growth management cooperatively and also helps coordinate regional land use and transportation planning. The CGV is driven by four key principles:

- *Mobility.* Improve mobility for all residents
- *Livability.* Foster livability in all communities
- *Prosperity.* Enable prosperity for all people
- *Sustainability.* Promote sustainability for future generations

To realize these principles on the ground, the CGV encourages:

- Focusing growth in existing and emerging centers and along major transportation corridors
- Creating significant areas of mixed-use development and walkable communities
- Targeting growth around existing and planned transit stations
- Preserving existing open space and stable residential areas

In conjunction with the CGV, SCAG also adopted the Compass Blueprint 2% Strategy, which is the part of the 2004 regional growth forecast policy that attempts to reduce emissions and increase mobility through strategic land use changes. The 2% Strategy is a guideline for how and where the CGV for southern California's future can be implemented. Through extensive public participation and land use and transportation modeling and analysis, the program has resulted in a plan that identifies strategic growth opportunity areas (2% Strategy Opportunity Areas). These opportunity areas are roughly 2 percent of the land area in the southern California region. These are the areas where the 2% Strategy will help cities and counties reap the maximum benefits from regional planning implemented in cooperation and partnership with the local community. Goals for the 2% Strategy Opportunity Areas include locating new housing near existing jobs and new jobs near existing housing, encouraging infill development, promoting development with a mix of uses, creating walkable communities, providing a mix of housing types, and focusing development in urban areas.

Utilities and Service Systems

Senate Bill 610

California Water Code section 10912.

When a "project" meets the definition of section 10912 of the California Water Code, a water supply assessment must be prepared.

"Project" means any of the following:

1) A proposed residential development of more than 500 dwelling units.

2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.

3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.

4) A proposed hotel or motel, or both, having more than 500 rooms.

5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

6) A mixed-use project that includes one or more of the projects specified in this subdivision.

7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

If a public water system has fewer than 5,000 service connections, then "project" means any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system's existing service connections (California Department of Water Resources 2003).

Senate Bill 221

SB 221 requires verification of water supply for subdivision developments. It is applied when a project is defined as a subdivision per Government Code § 66473.7(a)(1):

> "Subdivision" means a proposed residential development of more than 500 dwelling units, except that for a public water system that has fewer than 5,000 service connections, "subdivision" means any proposed residential development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections." See Government Code § 65867.5(c).
>
> The exception is when the project is an infill project or it would be used for low-income or very-low-income housing. SB 221 will not apply to any residential project proposed for a site that is within an urbanized area and has been previously developed for urban uses, or where the immediate contiguous properties surrounding the residential project site are, or previously have been, developed for urban uses, or housing projects that are exclusively for very low and low-income households (California Department of Water Resources 2003).

More information on both SB 610 and SB 221 is found in the “Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001,” available on the California Department of Water Resources website.

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Appendices

G ENVIRONMENTAL INFORMATION FORM & ENVIRONMENTAL CHECKLIST

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CITY OF IRVINE
INITIAL STUDY AND ENVIRONMENTAL EVALUATION FORM

1. **Project Title:**

2. **Lead Agency Name and Address:**

3. **Project Sponsor's Name and Address:**

4. **Project Location:**

5. **General Plan Designations:**

6. **Zoning Designations:**

7. **Description of Project:**

8. **Surrounding Land Uses and Setting:**

9. **Other public agencies whose approval is required:**

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

Aesthetics	Agriculture and Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Geology/Soils
Greenhouse Gas Emissions	Hazards & Hazardous Materials	Hydrology/Water Quality
Land Use/Planning	Mineral Resources	Noise
Population/Housing	Public Services	Recreation
Transportation/Traffic	Utilities/Service Systems	Mandatory Findings of Significance

Determination (*to be completed by the lead agency*):

On the basis of this initial study and environmental evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION, pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature

Date

Title

City of Irvine
For

Evaluation of Environmental Impacts:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an affect has been adequately analyzed in an earlier EIR or negative declaration. Section 1 *5063(* c) (3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
I.		**AESTHETICS** **Would the project:**					
	a)	**Have a substantial adverse effect on a scenic vista?**					
		(Source: ...)					
	b)	**Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?**					
		(Source: ...)					
	c)	**Substantially degrade the existing visual character or quality of the site and its surroundings?**					
		(Source: ...)					
	d)	**Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**					
		(Source: ...)					
II.		**AGRICULTURE AND FOREST RESOURCES** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**					
	a)	**Convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**					
		(Source: ...)					
	b)	**Conflict with existing zoning for agricultural use, or a Williamson Act contract?**					
		(Source: ...)					
	c)	**Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**					
		(Source: ...)					

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
	d)	**Result in the loss of forest land or conversion of forest land to non-forest use?**					
		(Source: ...)					
	e)	**Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?**					
		(Source: ...)					
III.		**AIR QUALITY** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**					
	a)	**Conflict with or obstruct implementation of the applicable air quality plan?**					
		(Source: ...)					
	b)	**Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**					
		(Source: ...)					
	c)	**Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**					
		(Source: ...)					
	d)	**Expose sensitive receptors to substantial pollutant concentrations?**					
		(Source: ...)					
	e)	**Create objectionable odor affecting a substantial number of people?**					
		(Source: ...)					
IV.		**BIOLOGICAL RESOURCES** **Would the project:**					
	a)	**Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in**					

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?					
		(Source: ...)					
	b)	**Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?**					
		(Source: ...)					
	c)	**Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but no limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**					
		(Source: ...)					
	d)	**Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**					
		(Source: ...)					
	e)	**Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances?**					
		(Source: ...)					
	f)	**Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**					
		(Source: ...)					
V.		**<u>CULTURAL RESOURCES</u>** **Would the project:**					
	a)	**Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?**					
		(Source: ...)					
	b)	**Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?**					
		(Source: ...)					
	c)	**Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**					

		ISSUES:	Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		(Source: ...)				
	d)	Disturb any human remains, including those interred outside of formal cemeteries?				
		(Source: ...)				
VI.		**GEOLOGY AND SOILS** Would the project:				
	a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
		i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				
		(Source: Division of Mines and Geology Special Publication 42)				
		ii) Strong seismic ground shaking?				
		(Source: ...)				
		iii) Seismic-related ground failure, including liquefaction?				
		(Source: ...)				
		iv) Landslides?				
		(Source: ...)				
	b)	Result in substantial soil erosion or the loss of topsoil?				
		(Source: ...)				
	c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
		(Source: ...)				
	d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				
		(Source: ...)				
	e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waster				

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		water?					
		(Source: ...)					
VII.		**GREENHOUSE GAS EMISSIONS** **Would the project:**					
	a)	**Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**					
		(Source: ...)					
	b)	**Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**					
		(Source: ...)					
VIII.		**HAZARDS AND HAZARDOUS MATERIALS** **Would the project:**					
	a)	**Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**					
		(Source: ...)					
	b)	**Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**					
		(Source: ...)					
	c)	**Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**					
		(Source: ...)					
	d)	**Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**					
		(Source: ...)					
	e)	**For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**					
		(Source: ...)					

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
	f)	**For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**					
		(Source: ...)					
	g)	**Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**					
		(Source: ...)					
	h)	**Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**					
		(Source: ...)					
IX.		**<u>HYDROLOGY AND WATER QUALITY</u>** **Would the project:**					
	a)	**Violate any water quality standards or waste discharge requirements?**					
		(Source: ...)					
	b)	**Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**					
		(Source: ...)					
	c)	**Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**					
		(Source: ...)					
	d)	**Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site?**					
		(Source: ...)					
	e)	**Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**					

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		(Source: ...)					
	f)	Otherwise substantially degrade water quality?					
		(Source: ...)					
	g)	Place housing within a 100-year flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?					
		(Source: ...)					
	h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?					
		(Source: ...)					
	i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?					
		(Source: ...)					
	j)	Inundation by seiche, tsunami, or mudflow?					
		(Source: ...)					
X.		LAND USE AND PLANNING Would the project:					
	a)	Physically divide an established community?					
		(Source: ...)					
	b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					
		(Source: ...)					
	c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?					
		(Source: ...)					
XI.		MINERAL RESOURCES Would the project:					
	a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the					

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		residents of the state?					
		(Source: ...)					
	b)	**Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**					
		(Source: ...)					
XII.		**NOISE** **Would the project result in:**					
	a)	**Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**					
		(Source: ...)					
	b)	**Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**					
		(Source: ...)					
	c)	**A substantially permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**					
		(Source: ...)					
	d)	**A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**					
		(Source: ...)					
	e)	**For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**					
		(Source: ...)					
	f)	**For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**					
		(Source: ...)					
XIII.		**POPULATION AND HOUSING** **Would the project:**					
	a)	**Induce substantial population growth in an area, either directly (for example, by proposing new homes and**					

		ISSUES:	Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
		(Source: ...)				
	b)	**Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**				
		(Source: ...)				
	c)	**Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**				
		(Source: ...)				
XIV.		**PUBLIC SERVICES** **Would the project:**				
	a)	**Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:**				
		i) Fire protection?				
		(Source: ...)				
		ii) Police protection?				
		(Source: ...)				
		iii) Schools?				
		(Source: ...)				
		iv) Parks?				
		(Source: ...)				
		v) Other public facilities?				
		(Source: ...)				
XV.		**RECREATION** **Would the project:**				
	a)	**Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**				

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		(Source: ...)					
	b)	**Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**					
		(Source: ...)					
XVI.		**TRANSPORTATION/TRAFFIC** **Would the project:**					
	a)	**Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**					
		(Source: ...)					
	b)	**Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**					
		(Source: ...)					
	c)	**Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**					
		(Source: ...)					
	d)	**Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**					
		(Source: ...)					
	e)	**Result in inadequate emergency access?**					
		(Source: ...)					
	f)	**Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**					
		(Source: ...)					
XVII.		**UTILITIES AND SERVICE SYSTEMS**					

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
		Would the project:					
	a)	**Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**					
		(Source: ...)					
	b)	**Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**					
		(Source: ...)					
	c)	**Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**					
		(Source: ...)					
	d)	**Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**					
		(Source: ...)					
	e)	**Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**					
		(Source: ...)					
	f)	**Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**					
		(Source: ...)					
	g)	**Comply with federal, state, and local statutes and regulations related to solid waste?**					
		(Source: ...)					
XVIII.		**<u>MANDATORY FINDINGS OF SIGNIFICANCE</u>**					
	a)	**Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**					
		(Source: ...)					

		ISSUES:		Potentially Significant Impact:	Less Than Significant Impact With Mitigation:	Less Than Significant Impact:	No Impact:
	b)	**Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**					
		(Source: …)					
	c)	**Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**					
		(Source: …)					

LIST OF SOURCES:

1. Source 1…
2. Source 2…
3. Source 3…
4. …etc.

Appendices

H COMMON RESPONSIBLE AGENCIES FOR PROJECTS IN IRVINE

The list below represents an inventory of common "Responsible Agencies" for projects in the City of Irvine. The term is one specifically defined by the CEQA Guidelines. Per Section 15381 of the Guidelines:

> "Responsible Agency" means a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency which have discretionary approval power over the project."

While the list below is not exhaustive, and will change over time, it is meant to serve as a starting point for determining which agencies have discretionary approval power over a project for which an environmental analysis is being prepared. A list of common trustee agencies is also included.

Common Responsible Agencies

- Adjacent Cities:
  - City of Costa Mesa
  - City of Laguna Hills
  - City of Laguna Woods
  - City of Lake Forest
  - City of Newport Beach
  - City of Santa Ana
  - City of Tustin
- California Coastal Commission (CCC)
- California Department of Transportation (Caltrans)
- California Public Utilities Commission (CPUC)
- Department of Toxic Substances Control (DTSC)
- Irvine Ranch Water District (IRWD)
- JWA Airport Land Use Commission
- Local School Districts:
  - Irvine Unified School District
  - Santa Ana Unified School District
  - Tustin Unified School District

- Native American Heritage Commission (NAHC)
- Orange County, Environmental Health Division (Local Enforcement Agency)
- Orange County Fire Authority (OCFA)
- Orange County Public Works (OCPW)
- Orange County Transportation Authority (OCTA)
- Orange County Water District (OCWD)
- Santa Ana Regional Water Quality Control Board (SARWQCB)
- South Coast Air Quality Management District (SCAQMD)
- U.S. Army Corps of Engineers (Corps or ACOE)
- U.S. Fish and Wildlife Service (WFS)

Common Trustee Agencies

The list below represents an inventory of common "Trustee Agencies" for projects in the City of Irvine. The term is one specifically defined by the CEQA Guidelines. Per Section 15386 of the Guidelines:

> "Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee Agencies include:
>
> (a) The California Department of Fish and Game with regard to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department;
>
> (b) The State Lands Commission with regard to state owned "sovereign" lands such as the beds of navigable waters and state school lands;
>
> (c) The State Department of Parks and Recreation with regard to units of the State Park System;
>
> (d) The University of California with regard to sites within the Natural Land and Water Reserves System.

Appendices

I SB 226 – CEQA STREAMLINING FOR INFILL PROJECTS

Appendices

APPENDIX I

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Appendices

I SB 226 – CEQA STREAMLINING FOR INFILL PROJECTS

Appendices

APPENDIX I

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DIRECTOR

Proposed **State CEQA Guideline Section 15183.3. Streamlining for Infill Projects**

(a) Purpose. The purpose of this section is to expedite the review environmental review process for infill projects that provide environmental benefits. Infill projects that satisfy the performance standards specified in Appendix M and the provisions of this section are eligible for streamlined environmental review pursuant to this section. The effects of an infill project will not require additional review under two circumstances. First, if an effect was addressed as a significant effect in a prior EIR for a planning level decision, then, with some exceptions, that effect need not be analyzed again for an individual infill project. Second, even if an effect was not analyzed in a prior EIR or is more significant than previously analyzed, further analysis of such effects is not required if uniformly applicable development policies or standards, adopted by the lead agency or a city or county, apply to the infill project and would substantially mitigate that effect. Depending on the effects addressed in the prior EIR and the availability of uniformly applicable development policies or standards that apply to the eligible infill project, streamlining under this section will range from a complete exemption, to an obligation to prepare a narrowed, project-specific environmental document. This section prescribes the streamlined procedure applicable to infill projects.

(b) Eligibility. To be eligible for the streamlining procedures prescribed in this section, an infill project must:

(1) Be located in an urban area on a site that either has been previously developed or is surrounded at least seventy-five percent by qualified urban uses that are immediately adjacent, or would be immediately adjacent but are separated from the infill project by an improved public right-of-way;

(2) Satisfy the statewide performance standards for the infill project type provided in Appendix M; and

(3) Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, except as provided in subdivisions (b)(3)(A) or (b)(3)(B) below.

(A) Where an infill project is proposed within the boundaries of a metropolitan planning organization and a sustainable communities strategy or an alternative planning strategy is not yet in effect, a residential infill project must have a density of at least 20 units per acre, and a retail or commercial infill project must have a floor area ratio of at least 0.75.

(B) Where an infill project is proposed outside of the boundaries of a metropolitan planning organization, the infill project may be eligible for the procedures in this section if it meets the definition of a small community walkable project in subdivision (e)(6), below.

(c) Procedure. A lead agency's determinations pursuant to this section shall be supported with substantial evidence. Following preliminary review of an infill project pursuant to Section 15060, the lead agency may prepare a written checklist to evaluate which of the infill project's potential adverse environmental effects, if any, will be subject to further environmental review. The purpose of a written checklist prepared pursuant to this section is to document the substantial evidence supporting the lead agency's determinations regarding the applicability of the streamlining procedure for infill projects. The sample written checklist provided in Appendix N may be used for this purpose.

(1) Written Checklist. A written checklist prepared pursuant to this section shall do all of the following:

(A) Document whether the infill project satisfies the applicable performance standards in Appendix M.

(B) Explain whether a prior EIR analyzed the potentially significant effects of the infill project, and if so, whether the effects of the infill project fall within the scope of effects analyzed in the prior EIR. An effect was "analyzed" in a prior EIR if the prior EIR examined the nature and magnitude of the effect at the plan level and included measures to mitigate the effect to the extent feasible; however, such measures need not have reduced such effects to a less than significant level. The written checklist shall cite the specific portions of the prior EIR, including page and section references, containing the analysis of the infill project's significant effects. The written checklist shall also indicate whether the infill project incorporates all applicable mitigation measures from the prior EIR. The written checklist shall incorporate the prior EIR by reference as provided in Section 15150.

(C) Explain whether the effects of the infill project are specific to the project or project site and were not analyzed in a prior EIR, and whether those effects may be significant. For the purposes of this section, the phrase "new specific effect" shall be synonymous with the phrase "an effect that is specific to the project or project site." An effect of the infill project that is consistent with the nature and magnitude of effects analyzed in the prior EIR is not a new specific effect. An effect is a new specific effect if new information, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, shows that new mitigation measures could substantially reduce the significant effects described in the prior EIR, but such measures are not included in the project. An effect is also a new specific effect if an applicable mitigation measure was adopted in connection with a planning level decision, but the lead agency determines that it is not feasible for the infill project to implement that measure. Where the prior EIR specifically deferred analysis of an effect that would result from an infill project, such an effect would also be a new specific effect.

(D) Indicate whether substantial new information shows that the effects of the infill project are more significant than described or analyzed in the prior EIR. For the purpose of this subdivision, "more significant" means the project would substantially increase the severity of a significant effect described in the prior EIR.

(E) If the written checklist indicates that the infill project will cause new specific effects or effects that are more significant than analyzed in a prior EIR, the written checklist shall include a statement as to whether uniformly applicable development policies will substantially mitigate those effects. For the purpose of this section, "substantially mitigate" means that the policy or policies will substantially lessen the effect, but not necessarily below the level of significance. The written checklist shall specifically identify the uniformly applicable development policy or standard and explain how it will substantially mitigate the effects of the infill project.

(2) Environmental Document. Following preparation of written checklist pursuant to this section, the lead agency shall determine what type of environmental document shall be prepared for the infill project.

(A) No Further Review. A lead agency may determine that no additional environmental review is required if the written checklist establishes that the infill project would not cause any new specific effects or effects that are more significant than previously analyzed, or that uniformly applicable development policies would substantially mitigate such effects. In this circumstance, those effects are not subject to CEQA and the lead agency should file a Notice of Exemption as provided in Section 15062. Where the lead agency finds that uniformly applicable development policies substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (c)(2)(D).

(B) Negative Declaration, Mitigated Negative Declaration or Sustainable Communities Environmental Assessment. If the written checklist shows that the infill project would result in new specific effects, and that uniformly applicable development policies would not substantially mitigate such effects, those effects shall be subject to CEQA. If the written checklist shows that such new effects are less than significant, the lead agency may prepare a negative declaration. If those effects can be mitigated to a less than significant level through project changes agreed to prior to circulation of the written checklist, the lead agency may prepare a mitigated negative declaration. In this circumstance, the lead agency shall follow the procedure set forth in Sections 15072 to 15075. Alternatively, if the infill project is a transit priority project, the lead agency may follow the procedures in Section 21155.2 of the Public Resources Code. In either instance, the written checklist shall clearly state which effects are new, and are subject to CEQA, and those effects that have been previously analyzed and are not subject to further environmental review. Where the lead agency finds that uniformly applicable development policies substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (c)(2)(D).

(C) Infill EIR. If the written checklist shows that the infill project would result in new specific effects, and that uniformly applied development policies would not substantially mitigate such effects, those effects shall be subject to CEQA. With respect to those effects that are subject to CEQA, the lead agency shall prepare an infill EIR if the written checklist shows that the effects of the infill project would be potentially significant. In this circumstance, the lead agency shall prepare an infill EIR as provided in subdivision (d) and, except as otherwise provided in this section, shall follow the procedures in Article 7. Where the lead agency finds that uniformly

applicable development policies substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (c)(2)(D).

(D) Findings. Any findings or statement of overriding considerations required by Sections 15091 or 15093 shall be limited to those effects analyzed in an infill EIR. Findings for such effects shall incorporate by reference any findings made in connection with a planning level decision. Where uniformly applicable development policies substantially mitigate the significant effects of an infill project, the lead agency shall also make a written finding, supported with substantial evidence and accompanied by a brief explanation of the rationale for the finding.

(d) Infill EIR Contents. An infill EIR shall analyze only those significant effects that uniformly applicable development policies do not substantially mitigate, and that are either new specific effects or are more significant than a prior EIR analyzed. All other effects of the infill project shall be described in the written checklist as provided in subdivision (b)(1), and that written checklist shall be circulated for public review along with the infill EIR. The written checklist shall clearly set forth those effects that are new specific effects, and are subject to CEQA, and those effects which have been previously analyzed and are not subject to further environmental review. The analysis of alternatives in an infill EIR need not address alternative locations, densities, or building intensities. An infill EIR need not analyze growth inducing impacts. Except as provided in this subdivision, an infill EIR shall contain all elements described in Article 9.

(e) Terminology. The following definitions apply to this subdivision:

(1) “Infill project” includes the whole of an action consisting of residential, commercial, retail, transit station, school, or public office building uses, or any combination of such uses that meet the eligibility requirements set forth in subdivision (b). No more than one half of the project area of projects consisting of commercial and retail uses may be used for parking.

(2) “Planning level decision” means the enactment or amendment of a general plan, community plan, specific plan, or zoning code.

(3) “Previously developed” means that a substantial portion of the site has been mechanically altered for purposes authorized in a local zoning code. Developed open space and parcels that are, or have been, in agricultural production shall not be considered to be previously developed for the purposes of this section.

(4) “Prior EIR” means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents.

(5) “Qualified urban use” is defined in Public Resources Code Section 21072.

(6) “Small community walkable project” means a project that is all of the following:

(A) In an incorporated city that is not within the boundary of a metropolitan planning organization;

(B) Within an area of approximately one-quarter mile diameter of contiguous land that includes a residential area adjacent to a retail downtown area and that is designated by the city for infill development consisting of residential and commercial uses. A city may designate such an area within its general plan, zoning code, or by any legislative act creating such a designation, and may make such designation concurrently with project approval; and

(C) Either a residential project that has a density of at least eight units to the acre or a commercial project with a floor area ratio of at least 0.5, or both.

(7) The terms "sustainable communities strategy" and "alternative planning strategy" refer to a strategy for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets.

(8) "Uniformly applicable development policies or standards" are policies or standards adopted or enacted by a city or county, or by a lead agency, that reduce one or more adverse environmental effects. Examples of uniformly applicable development policies or standards include, but are not limited to:

(A) Regulations governing construction activities, including noise regulations, dust control, provisions for discovery of archeological and paleontological resources, stormwater runoff treatment and containment, recycling of construction and demolition waste, temporary street closure and traffic rerouting, and similar regulations.

(B) Requirements in locally adopted building, grading and stormwater codes.

(C) Design guidelines.

(D) Requirements for protecting residents from air pollution associated with high volume roadways.

(E) Impact fee programs to provide public improvements, police, fire, parks, libraries and other public services and infrastructure.

(F) Traffic impact fees.

(9) "Urban area" is defined in Public Resources Code Section 21094.5(e)(5).

Appendix M: Performance Standards for Infill Projects Eligible for Streamlined Review

I. Introduction

Section 15183.3 provides a streamlined review process for infill projects that satisfy performance standards that promote a set of statewide policy objectives set forth in Section 21094.5.5 of the Public Resources Code. This appendix contains those performance standards. The lead agency's determination that the project satisfies the performance standards shall be supported with substantial evidence, which may be documented on the Infill Checklist in Appendix N. Performance standards that apply to all project types are set forth in Section II. Section III contains performance standards that apply to particular project types (i.e., residential, commercial/retail, office building, transit stations, and schools). Projects containing mixed uses must satisfy the standards of each applicable use type in Section III.

II. Performance Standards Applying to All Project Types

To be eligible for streamlining pursuant to Section 15183.3, a project must implement all of the following:

Renewable Energy. All projects shall include renewable energy components, such as solar rooftops, where feasible.

Active Transportation. The project shall include elements that promote the use of transit or active transportation (i.e., walking, bicycling and other forms of human powered transportation), such as pedestrian or bicycle access to transit stops, schools, parks, commercial areas and other local destinations.

Transit Station Area Plans. Where a project is proposed within ½ mile of an existing or planned transit station, the project shall be consistent with the provisions of a plan for land uses surrounding the transit station, such as a station area plan, transit village plan, or general plan policies addressing station areas. An amendment to a general plan that is proposed as part of the project for the purposes of achieving consistency with a sustainable communities strategy, alternative planning strategy, or a station area plan adopted by a transit district shall be considered to achieve this standard.

Soil and Water Remediation. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall implement the recommendations provided in a Phase I environmental assessment, or if one is prepared, a preliminary endangerment assessment.

III. Performance Standards by Project Type

In addition to the project features described above in Section II, specific eligibility requirements are provided below by project type.

A. Residential

The eligibility requirements for residential projects vary depending on the level of per capita vehicle miles traveled (VMT)[i] associated with the project as set forth below.

Projects achieving 75 percent of regional per capita VMT. A residential projectis eligible if it achieves a level of existing per capita VMT that is less than 75 percent of the per capita VMT for the metropolitan planning organization within which the project is located ("regional VMT"). A project can achieve that level of VMT by locating in a low VMT traffic analysis zone[ii] within the region, in a low VMT locale (i.e., urban areas, city centers or near transit),[iii] and/or by including VMT-reducing project features.[iv]

Projects achieving between 75 percent and 100 percent of regional per capita VMT. If a project's per capita VMT is between 75 percent and 100 percent of regional VMT, as determined using either the location or project design methods described above, the project shall also implement the necessary prerequisite and elective measures associated with CALGreen Tier 1. (Cal. Code Regs., tit. 24, Part 11, Appendix A4.)

Projects exceeding 100 percent of regional per capita VMT. If a project's per capita VMT, as determined using either the location or project design methods described above, exceeds the regional average VMT, the project shall also implement the necessary prerequisite and elective measures associated with CALGreen Tier 2. (Cal. Code Regs., tit. 24, Part 11, Appendix A4.)

Projects Near High-Volume Roadways. In addition to the standards described above, if a residential project is located within 500 feet of a high volume roadway, or other distance determined to be appropriate by the local agency or local air district based on local conditions, the project shall also comply with any policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the projection of public health. Unless more specifically defined at the local level, "high-volume roadway" means freeways, highways, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. If the local government has not adopted such plans or policies, the residential project shall include measures, such as enhanced air filtration and project design, that the lead agency determines, based on substantial evidence, will promote the protection of public health. Those measures may include, among others, the recommendations of the California Air Resources Board and local air districts.

B. Commercial/Retail

In addition to the project features described above in Section II, commercial and retail projects below 75,000 square feet must do <u>one</u> of the following:

Regional Location. A project located within a traffic analysis zone that is less than 75 percent of regional per capita VMT is eligible. A project located within a traffic analysis zone that is between 75 percent and 100 percent of regional per capita VMT is eligible if the project also implements the necessary prerequisite and elective measures associated with CALGreen Tier 1. (Cal. Code Regs., tit. 24, Part 11, Appendix A5.) A project located within a traffic analysis zone that exceeds 100 percent of regional per capita VMT is eligible if the project also implements the necessary prerequisite and elective measures associated with CALGreen Tier 2. (Cal. Code Regs., tit. 24, Part 11, Appendix A5.)

Proximity to Households. A project located within one-half mile of 1200 households, as measured along the pedestrian network, is eligible.

Transit Proximity and Low Parking. A project located within one-quarter mile of a transit stop, and with no more than 15 percent of its surface area devoted to parking, is eligible.

Any commercial and retail projects, including those exceeding 75,000 square feet, are eligible if a transportation study prepared for the project demonstrates that the project would reduce total existing VMT.

C. Office Building

In addition to the project features described above in Section II, office buildings[v], both commercial and public, are eligible if they locate both (1) within a traffic analysis zone that exhibits average residential per capita VMT of 75 percent of regional average and (2) within one-quarter mile radius of a transit stop.

D. Transit

Transit stations that implement the project features described above in Section II are eligible.

E. Schools

In addition to the project features described above in Section II, schools are eligible if they also satisfy the following:

Elementary schools within one pedestrian network mile of fifty percent of the projected student population are eligible. Middle schools and high schools within two pedestrian network miles of fifty percent of the projected student population are eligible.

Additionally, in order to be eligible, all schools shall provide parking and storage for bicycles and scooters and shall comply with Sections 17213, 17213.1 and 17213.2 of the California Education Code.

F. Small Walkable Community Projects

Small walkable community projects, as defined in Section 15183.3, subdivision (e)(6), that implement the project features described above are eligible.

[i] Per capita VMT refers to either home-based VMT or household VMT. Per capita home-based VMT includes only trips that start or end at home and can be calculated using existing 4-step transportation models. Per capita household VMT includes all vehicle travel generated by a household and can be calculated using newer activity-based models.

[ii] A Traffic Analysis Zone (TAZ) is an analytical unit used by a travel demand model. A regional travel demand model develops an origin-destination table for all origins and destinations within the region. Origins and destinations, they are aggregated into TAZs. The travel demand model, which is the best tool to depict regional location on VMT, can provide estimates of vehicle travel as fine grained as the TAZ.

[iii] If project location is the basis of the VMT determination, the lead agency should reference the project's location on a map illustrating levels of regional per capita VMT. Such maps may be developed by the regional Metropolitan Planning Organization (MPO). Regional VMT maps can also be produced using VMT data developed by the MPO for traffic analysis zones based on the regional travel demand model.

[iv] If project features are the basis of the VMT determination, a sketch tool (i.e., CalEEMod or URBEMIS) can be used to calculate a project's estimated VMT generation. If a project would generate more than 75% of average per capita VMT for the region, the project's VMT may be further reduced by implementing additional travel demand management measures (such as bicycle facilities, increased density, dedicated affordable units, etc.).

[v] For the purposes of this appendix, "office buildings" generally refer to centers for governmental or professional services; however, the lead agency shall have discretion in determining whether a project is more "commercial" or "office building" in nature based on local zoning codes.

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Appendix N:
Infill Environmental Checklist form

NOTE: This sample form is intended to assist lead agencies in assessing infill projects according to the procedures provided in Section 21094.5 of the Public Resources Code. Lead agencies may customize this form as appropriate, provided that the content satisfies the requirements in Section 15183.3 of the CEQA Guidelines.

1. Project title: _____
2. Lead agency name and address:
   _____
   _____
3. Contact person and phone number: _____
4. Project location: _____
5. Project sponsor's name and address:
   _____
   _____
6. General plan designation: _____ 7. Zoning: _____
8. Prior Environmental Documents Analyzing the Effects of the Infill Project (including State Clearinghouse Number if assigned):_____
   _____
9. Location of Prior Environmental Documents Analyzing the Effects of the Infill Project:
   _____
   _____
10. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)
    _____
    _____
    _____
11. Surrounding land uses and setting: Briefly describe the project's surroundings, including any prior uses of the project site, or, if vacant, describe the urban uses that exist on at least 75% of the project's perimeter:
    _____
    _____
    _____
12. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
    _____
    _____
    _____

SATISFACTION OF APPENDIX M PERFORMANCE STANDARDS

Provide the information demonstrating that the infill project satisfies the performance standards in Appendix M:

1. Does the infill project include a renewable energy feature? If so, describe below. If not, explain below why it is not feasible to do so.

_____
_____
_____

2. Describe the features of the infill project that promote walking, bicycling and other modes of active transportation.

_____
_____
_____

3. If the project is within ½ mile of a transit station, explain how the project complies with the provisions of a locally adopted plan for land uses surrounding the transit station, such as a station area plan, transit village plan, or general plan policies addressing station areas.

_____
_____
_____

4. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, describe the recommendations provided in a Phase I environmental assessment, or if one is prepared, a preliminary endangerment assessment, that will be implemented as part of the project. (Attach the Phase 1 and, if prepared, the PEA.)

_____
_____
_____

5a. For **residential** projects, the project satisfies which of the following?

☐ Located within an area that is less than 75% of regional per capita VMT. (Attach VMT map.)

☐ Generates less than 75% of regional per capita VMT. (Describe methodology and attach model output.)

☐ Located within an area that is between 75% and 100% of regional per capita VMT, and the project is designed to meet CALGreen Tier 1 requirements. (Attach VMT map and CALGreen checklist.)

☐ Generates between 75% and 100% of regional per capita VMT and the project is designed to meet CALGreen Tier 1 requirements. (Describe methodology and attach model output and CALGreen Checklist.)

☐ Located within an area that exceeds 100% of regional per capita VMT, and the project is designed to meet CALGreen Tier 2 requirements. (Attach VMT map and CALGreen checklist.)

☐ Generates over 100% of regional per capita VMT and the project is designed to meet CALGreen Tier 2 requirements. (Describe methodology and attach model output and CALGreen Checklist.)

5b. If a residential project is located within 500 feet a high volume roadway, or such distance that the local agency or local air district has determined is appropriate based on local conditions, describe the measures that the project will implement to protect public health. Such measures may include policies and standards identified in the local general plan, specific plans, zoning code or community risk reduction plan, or measures recommended in a health risk assessment, to promote the protection of public health. Identify the policies or standards, or refer to the site specific analysis, below.

_____
_____
_____

6a. For **commercial** projects below 75,000 square feet, the project satisfies which of the following?

☐ Located within an area that is less than 75% of regional per capita VMT. (Attach VMT map.)

☐ Located within an area that is between 75% and 100% of regional per capita VMT, and the project is designed to meet CALGreen Tier 1 requirements. (Attach VMT map and CALGreen checklist.)

☐ Located within an area that exceeds 100% of regional per capita VMT, and the project is designed to meet CALGreen Tier 2 requirements. (Attach VMT map and CALGreen checklist.)

☐ The project center is within one-half of 1200 dwelling units as measured along the pedestrian network mile. (Attach map and methodology.)

☐ The project is within one-quarter mile of a transit stop, as measured along the pedestrian network, and no more than 15% of the site is devoted to parking. (Attach map and methodology.)

6b. For commercial projects exceeding 75,000 square feet, attach a transportation study demonstrating that the project reduces existing regional VMT.

7. For **office building** projects, attach a map and methodology demonstrating that the project is both within an area with 75% of regional per capita VMT and within one-quarter mile of a transit stop, as measured along the pedestrian network.

8. For **school** projects, the project does all of the following:

☐ The project complies with Sections 17213, 17213.1 and 17213.2 of the California Education Code.

☐ The project is an elementary school and is within one mile of 50% of the student population, or is a middle school or high school and is within two miles of 50% of the student population. (Attach map and methodology.)

☐ The project provides parking and storage for bicycles and scooters.

9. For **small walkable community projects**, the project must be a residential project that has a density of at least eight units to the acre or a commercial project with a floor area ratio of at least 0.5, or both.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The infill project could potentially result in one or more of the following environmental effects.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology /Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed infill project WOULD NOT have any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects. A Notice of Exemption (Section 15062) may be filed.

☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. With respect to those effects that are subject to CEQA, I find that such effects WOULD NOT be significant and a NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that although those effects could be significant, there will not be a significant effect in this case because revisions in the infill project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed infill project may have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that those effects MAY be significant, and an infill ENVIRONMENTAL IMPACT REPORT is required to analyze those effects that are subject to CEQA.

_____ _____

Signature Date

EVALUATION OF THE ENVIRONMENTAL IMPACTS OF INFILL PROJECTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact"

answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) For the purposes of this checklist, "prior EIR" means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents. "Planning level decision" means the enactment or amendment of a general plan, community plan, specific plan, or zoning code. (Section 15183.3(e).)

4) Once the lead agency has determined that a particular physical impact may occur as a result of an infill project, then the checklist answers must indicate whether the nature and magnitude of that impact has already been analyzed in a prior EIR. If the effect of the infill project is not more significant than what has already been analyzed, that effect of the infill project is not subject to CEQA. The brief explanation accompanying this determination should include page and section references to the portions of the prior EIR containing the analysis of that effect. The brief explanation shall also indicate whether the prior EIR included any mitigation measures to substantially lessen that effect and whether those measures have been incorporated into the infill project.

5) If the infill project would cause an effect that either was not analyzed in a prior EIR, or is more significant than what was analyzed in a prior EIR, the lead agency must determine whether uniformly applicable development policies or standards that have been adopted by the lead agency, or city or county, would substantially mitigate that effect. If so, the checklist shall explain how the infill project's implementation of the uniformly applicable development policies will substantially mitigate that effect. That effect of the infill project is not subject to CEQA if the lead agency makes a finding, based upon substantial evidence, that the development policies or standards will substantially mitigate that effect.

6) If all effects of an infill project were either analyzed in a prior EIR or are substantially mitigated by uniformly applicable development policies or standards, CEQA does not apply to the project, and the lead agency may prepare a Notice of Exemption.

7) Effects of an infill project that either have not been analyzed in a prior EIR, or that uniformly applicable development policies or standards do not substantially mitigate, are subject to CEQA. With respect to those effects of the infill project that are subject to CEQA, the checklist shall indicate whether those effects are potentially significant, less than significant with mitigation, or less than significant. The lead agency should indicate that an effect is "Potentially Significant" if there is substantial evidence that the effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an infill EIR is required. The infill EIR should be limited to analysis of those effects determined to be potentially significant. (Sections 15128, 15183.3(d).)

8) "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures will reduce an effect of an infill project that is subject to CEQA from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how those measures reduce the effect to a less than significant level. If the effects of an infill project that are subject to CEQA are less than significant with mitigation incorporated, the lead agency may prepare a Mitigated Negative Declaration. If all of the effects of the infill project that are subject to CEQA are less than significant, the lead agency may prepare a Negative Declaration.

9) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to an infill project's environmental effects in whatever format is selected.

10) The explanation of each issue should identify:

a) the significance criteria or threshold, if any, used to evaluate each question; and

b) the mitigation measure identified, if any, to reduce the impact to less than significance.

SAMPLE QUESTIONS

Issues:

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
I. AESTHETICS. Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☐	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☐	☐

II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☐	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☐	☐
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☐	☐
IV. BIOLOGICAL RESOURCES: Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
Department of Fish and Game or U.S. Fish and Wildlife Service?					
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
V. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☐	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☐	☐
VI. GEOLOGY AND SOILS. Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☐	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☐	☐
iv) Landslides?	☐	☐	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☐	☐
VII. GREENHOUSE GAS EMISSIONS. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☐	☐
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☐
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☐
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☐	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☐	☐
IX. HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☐	☐
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☐	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☐
X. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?	☐	☐	☐	☐	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☐	☐
XI. MINERAL RESOURCES. Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☐	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☐	☐
XII. NOISE -- Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
XIII. POPULATION AND HOUSING. Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☐	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☐
XIV. PUBLIC SERVICES.					
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☐	☐
Fire protection?	☐	☐	☐	☐	☐
Police protection?	☐	☐	☐	☐	☐
Schools?	☐	☐	☐	☐	☐
Parks?	☐	☐	☐	☐	☐
Other public facilities?	☐	☐	☐	☐	☐
XV. RECREATION.					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☐	☐
XVI. TRANSPORTATION/TRAFFIC. Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☐	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☐	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☐	☐
e) Result in inadequate emergency access?	☐	☐	☐	☐	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☐	☐

	Potentially Significant Impact	*Less Than Significant or Less than Significant with Mitigation Incorporated*	*No Impact*	**Within the Scope of Analysis in the Plan Level EIR**	**Substantially Mitigated by Uniformly Applicable Development Policies**
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☐	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☐	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☐	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☐	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☐	☐
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number o restrict the range of a rare or endangered plant o animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☐	☐

Appendices

J SAMPLE ENERGY GENERATION FACTORS

Electricity and natural gas consumption is based on the rates provided in the Database for Energy Efficient Resources (DEER), as shown in Table I-1 and I-2. These rates are general and more project-specific energy use rates may be obtained from utility providers.

Table I-1
Electricity Demand by Land Use Type

Land Use	Electricity Generation Factor
Residential	4,333 kWh/DU
Commercial	11.329 kWh/SF
Commercial – Hotel	10.869 kWh/SF
Industrial	6.995 kWh/SF
Office	13.604 kWh/SF

Source: DEER: http://www.energy.ca.gov/deer/

Table I-2
Natural Gas Demand by Land Use Type

Land Use	Natural Gas Generation Factor
Residential	285 Therm/DU
Commercial	0.0388 Therm/SF
Commercial – Hotel	0.1054 Therm/SF
Industrial	0.388 Therm/SF
Office	0.0029 Therm/SF

Source: DEER: http://www.energy.ca.gov/deer/

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Appendices

K TRAFFIC IMPACT ANALYSIS GUIDELINES

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TRAFFIC IMPACT ANALYSIS GUIDELINES

ADOPTED AUGUST 24, 2004

Prepared by:
City of Irvine
Public Works Department

TRAFFIC IMPACT ANALYSIS GUIDELINES

Prepared by:

City of Irvine

Public Works Department

August 24, 2004

TRAFFIC IMPACT ANALYSIS GUIDELINES

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TRAFFIC IMPACT ANALYSES

WHY A TRAFFIC IMPACT ANALYSIS IS REQUIRED

A hierarchy of federal and state laws requires the correlation of the Land Use Element building intensities in the General Plan with the Circulation Element capacity (i.e., Government Code 65302(C), Congestion Management Program (CMP), California Environmental Quality Act (CEQA), and Measure M). The traffic impact analysis serves as a test of this correlation during the development review process. Within the City, traffic impact analyses are categorized as traffic studies and limited scope traffic studies. The following outlines the criteria for when each type of analysis is applied.

WHEN IS A TRAFFIC/LIMITED SCOPE TRAFFIC STUDY REQUIRED?

A traffic study shall be required for:

- Discretionary projects which produce 50 or more peak hour trips during the AM peak period or the PM peak period. This traffic study trip threshold requirement shall be calculated using the City's approved land use trip generation rates. If the City approved Irvine Transportation Analysis Model (ITAM) land use trip generation rates do not correlate to the use(s) proposed, the Director of Public Works will approve the use of another rate.

A traffic study may be required for:

- Projects pursuant to the California Environmental Quality Act (CEQA) guidelines, Congestion Management Program (CMP) requirements or as otherwise required by City Ordinances/resolutions.

A limited scope traffic study is required for:

- Discretionary projects generating between 1 and 49 trips from a project site where no budget/trip cap has been established for the site and/or Planning Area; or

- Discretionary projects which exceed the established trip cap for the project site and/or Planning Area by 1 to 49 trips. If the project exceeds the established trip cap by 50 or more trips, see the requirements for a traffic study above. This limited scope traffic study trip threshold requirement shall be calculated using the City's approved land use trip generation rates. If City approved land use trip generation rates do not correlate to the use(s) proposed, the Director of Public Works will approve the use of another rate.

In cases where projects are within approved budget/trip caps and zoning, but are proposing new or altering existing access points, the site access analysis procedures outlined on Page 15 of the Special Issues section shall be followed in order to design and locate access points.

Exhibit 2 highlights the key differences between a Traffic Study and a Limited Scope Traffic Study.

Transfer of Development Rights (TDRs) and Intensity Shifts

- Within the Irvine Business Complex (IBC), TDRs are permitted. Outside of the IBC, transfer of development (intensity shifts) may be allowed, if permitted by the zoning ordinance and/or land use regulations. If a TDR or an intensity shift is proposed, City approved land use trip rates shall be used in determining whether a traffic study or limited scope traffic study is required. If the project involves a TDR or intensity shift of 50 peak hour trips or more, a traffic study will be required. If the project involves a TDR or intensity shift of between 1 and 49 peak hour trips, a limited scope traffic study will be required. In either case, a cumulative impact analysis that may include all known applications of this nature on file with the City at the time of the subject project's scope of work approval will be required (see Page 11 for Cumulative Impact Analysis).

The use of an existing traffic/limited scope traffic study for a project can be considered by the Director of Public Works if the land use assumptions, background conditions, and character of traffic analyzed in the existing study are not significantly changed in the proposed project. The determination of the longevity of an existing study will be consistent with CEQA Guideline 15162.

METHODOLOGY OF SUBMITTAL

Prior to beginning any study, the applicant and/or his/her transportation consultant shall meet with City staff. This meeting is considered the "Pre-Application Conference". The purpose of the Pre-Application Conference is to establish assumptions and the process of preparing the study. When interjurisdictional impacts are anticipated, appropriate representatives from the affected agencies will be informed in writing of the agreed upon assumptions by the Director of Public Works.

In order to establish a Pre-Application Conference, the applicant shall submit to the Director of Community Development a Pre-Application. For information on the submittal of the Pre-Application, the applicant is referred to the "Pre-Application" Information Sheet provided at the Community Development front counter.

The following points will be discussed and methodology established at the Pre-Application Conference regarding traffic:

Site Plan and Development Assumptions
Access Points
Committed Roadway Improvements[1]
Trip Generation
Trip Distribution
Trip Assignment
Preliminary Study Area
Background Traffic (Ambient Growth and Approved Developments)

[1]See definition in the Committed Improvements section.

Development Time Frame and Phasing
Processing Schedule
Other Pertinent Factors

Additional planning issues, submittal requirements, etc. may also be addressed at this Pre-Application Conference, as identified and deemed appropriate by Development Services staff.

The schedule shall be determined in accordance with the overall schedule associated with the type of application being requested or with CEQA requirements. The Pre-Application Conference shall also identify information which will be supplied by the City.

Scopes of Work

Based on the agreements reached at the Pre-Application Conference, a scope of work shall be prepared by the applicant's traffic consultant and approved prior to commencement of the study. Waiver of portions of these guidelines for a project may be approved by the Director of Public Works. Studies will not be accepted unless the traffic study/limited scope traffic study of work has been approved by the Director of Public Works.

The City Council reserves the right to approve traffic study scopes of work. Once approved by the City Council, they will be processed in the same manner as if approved by the Director or Public Works.

An approved scope of work is valid for twelve months. Prior to commencing the study, the applicant shall confirm with the City the appropriate version of ITAM to utilize. The study must be submitted for the first screen check review within twelve months of the scope of work approval. A new scope of work is required if the twelve month period expires without a submittal.

Approval

The Director of Public Works shall review a traffic study and determine if the traffic study is consistent with the approved scope of work. If deemed consistent, the Director of Public Works shall approve and advance the traffic study with any recommendations to the next reviewing/approval body for appropriate action.

Limited scope traffic studies are reviewed and approved at the staff level only.

Miscellaneous Submittal Requirements

Four (4) copies of the screen check draft study shall be submitted in conjunction with the remainder of the development application package. It should be noted that no development application for which a study is required, will be accepted without the appropriate number of copies of that study. Once finalized, 10 copies of the final study shall be provided to staff for use in Commission packets and files. If City Council approval of the project is required, a total of 16 copies of the final study shall be provided.

The applicant shall be responsible for the study and all costs associated with it. This may include, but is not limited to, preparation of the scope of work, preparation of the study, including consultant fees and computer model runs, review of the study by City staff and Commissions/Committees/Council.

All studies must be prepared under the supervision of and signed, stamped and dated by a Registered Traffic or Civil Engineer with appropriate transportation engineering and/or planning credentials.

OBJECTIVES OF A TRAFFIC/LIMITED SCOPE TRAFFIC STUDY

The study has three basic objectives, as outlined below:

1. To provide a tool to analyze a specific project as it relates to the General Plan (long term).

2. To provide a means to identify specific short term circulation, operational and access needs.

3. To provide a basis for equitable impact mitigation.

TRAFFIC/LIMITED SCOPE TRAFFIC STUDY FORMAT

In order to provide consistency and facilitate staff review of studies, the format identified below and in the approved scope of work must be followed. Under each heading, the content and methodologies to be utilized are discussed. An outline of the study is attached as Exhibit 1.

Executive Summary

The Executive Summary of the report shall be a clear, concise description of the study findings. It shall include a general description of all data, project scope and purpose, findings, conclusions, mitigation measures, and recommendations.

Technical publications, calculations, documentation, data reporting, and detailed design should not be included in this section. The Executive Summary should be concise, complete in itself, and not dependent on supplementary data included by reference.

Introduction

The Introduction shall supply the reader with a general description of the project. This description shall include the size of the parcel, general terrain features, and the existing and proposed uses of the site (including phasing) based on the zoning and general plan categories outlined in the City's Zoning Ordinance and the General Plan. In addition, specific uses for which the request is being made must be identified, as a number of uses may be permitted under the same Zoning or General Plan Category. This information shall include the square footage of each use or number and size of units proposed.

The intent of the study is to evaluate traffic impacts for the most probable case or maximum entitlement permitted for the development or parcel proposed by the Map Level, Zoning Ordinance or the General Plan. If several different uses are permitted, the land use with the greatest overall traffic impact shall be assumed in the study, unless the applicant specifies the uses for the site. This most probable case analysis may be waived by the Director of Public Works only if the development is conditioned for the specific uses analyzed in the study.

In addition, the location of the project site shall be described. As part of this description, a vicinity map shall be provided. The map shall include roadways, which afford access to the site and are included in the study area.

For projects which are reviewed in accordance with CEQA requirements, the required alternatives to the project shall be analyzed. The proposed alternatives shall be defined in the Introduction section.

The limits of the study area for the traffic study shall be based on the potential impact of the proposed project on the City's existing and ultimate street network, and the existing traffic conditions surrounding the site. In all instances, however, the study area limits must include areas with significant impacts based on the approved Performance Criteria (see the Performance Criteria section). If an agreement cannot be reached on an appropriate study area boundary, the Director of Public Works may require that a preliminary study area be established through a "select zone" analysis of Irvine's Transportation Analysis Model (ITAM). This preliminary study area shall be expanded or reduced, as appropriate, to meet the Performance Criteria or impacts by phase of the development.

The study area boundary for a limited scope traffic study is limited to all project access points and immediately adjacent intersections.

Existing Conditions

The study must identify the existing conditions in the vicinity of the project site, including a description of the area to be affected by the development. This is to provide a comparison of the impacts over time on land use and circulation.

Existing roadway conditions shall include the following:

- Existing Roadway Network
- Number of Existing Lanes
- Intersection Configurations
- Traffic Control (i.e., signal, stop sign, etc.) - For signalized intersections, where split phasing or right turn overlap is in place, this information shall be provided in the study
- Traffic Counts[2,3]
  - Average Daily Traffic
  - Peak Hour Intersection Volumes Both A.M. and P.M. (Turning Movements)
- Pedestrian Activity/Circulation (identification of pedestrian activity, trails, sidewalks in the project area)
- Level of Service Calculations Both Daily and Peak Hour

Existing Conditions with Proposed Development

In order to assess the existing environmental setting as it exists at the time of the notice of preparation for a proposed development, existing conditions with the project in place must be analyzed. Existing traffic conditions based on the current circulation system shall represent the existing environmental setting.

Existing plus project projections shall be developed through the use of Irvine's Transportation Analysis Model (ITAM). The proposed land uses for the project site and any project-related circulation improvements shall be added to the ITAM database and ITAM model runs with and without the project shall be used to determine the traffic model impact of the project on the existing circulation system.

Future Traffic Without Proposed Development

Projected Traffic

Future traffic without the proposed development's impact is also called "background" traffic or "baseline" traffic. This baseline traffic consists of three components:

- Regional traffic - Through traffic which has neither origin nor destination within

[2]Counts for intersections on the CMP Highway System (i.e., Irvine Blvd., Irvine Center Drive, Jamboree Road, and Laguna Canyon Road) shall be conducted on at least three separate days (not necessarily consecutive). An average of three counts will be used for existing LOS in the Level of Service calculation.

[3]Count data must have been collected within the previous one year period from the approval date of the scope of work during the AM (generally between 7-10 AM) and PM (generally between 3:30-6:30 PM) peak period. However, traffic counts cannot be older than 18 months from the date of the first screen check traffic/access study submittal. For access analysis purposes, midday peak hour counts may be requested by the City depending on where the project is located in relation to certain intersections. Counts should be conducted on a Tuesday, Wednesday or Thursday during weeks not containing a holiday. Current counts which have been performed by the City will be made available at the request of the applicant. However, if the City does not have counts or if the counts are not current, the applicant will be required to perform the counts. Should concerns or discrepancies arise regarding the traffic count data collected, the City may request additional counts.

Orange County.

- Sub-Regional traffic - Through traffic which has neither origin nor destination within the City of Irvine.

- Other development traffic - Traffic generated by all other development with either origin or destination within the City of Irvine. If the proposed project involves a TDR, General Plan intensity modification or intensity shift, the development traffic of project applications on file with the City will be assumed in a cumulative impact analysis (see Page 11 - Cumulative Impact Analysis for details). A list of all said projects shall be included as an attachment in the approved scope of work

Within the City of Irvine, background traffic is generally estimated using Irvine's Transportation Analysis Model (ITAM).

The following horizon years are required to be analyzed:

- Existing
- Interim Year (short term, typically a 5-year horizon), assumptions include committed roadway improvements by this timeframe and tolled corridor facilities
- Interim Year (long term, typically 20 to 25 year horizon), assumptions include committed improvements by this timeframe and tolled corridor facilities
- Buildout of City, assumptions include full buildout of adopted General Plan and Master Plan of Arterial Highways and tolled corridor facilities

The database shall be modified to include only those uses for the project site which exist at the time of application (i.e., existing land use - if vacant, the database shall have zero land use for that site) or, in the case of legally vested development, that amount of land use which is vested. Documentation of the vesting of land uses will be required of the applicant with the application. Computer model runs will then be performed for all horizon years. These runs will represent the background traffic volumes against which the "with project" analyses will be compared to develop mitigation measures. In an expansion project, the expansion and any existing development to be expanded will be considered the "with project" scenario (see Exhibit 3).

For limited scope traffic studies, the horizon year by which time the project will be built out will be the only horizon year analyzed.

The study shall specify the volumes and levels of service associated with the daily A.M. and P.M. peak hour conditions. Daily information shall be shown in a graphic format. Peak hour information shall be summarized in a table which identifies the levels of service (volume-to-capacity ratios from the Intersection Capacity Utilization {ICU} worksheets). In addition, ICU worksheets shall be attached as an appendix.

Committed Improvements

For interim conditions, improvements funded by government agencies (i.e., in the Capital

Improvement Project {CIP}) or other development (as approved by the Director of Public Works) shall be identified. This list would include the nature of the improvement project, its extent, implementation schedule, and the agency or funding source responsible. An official list of these "committed improvements" shall be obtained from the City. A list shall be provided showing the location of such facilities or projects.

The currently approved General Plan Arterial Highway Designation (General Plan Exhibit D-5) and the Orange County Master Plan of Arterial Highways (MPAH - for adjacent Cities' roadways, as appropriate) shall be the basis for roadway improvements considered to be in place for the buildout analysis. The network assumptions for the analysis years will be discussed in the report.

Proposed Project Impacts

Definition of Impact

Impacts of development on the circulation network shall be mitigated compared to the existing land use of the site at the time of submittal for development approval or, in the case of vested development, that amount of land use which is vested. Documentation of the vesting of land use will be required of the applicant with the application.

Model Trip Generation

The calculation of traffic volumes used to determine impacts of the development shall be based on the latest plans submitted for planning areas or on land use intensity allowed (including a trip cap adopted by the City) under the existing (or proposed) Zoning Ordinance or the General Plan. For proposed mixed-use developments, the analysis will assume the plan presented by the developer and any trip cap established for the area. When a zone change is requested that proposes to increase the trip cap, the traffic impact analysis for the proposed use will assess the impacts of the project by comparing the new proposal to a no project condition. To achieve the new project to no project comparison, the analysis will add project mitigation at the end of the analysis versus keeping previous mitigations in from the beginning.

Trip generation rates shall be based on the most recently approved socioeconomic data based trip rates. These rates are included in the technical documentation for the Irvine Transportation Analysis Model (ITAM).

Land use trip generation rates will be based on the most recent edition of Institute of Transportation Engineers utilized by ITAM (at the time of this publication ITE 6th Edition was used).

Land use information will be converted to the following socioeconomic variables:

- Single-Family Residential
- Multi-Family Residential
- Population
- Employed Residents
- Retail Employment

- Service Employment
- Other Employment
- K1 to K12 Students
- University Students

The conversion shall be based on the most recently approved land use to socioeconomic data conversion factors. These factors are included in the technical documentation for the Irvine Transportation Analysis Model (ITAM).

Additional information, such as income or special generators, shall be based on the most recent regional model, Orange County Transportation Analysis Model (OCTAM) or as otherwise approved by the City.

Non-ITE land use trip generation rates may be used, based on recognized local resources or rates based on three-day traffic counts taken for three similar and preferably local sites, if available, at the discretion of the Director of Public Works. The detailed recommended rate methodology shall be included in the scope of work and approved by the Director of Public Works.

A summary table listing each type of land use, corresponding size or number of units (square feet, dwelling units, beds, etc.) for the project site for all horizon years of model runs shall be provided. The table should include:

- AM peak hour, PM peak hour and daily vehicle trips based on socioeconomic data for each use, if feasible, otherwise for the project.
- AM peak hour, PM peak hour and daily vehicle trips based on land use trip rates for each use.
- A comparison of the project trip generation and land uses versus the zoning level trip cap allocation available on the site.

Adjustments to Trip Generation

The City will examine the feasibility of implementing a policy which would allow applicants a reduction in trip generation rates for the subject project's study. When the City establishes such a program, a reduction in trip generation can be granted by the City, at the applicant's request, for the project. The City may require, at a minimum, that the following information be included in the request and corresponding study: 1) demonstration of the ability to achieve the specific levels of trip reduction assumed; and 2) documentation of a monitoring and compliance program to ensure the success of its Transportation Demand Management (TDM) program. The City may require additional mitigation or the payment of fees if the project generates trips in excess of the levels approved through the study. Additional information regarding TDM is provided in the Transportation Demand Management section.

Where applicable, the Spectrum Trip Reduction Policy approved as part of the Northern Sphere developments (see Appendix A) and the IBC Trip Reduction Program shall be utilized.

Trip Distribution and Trip Assignment

Traffic generated by the site must be distributed and assigned to the roadway network in order to determine the project's impacts. Trip distribution refers to the direction a vehicle will take to access or leave the project site and can vary depending on:

- Type of proposed development surrounding the site;
- Similar land uses in the vicinity;
- Size of the proposed development; and
- Conditions on the roadway network in the vicinity.

For each horizon year, the distribution of project trips shall be shown in graphic format using percentages of project traffic by geographical direction. Trip distribution shall be based on model output. Adjustments to the model output may be necessary. However, any adjustments shall be approved by the Director of Public Works prior to the submittal of the study. The text should describe the methodology and assumptions which are used in the determination of trip distribution.

Trip assignment identifies the actual routes taken by project traffic to and from the site. The identification of the project assignment shall be performed utilizing Irvine's Transportation Analysis Model (ITAM). Graphic presentations, as well as discussions of the analysis and results in text of the trip assignment, shall be provided in the report.

Phased Projects

This section discusses phased construction of developments, trips they will generate, and phased mitigations planned. Studies for projects planned to be developed in phases must document impacts as the phases develop (i.e., Phase 1 impacts separately, Phase 2 impacts would include Phase 1 impacts).

Traffic generation for the project phases shall be determined as outlined earlier in the report based on the applicant's phasing proposal. The development shall be conditioned to adhere to the phasing schedule, as building permits shall be conditioned to be tied to the approved phasing plan.

Projections of future traffic, both with and without the project, shall be determined as outlined above. If the year of buildout of the phase does not have an existing database, alternate methods of projecting traffic may be utilized, with the approval of the Director of Public Works.

Future Traffic with Proposed Development

In order to develop mitigation measures for development, conditions with the project in place must be known. These future conditions with the proposed development are based on computer model runs for horizon years which include the project's proposed land use.

As in "Future Traffic Without Proposed Development" above, traffic projections shall be

developed through the use of Irvine's Transportation Analysis Model (ITAM). The assumed land use for the project shall be based on the proposed land uses for the site. This information shall be added to the database. This will represent the "with project" condition.

Cumulative Impact Analysis

A cumulative impact analysis is required if a proposed project involves a Transfer of Developer Rights (TDR), General Plan intensity modification or intensity shift from one development area to another. Further, if a project does not involve one of the above conditions, but other pending applications for projects within the traffic study area do involve one of the above conditions, the Director of Public Works may require that the cumulative impact analysis described below be performed. The cumulative impact analysis will include, in addition to those scenarios outlined and discussed on Pages 7 and 10 ("Future Traffic Without Proposed Project" and "Future Traffic with Proposed Project" sections), a "baseline plus cumulative projects without project" and a "baseline plus cumulative projects with project" scenario for each horizon year. The cumulative impact analysis is one that analyzes a project with projects currently on file with the City that are likely and foreseeable at the time of the project scope of work approval. For a cumulative impact analysis, a project to be included as a cumulative project is defined as one that also involves a TDR, General Plan intensity modification or intensity shift from one development area to another that also requires a traffic impact analysis. The analysis may consider the inclusion of all project applications (also requiring a traffic impact analysis) on file with the City at the time of the scope of work approval. At a minimum, the projects within the study area boundary shall be included in the cumulative impact analysis. Projects outside the study area boundary will be included in the analysis as determined by the Director of Public Works. A list of all these projects to be assumed as part of the cumulative impact analysis shall be included as an attachment in the approved traffic study scope of work. If the cumulative impact analysis yields potential deficiencies, mitigation will be based on a fair share contribution.

Analysis

Level of Service (LOS) Analyses

Level of Service (LOS) E shall be considered acceptable for links and intersections in accordance with the City's General Plan Objective B-1 and as approved in the Level of Service E Policy for the Northern Sphere Area developments (see appendix B). LOS D shall be considered acceptable for all other areas of the City.
In general, levels of service are defined in the City of Irvine General Plan as follows:

Level of Service A: The volume/capacity ratio ranges from 0.0 to 0.60. At this LOS, traffic volumes are low and speed is not restricted by other vehicles. All signal cycles clear with no vehicles waiting through more than one original cycle.

Level of Service B: The volume/capacity ratio ranges from 0.61 to 0.70. At this LOS, traffic volumes begin to be affected by other traffic. Between one and ten percent of the signal cycles have one or more vehicles which wait through more than one signal cycle during peak traffic periods.

Level of Service C: The volume/capacity ratio ranges from 0.71 to 0.80. At this LOS, operating speeds and maneuverability are closely controlled by other traffic. Between 11 and 30 percent of the signal cycles have one or more vehicles which wait through more than one signal cycle during peak traffic periods.
Level of Service D: The volume/capacity ratio ranges from 0.81 to 0.90. At this LOS, traffic will operate at tolerable operating speeds, although with restricted maneuverability.

Level of Service E: The volume/capacity ratio ranges from 0.91 to 1.00. Traffic will experience restricted speeds, vehicles will frequently have to wait through two or more cycles at signalized intersections, and any additional traffic will result in breakdown of the traffic carrying ability of the system.

Level of Service F: Long queues of traffic, unstable flow, stoppages of long duration with traffic volumes and traffic, speed can drop to zero. Traffic volumes will be less than the volume which occurs at Level of Service E.

For existing and future conditions, Levels of Service at intersections shall be calculated using the Intersection Capacity Utilization (ICU) method. All calculations shall recognize special phasing arrangements, where applicable. In addition, the lane capacity used in the ICU calculations shall be 1,700 vehicles per hour, per lane. Adjustment factors for this value shall consist of the following:

- A lost time of 0.05 shall be added to the ICU calculation.

- If the distance from the edge of the outside through lane is at least 19 feet and parking is prohibited during the peak period, right turning vehicles may be assumed to utilize this "unofficial" right turn lane. Otherwise, all right turn traffic shall be assigned to the outside through lane. If a right turn lane exists, right turn on red may be assumed, if not prohibited at that location. However, the assumption of the number of vehicles turning right on red must be reasonable and not conflict with any other critical movements. If a free right turn lane exists (right turns do not have to stop for the signal), a flow rate of 1,700 vehicles per hour, per lane may be assumed. The V/C ratio of the right turn lane should be reported but not included in the sum of the critical V/C ratios.

Pedestrian adjustments shall be performed on a case-by-case basis and assessed according to procedures outlined in Chapter 16 of the latest version of the Highway Capacity Manual (HCM) for those intersections which have more than 100 existing pedestrians per peak hour, per intersection leg. No adjustment is required for pedestrian volumes less than 100 per peak hour.

Link LOS shall be determined using the volume-to-capacity (V/C) ratios. Values of V/C associated with the various levels of service are stated below:

LEVEL OF SERVICE	V/C
A	0.00 - 0.60
B	0.61 - 0.70
C	0.71 - 0.80

D	0.81 - 0.90
E	0.91 - 1.00
F	> 1.00

The capacities to be used to determine V/C ratios for roadway links shall be those approved by the City of Irvine. They are outlined below, subject to future revisions:

Facility Type	**Number of Lanes**	**Capacity**	
		LOS D	LOS E
Freeways	10	189,000	210,000
	8	158,400	176,000
	6	121,500	135,000
	4	81,000	90,000
Freeway Ramps	2	19,800	22,000
	1	14,400	16,000
Expressway	6	121,500	135,000
Major Highway	8	64,800	72,000
	6	48,600	54,000
Primary Highway	4	28,800	32,000
Secondary Highway	4	25,200	28,000
Commuter	2	11,700	13,000
Commuter (Rural)	2	16,200	18,000

Roadway facility types shall be based on the General Plan Circulation Element's Exhibit D-5, Arterial Highway Designation. If not listed on the above table, facility/number of lanes/capacity will be interpolated.

****NOTE: Intersections and roadway links shall be analyzed and meet the performance criteria on an individual basis. Grouping and screen line calculations will not be accepted.**

Performance Criteria

Performance criteria are established in order to determine what mitigation measures would be required of the development based on its impacts.

If the roadway link or intersection in question exceeds the acceptable LOS in the baseline condition and the impact of the development is:

Intersections (Citywide)

Greater than or equal to 0.02, rounded to the second decimal place, then project mitigation will be required back, at a minimum, to baseline as determined in "Definition of Impact" on Page 8.

Intersections projected to be deficient in the most recent Circulation Phasing Analysis Report. **Criteria to be applied in the interim year (short term) only**

Greater than or equal to 0.01, rounded to the third decimal place, then project mitigation

will be required back, at a minimum, to baseline as determined in "Definition of Impact" on Page 8 or contribution of fair share towards a mitigation back to an acceptable level of service. If mitigation back to baseline condition is not feasible by determination of the Director of Public Works, then the contribution of fair share towards a mitigation will be considered.

Roadway Links

Greater than or equal to 0.02, rounded to the second decimal place, project mitigation will be required back, at a minimum, to baseline as determined in "Definition of Impact" on Page 8. Mitigation opportunities include capacity augmentation, in accordance with the provisions of Objective D-1, Implementing Action (m) of the Circulation Element.

Peak Hour Link Analysis

A Peak Hour Link Analysis (PHLA) will be required for all links which exceed the defined Level-of-Service (LOS) standards when comparing the forecast average daily traffic (ADT) volume-to-roadway capacities, as defined by the City. The PHLA shall be consistent with the December 16, 1996, Transportation and Infrastructure action approving the "Revised Peak Hour Link Analysis Methodology".

The PHLA will determine directional AM and PM volume-to-capacity (V/C) ratios for each link which is projected to exceed LOS standards. The peak hour capacity will be determined by multiplying the midblock number of lanes for each direction by a lane capacity of 1,600 vehicles per hour. Where the distance between controlled intersections is one or more miles, the midblock number of lanes shall be multiplied by a lane capacity of 2,000 vehicles per hour.

If the V/C ratio results do not meet City LOS standards, additional lanes will be needed for each deficient direction consistent with the Master Plan of Arterial Highways. The added lane(s) may function either as an auxiliary lane (does not go through the down stream intersection) or a through lane, as determined by the ICU analyses of the downstream intersections.

When the study area boundary, arterials and intersections fall under the jurisdiction of agencies outside the City of Irvine, all applicable performance criteria and practices for those jurisdictions will be considered.

Special Analyses/Issues (Optional)

Every project is unique and, therefore, may have special issues which require discussion and analysis. In many instances, concerns are raised regarding issues, which though transportation related, are not always included in studies. These include, but are not limited to, site access, traffic signals, stacking/queuing analyses and pedestrian circulation. The inclusion of any or all of the special issues analyses shall be determined by the Director of Public Works prior to approval of the scope of work. The scope of work shall outline the extent and type of analyses required. Analysis of these issues shall be provided in the manner outlined below.

Site Access Analysis

The project's impact to access points and on-site circulation will be analyzed. The analysis will, as appropriate, include the following:

- number of access points needed without negatively impacting traffic flow along the arterials, deceleration lanes into the site
- spacing between driveways and intersections
- signalization of driveways
- shared access
- turn conflicts/restrictions
- adequate sight, distance/corner clearance
- driveway improvements
- any other operational characteristics

If the proposed project is a residential use with privacy gates or a non-residential use with controlled access gates, the applicant shall provide a stacking analysis for review and approval. If the proposed project is a non-residential use with security gates, a stacking analysis is not required unless required by the Director of Community Development (per City Zoning Ordinance). The adequacy of the interface with the arterial network may be analyzed and necessary improvements to adjacent intersections may be required.

The site access analysis shall comply with adopted City standards and utilize, as appropriate, the City's Transportation Guidelines (dated July 30, 1993).

The City's Transportation Analysis Model will be used to determine the project's trip distribution. The trips shall be manually reallocated to the access points based on the latest ITE land use trip generation rates for the site.

Any existing trips or trips associated with other approved uses, utilizing the same access points as the proposed project's trips, will be added in order to capture the full impacts to the access points.

When details of a project site may not be available, such as at the zoning level, access points and their locations are considered conceptual in nature. The final placement of such access points shall be finalized and approved as part of the subsequent development application or when the project details have been refined.

Independent of traffic/limited scope traffic study requirements and thresholds, when a project is within approved trip budget/caps and zoning and is only altering existing or proposing new access points, the discussion outlined in this Site Access Analysis section is the only applicable section of the document.

The scope of work for and the approval of a site access analysis that is independent of a traffic study or limited scope traffic study are the purview of the Director of Public Works. All site access analyses that are part of a larger traffic study or limited scope traffic study shall be approved as part of the larger study consistent with the parameters discussed in this document.

Traffic Signals

The need for new traffic signals shall be based on warrants outlined in the latest edition of the State of California Department of Transportation (Caltrans) Traffic Manual, the United States Department of Transportation Federal Highway Administration (FHWA) Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), or any additional warrants established by the National or California Committee on Uniform Traffic Control Devices.

The application of signal warrants, including the appropriate warrants, figures and assumptions (ex: roadway speed) to be utilized shall be clearly outlined and identified in the study's scope of work.

In determining the location of a new signal on an arterial street, traffic progression is of paramount importance. Impacts on the progression for arterial network may be analyzed using procedures deemed appropriate by the City's Traffic Engineer. Currently, the City uses SYNCHRO software for signal progression purposes. The applicant shall contact the City Traffic Engineer prior to commencement of a signal progression analysis to discuss the study and appropriate signal progression methodology and assumptions.

Pedestrian Circulation

The City places special emphasis on the protection of pedestrians, especially school children on their way to and from school. The study shall identify all existing and future pedestrian interface locations affected by the project, pedestrian facilities within a project and explore the need for appropriate traffic control devices. City General Plan Objective B-3: Pedestrian Circulation shall be the goal of every project. In addition, to the extent applicable, the study shall address the project's conformance to City General Plan Objectives B-4: Bicycle Circulation and B-5: Riding and Hiking Trail Networks.

Other special issues and the appropriate analyses required to address said issues shall be identified by the City at the pre-application conference.

Congestion Management Program (CMP) Consistency/Requirements

In June 1990, California voters approved Proposition 111 which established a nine cent per gallon gas tax, staged over a 5-year period, for the purpose of funding transportation related improvements statewide. In order to be eligible for the revenues associated with Proposition 111, Congestion Management Program (CMP) legislation (AB 471 amended to AB 1791) requires urbanized counties in California to adopt a Congestion Management Program. The goal of CMP is to promote a more coordinated approach to land use and transportation decisions. As part of the requirements for CMP, a traffic impact analysis may be required of certain developments. The City of Irvine requires that all roadways, including those on the CMP Highway System, be analyzed as outlined below. Completion of the City of Irvine "CMP Monitoring Checklist: Land Use Coordination Component" (Exhibit 4) shall be required of the applicant or his/her consultant, as outlined in the Congestion Management Program (CMP) Consistency/Requirements section. The completed checklist shall be submitted with the application for development.

As part of the study, the applicant shall be required to demonstrate that roadways on the CMP network will not deteriorate due to the development below the requirements for CMP purposes. Exemptions from the requirements for CMP are outlined in Exhibit 5. Exemption from the completion of a CMP traffic impact analysis does not exempt the applicant from the completion of a traffic impact analysis based on the City of Irvine requirements.

Within the City of Irvine, the following roadways are on the CMP Highway System:

- Irvine Boulevard
- Jamboree Road
- Irvine Center Drive
- Laguna Canyon Road/SR-133
- Tollways: SR-133, SR-241, SR-261, SR-73
- Freeways: I-5, I-405

For these roadways and specifically any intersections on these roadways, the completion of the "CMP Monitoring Checklist: Land Use Coordination Component" for the City of Irvine (Exhibit 4) is required. Any future additions to the CMPHS will be subject to the same CMP requirements outlined in this section.

Required Mitigation Measures/Recommendations

Improvement Needs

Mitigation measures, improvements to the roadway network (including intersections) required due to the project, shall be identified for all portions of the network which meet the Performance Criteria outlined above. The recommendations section shall include:

Proposed Recommended Improvements: This section shall describe the location, nature, and extent of proposed improvements to assure sufficient roadway capacity. Mitigation measures shall be identified for all years analyzed above. A plan drawing of each improvement may be required in the study illustrating the length, width, and other pertinent geometric features of the proposed improvements.

The determination of whether a plan is needed shall be made by the Director of Public Works.

Level of Service Calculations: A table illustrating the effectiveness of the improvement for all years analyzed shall be provided. The table shall include the LOS for the "with" project scenario without proposed mitigations, and the "with" project scenario with proposed mitigations.
The application of an Advanced Transportation Management Systems (ATMS) credit may be considered as an alternative mitigation measure. Such consideration will be made only if the City maintains an appropriately adopted ATMS policy and implementation methodology, and such ATMS consideration is made in full compliance with both. (See Appendix C - City Council Ordinance 03-08 adopted March 25, 2003)

For impacts at Circulation Phasing Analysis Report identified intersections, if a previously identified ultimate improvement is required in the interim year, fair share will be determined through negotiations with the Director of Public Works and the applicant.

It should be noted that additional improvements may be required of the development other than those improvements outlined in the mitigation measures for the project.

Schedule/Cost of Improvements

The timing of the proposed improvements, based on the various years analyzed, shall be identified in this section of the report.

In addition, preliminary cost estimates for the improvements may need to be identified, if deemed necessary by the Director of Public Works. These cost estimates shall include, but not be limited to, costs associated with studies, design, signalization, signing, pavement markings, bridges, engineering, construction and construction administration as well as right-of-way.

The construction component shall include, but not be limited to, maintenance of traffic, clearing and grubbing, earthwork, subgrade stabilization, base material, paving, curb and gutter, and sidewalks. Reconstruction improvements shall be increased accordingly to account for such items as removal of concrete pavement, bituminous pavement, poor soil, subsoil excavation and replacement with acceptable material, connecting streets, and driveway connections.

Current unit values for the various items shall be used in the cost estimates. These values will then be adjusted, if necessary, based on Construction Pricing Indices or other appropriate inflation indices.

Fee Assessment/Responsibility for Improvements

Many mechanisms exist for the purpose of assigning responsibility for mitigation of traffic impacts to the development. Some of these are listed in Exhibit 6.

Transportation Demand Management

In some cases, there are opportunities to provide for transportation alternatives to the single occupant automobile, or to shift the impacts of automobile use. Developers may be required to provide facility improvements in accordance with the City's Trip Reduction Ordinance (TRO), City Council Ordinance No. 91-22, subsequently updated as City Council Ordinance No. 96-03, that encourage use of alternative modes of transportation to and from the worksite. In addition, projects within the Irvine Spectrum and Irvine Business Complex (IBC) will be subject to Spectrum Trip Reduction and IBC Trip Reduction Programs.

The City will examine the feasibility of implementing a policy which would allow applicants a reduction in trip generation rates for the subject project's study. When the City establishes such a program, a reduction in trip generation can be granted by the City, at the applicant's request, for the project. The City may require, at a minimum, that the following information be included in the request: 1) demonstration of the ability to achieve the specific levels of trip reduction

assumed; and 3) documentation of the monitoring and compliance program to ensure success of its TDM program. The City may require additional mitigation or the payment of fees if the project generates trips in excess of the levels approved through the study.

Another approach may be to determine allowable trip thresholds instead of granting square footage thresholds. Monitoring shall be used to establish progress toward trip thresholds. The applicant shall be responsible to limit trip generation through ridesharing, transit, and other means. If the applicant fails to limit trips to the approved threshold, the City may require the applicant to forego future development (for phased projects), provide additional mitigation measures, or pay fees. Each applicant shall be conditioned to implement a monitoring and compliance program to ensure the successful implementation of its TDM program.

CONCLUSION

This section of the study shall summarize the required improvements and the proposed mitigation measures. This shall include:

- Roadway Improvements
- Resultant LOS with Proposed Improvements in Place
- Costs
- Schedule
- Funding Sources
- TDM Inclusion
- Identification of TDM Monitoring

INTERJURISDICTIONAL IMPACTS/REVIEWS

Review of the study by jurisdictions potentially impacted by the development shall be consistent with CEQA.

Any comments received from the affected jurisdiction shall be addressed by the applicant, to the satisfaction of the Director of Public Works of the City of Irvine.

If impacts on other jurisdictions are identified, such impacts shall be mitigated. The applicant shall be conditioned to enter into an agreement between the applicant (or his successors), the City of Irvine and the affected jurisdiction. This agreement shall establish the manner in which the improvements will be made, timing of those improvements and the procedure by which funding shall be made by the applicant for the improvements.

EXHIBITS

EXHIBIT 1

TRAFFIC/LIMITED SCOPE TRAFFIC STUDY OUTLINE

I. Executive Summary

II. Introduction
   A. Study Area

III. Existing Conditions

IV. Existing Conditions with Proposed Development

V. Future Traffic Without Proposed Development

   A. Projected Traffic
   B. Committed Improvements

VI. Proposed Project Impacts

   A. Model Trip Generation
   B. Adjustments to Trip Generation
   C. Trip Distribution and Trip Assignment
   D. Phased Projects

VII. Future Traffic With Proposed Development

VIII. Cumulative Impact Analysis (if applicable)

IX. Analysis/Performance Criteria

X. Special Analyses/Issues (Optional)

   A. Site Access Analysis
   B. Traffic Signals
   C. Pedestrian Circulation
   D. Others, as appropriate

XI. Congestion Management Program (CMP) Consistency/Requirements

XII. Required Mitigation Measures/Recommendations

   A. Improvement Needs
   B. Schedule/Cost of Improvements
   C. Fee Assessment/Responsibility for Improvements
   D. Transportation Demand Management

XIII. Conclusion

EXHIBIT 2

TRAFFIC STUDY VS LIMITED SCOPE TRAFFIC STUDY REQUIREMENTS

A traffic study and a limited scope traffic study are generally prepared in the same manner and under the same general criteria. The following table highlights the key differences between a traffic study and a limited scope traffic study:

	Traffic Study	**Limited Scope Traffic Study**
Study Area	Per guidelines	Limited to adjacent intersections
Analysis	Interim and Long Term	Interim/Project Buildout Year
Scopes of Work	Approved by Director of Public Works	Approved by Director of Public Works
Approval	Director of Public Works recommendation to the Planning Commission/City Council	Staff

EXHIBIT 3

EXPANSION OF USE ASSUMPTIONS MATRIX

If a proposed development exceeds its trip budget or zoning entitlement, an analysis is performed using the following matrix:

Horizon Year	Vacant	Existing Development
Short term/Interim (currently Year 2007)	**Baseline** – zero **With Project** - Total development proposed by this timeframe	**Baseline** – Existing development on the ground **With Project** – Total development proposed by this timeframe including existing development
Long term (currently Year 2025)	**Baseline** – approved zoning **With Project** – Total development proposed by this timeframe	**Baseline** – Existing development on the ground with approved zoning **With Project** – Total development proposed by this timeframe including existing development
Long Term/Buildout (currently Post 2025)	**Baseline** – approved zoning **With Project** – Total development proposed by this timeframe	**Baseline** – Existing development on the ground with approved zoning **With Project** – Total development proposed by this timeframe including existing development

Note: All previously approved/analyzed entitlement is assumed to have been mitigated

EXHIBIT 4

CONGESTION MANAGEMENT PROGRAM
(CMP) MONITORING CHECKLIST
LAND USE COORDINATOR COMPONENT

The CMP legislation requires that the CMP Agency monitor the implementation of the Orange County CMP, including CMP land use coordination component requirements. The following is a CMP Monitoring Checklist for the Land Use Coordination Component which has been developed to monitor impacts on CMP Highway System (CMPHS) links and intersections.

1. Project Applicant: _____

2. Project Name: _____

3. Project Description (Describe proposed land uses, square footage, # of dwelling units, size of parcel, etc.): _____

4. Previous Approvals: _____

5. Address/Location: _____

6. Case Number: _____

7. Date of Case Submittal: _____

8. Total Average Daily Trips: _____

9. Level of Service at CMP intersection: _____

Development Project Submittal:

10. Does the proposed development project generate 2,400 or more Average Daily Trips?
_____ Yes _____ No

11. Does the proposed development project generate more than 1,600 Average Daily Trips with direct access to, or in close proximity to, a CMP Highway System?
_____ Yes _____ No

** If you have answered NO to Items 10 and 11, a CMP Traffic Study is not required.

** If you have answered YES to Items 10 and 11, a CMP Traffic Study is required. Please continue.

CMP Traffic Impact Analysis:

12. Did the Traffic Study identify whether any CMP Highway System links/intersections would exceed their established Level of Service standard as a result of project related traffic?
_____ Yes _____ No

13. If so, which CMPHS links/intersections and proposed mitigation?
_____
_____
_____
_____

14. Which, if any, of these impacted CMPHS links/intersections are located outside the boundaries of the City of Irvine?
_____
_____
_____
_____

15. Did the City of Irvine participate in interjurisdictional discussions with the affected jurisdictions to develop a mitigation strategy for each impacted link/intersection?
_____ Yes _____ No

If Yes to 15, briefly explain: _____

Projects Exempt From CMP Requirements:

16. Is the proposed development project exempt from CMP requirements?
_____ Yes _____ No

17. If so, please identify why the project was exempt from CMP requirements.

_____
_____
_____
_____

** A brief explanation to those items answered NO should be provided by the Transportation Engineer/Analyst.

Checklist Reviewed By:

_____ _____

Director of Public Works Date

EXHIBIT 5

CMP TRAFFIC IMPACT ANALYSIS EXEMPT PROJECTS

Those projects which are exempt from the mandatory CMP Traffic Impact Analysis are listed below. This list is not meant to be all-inclusive. Any inquiries regarding exemptions shall be transmitted in writing to the City of Irvine and the Orange County Transportation Authority, attention CMP Program Manager.

1. Applicants for subsequent development permits (i.e., conditional use permits, subdivision maps, site plans, etc.) for entitlement specified in and granted in a development agreement entered into prior to July 10, 1989.[3]

2. Any development application generating vehicular trips below the Average Daily Trip (ADT) threshold for CMP Traffic Impact Analysis, specifically, any project generating less than 2,400 ADT total, or any project generating less than 1,600 ADT directly onto the CMPHS.[2,3]

3. Final tract and parcel maps.[1,2,3]

4. Issuance of building permits.[1,2,3]

5. Issuance of Certificates of Use and Occupancy.[1,2,3]

6. Minor modifications to approved developments where the location and intensity of project uses have been approved through previous and separate local government actions prior to January 1, 1992.[1,2,3]

---

[1]A CMP TIA is not required for these projects only in those instances where development approvals granting entitlement for the project sites were granted prior to the effective date of CMP TIA requirements (i.e., January 1, 1992).

[2]Exemption from conduction of a CMP TIA shall not be considered an exemption from such projects' participation in approved, transportation fee programs established by the local jurisdiction.

[3]Vehicular trips generated by CMP TIA-exempt development applications shall not be factored out in any traffic analyses or levels of service calculations for the CMPHS.

Source: Orange County Congestion Management Program-2001, Orange County Transportation Authority

EXHIBIT 6

MITIGATION MECHANISM EXAMPLES (IMPACT FEES)

1. Impact Fees: Impact fees are a mathematical calculation of capacity consumption associated with a specific project, after taking transportation related revenues generated by the project into account. Impact fees are based on average trip generation, trip length, and roadway construction costs, and do not take into consideration any special or unique circumstances in the vicinity of the project. This approach is a pay and go approach, as the development is permitted to build upon the payment of the fee.

   A difficulty which exists with the use of impact fees is that there is a time lag which generally exists between the development of the project and the provision of the transportation improvements. In addition, impact fees are not a "guaranteed revenue source". Therefore, bonding of the improvements is not permissible.

2. Consumption: This approach requires the calculation of the amount of capacity which is consumed by the project on all links in the study area. The value of the existing capacity and the costs of needed roadway improvements are then used to determine the cost to the development. This method is similar to the impact fee approach with the exception that the specific links and intersections which are impacted are used to develop the fee.

3. Fair Share: This approach reviews those roadways which need improvements to meet the desired LOS. The project contribution is determined based on the new capacity which is consumed by the development's traffic. The mitigation required is then the sum over all roadways.

4. Build/Credit: This approach requires the development to build the improvements needed to meet the desired LOS. In return, the developer receives impact fee credits.

5. Build/Payback: In some instances the roadway improvements needed are in excess of the amount attributable to a specific development. This approach requires the development to construct the improvements and, in return, the developer receives impact fee credits. In addition and to the extent to which improvements are in excess of the impact fee amount, a reimbursement agreement is used. Reimbursement is made over a specified period of time and is funded through impact fees from other developments which impact the facilities, or through other transportation related revenues.

6. Community Development District: For larger developments, a community development district may be created to fund improvements. This is currently in place in the City of Irvine for several developments, including the IEC.

7. Standard 1913/1915 Act Assessment Districts: Assessment Districts established through this method provide for the construction of roadways for which a direct benefit to the property is realized. The establishment requires a majority of the property owners' consent. The City of Irvine currently has several Assessment Districts either established or proposed.

8. Mello-Roos Community Facilities Plan: The "Mello-Roos Community Facilities Act" of the Government Code of the State of California permits certain governmental agencies to establish "Community Facilities Districts" to construct and finance various defined facilities.

   A report with the following information is required by the Act:

   A description of the public facilities proposed for the project.

   A general description of the area to be served by said facilities; said area being the boundaries of the District.

   The rate and method of determination of the special tax in sufficient detail to allow each landowner or resident within the proposed District to estimate the annual amount of payment.

   Any other material or data related to the proposed facilities or District.

APPENDIX A

Spectrum Trip Rate Reduction Policy

In conjunction with individual tract map level traffic study submittals for Planning Areas 5B, 6, 8A, and 9, reduced Spectrum non-residential trip rates will be permitted within Planning Areas 12, 13, 17, 30, 31, 32, 33, 34, 35 and 39 if traffic count data, acceptable to the City, is provided that demonstrates that a peak hour trip rate reduction is justified.

METHODOLOGY:

1. Any proposed trip rate reduction must be included and approved by the City in the scope of work for each traffic study to be performed.
2. A trip rate reduction will not be considered unless a minimum 5% reduction can be justified based on traffic count data.
3. The maximum trip rate reduction in any Planning Area shall be 15%, if a reduction of 40% is demonstrated a reduction of 20% will be approved.
4. Trip rate reductions will be approved for a specific Planning Area only (i.e. no averaging of trip rates for all Planning Areas or grouping of Planning Areas will be permitted).
5. A trip rate reduction permitted for a specific traffic study will not be utilized in subsequent studies unless the trip rate reduction is demonstrated to be still valid.
6. Trip rate reductions for a Planning Area will only be considered if traffic count data is provided to justify such reduction. Traffic count data must be collected for a minimum of 5 years. However, the City may allow trip reduction prior to completion of the 5-year count program, at their discretion, subject to an agreement to complete the 5-year traffic count monitoring.
7. The procedures for conducting the traffic count data to justify a peak hour trip rate reduction will be consistent with current procedures utilized by Spectrumotion for conducting the Spectrum 3 and 4 Annual Transportation Monitoring Program. These procedures include the following:
   a. Only those sites that have been occupied for at least six months will be counted.The PM peak period is defined as 4:00 to 6:00 PM.The actual number of PM peak hour trips will be based on the highest four consecutive 15-minute intervals during the defined two hour peak period.
   d. Counts will be taken during the months of February through June on Tuesdays and Wednesdays. No holiday will occur during the week that counting is performed.Counters are positioned in a manner that isolates trips to the site being counted. Where this is not possible, sites are combined for counting and reporting purposes.
   f. Sites that are 95% or more occupied are considered to be 100 % occupied and the trips for these sites are not adjusted. For sites that are less than 95 % occupied, the trips will be adjusted to reflect the percentage of occupancy.
   g. To the extent possible, driveway traffic counts in the Spectrum area will be utilized in the calibration of the ITAM traffic model. Specifically, the model calibration may assume a higher trip rate reduction for Spectrum than permitted for long-range traffic studies.

APPENDIX B

Level of Service 'E' Policy

In conjunction with individual subdivision map level traffic studies for development proposed in Planning Areas 5B, 6, 8A and 9, a LOS "E" standard would be considered acceptable for application to intersections impacted in Planning Areas 13, 31, 32, 34, 35, 39 and the intersection of Sand Canyon/I-5 interchange ramps.

LOS "E" would be considered acceptable subject to the following:

1. Preparation, submittal, processing and approval of a traffic study for the specific subdivision map.

2. Level of Service "E" will only be considered acceptable for an intersection that does not contain a residential quadrant. No Level of Service "E" will be accepted along Sand Canyon, except at the Sand Canyon/I-5 Interchange ramps.

Participation/funding toward an upgraded traffic signal system as defined in the Traffic Management Systems Operations Study (TMSOS) and/or an Advanced Traffic Management System (ATMS) which may be in place at the time of processing of the individual subdivision map traffic studies. The City, in conjunction with the specific subdivision map processing, shall determine the level of participation/funding using criteria and a process developed concurrent with submittal of subsequent subdivision maps.

APPENDIX C

CITY COUNCIL ORDINANCE NO. 03-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE ADDING CHAPTER 10 TO DIVISION 11 OF TITLE 6 OF THE IRVINE MUNICIPAL CODE ESTABLISHING AN ADVANCED TRANSPORTATION MANAGEMENT SYSTEM FEE

WHEREAS, in order to implement the goals and objectives of the Circulation Element of the City of Irvine's General Plan, and to help mitigate the traffic impacts caused by new development in the City of Irvine, certain public street improvements must be constructed or implemented; and

WHEREAS, it has been determined that an Advanced Transportation Management System fee is needed to help finance an Advanced Transportation Management System within the City of Irvine to reduce the impacts of traffic; and

WHEREAS, in establishing the Advanced Transportation Management System fee described in the following Sections, the City Council has found the fee to be consistent with its General Plan pursuant to Government Code Section 65913.2.

WHEREAS, the City Council of the City of Irvine did hold a public hearing to consider imposition of an Advanced Transportation Management System fee (ATMS fee), notice of which hearing was given in the manner referred by law; and

WHEREAS, an analysis of the cost for Advanced Transportation Management Systems facilities and improvements was conducted, and said study set forth the relationship between the needed facilities and the estimated costs of those improvements. The study, entitled " ADVANCED TRANSPORTATION MANAGEMENT SYSTEM", was prepared by the City of Irvine, and is dated August 8, 2002; and

WHEREAS, this study was available for public inspection and review fourteen (14) days prior to the public hearing; and

WHEREAS, the City Council, after due consideration of all evidence, testimony and reports offered at the public hearing does find as follows:

A. The purpose of the transportation fee is to help finance the Advanced Transportation Management System facilities to help reduce the impacts of traffic where the Level of Service (LOS) has been shown to be deficient; and

B. The City Council of the City of Irvine, having received and considered appropriate facts and evidence, finds and declares that there is a reasonable relationship between the ATMS, the ATMS fee, and the traffic impacts caused by new development in the City of Irvine; and

C. The cost estimates set forth in the "ADVANCED TRANSPORTATION MANAGEMENT SYSTEM" study are reasonable cost estimates for constructing facilities, and the fees expected to be generated by new development will not exceed the total of these costs.

NOW, THEREFORE, the City Council of the City of Irvine DOES HEREBY ORDAIN as follows:

SECTION 1. Chapter 10 is added to Division 11 of Title 6 of the City Code of the City of Irvine to read as follows:

CHAPTER 10. AN ADVANCED TRANSPORTATION MANAGEMENT SYSTEM FEE

Sec. 6-11-1001. Adoption Of Advanced Transportation Management System Study

The study entitled "Advanced Transportation Management System Study" is hereby approved and incorporated herein. A copy of said study shall be kept for public reference in the office of the City Clerk.

Sec. 6-11-1002. Scope and Purpose

A. An Advanced Transportation Management System fee (the "ATMS fee") is hereby established in the City to help pay for an Advanced Transportation Management System. The City Council shall, by Council resolution, set forth the specific amount of the fee, describe the benefit and impact area on which the development fee is imposed, and list the specific public improvements to be financed. The "Advanced Transportation Management System Study" describes the estimated cost of these facilities, and the reasonable relationship between this fee and the various types of developments. As described in the fee resolution, the ATMS fee shall be paid by each owner or developer prior to issuance of a building permit.

B. The ATMS fee may be imposed only where all of the following conditions are met:

1. The Intersection Capacity Utilization (ICU) Level of Service is deficient; and
2. The physical improvements needed to mitigate the ICU value cannot be constructed because of physical or other constraints, which may preclude the construction of the required improvements; and
3. The ATMS fee will allow for a 0.05 mitigation credit to the ICU value of the existing signalized intersection; and
4. An ATMS credit has not been previously approved for the impacted intersection; and
5. The ATMS credit can only be applied to existing signalized intersections.

C. The ATMS fee is not at the option of the developer or property owner and may be imposed at the sole discretion of the Director of Public Works.

D. The ATMS fee cannot be applied without the prior approval of the Director of Public Works. Any appeal must be addressed to the City Council, which may override the Director's decision.

Sec. 6-11-1003. Review And Adjustment of Fee

On a bi-annual basis, or upon award of significant grants or developer improvements, the City Council shall review the ATMS fee to determine whether the fee is reasonably related to the impacts of developments and whether the described public facilities are still needed. The City Council may periodically, by resolution, adjust the amount of the ATMS fee established by this Chapter by using current construction cost index for the Los Angeles area published in the most recent Engineering News-Records Construction Cost Index, or by updating the Advanced Transportation Management Study to reflect changed conditions.

The study entitled "Advanced Transportation Management System Study," a copy of which is available in the office of the City Clerk, is approved and incorporated herein.

Sec. 6-11-1004. Exemptions

This Chapter shall not apply to the Irvine Business Complex, which currently has operational traffic mitigation programs in effect.

This Chapter shall not be applicable to new or proposed signalized intersections.

Sec. 6-11-1005. Limited Use Of Fees

The revenues raised by payment of the ATMS fee shall be placed in a separate and special account, and such revenues, along with any interest earnings on that account, shall be used solely to pay for the City's construction of Advance Transportation Management System Facilities or to reimburse the City for such facilities constructed by the City with funds advanced by the City from other sources.

Sec. 6-11-1006. Enforcement

The City Attorney is hereby authorized and directed to initiate such legal proceeding as may be necessary to enforce the provisions of this Chapter.

This Ordinance shall be effective thirty (30) days following this ordinance's passage by the City Council.

Sec. 6-11-1007. Severability

The City Council of the City of Irvine hereby declares that should any section, paragraph, sentence or word of this ordinance of the Code, hereby adopted, be declared for any reason to be invalid, it is the intent of the Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portions as may be declared invalid.

Sec. 6-11-1008. Savings Clause

Neither the adoption of this ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this ordinance, insofar as they are substantially the same as ordinance provisions previously adopted by the City relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

PASSED AND ADOPTED by the City Council of the City of Irvine at a regular meeting held on the 25th day of March, 2003.

MAYOR OF THE CITY OF IRVINE

ATTEST:

CITY CLERK OF THE CITY OF IRVINE

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

I, JERI L. STATELY, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Ordinance was introduced for first reading on March 11, 2003, and duly adopted at a regular meeting of the City Council of the City of Irvine held on the 25th day of March, 2003, by the following vote:

AYES:	5	COUNCILMEMBERS:	Krom, Mears, Shea, Ward and Agran
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	0	COUNCILMEMBERS:	None

CITY CLERK OF THE CITY OF IRVINE

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF IRVINE)

I, JERI L. STATELY, City Clerk of the City of Irvine, HEREBY DO CERTIFY that on the 3rd day of April, 2003, I caused to have posted the foregoing true and correct copy of Ordinance No. 03-08 of the City of Irvine in the following public places in the City:

1) Bulletin Board in Walnut Village Shopping Center, Culver and Walnut, Irvine.

2) Bulletin Board in University Park Shopping Center, Culver at Michelson, Irvine.

3) Bulletin Board in Northwood Shopping Center, Irvine Boulevard at Yale, Irvine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City Council of the City of Irvine, California, the 3rd day of April, 2003.

CITY CLERK OF THE CITY OF IRVINE