TO: Chair Silber and Members of the Planning Commission

APPLICATION

PRJ03-00075A; Addendum No. 1 to Final EIR, SUB 03-00001A (Abandonment); SUB14-00008 (Vesting Tentative Tract Map 17609)

APPLICANT

Pacific Coast Homes

LOCATION

The property is located in the northwest portion of Fullerton, and is bounded on the north by the City of La Habra, on the east by Euclid Street, on the west by the Hawks Pointe development and City of La Mirada, and on the south by Rosecrans Avenue and the Nora Kuttner and Castlewood Trails. Gilbert Street divides the property from north to south.

SUMMARY AND APPLICATIONS REQUESTED

Pacific Coast Homes, the project applicant, is requesting approval of Vesting Tentative Tract Map (VTTM) to subdivide a 510 acre former oil field property for open space, residential, and commercial purposes. The project also proposes improvements to the adjacent Robert E. Ward Nature Preserve, owned by the City of Fullerton; including habitat restoration, new trails and an interpretive center. Applications have been filed as follows:

- Addendum No. 1 to Final EIR for the West Coyote Hills Specific Plan and Robert E. Ward Nature Preserve Project (FEIR) (SCH No. 1997051056). (Attachment #4) Note: The FEIR was certified by the City on July 12, 2011
- VTTM 17609 (SUB14-00008): A proposed 569 lot subdivision with approximately 301.1 acres allocated as public open space, 161.1 acres for single family attached and detached homes (maximum 760 units), 17.1 acres for multiple uses (residential and open space/recreational), 5.2 acres for a commercial center, 24.2 acres for vehicular, bicycle and pedestrian circulation and 1.3 acres (previously dedicated) for Fire Station #6 at 2691 Rosecrans Ave. The VTTM supersedes previously approved Tentative Tract Maps (TTM) 15671, 15672, 15673 implements the "Path Forward" acquisition plan and Specific Plan Amendment No. 8 to Master (Specific) Plan 2A (MSP 2-A). The VTTM eliminates the previously approved residential development of Neighborhood 2, an 18.5 acre area
now proposed as open space, and retains the other approved development areas (Attachment 5)

- Abandonment (SUB 03-00001A): A request to abandon several public and private easements that exist on the project site, and that are no longer needed for current or future public or private purposes (Attachment 6)

CEQA DETERMINATION

Addendum to the previously certified Final Environmental Impact Report

AUTHORIZATION/GUIDELINES

Fullerton Municipal Code (FMC) Section 16.10.060.B states that a vesting tentative map shall be processed in the same manner as set forth in FMC Chapter 16.02; Section 16.02.030.H authorizes the Planning Commission to review and take action on a tentative tract map. Unless appealed, the action taken by the Planning Commission shall become final.

FMC Chapter 16.08 establishes the procedure for vacation and abandonment of City streets, easements, and other non-fee interests in real property. Section 16.08.060 authorizes the Planning Commission to make a recommendation to the City Council regarding an abandonment.

PUBLIC OUTREACH

- In early September an updated West Coyote Hills web page (www.cityoffullerton.com/westcoyotehills) was created describing the current project under the Vesting Tentative Map.
- On September 15, 2015 Mayor Sebourn announced the dates of the Study Session and Public Hearing.
- On September 18, 2015 an announcement of the dates of the Study Session and Public Hearing was posted to the Community Development Next Door website, which reaches an estimated 3,000 Fullerton residents, as well as to the City’s Facebook page. Press releases also were distributed resulting in articles in the Orange County Register and Fullerton observer.
- On September 29, 2015 3,127 notices were mailed to owners of all properties within one-quarter mile of the project site, and to all persons requesting notice by USPS.
- On October 2, 2015, public notice was published in the Orange County Register, and sent to all persons requesting notice by email. Notice was also posted on the City’s website and at the Maintenance Services Department, Main Library, Museum Center and City Hall on the Public Notice Boards.
- On October 2, 2015, the staff report and supporting information were posted on the City’s website.
- A Planning Commission Study Session is scheduled for October 14, 2015 to provide information about the project and an opportunity for questions and public comment, prior to the Planning Commission Public Hearing scheduled for October 22, 2015.
## PROJECT BACKGROUND

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Pacific Coast Homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner:</td>
<td>Pacific Coast Homes</td>
</tr>
<tr>
<td>General Location:</td>
<td>The property is bounded on the north by the City of La Habra, on the east by Euclid Street, on the west by the Hawks Pointe development and City of La Mirada, and on the south by Rosecrans Avenue and the Nora Kuttner and Castlewood Trails.</td>
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<td>Parcel Number(s):</td>
<td>287-081-24, 25, 26, 48, 51, 52, 53, 54; 287-082-27, 28; 288-091-12, 13, 14</td>
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<td>Existing Community Development Type (General Plan Land Use Designation):</td>
<td>Greenbelt Concept</td>
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<td>Focus Area per The Fullerton Plan:</td>
<td>Focus Area L</td>
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<tr>
<td>Existing Zoning Classification:</td>
<td>SPD (Specific Plan District)</td>
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<tr>
<td>Specific Plan:</td>
<td>West Coyote Hills Specific Plan Amendment #8 (SPA #8)</td>
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<td>Site Size:</td>
<td>Approximately 510 acres</td>
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<td>Circulation:</td>
<td>Euclid St. is classified as a major arterial highway; Rosecrans Ave. and Gilbert St. are classified as primary arterial highways. A new collector street is proposed to traverse the site from Euclid St. to Rosecrans Ave.</td>
</tr>
<tr>
<td>Parking:</td>
<td>Per SPA #8</td>
</tr>
<tr>
<td>Existing conditions:</td>
<td>The site is largely vacant at this time, but was in use for oil and natural gas production for many years. Oil operations were phased out, beginning prior to 1994 through about 1996. Remediation has occurred to the extent required for current use of the property as vacant land without public access.</td>
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<tr>
<td>Surrounding land uses and Zoning:</td>
<td>North: Residential uses in the City of La Habra, (La Habra Hills Specific Plan zoning district) South: Rosecrans Ave., the Nora Kuttner and Castlewood trails and single and multiple family residential homes in the PRD (Planned Residential Development) and R-1-10 (single family residential minimum lot size 10,000 sq. ft.) zones, a church in the R-1-20 (single family residential minimum lot size 20,000 sq. ft.) zone. East: Euclid Street, with Laguna Lake Park zoned PL (Public Land) and single family residences in the R-1-15 and R-1-10 (single family residential minimum lot sizes 15,000 and 10,000 sq. ft.) zones beyond. West: Hawks Pointe residential development zoned PRD (Planned Unit Development District) and OS (Open Space) and Orange County Regional Park (Clark Park) zoned PL in the City of Fullerton; residential development in the City of La Mirada.</td>
</tr>
</tbody>
</table>
Previous applicable Applications/Entitlements:

West Coyote Hills Master (Specific) Plan 2A (MSP 2-A) was adopted by the Fullerton City Council by Resolution No. 6155 on February 8, 1977. It implements the Greenbelt Concept General Plan Land Use designation, intended for use in hillside areas where clustering of development areas allows for preservation of topographic features and larger expanses of contiguous open space areas. MSP 2-A consists of a map that indicates the location of housing (up to 2,694 residential units), recreation amenities, educational facilities, public uses and open space over an area of approximately 1,000 acres; it also includes basic criteria for development of the overall site. MSP 2-A states that development regulations shall be as specified in the General Plan, Zoning Ordinance and Building Code.

When the City embarked on the Master Plan process, it was known that only approximately one-third of the 1,000-acre planning area was available for initial development and it was anticipated that the rest of the site would remain in oil production for an additional 25-35 years. A guiding principle for MSP 2-A was to assure that the utility, street, trail and greenbelt systems would be functional within an initial 300± acre development, and would be laid out in a manner that would link to the remaining 700± acres in the future.

By 1997, seven amendments had been approved to MSP 2-A, approximately 420 acres of the property had been developed for residential and open space purposes and approximately 72 acres (Robert E. Ward Nature Preserve) had been acquired by the City through a combination of dedications and purchases. An application was submitted in 1997 for an amendment to the Specific Plan (SPA #8), and the environmental review process began. As a result of several modifications to the project, coordination with resource agencies, changes in CEQA regulations and extensive community involvement, the project did not come to a public hearing until 2010. At that time, the City considered requests for approval of the following applications:

- General Plan Revision for minor modifications to several General Plan Elements. No change was needed to the “Greenbelt Concept” land use designation, which was already in place and appropriate for the proposed use of the site;
- Zoning Amendment to rezone the property from O-G (Oil and Gas) to SPD (Specific Plan District);
- Development Agreement between Pacific Coast Homes (property owner) and the City of Fullerton to set forth additional rights and responsibilities of both parties with respect to the development, and incorporating public benefits including dedication of approximately 283 acres of open space, installation of 10 miles of new trails, restoration of existing trails, improvements for five new vista parks, construction of a new interpretive center, habitat restoration, funding an endowment for maintenance of habitat and recreational open space areas, and funding for library, Laguna Lake Park and other purposes;
- SPA #8 to revise the provisions of MSP 2-A and define a development project with a maximum of 760 residential units, a 5± acre retail village, and retention of approximately 283 acres as open space. SPA #8 decreased the overall unit count and increased the amount of open space, as compared to the adopted MSP-2A;
- Tentative Tract Maps (TTM) 15761, 15762 and 15763 to subdivide the 510-acre site into three separate tracts;
- Abandonment of certain public rights-of-way and easements not needed for the proposal.

The applications were considered by the Planning Commission and City Council, and were denied by the City Council on May 25, 2010. During the public hearing, the stated reasons for
denial included a desire to preserve the area for open space and concern that there were a number of unanswered questions remaining.

As a result of legal action and a subsequent Settlement Agreement, the City Council held a new public hearing to reconsider their 2010 action. On July 12, 2011, the City Council reversed its prior decision, certified the Environmental Impact Report (EIR) and adopted the following Resolutions:

- Resolution No. 2011-30, certifying the Final EIR (FEIR) for the project, including a Mitigation Monitoring and Reporting Program (MMRP) and Findings and Facts in Support of Findings and a Statement of Overriding Considerations
- Resolution No. 2011-31, approving minor amendments to the General Plan
- Resolution No. 2011-32, approving SPA #8, amending MSP 2-A
- Resolution No. 2011-33, approving TTM’s 15671, 15762 & 15763)

On July 24, 2011, after second readings, the Council adopted:
- Ordinance No. 3168 approving a zone change from O-G to SPD
- Ordinance No. 3169 approving a Development Agreement

On August 11, 2011 a legal challenge was filed to the FEIR, and on June 22, 2012, the Orange County Superior Court upheld the FEIR and denied the challenge.

Opponents to the project that had been approved by the City Council circulated referenda petitions on the General Plan Revision, Zone Change, SPA#8 and the Development Agreement. Only the Development Agreement petition qualified for the ballot, and on November 7, 2012, the voters overturned the City Council’s approval of the Development Agreement. The EIR certification and approval of the General Plan Revisions, Zone Change, Specific Plan Amendment and TTM’s remained intact.

In April, 2014, the City of Fullerton, community groups Friends of Coyote Hills and Open Coyote Hills, and Pacific Coast Homes announced a “Path Forward” plan in which Pacific Coast Homes agreed to sell all, or part, of the 510 acre property, subject to agreement on price and acquisition terms. The Trust for Public Land (TPL), a national conservation group, joined in the initial acquisition discussions. Subsequently TPL withdrew from the conversation, though discussions and negotiations continued with the City taking the lead.

On April 16, 2014, Pacific Coast Homes filed an application for VTTM 17609, to supersede the previously approved TTM’s 15761, 15762 and 15763.

**PROJECT DESCRIPTION**

With its application for VTTM 17609, Pacific Coast Homes proposes to concurrently offer the property for sale as public open space, while processing a subdivision plan that would allow for development on portions of the property. If the VTTM is approved, the applicant agrees to postpone recordation of final maps and initiation of site preparation and construction for a reasonable period of time, to allow interested parties to obtain funding for acquisition of all, or portions, of the 510 acre property.

The VTTM proposes to subdivide the property for open space, residential and commercial land uses, and to provide for vehicular, pedestrian and bicycle circulation. Approximately 1.3 acres
of the project site was previously dedicated to the City and is the site of Fire Station #6, now in operation. The primary difference between VTTM 17609 and the previously approved TTMIs is that the VTTM eliminates the 18.5 acre residential development identified in SPA #8 as Neighborhood 2. The City will acquire the Neighborhood 2 area by crediting park fees and allowing for reductions in certain public benefits. Acquisition of Neighborhood 2 would be the first step in implementing the “Path Forward” plan, with Pacific Coast Homes planning to subdivide the remainder of the property in a way that would allow for sale of additional areas for open space purposes. Removal of Neighborhood 2 increases the amount of contiguous open space on the project site between Euclid and Gilbert to approximately 121 acres; the open space area, in combination with the Robert E Ward Nature Preserve, would result in 193 acres of contiguous public open space. Under the provisions of SPA #8, the 59 units from Neighborhood 2 could be transferred to other planning areas on the property.

VTTM 17609 proposes to subdivide the 510 acre property into a total of 556 numbered lots (for development) and 13 lettered lots (for open space, private streets, water retention and key vista parks), in accordance with SPA #8. The applicant proposes 757 homes on the overall project site and the Specific Plan retains a development cap of 760 units.

The proposed allocation of development on the 510 acre site through VTTM 17609 is as follows:

- Open space for wildlife habitat, trails and vista parks on approximately 301 acres;
- Up to 760 homes on approximately 161 acres;
- 68,000± square feet of retail development on approximately five acres;
- A multiple use site on approximately 17 acres that is proposed for residential and open space/recreation use;
- Improvements to the City’s 72-acre Robert E. Ward Nature Preserve, including trails, habitat restoration and construction of an interpretive center.

A comparison of the land uses in the 2011 approved project with those in the proposed VTTM 17609 is shown below to illustrate the extent of change. The changes proposed are consistent with the provisions of SPA #8, and will not require modification of the Specific Plan. In summary, the changes include deletion of 59 residential units in Neighborhood 2, provision of 53 units in the Multiple Use Area, and minor shifts of one to two units between Neighborhoods 3, 6 and 8.
## Land Use Summary – 2011 Approved Project

<table>
<thead>
<tr>
<th>Planning Area</th>
<th>Acres</th>
<th>Density/Acre</th>
<th>Minimum Lot Size (SF)</th>
<th>No. of Units</th>
<th>Project Type</th>
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</table>

SF – Square Feet  
FAR – Floor Area Ratio  
SFD – Single-Family Detached (SFD)  
SFA – Single-Family Attached (SFA)

<sup>1</sup>Court Homes, otherwise Townhomes  
<sup>2</sup>Alternative residential use in Multiple Use Planning Area  
<sup>3</sup>Multiple-Use (MU) area was originally designed for school facilities, parks, recreation areas and facilities; however, under SPA-8 there is flexibility for a density of up to 70 SFD dwelling units in the MU area subject to the maximum number of 760 dwelling units for the project site.  
<sup>4</sup>Gross density based on approx. 510 acres.

**SOURCE:** West Coyote Hills Specific Plan Amendment No. 8
## Land Use Summary – Proposed VTTM 17609

<table>
<thead>
<tr>
<th>Planning Area</th>
<th>Acres</th>
<th>Density/Acre</th>
<th>Minimum Lot Size (SF)</th>
<th>No. of Units</th>
<th>Project Type</th>
<th>Average FAR</th>
<th>Avg. Lot Coverage</th>
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<tbody>
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<td>1</td>
<td>10.4</td>
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</table>

SF – Square Feet  
FAR – Floor Area Ratio  
SFD – Single-Family Detached  
SFA – Single-Family Attached

\(^1\) All residential development has been eliminated from Planning Area 2. Accordingly, the acreage for residential development is not reflected in the sub-total and is included as Open Space.  
\(^2\) Court Homes, otherwise Townhomes  
\(^3\) Alternative SFD residential use allowed in Multiple Use area.  
\(^4\) Residential development would encompass approximately 11.1 acres of the 17.1 acre Multiple Use site.  
\(^5\) Gross density based on approx. 510 acres.

The project also proposes the public benefits identified in the former development agreement, subject to adjustment to the extent that portions of the property are sold for open space preservation. The public benefits are identified in Attachment 2, Exhibit A, Condition M and include:

1. Grant of $270,000.00 to the Laguna Lake Capital Improvement Fund

2. Revegetation, preservation and enhancement of coastal sage scrub and other habitat within the open space preserve (see also Mitigation Measure (MM) 4.12-1a)
3) Endowment for habitat management for perpetual maintenance and protection of coastal sage scrub and wetland habitats (see also MM 4.12-1g)

4) Initial trail improvements, including design and construction of trails within and providing access to the Robert E. Ward Nature Preserve, to commence within 60 days of the final approval date of the project (as defined in Condition L.1.i.)

5) Onsite trail and key vista improvements to occur on a phased basis, correlating to the project phasing plan (Planning Commission Resolution Exhibit D)

6) Interpretive Center within the Robert E. Ward Nature Preserve, including design and construction (Condition M.6. and Exhibit A-4)

7) Endowment to operate, maintain, repair and secure the open space dedication areas, trails, key vista parks and interpretive center (Condition M.9. and Exhibit A-6)

8) Improvements to Nora Kuttner, Castlewood, and southern West Coyote Hills backbone trails on a phased basis, correlating to the project phasing plan (Condition M.10.)

9) Purchase and dedication to City of a Brush Engine for firefighting purposes

10) Installation of landscape medians along Euclid, Gilbert and Rosecrans project frontages and landscaping improvements to the parkway along the north side of Castlewood Drive between Parks Road and Gilbert Street.

11) Provision of equipment and software for an automated water meter reading system

12) Payment of a minimum $176,000 grant for library technology

13) All development impact fees to be paid at the rates in effect at the time fees are due, waiving the vesting map provision to freeze fees to those in effect at the time a Vesting Map is approved.

The Draft Resolution (Attachment 2) identifies three options for public acquisition: (Condition L.1):

1) Neighborhood 1 only – Consisting of 10.4 acres, a reduction of 16 residential units, located at the eastern edge of the project site, adjacent to Euclid Street, south of the proposed collector road. Acquisition of Neighborhood 1 would result in an open space area encompassing all of the area south of the collector road between Euclid and Gilbert Streets (approximately 131 acres on the project site; approximately 203 acres including the Ward Nature Preserve).

2) Neighborhoods 1 and 3 together - Consisting of 24.1 acres, a reduction of 75 residential units; Neighborhoods 1 and 3 are located between Euclid and Gilbert Streets; Neighborhood 3 is situated north of the project collector road and abuts the City of La Habra and the City water reservoir site (commonly known as the “tank farm”) and Neighborhood 1 is located south of the collector street east of Euclid. Acquisition of Neighborhoods 1 and 3 would result in a contiguous open space area encompassing all
of the project site situated between Euclid and Gilbert Streets (approximately 144 acres; 217 acres including the Ward Nature Preserve).

3) The entire 510 acre project site.

If the City makes a determination to acquire all, or portions, of the project site, it must provide a notice of acquisition to the property owner no later than February 29, 2016. (Condition L.2)

| ANALYSIS |

**Overall Development Proposal/Vesting Tentative Tract Map 17609:**

The proposed project is consistent with the provisions of SPA #8 while providing a roadmap for incremental increases in open space and decreases in development footprint. SPA #8 Exhibit #3 (Master Plan Map of Planning Districts and Land Uses – Attachment 7) depicts open space and development areas, and quantifies acreage, number of units, density, intensity and type of development by geographic area. SPA #8 Section 2.2.2.B defines parameters for density transfers. The proposed VTTM eliminates the previously approved development in Neighborhood 2 per SPA #8 Master Plan, and transfers those units as allowed under the density transfer provisions. Of the 59 units in Neighborhood 2, the VTTM provides for transfer of 20 units to the Multiple Use site. SPA #8 Master Plan Exhibit #3 contains flexibility in location of units, in that it identifies a total of 760 units in Neighborhoods 1 through 9, but also allowed for 70 units in the Multiple Use site. The maximum number of units was clearly capped at 760. As the approved Tentative Tract Maps 15671, 15672, and 17653 included 593 single-family residential lots and one lot for up to 204 townhomes or condominium units; exercise of this flexibility was anticipated in the townhome lot.

The Conditions of Approval for the VTTM memorialize the public benefits previously described. These benefits are substantially similar to those contained within the Development Agreement approved by the City Council in July of 2011, but which did not go into effect due to the referendum. Additionally, the VTTM takes the first step in implementing the “Path Forward” plan by eliminating Neighborhood 2 and creating areas of potential future acquisition.

**Path Forward:**

Through the hearing and referendum processes, the community expressed support for open space on the project site, some advocating public acquisition of the entire site and others favoring the developer’s plan to dedicate approximately 283 acres in conjunction with project approval. Further discussion ensued to explore the potential for maximizing open space on the project site, leading to the Path Forward plan announced by the City Council in April of 2014. Trust for Public Land (TPL) was involved in early discussions as they worked to identify acquisition funding, but they declined to continue participation in the process after the first few months. At that point, the City took the lead role in negotiations, with consideration given to acquiring property in increments. At this time, the VTTM reflects an agreement for dedication of Neighborhood 2 and an acquisition strategy is in place for Neighborhood 1, Neighborhoods 1 and 3 together, and for the entire project site. Attachment 2, Exhibit A contains recommended conditions of approval, including a negotiated agreement for future public acquisition of property for open space purposes. The Acquisition Plan is detailed in Attachment 2, Exhibit A, Condition L, and allows the City to pursue the various options based on funding resources.
Neighborhood 2 was identified as the first acquisition area for several reasons. It is situated between Euclid and Gilbert Streets where the habitat is relatively intact, more so than in project areas west of Gilbert St. Additionally, the project site between Euclid and Gilbert Streets encompasses approximately 145 acres, and surrounds the 72.3 acre Robert E. Ward Nature Preserve. The dedication of the 18.5 acre Neighborhood 2, when combined with the adjoining Ward Nature Preserve, preserves 193 acres of contiguous open space. The preserved open space area, when extended across Euclid Street, would also create a continuous connection to the existing Laguna Lake Park on the east side of Euclid Street.

Under the Acquisition Plan, options exist for purchase of either the 10.4 acre Neighborhood 1, containing 16 residential units, or the 24 acres encompassed by both Neighborhoods 1 and 3, containing 75 residential units. Future acquisition of Neighborhoods 1 and 3 would result in preservation of the entire project area between Euclid and Gilbert Streets as public open space, which, in combination with the adjoining Ward Preserve, results in approximately 217 acres of contiguous open space, which also connects with Laguna Lake Park to the east. A purchase price for Neighborhood 1 is identified in Condition L.1.ii and a process for valuation of Neighborhood 3 is set forth in Condition L.1.iii (Exhibit A to Draft Planning Commission Resolution). A method for appraisal and establishment of a purchase price for the entire site is set forth in Condition L.1.iv (Exhibit A to Draft Planning Commission Resolution). Exhibit A also establishes a process to obtain acquisition funding through a bond measure, which would be considered by voters no later than the November 8, 2016 General Election.

Addendum to Final EIR

With project approval on July 12, 2011, the city certified the Final Environmental Impact Report (FEIR) for the project. The documents comprising the FEIR included:

1. Revised Draft EIR (RDEIR) dated March 2006, Volumes 1-3, including the initial study, analysis of all initial study environmental checklist items and technical studies which were the basis of the EIR analysis and conclusions
   a. Comments on the March 2006 Revised Draft EIR
   b. Responses to comments on the March 2006 Revised Draft EIR

2. Recirculated Revised Draft EIR (RRDEIR) dated January 2008, including complete revisions of the sections on Air Quality, Public Health and Safety, Hydrology and Flood Control and Biological Resources and corresponding technical studies
   a. Comments on the January 2008 RRDEIR
   b. Responses to comments on the January 2008 RRDEIR

3. New Section of a Previously Circulated Draft EIR Analyzing Greenhouse Gas Emissions, dated October 2009, including Climate Change Technical Study
   a. Comments on the October 2009 Greenhouse Gas Analysis
   b. Responses to comments on the October 2009 Greenhouse Gas Analysis

4. Mitigation Monitoring and Reporting Program (MMRP)

Addendum #1 was prepared to evaluate the potential environmental impacts of the revised project under VTTM 17609, and to compare those impacts with the project analyzed in the FEIR. An Addendum is an appropriate CEQA review document when it can be shown that the revised project will not result in new environmental impacts or substantially more significant impacts than were considered in the FEIR. Chapter 1 of the Addendum includes a complete discussion of the applicable CEQA Guidelines provisions that are used to determine whether to prepare an Addendum, Subsequent EIR or Supplemental EIR for project revisions, when an EIR was previously certified. Addendum #1 and the supporting technical reports demonstrate that neither changes in the project, nor any changes in circumstances, would lead to new
environmental impacts or increase the severity of the impacts as previously analyzed. It concludes that the environmental effects of the revised project would remain the same or would be reduced when compared to the effects analyzed in the FEIR. This is due in large part to the preservation of more acreage as open space, configured to create a larger consolidated expanse of open space in the easterly portion of the project site, than under the approved Tentative Tract Maps 15671, 15672, and 15673, where the preserved areas wrapped around development areas. The VTTM, like the approved project allows for transfer of density from one planning area to another, and the maximum number of units remains the same (760), with a slight reduction in the number of proposed units (757).

The MMRP remains an essential component of the project. The objective of the mitigation plan is to achieve preservation, enhancement and revegetation as needed to establish and maintain a habitat that supports the California gnatcatcher and other threatened and endangered species found or likely to be present on site. Mitigation measures include preparation, implementation, maintenance and ongoing monitoring of a revegetation plan, all under the supervision of the U.S. Fish and Wildlife Service (USFWS), with financial assurance to be paid by the applicant to guarantee successful implementation of revegetation, and an endowment for perpetual maintenance of habitat conservation areas. Further requirements include placing a conservation easement over all preserved and restored habitat areas on the project site. The Addendum makes minor changes to the mitigation measures to reflect revisions under the VTTM, and recognizes that the USFWS will be required to issue an updated Biological Opinion.

Project Phasing:

The proposed VTTM 17609 would allow for the subdivision of the entire project area, which would be used to phase either the acquisition or development of the property. Attachment 2, Exhibit D identifies a four phase project, as shown below.

If developed, project grading and construction will be substantially influenced by mitigation measures included in the FEIR and Addendum #1 for the project as described above. Any development must be phased over a period of years to minimize impacts to gnatcatchers and their coastal sage scrub habitat, as required by Mitigation Measure MM 4.12-1d.

Project phasing is also a key component in the provision of the public benefits, such as trail improvements, contained in the Conditions of Approval to VTTM 17609.
General Plan Consistency
The Fullerton Plan identifies the West Coyote Hills project site as Focus Area L, noting that this Focus Area is envisioned as the largest open space area in the City. With more than ten miles of new trails, repairs and upgrades to existing trails in and around the project site, and a new interpretive center in the adjacent Ward Nature Preserve, the project would improve trail connectivity and access to recreational and educational opportunities. Planning objectives for Focus Area L include:

- Promote development within a semi-rural setting using current resource-efficient building standards and context sensitive design.
- Encourage educational use, including research and outdoor education.
- Preserve sustainable open space that provides natural resource value and can be accessed by all residents.

Other applicable policies of the Fullerton Plan are as follows:

**P1.12 Energy- and Resource-Efficient Design:** Support projects, programs, policies and regulations to encourage energy and resource efficient practices in site and building design for private and public projects.

All development under the proposed VTTM would be subject to building codes in effect at the time that construction drawings are submitted for review. Energy efficiency requirements under the California Building Code are increasingly more stringent with each Code update. Therefore future development will incorporate measures to reduce reliance on electricity, gas and water resources. Additionally, LED street lighting along public streets is required as a condition of approval (Attachment 2, Exhibit E, Condition XII) and Mitigation Measure MM4.14-1c (Attachment 2, Exhibit C) requires measures such as energy efficient appliances and light colored roof materials. Landscaping throughout the project area, including parks, street parkways and common slope/open space areas must comply with the City’s Landscape Ordinance, which requires efficient use of water; in addition, the property owner is required to provide for drought tolerant landscaping within residential front yards (Attachment 2, Exhibit A, Standard Conditions 6 and 7).

**P5.7 Complete Streets:** Support projects, programs, policies and regulations to maintain a balanced multi-modal transportation network that meets the needs of all users of the streets, roads and highways – including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation and seniors – for safe and convenient travel in a manner that is suitable to the suburban and urban contexts within the City.

**P6.11 Neighborhood and Focus Area Connections:** Support projects, programs, policies and regulations to connect neighborhoods via a multimodal network to each other, and to and through the City’s Focus Areas.

The proposed project collector road includes sidewalk and bikeway along its entire length, and a recreation trail parallels much of the collector road. These facilities provide for alternative transportation modes throughout the project area, and connect the residential areas to the commercial site.
P15.12 Parks and Recreational Facilities in Focus Areas: Support projects, programs, policies and regulations to consider parks, recreational facilities and trails as part of community-based planning of Focus Areas.

P24.10 Trail Linkages to Open Space: Support projects, programs, policies and regulations to promote recreational trails and the bikeway system to link open spaces to public areas and neighborhoods.

The project includes construction and dedication to the City of approximately ten miles of new trails, five new key vista parks, and a new interpretive center in the Ward Nature Preserve. Additionally, the project includes upgrades and improvements to the existing Castlewood, Nora Kuttner and southern West Coyote Hills backbone trails. The applicant will also provide funding to the City to operate, maintain, and secure these recreational facilities (Attachment 2, Exhibit A, Condition M). Trails will provide connections to the proposed Key Vista Parks, public streets abutting the project site, the existing trail system and Laguna Lake Park and will also provide connections among neighborhoods within the development (Attachment 2, Exhibit A-1).

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act ("CEQA"), Vesting Tentative Tract Map No. 17609 has been determined to be adequately evaluated in the FEIR, the MMRP, and the Findings of Facts and Statement of Overriding Considerations relating thereto. In addition, Addendum No. 1 to the FEIR determines that no changes have been made to the project, no changes in circumstances exist, and no new information is available that would indicate that the revisions to the project associated with Vesting Tentative Tract Map No. 17609 would result in any significant new environmental effects that were not considered in the FEIR, or that any significant effects previously identified in the FEIR would be substantially more severe (see 14 Cal. Code Regs. Section 15162(a)).

REQUIRED FINDINGS

Vesting Tentative Tract Map:

The Planning Commission decision is informed by the required findings for Vesting Tentative Tract Map 17609. California Government Code Section 66474 requires that, in order to adopt a Vesting Tentative Tract Map, the following findings must be made:

1. The proposed project, as conditioned in the Conditions of Approval to Resolution No. PC-2015-31, and its design and improvements, are consistent with applicable general and specific plans.
   i. Proposed Vesting Tentative Tract Map No. 17609, and its design and improvements, fulfills multiple goals of the General Plan ("The Fullerton Plan"), as well as West Coyote Hills Specific Plan Amendment #8. The property's land use designation is Greenbelt Concept, which seeks to preserve, to the greatest extent possible, the natural topography, while also allowing for low density residential development, limited neighborhood-serving commercial and compatible public and quasi-public uses. The subdivision pattern of the proposed map would allow for the development of no more
than 760 residential units in a detached or attached configuration, a density of less than one and one-half (1½) units per acre, lower than the allowed three dwelling units per acre. The majority of the project site would be preserved as public open space, with the remainder being residential and neighborhood serving commercial uses as permitted uses within the land use designation.

ii. Proposed Vesting Tentative Tract Map No. 17609 site is also within the Fullerton Plan’s Focus Area I: West Coyote Hills, which has the following planning objectives; promote development within a semi-rural setting using current resource-efficient building standards and context sensitive design; Encourage educational use, including research and outdoor education; and Preserve sustainable open space that provides natural resource value and can be accessed by all residents. Vesting Tentative Tract Map No. 17609, as conditioned, restricts developable lots to limited areas and uses contour grading to preserve as much of the natural terrain as possible, thereby retaining a semi-rural character. The conditions of approval require the inclusion of an interpretive nature center that would provide for research and outdoor education, and the majority of the site would be preserved as public open space, which includes an extensive public trail and vista point system.

iii. Proposed Vesting Tentative Tract Map No. 17609, as conditioned, also conforms to the development standards contained in the West Coyote Hills Specific Plan Amendment #8 and will implement the public improvements contained within the Specific Plan along with providing a mechanism whereby additional land could be acquired by the City for public use for habitat preservation, open space and recreational purposes.

2. The site is physically suitable for the type of development proposed.

i. The site is a 510-acre parcel that will be subdivided to allow for the dedication and/or sale of the property for the preservation of public open space, and for the construction of residential and limited commercial development. Vesting Tentative Tract Map No. 17609, as conditioned, as well as the mitigation measures contained within the Final Environmental Impact Report ("FEIR") and the Mitigation Monitoring and Reporting Program ("MMRP") approved by the City Council on July 12, 2011, as updated under Addendum No. 1 to the FEIR, will ensure the site is suitable for such development.

3. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

i. With the exception of the significant and unavoidable environmental effects of the project identified in the FEIR and the MMRP, as updated by Addendum No. 1 to the FEIR, dated July 31, 2015 (Addendum No. 1), the design of the subdivision and proposed improvements are not expected to cause substantial environmental damage or to substantially injure fish or wildlife or their habitat with implementation of mitigation measures, which include, without limitation, establishment of an approximately 340-acre West Coyote Hills Preserve as required by the U.S. Fish and Wildlife Service including dedication of a minimum of 283 acres of open space, restoration of coastal sage scrub and other native habitat, revegetation of disturbed areas phasing of the project, establishment of endowments for perpetual maintenance of habitat and open-space areas, and monitoring of grading and construction activities to assure implementation of mitigation measures.
ii. With respect to the significant and unavoidable environmental impacts of the project identified in the FEIR, the City Council, at the time of certification of the FEIR, also adopted Findings and Facts in Support of Findings (Findings), and a Statement of Overriding Considerations pursuant to Public Resources Code section 21081(a)(3) which determined that specific overriding economic, legal, social, technological, or other benefits of the project outweighed the significant effects on the environment.

4. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

i. The design of the subdivision and type of improvements are not expected to cause serious public health problems for the reasons set forth in the FEIR, the MMRP, the Findings, Addendum No. 1, and the applicable conditions of approval for the project. These include required site remediation in accordance with the requirements of and with oversight by the Orange County Health Care Agency, Santa Ana Regional Water Quality Control Board, the Department of Oil, Gas and Geothermal Resources, the Occupational Safety and Health Agency and the U.S. Environmental Protection Agency.

5. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

i. The subdivision design contained within Vesting Tentative Tract Map No. 17609 will not conflict with any easements acquired by the public at large for access through or use of the property. The design of the subdivision and type of improvements will maintain or reconfigure easements when necessary for public access and services, abandon those easements no longer needed for public purposes, and dedicate new easements as needed to provide for public access and services through the property within the proposed subdivision.

**Abandonment**

Pursuant to FMC 16.08.070, the public and private easements shown on the Abandonment Exhibit are not needed for present or prospective public use or purpose.

The existing easements are no longer utilized for any purpose and may therefore be abandoned or vacated without impact to public health, safety or general welfare.

**RECOMMENDED ACTION**

- Adopt Planning Commission Resolution No. PC 2015-30, certifying Addendum #1 to the West Coyote Hills Final EIR.

  A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, CERTIFYING ADDENDUM NO. 1 TO FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WEST COYOTE HILLS SPECIFIC PLAN AND ROBERT E. WARD NATURE PRESERVE PROJECT (FEIR) (SCH # 1997051056) AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, FOR PROPERTY LOCATED AT 2701 ROSECRANS AVENUE
• Adopt Planning Commission Resolution No.-PC 2015-31 including recommended conditions and mitigation measures entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA APPROVING VESTING TENTATIVE TRACT MAP NO. 17609 TO SUBDIVIDE A 510-ACRE SITE INTO A TOTAL OF 556 NUMBERED LOTS AND 13 LETTERED LOTS TO ALLOW FOR DEDICATION OF OPEN SPACE, PUBLIC PROPERTY ACQUISITION, PUBLIC ROAD IMPROVEMENTS, PUBLIC OPEN SPACE AND TRAILS IMPROVEMENTS, LOW DENSITY RESIDENTIAL AND COMMERCIAL DEVELOPMENT ON PROPERTY LOCATED AT 2701 ROSECRANS AVENUE.

• Adopt Planning Commission Resolution No. PC-2015-32 including recommended conditions and mitigation measures entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FULLERTON, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL DECLARE ITS INTENTION TO ABANDON SEVERAL EXISTING EASEMENTS WHICH ARE NOT NEEDED FOR CURRENT OR FUTURE USE ON PROPERTY LOCATED AT 2701 ROSECRANS AVENUE.

DATED: September 30, 2015

Prepared by: Joan Wolff, AICP, Planning Manager

Reviewed and Approved for Agenda by: Karen Haluza, AICP, Director, Community Development Department
Attachments to Report:

1. Draft Planning Commission Resolution No. PC-2015-30 (Addendum to FEIR)
2. Draft Planning Commission Resolution No. PC-2015-31 (VTTM) including:
   - Exhibit A (Conditions of Approval) with Attachments
     - Exhibit 1 – West Coyote Hills Trails and Key Vista Improvements Phasing Plan
     - Exhibit 2 – Open Space Dedication Areas
     - Exhibit 3 – License Agreement
     - Exhibit 4 – Interpretive Center Construction Scope
     - Exhibit 5 – Open Space Area, Maintenance, Repair and Security Obligations
     - Exhibit 6 – Open Space, Trails and Interpretive Center Support Endowment Guidelines and Procedures
     - Exhibit 7 – Guaranty Agreement
   - Exhibit B - Water Delivery Agreement
   - Exhibit C – Updated Mitigation Monitoring and Reporting Program
   - Exhibit D – Project Phasing Plan
   - Exhibit E – Engineering Department Letter
4. Addendum No. 1 to FEIR
5. VTTM 17609
6. Abandonment Map
7. SPA #8 Exhibit #3 (Master Plan Map of Planning Districts and Land Uses)
8. Hearing Notice
9. Notification Map

Under separate cover:
Specific Plan Amendment #8