

*Preliminary Draft Significant Ecological Area and Hillside Management Area Ordinance*

6. A written analysis detailing how the application complies with the development standards and guidelines provided in subsection H and substantiates the findings required by subsection J.

H. Development Standards and Guidelines.

1. Site Design and Implementation. Development activities shall be designed and implemented in a manner that prevents, avoids, minimizes or mitigates impacts to sensitive resources identified by the Biological Constraints Analysis, the Biota Report, and the Significant Ecological Area Technical Advisory Committee to the greatest extent feasible. The siting of structures and associated infrastructure shall be clustered, where feasible, and shall minimize the overall site disturbance. Site design shall adhere to the following standards, unless a modified design with associated mitigation measures will protect a greater number of sensitive species and larger habitat areas:

a. Preserved Habitat. Preserved habitat and water resource areas designated as open space shall be contiguous within the project site and with dedicated open space on adjacent parcels. The location of preserved habitat areas should align with regional, local and site specific habitat and wildlife linkages and limit the creation of isolated islands of habitat;

b. High Fire Areas. Structures and infrastructure in high fire areas shall be set back at least 200 feet from dedicated natural open space within the site and from dedicated natural open space on adjacent parcels to avoid vegetation removal for fire safety;

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c. Wildlife Movement. Structures, infrastructure and fencing shall be designed and installed so as to not significantly impact the movement of wildlife. A proposed development activity that includes any adverse impacts in this regard shall include a mitigation and remediation plan for those impacts;

d. Landscaping. Development activities shall be designed to reflect the structure and function of the surrounding natural biotic communities by using similar planting materials that are native and locally indigenous to the region;

e. Landscaped Buffer Areas. Landscaped parks and open space shall be located between natural open space and structures, as feasible, to buffer sensitive resources from edge affects. Landscape design and materials shall correspond to the native vegetation of the site and be installed in a manner that does not negatively impact remaining native vegetation;

f. Vegetation Clearance. Development activities that require the removal of vegetation greater than 2.5 cumulative acres, and unrelated to a building or grading permit, shall not encroach upon woodlands or riparian resources;

g. Water Flow. Structures and landscaping shall be designed to avoid unnatural water flows off the site into habitat areas;

h. Noise. Noise levels shall remain below 45db(A) at night in canyons and along drainages between 5 p.m. and 7 a.m., unless otherwise expressly permitted; and

i. Lighting. Outdoor lighting shall be directed toward structures or activities and away from biological resources. Outdoor lights shall be fully shielded, directing the light downward to maintain dark skies.

2. Roadways. Development activities shall be designed and implemented in a manner that prevents, avoids, minimizes or mitigates impacts to dedicated open space or movement corridors. Roadways or access corridors, including fire roads, should not bisect sensitive vegetation, habitats or water resource areas. Where there is no feasible, less invasive route, and the roadway crosses a known corridor or linkage, the following shall apply:

a. Safe Passage. Vegetation, fencing, under crossings, and culverts shall be designed to guide animals to safe passage. Vegetation designed to sustain traversing pollinators, shall be planted, if deemed appropriate;

b. Signage. Permanent cautionary road signs shall be installed to identify known or suspected corridors of significant wildlife movement; and

c. Access. Human access to wildlife safe passage areas shall be discouraged.

3. Proposed Open Space. Development activities shall be designed to preserve sensitive vegetation, habitat, and water resource areas through the dedication of open space or the establishment of restricted use areas.

a. Preservation Instrument. A dedication of open space shall be recorded at the time of final map recordation, or prior to the effective date of the permit, that requires the open space to remain as permanent open space in perpetuity and extinguishes all development rights. All dedicated open space shall be recorded as Open Space – Restricted Use Area in the preservation instrument and on all maps. Dedication of open space shall be established using one of the following preservation instruments:

- i. Recordation of a deed restriction;
- ii. Recordation of a conservation easement;
- iii. Recordation of a covenant; or
- iv. Any other preservation instrument the Director deems

appropriate.

b. Ownership and Management. The ownership and management of the open space shall be established to protect the identified resources in perpetuity through one of the following:

- i. Dedication to a government entity such as a county, city, state, federal or joint powers authority, which will hold and manage the land under a mandate to protect natural resources in perpetuity;

- ii. Dedication to a non-profit land conservation organization that meets the Statement of Qualifications of Non-Profits Requesting to Hold Mitigation Land pursuant to Government Code Section 65965; or

- iii. Dedication to any other entity the director deems appropriate.

4. Riparian Habitats.

a. Riparian resources, including oak, scrub, woodlands, and forests shall be preserved on sites. The following types of riparian resources shall be preserved:

- i. The dripline of any native riparian vegetation on either side of a stream channel. If riparian vegetation is absent or sparse, the bed and bank of the stream channel shall be preserved;