Conditions of Approval for Tentative Tract Map No. 54016,
Conditional Use Permit 03-09, and Variance 04-11
Adopted August 8, 2005

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
82.)	The applicant shall design and construct the proposed storm drain system in its entirety, including but not limited to catch basins, storm drain conduit, retention basin, and debris basin, according to the current standards of the County of Los Angeles. The applicant shall offer to dedicate said system to the County for maintenance and operation. Should the County refuse to accept the drainage facilities or any part thereof for maintenance, and should the County provide to the City written evidence of its refusal to accept said drainage improvements, then the applicant shall offer those drains to the City and shall consent to the creation of an assessment or community facilities district on the land subject to the Map to fund the City's costs to monitor, maintain and operate those drains. City need not accept title to, and maintenance responsibility for, any portion of the storm drain system in the absence of County approved design and construction, or in the absence of an assessment or Mello-Roos special tax to fund maintenance of that storm drain.	X							
	The CC&Rs shall obligate the HOA to provide funding for maintenance of any portion of the storm drain accepted by the City if after the acceptance of an assessment or Mello-Roos special tax sunsets, is repealed, or otherwise proves legally or practically inadequate to cover the costs to maintain the portions of the storm drain accepted by the City under this condition. The assessment costs shall fully cover the City's costs to create and maintain the assessment district, as well as the costs to maintain the drain. In addition, prior to the City accepting any portion of the drainage system for monitoring and maintenance, the applicant or HOA shall provide a deposit to the City, in a form and in an amount acceptable to the Director of Public Works, suitable to cover emergency maintenance of said storm drain for the first five years' existence of the assessment.	X							
83.)	The Applicant shall design grading proposals for Lot 10 to minimize alteration of the landform to the extent consistent with reasonable utility of that lot for residential development.	X							
84.)	Prior to issuance of any grading permit, the Applicant shall submit an updated soils reports to the Department of Public Works for review and approval, to address engineering, geologic, seismic, and soils engineering concerns for the Map and each lot for which development is proposed.					X			
85.)	The Applicant shall ensure that a Geotechnical Report is prepared by a registered engineer or engineering geologist and submitted to the Director of Public Works with the initial grading plan check. The report shall address special study zones and identify any geotechnical hazards for the site including locations of faults and potential for liquefaction. The report shall include recommendations to mitigate the impact of ground shaking and liquefaction.	X							
86.)	Prior to the issuance of any grading permits or building permits pertaining to the construction of any retaining walls within Lots 27, 28, and/or 29, the Applicant shall submit building plans for those retaining walls for the review and approval of the Director of Development Services. The building plans shall indicate the design and materials to be used. The design and materials shall be of the same design and materials, or of a compatible design and materials, as the design and materials of retaining walls in the vicinity of these lots.	X							
Air Quality									
87.)	*During the construction phase of the Project and in accordance with the City of Sierra Madre Development Code and SCAQMD Rules, the Applicant shall incorporate the following measures to the satisfaction of the SCAQMD and City Public Works Director. Compliance with this measure is subject to periodic field inspections by the SCAQMD and City Public Works Director:*	X							
	Grading:								
	Apply non-toxic soil stabilizers according to manufacturer's specifications to all previously graded construction areas, which are inactive for ten days or more;	CMP	(M)						
•	*Replace ground cover in disturbed areas as quickly as possible;*	CMP	(M)						
•	*Enclose, cover, water two times daily, or apply non-toxic soil binders in to accordance to manufacturer's specifications, exposed piles (i.e., gravel, sand, dirt) with 5% or greater silt content;*	CMP	(M)						
•	*Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph; and*	CMP	(M)						

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
•	*All trucks hauling dirt, sand, soil, or other loose materials shall be covered and shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer).*	CMP	(M)						
•	*And, for paved roads: Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads. (MM 4.4-1)*	CMP	(M)						
88.)	*To the extent feasible, the project shall incorporate the installation of EPA-certified wood burning stoves or fireplaces. If this is not feasible, then the installation of a ceramic coating on the honeycomb inside a catalytic combustor shall be investigated as a feasible alternative. Alternatively, natural gas fireplaces may be used. (MM 4.4-2).*					CCR			
	This condition shall be reflected in the CC&Rs for the tract.					CCR			
89.)	Prior to issuance of any grading permit, the Applicant shall prepare erosion control plans in conformance with applicable City Standards and subject to approval by the Department of Public Works. The Applicant shall post security and enter into an agreement guaranteeing the grading and erosion control improvements and further guaranteeing that any damage to private or private property caused by failure of erosion control measures shall be promptly repaired by the Applicant.	GP	(M)						
90.)	The Applicant shall demonstrate that each subsequent application for a phase of development includes a conceptual grading plan to indicate at a minimum:					X			
•	Preliminary quantity estimates for grading.					GP			
•	Techniques and methods which will be used to prevent erosion and sedimentation during and after the grading process in compliance with the City Standards and NPDES requirements.					GP			
•	Preliminary pad and roadway elevations.					GP			
•	Designation of any borrow or stockpile site location for import/export material (including, but not limited to, soil, rock, and various construction materials)					GP			
•	No material shall be stockpiled for more than 30 days. Stockpiles shall be covered when is in place for more than ten days or when the five-day weather forecast calls for a greater than 60% chance of rain.					GP			
•	Approximate time frames for development including the identification of areas, which will be graded between October 15th and April 15th.					GP			
•	Hydrology and hydraulic concerns and mitigations					GP			
91.)	The Applicant shall ensure that major grading activities are scheduled from April 15th to October 15th wherever possible, or as otherwise approved by the Director of Public Works.	X							
92.)	If import or export is requested by the Applicant, and approved by the City pursuant to applicable law, the Applicant shall propose an import / export plan to the Director of Public Works for approval concurrently with the grading permit. The plan shall include: (i) a limit on the duration of grading and construction activities, (ii) a Traffic Control Plan, and (iii) a daily schedule of operations.	CMP	NA						
93.)	During grading operation and construction activities, all public streets shall be maintained and cleaned as necessary on a daily basis. Prior to issuance of grading permits, Applicant shall post a cash deposit, letter of credit, or bond to guarantee maintenance of all public rights-of-way affected by the grading operations and construction activities.	CMP	(M)						
94.)	Prior to approval of the grading plans, if subsequent Geotechnical and Soils Reports determine that dewatering of the site is necessary during construction, the Applicant shall obtain necessary permits (i.e. in compliance with NPDES permit) from appropriate agencies prior to approval of the grading plans.	CMP	(M)						
	To the extent feasible, the design of the grading for this tract shall incorporate landform grading in order to minimize the long-term visual impacts of graded slopes.	GP	DONE						

Hydrology

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
95.)	*Prior to Grading Permit issuance and as part of the project's compliance with the NPDES requirements, the Applicant shall prepare and submit a Notice of Intent (NOI) to the State of California Regional Water Quality Control Board providing notification and intent to comply with the State of California general permit. Also, the Applicant shall complete a Storm Water Pollution Prevention Plan (SWPPP) for the construction activities on-site. A copy of the approved SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." The SWPPP shall contain, at a minimum, the BMPs for residential development, as outlined in Appendix 15.6, Hydrology and Water Quality Data of the EIR for the Map. (MM 4.3-1a)*	X							
96.)	*The Applicant shall ensure that construction of the project shall include Best Management Practices (BMPs) including:*	CMP	(M)						
•	*During construction, disposal of the following should occur in a specified and controlled temporary area on-site, physically separated from potential storm water run-off, with ultimate disposal in accordance with local, state and federal requirements: solid or liquid chemical spills, wastes from paints, stains, sealants, glues, limes, pesticides, herbicides, wood preservatives and solvents; asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; fertilizers, vehicle/equipment wash water and concrete wash water; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing; and super chlorinated potable water line flushings.*	CMP	(M)			CCR/ DG			
•	*Discharges of material other than stormwater are allowed only when necessary for performance and completion of construction practices as long as they do not cause or contribute to a violation of any water quality standard, cause or threaten to cause pollution, contamination, or nuisance, or contain a hazardous substance in a quantity reportable under federal regulations 40 CFR, Parts 117 and 302.*	CMP	(M)			CCR/ DG			
•	*Storm transported sediment shall be contained onsite by sand bags, temporary dams, temporary vegetation and/or mulch topping, or other devices as approved by the Public Works Director. (MM 4.3-1b)*	CMP	(M)			CCR/ DG			
97.)	*Prior to issuance of grading permits, a final grading plan, a storm drain plan, a street plan,, and a final hydrological plan with supporting hydraulic analysis shall be submitted to the Director of Public Works for review and approval. The Applicant shall ensure that the final design and implementation of the project's storm drain is consistent with the recommendations of the Hydrology and Hydraulics Drainage Analysis for Maranatha High School, 1 Carter Avenue prepared by SEC Civil Engineers November 25, 2003 (refer to Appendix 10.4 of the EIR for the Map), the Addendum to Hydrology and Hydraulics Drainage Analysis for Maranatha High School, 1 Carter Avenue prepared by SEC Civil Engineers February 18, 2004 (refer to Appendix 10.4 of the EIR for the Map). (MM 4.3-2a)*	X							
98.)	*Prior to issuance of building permits, the Applicant shall implement conditions of the City Department of Public Works and LACDPW regarding storm drainage improvements that shall include, but not be limited to:*	X							
•	*Constructing the necessary storm drainage improvements described in the hydrology report to handle increased flows and provide BMPs, including design and construction of an onsite retention basin to reduce flows to the existing 48-inch reinforced concrete pipe in Baldwin Avenue. Peak stormwater discharge from the project area shall not exceed existing levels, and post development site runoff must be conveyed to predevelopment surface water conveyance features.*	X							
•	*Debris basin shall be constructed to current LA County Department of Public Works criteria, including capacity for burned and bulked flows.*	X							
•	*Confine street flows within street rights-of-way.*	X							
•	*Coordinate connection to the existing 48-inch reinforced concrete pipe with LACDPW.*	X							

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
•	*Storm drains and catch basins shall be placed on-site to control storm water leaving the project site. Storm drains and catch basins shall be used to control erosion downstream of the development. (MM 4.3.1c and 4.3-2b)*	X							
•	Should County review of downstream drainage system indicate that the peak discharge from the development site be reduced to levels less than existing, County discharge requirements shall prevail.	X							
99.)	*Prior to issuance of grading permits, the Applicant shall ensure that project design incorporates outlet structures, detention basins and reinforced concrete pipes to the satisfaction of the Director of Public Works. (MM 4.3-2c)*	X							
100.)	*Prior to approval of any final map, the Applicant shall consult with the City Department of Public Works to identify off-site drainage facility improvement requirements necessary to serve the project, if any, which shall be constructed, to the satisfaction of the Director of Public Works. (MM 4.3-2d)*	X							
101.)	*Prior to Grading Permit issuance, the Applicant shall submit the Final Hydrology and Hydraulic Study to City Director of Public Works and the LACDPW, for review and approval. (MM 4.3-2e)*	X							
102.)	*Prior to Grading Permit issuance, the Applicant shall prepare, to the satisfaction of the Public Works Director, a Water Quality Management Plan (WQMP), which includes Best Management Practices (BMPs), Structural Measures and Non-Structural Measures, under the guidelines in Development Planning for Storm Water Management- A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP) prepared by Los Angeles County Department of Public Works dated September 2002. The WQMP shall contain, at a minimum, the BMPs outlined in Appendix B, BMP Design Criteria of the Los Angeles County Department of Public Works Development Planning for Stormwater Management, a manual for the Standard Urban Stormwater Mitigation Plan (SUSMP), September 2002. (MM 4.3-3a)*	SWP	(M)						
103.)	*The Applicant shall ensure that non-structural BMP's are incorporated into the project's CC&Rs, to the satisfaction of the City of Sierra Madre. The applicable BMPs shall include, but not be limited to:*	CCR							
•	*BMP structures and facilities shall be cleaned and maintained on a scheduled basis by the HOA unless those facilities are accepted by the County for maintenance.*	CCR							
•	*All hazardous wastes shall be handled in accordance with Title 22 of the California Code of Regulations and relevant sections of the California Health and Safety Code regarding hazardous waste management. (MM 4.3-3b)*	CMP	(M)						
104.)	*Prior to the issuance of grading permits, the Applicant shall ensure that routine structural BMPs shall be incorporated into the proposed project design to facilitate future water quality measures, to the satisfaction of the Director of Public Works. The applicable BMPs include:*	CMP SWP	(M)						
•	*The project landscape architect shall group plants with similar water requirements together to insure efficient use of irrigation water and reduce excess runoff and promote surface filtration.*	X	IMP						
•	*Potential structural controls including first-flush diversion, detention/retention basins, infiltration trenches/basins, porous pavement, oil/grease separators, grass swales, and swirl concentrators. The project engineer shall incorporate engineering and design modification of structures wherever the Director of Public Works deems applicable. (MM 4.3-3c)*	IMP							
105.)	HOA shall be responsible for maintaining the undeveloped common-area portions of the site including weed abatement, erosion control, and litter removal.	CCR							
106a.)	By August 23, 2005, the Applicant shall either: (i) sign and consent to these final conditions of approval and return that signed consent to the Development Services Department for its files or (ii) institute mediation pursuant to Section 15 of the Settlement Agreement and no grading or other permit may issue until the dispute is resolved in the manner required or authorized by the Settlement Agreement. If the Applicant fails to timely consent to conditions or to institute mediation, the approval of the Map shall be null and void.	X	DONE						

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
106b.)	Within fifteen days of the issuance of any grading permits, the Applicant shall either: (i) sign and consent to the conditions of approval of that permit and return that signed consent to the Public Works Department for its files or (ii) institute mediation pursuant to Section 15 of the Settlement Agreementand no grading shall occur pursuant to the permit until the dispute is resolved in the manner required or authorized by the Settlement Agreement. If the Applicant fails to timely consent to conditions or to institute mediation, the approval of the grading permit shall be null and void.	X							
107.)	Prior to the Issuance of Building Permits:					X			
•	The Applicant shall provide proof that energy saving features will be installed in project homes as required by the California Building Code. Features may include: solar or low- emission water heaters, solar roof tiles, energy-efficient appliances, dual paned windows, low pressure sodium parking lights, etc.					DG			
•	The Applicant shall provide landscaping design and water conservation devices as required by the California Model Water Conservation Ordinance, such as low flow toilets, faucets and showerheads, shade tree selection and placement.					DG			
108.)	The Applicant shall ensure that drainage and flood control facilities are provided in accordance with the requirements of the City and/or LACFCD.					X			
109.)	Immediately after the completion of the site grading and prior to or concurrently with the initial site development within that Tract, drainage facilities within Tract 54016 shall be constructed.					X			
110.)	The Applicant shall protect downstream properties from damage caused by alteration of the drainage patterns; i.e., concentration or diversion of flow. The Applicant shall provide protection by constructing adequate drainage facilities, including enlarging existing facilities or by securing drainage easements.					DG			
Circulation									
111.)	The Applicant shall ensure that all streets within subject tract are private, maintained solely by the HOA.			CCR					
112.)	Applicant shall prepare and record a covenant, subject to Public Works Department approval, for public ingress and egress over the private road system, utility and drainage easements, fire lanes, and maintenance of the private streets by the HOA.			MAP					
113.)	Prior to issuance of grading and/or building permits, the Applicant must obtain an encroachment permit for all improvements within public rights-of-way.	X							
114.)	Applicant shall ensure that adequate access is provided for each phase of development as approved by the Department of Public Works.	CMP				CMP			
115.)	Prior to filing any final map, the Applicant shall submit plan and profile-type plans for street improvements for the proposed private street system to the Public Works Department for approval.			IMP					
116.)	Private streets shall be paved with 4-inch thick asphalt over crushed aggregate base (CAB). Applicant shall submit a soils report to the City to determine the CAB section. The pavement section for the portion of the driveway used by the County Flood Control District for access to Carter Debris Basin shall be designed for a TI of 7 to account for the heavily loaded trucks that must use the road for access to the Basin during wet conditions.			IMP					
117.)	Widths of private roadways within Tract 54016 shall be as illustrated on the Map. Specifically, roadway widths shall be:			IMP					

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
•	30 feet, curb face to curb face at: West side of Lots 3 through 7, southerly of Lots 8 & 9, westerly of Lots 14 and 17, and westerly of Lots 22 through 24.			IMP					
•	25 feet, curb face to curb face at: Intersection of Carter Avenue along southeasterly frontage of Lot 1.			IMP					
•	20 feet, curb face to curb face at: Southerly and easterly of Lot 3 to westerly of Lot 8 and westerly of Lots 18 and 19.			IMP					
	On-street parking within Tract 54016 shall be limited to one side of the street only, and shall be allowed only in those locations where the street is a minimum of 30 feet wide, measured from curb face to curb face. All other areas, including cul-de-sacs, shall be clearly posted as "No parking any time" areas.			IMP					
	Both dead-end residential streets shall terminate in circular cul-de-sacs, with a minimum curb radius as provided in condition 187.			IMP					
118.)	Applicant shall install streetlights at the intersection of the proposed street and Carter Avenue, at the intersection of the two proposed streets, and at the two cul-de-sacs. Streetlights must be of an energy-efficient design and shall be shielded to limit glare into adjoining and off-site properties. Streetlights are to be owned by the Southern California Edison or the HOA if Southern California Edison will not accept this responsibility.			X					
119.)	Applicant shall install street name signs on the corners at the intersection of the proposed private streets and at intersection of the private and public streets. Street names shall be subject to approval by the City.			IMP					
120.)	Concurrently with the recordation of the Final Map, the Applicant shall record deed restrictions dedicating to the City the right of Lots 25 and 26 to take vehicular access from Carter Avenue.			MAP(?)					
121.)	The Applicant and any subsequent owner of one or more lots depicted by the Map may rely upon the slope-density calculations depicted in the Maranatha Slope Analysis Map as presented to the Council on April 12, 2005 by Earthwork Calculations or any subsequent analysis of slope-density acceptable to the Development Services Director when seeking an approval pursuant to Chapter 17.52 of the SMMC for any proposed development of an H-zoned lot depicted on the Map.					X			
Biology									
122.)	Prior to issuance of any grading or building permit that involves land within 30 feet of the dripline of any protected tree, each individual lot will be subject to review by the City's Tree Advisory Commission (TAC), unless TAC has previously reviewed those impacts with respect to tract grading or otherwise.	X	DONE 4 GP						
123.)	Prior to the start of any construction, any protected tree within 30 feet of infrastructure shall have photographs and condition reports submitted to Public Works so as to allow for proper construction monitoring.	CMP	(M)						
124.)	All provisions of the Tree Ordnance (SMCC 12.20) shall apply to the construction of infrastructure and to future construction on individual residential lots.	GP	GP						
125.)	Trees numbered 1510, 1532, 1544, 1545, 1549, 1550, 1556, 1558, 1560, 1603, 1603a, 1607, 1608, 1609, 1611, 1613, 1614, 1615, 1616, 1620, 1632, 1634, 1636, 1638, 1639, 1644, 1646, 1647, 1648, 1657, 1780, 1785, 1850, 1853, 1862, 1879, 1901, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1919, 1920, 1921, 1922, 1935, 1938, 1939, 1940, 1951, 1956, 1966, 1973, 1974, 1975, 1978, and M are approved for removal to allow for the construction of infrastructure and pass for this Tract with the required mitigation, as shown in the tree matrix by the Applicant, to be donated to the City's replacement tree bank or, at the applicant's option, relocated to a portion of the site acceptable to the Director of Development Services.	GP							

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
126.)	Prior to approval of the Grading Plan and issuance of a Grading Permit, the Applicant shall submit the grading plan to be reviewed by the TAC to advise, mitigation measures (tree replacement requirements) for all trees impacted by the proposed grading, which shall be determined utilizing procedures and replacement ratios currently in use by the TAC.	X	DONE						
127.)	Applicant shall ensure that a certified arborist shall serve as a construction monitor during those periods when grading activities occur and be onsite at all times during grading within 5 feet of the dripline of protected trees to ensure that no inadvertent impacts on protected trees occur. The arborist shall provide weekly updates of the monitoring to the City Public Works Director.	CMP	(M)						
128.)	Prior to the start of grading activities, Applicant shall have chain link fencing erected, which mirrors the dripline or other appropriate boundary as determined by the TAC, around all affected protected trees.	CMP	(M)						
129.)	Should any digging or excavation within the dripline of a protected tree occur, it shall be hand digging only. Applicant shall ensure that no mechanized excavation occurs within the dripline of any protected trees.	CMP	(M)						
130.)	Prior to the issuance of grading permits, the Applicant shall submit a five-year monitoring plan for all onsite protected trees for the review and approval of the Public Works Director.	X							
131.)	*Prior to issuance of Building Permit for individual lots, the lot owner shall:*					CCR			
•	*Consult with the TAC regarding a Tree Removal Permit.*					CCR			
•	*Ensure that the proposed project design and structure placement incorporates into the site design, if at all feasible, existing healthy trees.*					CCR			
•	*Ensure that all trees, protected and unprotected, approved for removal are replaced, unless finding is made at the time of granting an application that the site is inadequate to support the required number of replacement trees as follows (Sierra Madre Municipal Code Chapter 12.20):*					CCR			
•	*Trees that prevent reasonable development shall be replaced within one year of removal by a number of replacement trees as determined utilizing replacement ratios currently in use by the TAC, or a suitable alternative.*					CCR			
•	*Minimum replacement tree size shall be 24-inch box.*					CCR			
•	*In the event that the replacement tree dies, a continuing responsibility on part of the property owner to replace the tree with one of comparable size, within six months of the replacement tree's demise.*					CCR			
•	*Replacement trees shall be monitored for five years. (MM 4.6-2)*					CCR			
•	*Location of replacement trees shall be chosen so as to mitigate the aesthetic and other impacts of development of the site.*					CCR			
	These requirements shall be reflected in the CC&Rs.					CCR			
132.)	*Thirty days prior to the issuance of a grading permit for any demolition or construction activities within 100 feet of existing trees:*	X							
•	*The Applicant shall have a nesting bird survey conducted by a qualified biologist approved by the City to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 100 feet (200 feet for raptors) of the construction zone. Any occupied nests found during survey efforts shall be mapped on the construction plans. A report of this field survey shall be submitted to the City.*	X							
•	*If nesting activity is present at any active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code, the Applicant shall erect a 500-foot (this distance may be vary depending on the bird species and construction activity, as determined by the biologist) fence barrier (subject to the review and approval of the City) around the nest site and shall ensure that clearing and construction within the fenced area is postponed or halted, at the discretion of the biological monitor, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting.*	X							

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
•	*The biologist shall serve as a construction monitor during those periods when construction activities shall occur near active nests to ensure that no inadvertent impacts on these nests shall occur. Results of the nesting bird survey and any subsequent monitoring shall be provided to the California Department of Fish and Game and any other appropriate agency.*	X							
•	*Construction can occur only at nest sites of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code if a qualified biologist has determined that the nests are no longer active. If an active nest is observed during the non-nesting season, a qualified biologist shall monitor the nest, and when the bird is away from the nest, the biologist will flush any bird to open space areas. The biologist will then remove the nest in a manner consistent with any applicable state or federal laws or regulations so raptors cannot return to it.*	X							
•	*No earlier than 45 days and no later than 20 days prior to demolition, construction, or grading/site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically March 15 through September 15), construction/clearing can proceed if no native bird nests are located during this survey. (MM 4.6-3)*	X							
133.)	*Should another growing season pass prior to initiation of grading activities, the Applicant shall ensure Spring Focused surveys are completed by a qualified biologist approved by the City to verify the presence or absence of the Braunton's Milk Vetch. If Braunton's milk vetch is discovered onsite, the applicant shall coordinate with the Department of Fish and Game and the City to avoid all populations of the Braunton's milk vetch, relocate individuals prior to construction, establish onsite preservation areas, purchase of offsite occupied habitat, establishment of onsite preservation areas, or alternative habitat mitigation as approved by the City and the Department of Fish and Game. (MM 4.6-4a)*	X							
134.)	*Individuals using the open space portions of the project site for passive recreation would result in disturbance of natural open space areas adjacent to the development area. Prior to the issuance of the first grading permit, Applicant shall submit to the City an appropriate plan, written by the qualified biologist, for the management of the adjacent area. The management plan shall include:*	X							
•	*Cut and fill slopes shall be replanted with native plant species.*	X							
•	*No non-native species or invasive plant species listed in the 1999 Cal-IPC Exotic Pest Plants of Greatest Ecological Concern in California shall be planted near fringes of the project site that are adjacent to native vegetation types. (MM 4.6-5a)*	X							
135.)	*Prior to issuance of grading permit, the applicant (if necessary) shall:*	X							
•	*Consult with the U.S. Army Corps of Engineers and the California Department of Fish and Game regarding the need for resource permits, according to Federal and State regulations.*	X							
•	*Obtain appropriate Federal and State permits, and comply with said permit requirements, to the satisfaction of the appropriate jurisdiction. (MM 4.6-5b)*	X							
136.)	The first 12 feet of the Restricted Use Areas designated on the Map within lots 28 and 29 ("the transition areas") shall constitute a transition zone within which the Applicant or any subsequent owner of either or both lots may plant and maintain any plant included on a plant palette prepared by a biologist or licensed landscape architect acceptable to City and approved by the City in order to provide an appropriate transition between the unrestricted use areas of those lots and the balance of the Restricted Areas.					CCR			
Noise									
137.)	*Prior to Grading Permit issuance, the Applicant shall demonstrate, to the satisfaction of Director of Development Services, that the project complies with the following:*	CMP							
•	*All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, to the satisfaction of the Director of Development Services.*	CMP	(M)						
•	*During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receptors, to the satisfaction of the Director of Development Services.*	CMP	(M)						

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
•	*During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors, to the satisfaction of the Director of Development Services. (MM 4.7-1)*	CMP	(M)						
137a.)	*The Applicant shall comply with any revisions of the city's noise ordinance generally applicable in the City notwithstanding any vesting agreed to pursuant to the Settlement Agreement.*	CMP	(M)						
Aesthetics, Light, and Glare									
138.)	*During grading and construction, future development shall provide appropriate screening/temporary fencing of the construction areas and equipment to the satisfaction of the Director of Development Services. (MM 4.8-1a)*	CMP				CCR			
139.)	*Prior to the issuance of the grading permit, the Applicant shall submit a Construction Staging Plan to the Director of Public Works. The contractor shall establish construction equipment and supply staging areas at least 400 feet from the nearest residence. This plan shall incorporate compliance with the following:*	CMP	(M)						
•	*During construction and grading, the Applicant shall keep the site clear of trash, weeds and debris. Compliance with this measure is subject to periodic City inspections.*	CMP	(M)						
•	*The grading contractor shall not create large stockpiles of soil, but shall seek to place numerous smaller piles adjacent to each other. (MM 4.8-1b)*	CMP	(M)						
140.)	*Prior to final design and structural approval, the Applicant shall select a licensed landscape architect to prepare a landscaping plan for the review and approval of the Director of Development Services. The landscaping plan shall indicate how cut slopes will be revegetated with replacement landscaping. (MM 4.8-2a)*	X							
141.)	*Prior to approval of the Final Tract Maps, the Applicant shall fund the City's preparation of design guidelines for the portion of the project within the HMZ that incorporates the minimum standards of the HMZ Ordinance, for the review and approval of the Planning Commission. (MM 4.8-3)*	X							
142.)	*Prior to the issuance of a building permit for a residence on any individual lot, the Applicant shall ensure that the licensed landscape architect prepares a landscaping plan for the review and approval of the Director of Development Services. The following design features shall be incorporated into applicable building plans:*					DG			
•	*Project elevations and materials of proposed structures and facilities shall not produce excessive glare and shall be appropriately screened from views off site.*					DG			
•	*All security light fixtures and standards shall be either shielded or directed away from neighboring properties and streets. Exposed bulbs shall not be permitted. All fixtures shall have glare control shields.*					DG			
•	*The type and location of lighting standards and the intensity of lighting shall be approved by the City Public Works Director. (MM 4.6-5c and 4.8-4)*					DG			
143.)	In addition to the landscape plan, the Applicant shall prepare a fencing plan for the project site for review and approval by the City Attorney and the Development Services Director.	X							
143a.)	The Applicant shall prepare, subject to the approval of the Director of Development Services, a landscaping plan that will obscure public view of the west ridge road.	X							
Cultural Resources									
144.)	*The Applicant shall fund the City's selection of a qualified paleontologist to be retained to periodically monitor, and if necessary, salvage scientifically significant fossil remains. The paleontologist shall have the authority to temporarily divert or direct grading efforts to allow evaluation and any salvage of exposed fossils. (MM 4.9-1a)*	X	(M)						
145.)	*During brush removal, grading, trenching and excavation, the Applicant shall ensure that full-time monitoring and salvage efforts are provided by a qualified paleontologist. This shall include the collection of matrix samples for micro-vertebrate fossils. Geologic units with Low or Moderate Potential for paleontologic sensitivity require only part time monitoring. In the event significant fossils are observed during grading, full-time monitoring shall be required. (MM 4.9-1b)*	X	(M)						

		Pre-Grade	Done	Pre-Map	Done	Pre-Build	Done	Pre-Occ	Done
146.)	*Applicant shall ensure that any micro-vertebrates recovered in samples are identified, stabilized, mapped on a USGS topographic map, and catalogued before being donated to a public, non-profit institution with research and/or educational interest in the materials, such as the Los Angeles County Museum of Natural History. (MM 4.9-1c)*	X	(M)						
147.)	*Prior to issuance of building permits, the Applicant shall prepare a final mitigation report summarizing findings, including an itemized inventory and contextual stratigraphic data, and will ensure that the report is filed with the Director of Development Services, a fossil repository, and the Applicant. (MM 4.9-1d)*					X			
148.)	*During grading activities, the Applicant shall select an archaeologist approved by the Director of Development Services to monitor all grading activities. Said archaeologist shall be present at the pre□grading conference and shall have the authority to enforce required mitigation measures related to cultural resources. Applicant shall develop a field monitoring program for review and approval by the Director of Development Services, specifying the frequency, duration and limits of monitoring activity. Initial grading stages shall be periodically monitored, particularly during initial site clearing, to ensure that any buried archaeological deposits that may exist on the property are detected. The monitoring archaeologist shall be prepared to document and recover any material that appears as quickly as is consistent with standard archaeological practice. If determined necessary, the archaeologist may halt grading where the resources are present to ensure adequate salvaging and/or protection of cultural resources.*	X	(M)						
	All collected, significant material shall be offered for curation at a local institution that has the proper facilities for display, storage, and use by interested scholars. (MM 4.9-1e)	X	(M)						
149.)	*Following removal of the vegetation cover (clearing and grubbing) and during initial grading stages, Applicant shall ensure that areas to be disturbed by grading are re-examined for cultural resources. If cultural resource sites are exposed by this activity, they shall be subjected to appropriate test excavations, as determined appropriate by the Director of Development Services. (MM 4.9-1f)*	X	(M)						
150.)	*In the event human remains or evidence of graves with stone monuments (known as cairns) are encountered during earth removal or disturbance activities, all activity shall cease immediately and a qualified archaeologist and Native American monitor shall be immediately contacted. The Coroner shall be contacted pursuant to Section 5097.98 and 5097.99 of the Public Resources Code relative to Native American remains. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission shall be contacted pursuant to Public Resources Code Section 5097.98. (MM 4.9-2)*	X	(M)						
150a.)	*If there is any inconsistency between conditions 151 and 152, on the one hand, and conditions 156 through 158, on the other hand, conditions 156 through 158 shall control.*	X	(M)						
151.)	*Applicant shall select a qualified structural engineer to perform a structural evaluation of the Macomber Cabin, Carter Barn, and Willis Residence to establish the feasibility of rehabilitation and if the structures are unsound, make recommendations, in consultation with an architect with a minimum of five (5) years' design experience in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties, as to the method of stabilization in accordance with the Secretary of the Interior's Standards for Rehabilitation. (MM 4.9-3a)*					X			