

# Appendix A



## Appendix A Findings TT17052R2

1	<b>EIR AND ADDENDUM</b>	<b>TT17052R2 (Custom)</b>
	That the decision-maker has considered Final EIR 589, previously certified on November 8, 2004; Addendum 1.0 (PA060023) approved July 2006, and Addendum 1.1 (PA110003-PA110006) approved February 24, 2011:	
	a. Together, these documents are adequate to satisfy the requirements of CEQA by the decision-maker;	
	b. The additions, clarifications and/or changes to the original document caused by the Addendum, do not raise new significant issues which were not addressed by the EIR and none of the conditions described in CEQA Guidelines Section 15162 applies; and	
	c. The consideration of the EIR and approval of the Addendum for the proposed project reflect the independent judgment of the Lead Agency.	
2	<b>GENERAL PLAN CONSISTENCY</b>	<b>TT17052R2</b>
	That the proposed map is consistent with the Orange County General Plan.	
3	<b>DESIGN &amp; IMPROVEMENT</b>	<b>TT17052R2</b>
	That the design and improvement of the proposed subdivision are consistent with the Orange County General Plan.	
4	<b>DEVELOPMENT TYPE</b>	<b>TT17052R2</b>
	That the proposed site is physically suitable for the proposed type of development.	
5	<b>DEVELOPMENT DENSITY</b>	<b>TT17052R2 (Custom)</b>
	That the proposed site is physically suitable for the proposed density of development.	
6	<b>ENVIRONMENTAL DAMAGE</b>	<b>TT17052R2</b>
	That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.	
7	<b>PUBLIC HEALTH</b>	<b>TT17052R2</b>
	That the design of the subdivision and the type of improvements proposed are not likely to cause serious public health problems.	
8	<b>PUBLIC EASEMENTS</b>	<b>TT17052R2</b>
	That the design of the subdivision and the type of improvements proposed will not conflict with easements of record or established by court judgment acquired by the public-at-large for access through or use of property within the proposed subdivision.	

9 **SUBDIVISION / ZONING CODE**  
**CONSISTENCY** **TT17052R2**

That the proposed subdivision complies with the requirements set forth in the Orange County Subdivision Code and the Orange County Zoning Code.

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10 **ZONING CONSISTENCY** **TT17052R2**

That the design and improvement of the proposed subdivision are suitable for the uses proposed, and the subdivision can be developed in compliance with applicable zoning regulations pursuant to Section 7-9-254 of the Subdivision Code.

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11 **SEWER SYSTEM** **TT17052R2**

That the discharge of waste from the proposed subdivision into the existing sewer system of the Water District will not result in violations of existing requirements prescribed by the California Regional Water Quality Control Board, San Diego Region.

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12 **NATURAL HEATING AND COOLING** **TT17052R2**

That the design of the subdivision and its improvements do provide, to the extent feasible, for future passive or natural heating or cooling opportunities as specified in Section 66473.1 of the Government Code (Subdivision Map Act).

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13 **FEE PROGRAMS** **TT17052R2**

That the following determinations apply to fees required by Sections 7-9-700 through 713, Codified Ordinances of Orange County:

A. Purpose of fees: Fire protection, paramedic, law enforcement, library, and general County services.

B. Use of fees: Construction of new fire station, sheriff substation, library, and general County facilities in newly developing areas which have inadequate service.

C. Relationship between use of fees and type of development: Dwelling units and commercial/industrial structures and their occupants require fire protection, paramedic, law enforcement, library, and general County services.

D. Relationship between need for facilities and type of project: Project is located in newly developing area which has inadequate fire protection, paramedic, library services, and sheriff substation and general County facilities.

E. Relationship between amount of fees and cost of the portion of the facilities attributable to the development: Fees represent project's pro rata share of the cost of the fire station, sheriff substation, library, and general County facilities.

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14 **EXPIRATION OF MAPS** **TT17052R2**

That because of participation in fee programs for off-site improvements, this project will qualify for consideration under Section 66452.6 of the Subdivision Map Act.

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15 **DEVIATIONS OF DESIGN** **TT17052R2**

That the deviations from the standards of design set forth in the Subdivision Code were considered and found to be justified.

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**16 LOCAL PARK CODE TT17052R2 (Custom)**

That the Local Park Code requirement can be met by an allocation of park lands credit from PM 07-01, the park implementation plan for Ranch Plan Planned Community.

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**17 DEVELOPMENT AGREEMENT TT17052R2**

That the Development Agreement contains provisions requiring developer participation in fee programs, facility construction and development phasing and is therefore in compliance with the adopted Growth Management Element in terms of public services and facilities being made available to accommodate development.

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**18 ENVIRONMENTAL MONITORING TT17052R2 (Custom)**

That the monitoring requirements of Public Resources Code Section 21081.6 (AB 3180) will be considered as having been met in that the design of the subject project, the satisfaction of the requirements of the County's building, grading, fire, and other codes and ordinances and the satisfaction of the conditions of approval applied to the project will implement the mitigation measures contained in EIR No. 589, Addendum 1, and Addendum 1.1.

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**19 APPEAL OF EXACTIONS TT17052R2**

That the applicant is hereby provided notice that the fees, dedications, reservations or other exactions imposed on this project are as described in this approval as well as the reports and actions accompanying this approval and that the 90-day approval period in which the applicant may protest pursuant to Government Code Section 66020 has begun.

## **Appendix B**



## Appendix B Conditions of Approval TT17052R2

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<b>1</b>	<b>RANCH PLAN REGULATION COMPLIANCE MATRIX</b>	<b>TT17052R2 (Custom)</b>
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The applicant shall comply with all requirements of the Ranch Plan Regulation Compliance Matrix, to the satisfaction of the appropriate decision maker listed in each applicable Regulation Compliance Matrix item. These requirements include:

- a. Conditions of approval and general regulations from Ranch Plan Planned Community Program Text, PA1 Master Area Plan PA110003 and Subarea 1.2 PA110005.
- b. EIR 589 Mitigation Measures, Project Design Features (PDFs) and Standard Conditions.
- c. Ranch Plan Development Agreement Public Benefit requirements, including the South County Roadway Improvement Program (SCRIP).
- d. Settlement Agreement requirements.
- e. Ranch Plan Fire Protection Program requirements.
- f. Resource Agency permit requirements (USFWS, CDFG, ACOE, RWQCB, etc.)
- g. Public facility agreement requirements (Orange County Sheriff/Coroner, CUSD, OCFA, etc.)

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<b>2</b>	<b>WATER AVAILABILITY</b>	<b>TT17052R2 (Custom)</b>
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Prior to the recordation of the final tract map, the subdivider shall, pursuant to Section 66473.7 of the California Government Code, provide evidence that sufficient water supplies are available for the subdivision. The subdivider may satisfy this condition either by (1) submission of a written verification from Santa Margarita Water District, or (2) other evidence satisfactory to the Director, Resources and Development Management Department.

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<b>3</b>	<b>DRAINAGE OFFSITE</b>	<b>TT17052R2 (Custom)</b>
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Prior to the recordation of a subdivision map or prior to the issuance of any grading permit, whichever comes first, and if determined necessary by the Manager, Permit Services, the applicant shall record a letter of consent, from the upstream and/or downstream property owners permitting drainage diversions and/or unnatural concentrations. The form of the letter of consent shall be approved by the Manager, Permit Services prior to recordation of the letter.

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#### 4 **WATER QUALITY MANAGEMENT PLAN TT17052R2 (Custom)**

Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Inspection Services Division, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. This WQMP shall identify, at a minimum, the routine structural and non-structural measures specified in the current Drainage Area Management Plan (DAMP). The WQMP must also:

- Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas;
- Incorporate applicable Routine Source Control BMPs as defined in the DAMP;
- Include an Operation and Maintenance (O&M) Plan that identifies the mechanism(s) by which long-term O&M of all structural BMPs will be provided.

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#### 5 **WQMP FOR PRIORITY PROJECTS TT17052R2 (Custom)**

Prior to the issuance of any grading or building permits, the applicant shall include in the WQMP the following additional Priority Project information in a manner meeting the approval of the Manager, Inspection Services Division:

- Include post-construction Treatment Control BMP(s) as defined in the DAMP;
- For applicants relying on Regional Treatment Controls, discuss applicable regional water quality and/or watershed program;
- Include a Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for post-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced Treatment Control BMP(s).

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#### 6 **COMPLIANCE WITH THE WQMP TT17052R2 (Custom)**

Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the WQMP in a manner meeting the satisfaction of the Manager, Inspection Services Division, including:

- Demonstrate that all structural Best Management Practices (BMPs) described in the project’s WQMP have been implemented, constructed and installed in conformance with approved plans and specifications;
- Demonstrate that the applicant has complied with all non-structural BMPs described in the project’s WQMP;
- Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural

BMPs for attachment to the WQMP;

- Demonstrate that copies of the project's approved WQMP (with attached O&M Plan) are available for each of the incoming occupants; and

- Demonstrate that the applicant has agreed to and recorded one of the following: 1) the CC&R's (that must include the approved WQMP and O&M Plan) for the project Home Owner's Association; 2) a water quality implementation agreement that has the approved WQMP and O&M Plan attached; or 3) the final approved Water Quality Management Plan (WQMP) and Operations and Maintenance (O&M) Plan.

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**7 ORTEGA HIGHWAY IMPROVEMENTS TT17052R2 (Custom)**

Prior to recordation of any subdivision map, the subdivider shall design and construct the ultimate improvements on Ortega Highway across the tract boundary and dedicate the street right-of-way necessary to accomplish this to the County of Orange, in a manner meeting the approval of the Manager, Subdivision and Infrastructure. Funding of the subdivider's fair share of the cost of these improvements may be accomplished through the implementation of SCRIP and the Ranch Plan Development Agreement, or any other funding program acceptable to the Manager, Subdivision and Infrastructure.

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**8 UNDERGROUND UTILITIES TT17052R2 (Custom)**

Prior to recordation of any subdivision map, the subdivider shall install all underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) and other appurtenances (e.g., pull boxes, etc.) needed for traffic signal construction, and as needed for future interconnection with adjacent intersections, all in accordance with plans and specification meeting the approval of the Manager, Subdivision and Infrastructure.

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**9 TOWER REDESIGN (PA020068 TT17052R2 (Custom)  
CONDITION #10)**

Coincident with the approval of any development project(s) within 1,200 feet of the existing wireless facility (PA02-0068), but no later than every 5 years from the effective date of PA02-0068, the applicant shall provide an update to the Director regarding all proposed development within 1,200 feet of PA02-0068. If any such update indicates that new development of any lands within 1,200 feet of PA02-0068 is proposed, then the Director may require the applicant to make modifications to the wireless facilities constructed under PA02-0068 which cause them to be visually compatible with any proposed new development. Such modifications shall be limited to those which lessen the visual impacts on surrounding development (i.e., camouflage, screening, stealth redesign, or other similar techniques). Further, such proposed modifications shall be processed through the Changed Plan procedures of Zoning Code Section 7-9-150.3 (h). When all development approvals have been granted by the County for all lands within 1,200 feet of PA02-0068, this condition of approval shall terminate and the applicant shall no longer be required to submit the updates described above.

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**10 IMPROVEMENT BONDING TT17052R2 (Custom)**

Prior to recordation of a subdivision map, the subdivider shall ensure security bonding is provided for all improvements for the entire tract VTTM17052R2. Bonding shall be provided in accordance with plans and specifications meeting the approval of the Manager, Subdivision and Infrastructure

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# **Attachment 1**

July 7, 2015

Ms. Rose Fistrovic,  
Manager, Land Development  
OC Development Services  
300 N. Flower Street, 6th Floor  
Santa Ana, CA 92702-4048

Subject: Application for Revised Vesting Tentative Tract Map 17052 (TT17052R1)

Ms. Fistrovic,

On behalf of Rancho Mission Viejo, we hereby submit the attached application to allow for Subdivision Committee approval of Modified Vesting Tentative Tract Map 17052, Revision 2 (TT17052R2).

Project Location/Ownership:

The 192.9-acre TT17052R2 site is located northwesterly of the intersection of Reata Road and Ortega Highway (State Route 74) in unincorporated Orange County, California. The landownership of the proposed project site is Rancho Mission Viejo.

Project Setting:

The project site is located in Planning Area 1, Subarea 1.2 of the Ranch Plan Planned Community in unincorporated Orange County. In November 2004, the County of Orange approved the development of 14,000 dwelling units and 5,200,000 square feet (SF) of non-residential uses. As approved, the Ranch Plan encompassed 22,815 acres, 75 percent of which will be retained in open space.

Background:

Following approval of the overall Ranch Plan project in November of 2004 and Settlement Agreements in August of 2005, plans to proceed with development were approved for the Ranch Plan Planning Area 1 (PA 1) in July of 2006, followed by tentative map and grading plan approvals in 2007. However, due to the changing economic conditions, further plan refinements and grading were placed on hold pending a return of favorable market conditions in Orange County.

On March 14, 2007 the Orange County Subdivision Committee approved Vesting Tentative Tract Map 17052.

In February 2009, the Ranch Plan Planned Community Program Text (Zoning Document) was revised to reflect new State definitions for Senior Living Facilities as amended into the County Zoning Code in November, 2008. These definitions provided greater clarity for the contemplated CCRC use and are referenced in the subsequently revised Master and Subarea Plan actions below as well as revisions to the Ranch Plan Planned Community Program Text (zoning).

Planning Area 1 originally encompassed all four quadrants of the intersection of Ortega Highway and Antonio Parkway/La Pata Avenue. In August, 2009, the City of San Juan Capistrano acquired the existing Rancho Mission Viejo Riding Park located in the southwestern quadrant of the Ortega Highway and Antonio Parkway/La Pata Avenue Intersection. The acquisition included the equestrian sports center property, as well as other adjacent open space land for a total of 132 acres. As a result of the purchase and an action by the Local Agency Formation Commission (LAFCO) in December 2009, The San Juan Capistrano City Limits now extend east to La Pata Avenue on the south side of Ortega Highway. The acquired/annexed property encompasses what was identified as Subareas 1.3 and 1.5 of Planning Area 1. As a result of this acquisition/annexation, a boundary change and associated statistical modification are required and represent the primary impetus for many of the proposed administrative corrections to the Master Area Plan, Subarea Plans and for certain exhibits contained in the Ranch Plan PC Program Text. Per the applicant, a number of subarea plan changes reflect new development market conditions.

On February 23, 2011, PA1 Master Area Plan 11-0003 and Subarea Plans 1.1, 1.2 and 1.4 were modified, including some consolidation of uses that had previously been approved in Subareas 1.3 and 1.5 prior to annexation.

On September 12, 2012 the Orange County Planning Director approved a revision to Vesting Tentative Tract Map 17052 (TT1052R1) to reconfigure portions of the easterly and southerly boundaries to ensure consistency with the realignment of Reata Road and adjacent Vesting Tentative Tract Map 17051.

Existing Conditions:

The 192.9-gross acre project site has been partially rough graded per TT17052 and Grading Permit GA060046. The remainder of the site is lemon groves and grassland. Primary access to the Senior Living Facility site is from the existing roundabout at Reata Road opposite Rancho Mission Viejo's headquarters. Secondary access to the CCRC or Senior Living Facility (right in/right out only) would be from Reata Road closer to Ortega Highway. Primary access to the residential lots would be from the roundabout at Ribera Road.

The area immediately surrounding the project site to the east is Rancho Mission Viejo headquarters, to the south across Ortega Highway is the existing Reata Park and the 32-home Oak Farms project by Davidson Communities currently under-construction within the City of San Juan Capistrano, to the west is a 200-foot Southern California Edison easement and residences within the City of San Juan Capistrano, and to the north are future estate lots within Ladera Ranch.

Land uses immediately surrounding the project site are predominately open space and residential. Key features within and adjacent to the project limits include the following:

- Southerly is Ortega Highway and existing Reata Park and the 32-home Oak Farms project by Davidson Communities currently under-construction within the City of San Juan Capistrano.
- Westerly will be permanent open space as part of the Reserve of Rancho Mission Viejo, a 200-foot Southern California Edison easement and residences within the City of San Juan Capistrano.
- Easterly is Rancho Mission Viejo headquarters with access off Reata Road and the residential neighborhoods of Ranch Plan Planning Area 1.
- Northerly will be permanent open space as part of the Reserve of Rancho Mission Viejo and the residential neighborhoods of Covenant Hills in Ladera Ranch.

Project Proposal:

A Modification to TT17052 to reduce the estate residential lots from 36 to 16 (plus a numbered lot for a gated entry), and to create 8 lots to allow for a Senior Living Facility (PA150035).

Consistency Analysis:

The proposed project is consistent with the appropriate *Ranch Plan PC Program Text Use Regulations & Development Standards* (PC Program Text, Section III), as described below:

- a. General Plan – The OC General Plan Land Use Element designates the entirety of Ranch Plan Planning Area 1 as “1B, Suburban Residential (0.5 to 18 du/ac)”, per GPA 01-01.
- b. Zoning – Proposed Revised VTTM 17052R2 is consistent with the Ranch Plan Planned Community zoning, including all applicable requirements of the PC Program Text Use Regulations & Development Standards (PC Section III).
- c. State Subdivision Map and County of Orange Subdivision Code and Manual – In Compliance

- d. Area Plans – Consistency with land uses and other details of PA1 Master Area Plan PA110003 and Subarea Plans 1.2 (PA12006).
- e. CEQA – VTTM 17052R2 is consistent with Program EIR 589 and Addendum 1.0 (PA06-0023) approved May 2006. The subsequent proposed revisions to VTTM 17052R1 and proposed Modified TT17052R2 are specifically addressed by Addendum 1.1 to EIR 589 addressing Master Area Plan PA11-0003, Subarea Plans 1.1 and 1.2 (PA12006) and this and future VTTMs per Section 3.3 of Addendum 1.1.
- f. Alternative Development Standards – All previously approved Alternative Development Standards that are intended to be incorporated into the development of Subarea 1.2 are listed within the “Notes” portion of the cover page of proposed Revised VTTM 17052R2.
- g. Regulation Compliance Matrix – Clearance of all VTTM 17052R2 applicable conditions of approval shall be confirmed per the Ranch Plan Regulation Compliance Matrix, including the PA1 Master Area Plan PA110003 and Subarea Plan 1.2 PA120006 conditions of approval.

Environmental Analysis:

Environmental analysis and clearance for this proposed Modified TT17052R2 is provided by Final Program EIR 589, Addendum No. 1 (PA06-0023) for Final EIR No. 589, and Addendum No. 1.1 to Final EIR No. 589. Final Program EIR 589, which was certified by the County on November 2004, evaluated environmental impacts resulting with development of the entire 22,815-acre Ranch project area. Addendum No. 1 was later certified by the County in late 2006 to update evaluations associated specifically with development of Planning Area 1. Addendum No. 1.1 was certified on February 23, 2001 to further update evaluations and discussions contained in Final Program EIR 589 and Addendum No. 1, again related specifically with development of Planning Area 1.

Addendum No. 1.1 was prepared by BonTerra Consulting in accordance with the provisions of CEQA (Sections 21000, et seq. of the California Public Resources Code), the State CEQA Guidelines (Title 14 California Code of Regulations Sections 15000, et seq.), and specifically

Section 15164 of the CEQA Guidelines. Addendum No. 1.1 concluded that most environmental impacts would continue to be either insignificant or mitigated to insignificant levels with compliance of those mitigation measures contained in the "Ranch Plan PA 1 Mitigation Regulation Compliance Matrix" (Appendix A of Addendum No. 1.1). The Mitigation Regulation Compliance Matrix includes those mitigation measures that apply only to Planning Area 1.

Addendum No. 1.1 concluded that the proposed applications would not result in any new significant impacts nor would there be any substantial increase in the severity of any previously identified environmental impacts. Therefore, Addendum No. 1.1 concluded that impacts resulting with the proposed applications would be: either insignificant, insignificant with mitigation compliance, or significant, but balanced due to previous County approval of the Statement of Overriding Considerations. Final Program EIR 589, Addendum No. 1 (PA06-0023) for Final EIR No. 589, and Addendum No. 1.1 to Final EIR No. 589 provide the necessary environmental evaluations and clearance for the proposed applications.

Addendum 1.1 included the following land use summary that pertain to the CCRC use:

*"... These facilities may include:*

- Independent living facilities,*
- Assisted living facilities,*
- Memory care living facilities,*
- Skilled nursing facilities,*
- Continuing Care Retirement Community (CCRC) facilities.*

*The residential component of this facility would be allowed without being counted as dwelling units with respect to the Ranch Plan Planned Community limit of 14,000 total allowed dwelling units. The precise mix of facilities would be determined when a specific project is proposed and would be evaluated as part of the site development permit process."*

Review Parties:

Because VTTM 17052R2 would effect SMWD, CUSD and SDG&E, these entities would need to be notified. OCFA has already approved revised Fire Master Plan, so no additional review is necessary. All tentative tract maps within PA1 are to be provided to the City of San Juan Capistrano for review.

Please contact me with any questions if you, or your staff, need any further information.

Sincerely,

Jay Bullock  
Director, Planning and Development

Attachments:

1. TT17052R2 Application
2. Copies of TT17052R1

## **Attachment 2**



# **Attachment 3**

# Attachment 4

BOARD OF DIRECTORS  
BETTY H. OLSON, PH.D. CHARLEY WILSON  
SAUNDRA F. JACOBS SAM JOHNSON  
ROGER FAUBEL JOHN J. SCHATZ  
GENERAL MANAGER



## Santa Margarita Water District

March 13, 2007

County of Orange  
Subdivision Division  
Public Facilities & Resources Department  
300 North Flower  
P.O. Box 4048  
Santa Ana, CA 92702-4048

Attention: Tentative Map Section

Subject: Preliminary Water and Sewer Letter for Tracts 17051, 17052, 17053,  
17054, and 17055.

Gentlemen:

This letter is in response to a request by RMV Community Development, LLC (Developer) for a preliminary water and sewer letter for the subject tracts.

The Santa Margarita Water District (District) supplies all of its current customers with domestic water purchased from the Metropolitan Water District of Southern California (MWD) through the Municipal Water District of Orange County (MWDOC), which acts as a wholesaler to its member agencies. It is anticipated the subject tracts would also be supplied with available domestic water purchased from MWD through MWDOC. Supplemental water for this development, if required, will be provided via the implementation of an agreement between SMWD and Cucamonga County Water District (now called Cucamonga Valley Water District) that has been executed for the specific purpose of providing supplemental water in support of the "Ranch Plan." Subject to the Developer's successful completion of the construction of the in-tract water facilities, the District can and will provide domestic and non-domestic water service to each and every building parcel in the subject tracts.

Furthermore, and subject to the Developer's successful completion of the in-tract sewer facilities and the District's construction of off-site sewer facilities, the District can and will provide sewer service to each and every building lot within the subject tracts without exception.

County of Orange  
March 13, 2007  
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At this time, the Developer has not provided surety to guarantee the construction of the in-tract water and sewer facilities. A final will-serve will be issued upon your request when (i) the Developer has guaranteed the construction of the in-tract facilities and (ii) construction of the District's water and wastewater facilities is assured.

Should you have any questions or desire additional information, please contact Clay Hutter at (949) 459-6581.

Very truly yours,

SANTA MARGARITA WATER DISTRICT



Daniel R. Ferons  
Chief Engineer