

OC DEVELOPMENT SERVICES REPORT

ITEM #1

**DATE:** March 24, 2021

**TO:** Orange County Planning Commission

FROM: OC Development Services/Planning Division

SUBJECT: Planning Application PA170021 for a Use Permit to allow the storage of

vehicles not used for agricultural purposes.

PROPOSAL: Use Permit to allow the applicant to occupy a 39,250 square-foot (0.90

acres) lease pad site as a vehicle storage locale for their equipment leasing business in conformance with Zoning Code Section 7-9-30.2. A Use Permit is required for the storage of commercial vehicles not specifically identified

as a permitted use within the A1 Zoning District.

ZONING: A1(O) "General Agricultural" District with an "Oil Production" Overlay

GENERAL

1B "Suburban Residential"

PLAN:

LOCATION: 1281 Brea Canyon Road, Brea, within the 4th Supervisorial District.

Assessors Parcel Number (APN): 304-171-08

**APPLICANT:** Aera Energy, LLC, Property Owner

Joe Lambert, Agent

Garth Bennett, Applicant/Tenant

STAFF Debbie Drasler, Contract Planner

CONTACT: Email: <u>Debbie.Drasler@ocpw.ocgov.com</u>

#### **RECOMMENDED ACTION(S):**

OC Development Services/Planning recommends the Planning Commission:

- 1. Receive staff report and public testimony as appropriate;
- 2. Find that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) because it is consistent with the following categorical exemptions: Class 1 (Existing Facilities); Class 3 (New Construction or Conversion of Small Structures); Class 4 (Minor Alterations to Land); and Class 11 (Accessory Structures); and

3. Approve PA170021 for a Use Permit, subject to the attached Findings and Conditions of Approval.

#### **BACKGROUND AND EXISTING CONDITIONS:**

The 19-acre Menchego Lease Site (Menchego Site) is part of a larger land holding owned by Aera Energy LLC, which totals approximately 321 acres in unincorporated Orange County and an adjacent 2,614 acres in Los Angeles County. The 19-acre portion of land is located northerly adjacent to the intersection of Tonner Canyon Road and Brea Canyon Road in the County of Orange. The Menchego Site was initially graded, compacted and developed by Caltrans in the mid to late 1970's as part of a larger construction project. Grading spoils excavated from the 57 Freeway were placed as engineered fill at the site resulting in nine acres of flat lease pads and 2:1 slopes with terraced drains.

Simultaneously in 2002, planning applications were submitted to the County of Orange and the County of Los Angeles for development of a 2,905-gross-acre master planned residential community. Planning application PA020057 was submitted to the County for a zone change on the 321-acre portion of the site within the County of Orange in preparation for the master plan development, which was placed on hold and has since expired and is no longer active. It is staff's understanding that Aera Energy remains committed at some point in the future to develop the property as a master planned community, which ultimately, the Menchego Site will be a part of. In the interim, the property owner and lease tenants wish to continue to use the Menchego Site as temporary site to support both oil and local business operations.

Over the past 40 years, the property owner has leased areas on the Menchego Site ("Lease Pads") to various businesses that store commercial vehicles, transportation containers, trucking and oil equipment, and operations of wood chipping/green waste without obtaining County permits for the uses or for the various site improvements currently existing on site.

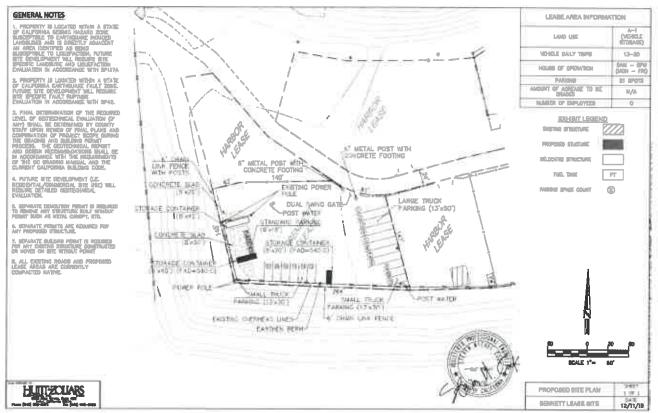
In 2016, acting on an Orange County Fire Authority (OCFA) referral, County Code Enforcement conducted a site inspection and a records search to determine if appropriate permits were issued for the operations being conducted on site, which initiated a Code Enforcement Case requiring the applicants to pursue the appropriate Planning application. As a result, Treeco Arborist (tree trimming business) moved their operation and is no longer operating on site, heavy equipment items have been removed from leased areas, and several demolition permits have been obtained to remove unpermitted structures including pole barns, chipping/grinding apparatus, sheds, and various trailers used for field offices and repair facilities that did not meet current building codes.

#### PROPOSED PROJECT:

Bennett Transportation, Inc., (Bennett Transport) is requesting to occupy a 39,250 square-foot (0.90 acres) lease pad site as a vehicle storage locale for their equipment leasing business located in the City of Fullerton. The subject site currently encompasses three storage containers, concrete slabs for vehicle parking, an overhead canopy structure, and two 42-foot-tall light poles. The applicant proposes to retain all three cargo containers totaling 840 square feet for equipment storage, demolish the existing non-compliant canopy structure and erect a new 12-foot-tall metal canopy structure for weather protection. All these items are identified on the site plan provided below.

Bennett Transport is a freight shipping and trucking company, which provides freight transportation services and hauling cargo. Bennett Transport has been using this site to store vehicles for their equipment leasing business since 1977 without planning approval. The on-site hours of operation are from 5:00 a.m. to 5:00 p.m., Monday through Friday. Site operations consist of off-site employees

arriving in the early morning to pick up equipment as needed and upon completion of use, returning said equipment at the end of the day.

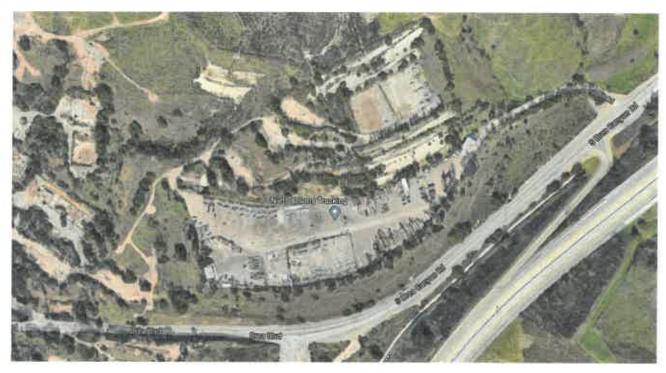


SITE PLAN

#### **SURROUNDING LAND USES:**

The project site is designated "Suburban Residential" (1B) under the County of Orange General Plan and zoned A1(O) "General Agricultural" District with an "Oil Production" Overlay. The site's south and east boundary parallels Brea Canyon Road and the 57 Freeway. An aerial photograph of the site and surrounding parcels are provided below. Zoning and existing land uses for other surrounding properties near the project site are as follows:

Direction	Zoning Description	Existing Land Use
Project Site	A1(O)	Vehicle storage
North	County of Los Angeles	Vacant
South	A1(O)	Brea Canyon Road/57 Freeway
East	A1(O)	Brea Canyon Road/57 Freeway
West	A1(O)	Vacant



**AERIAL VIEW** 

# **DISCUSSION/ANALYSIS:**

Below is a table comparing the development standards for the A1 (O) "General Agricultural" District with an Oil Production Overlay with the proposed project.

STANDARD	REQUIRED	PROPOSED
Building Site Area	4 acres	19 acres (existing)
Minimum Building Site Width	70'	752'+/-
Maximum Building height	35	Less than 12'
Structural Front Setback	20' min.	439'+/-
Structural Side Setback	5' min.	234'+/-
Structural Rear Setback	25'min.	735'+/-
Parking (7-9-70.6)	Warehouses, building structures used exclusively for storage, storage yards used in connection with contractor's business at 1/1,000 gross floor area for storage purposes (1 space)	21 Parking Spaces *

<sup>\*</sup>Aside from the concrete pads located on the lease pad site, the surface of the site is to remain compact dirt.

#### **Use Permit**

In conformance with Zoning Code Section 7-9-30.2, any use not specifically enumerated as allowed in the A1(O) zone is permitted if the Planning Commission finds the use consistent with the purpose and intent of the zone. A Use Permit is required for the storage of commercial vehicles since it is not specifically identified as a permitted use within the A1 Zoning District. The A1 District predominantly provides for agriculture, outdoor recreational uses, and low-intensity uses which have a predominately open space character. It is also intended that the A1 District may be used as an interim zone in those areas which the General Plan may designate for more intensive urban uses in the future. The (O) Oil Production Overlay is intended to permit oil production uses. Bennett Transport is a freight shipping and trucking company. The applicant proposes to utilize the site to store vehicles for their equipment leasing business. Operations consists of drivers picking up and returning leased vehicles. Ancillary uses include three cargo containers for storage. The use and the operating characteristics of the proposed use are compatible with its surrounding uses and do not create conditions or situations that may be incompatible with other uses in the vicinity or circumstances contrary to the public health and safety and the general welfare.

The A1 District is intended as an interim zone in those areas which the General Plan may designate for more intensive urban uses in the future. Ultimately, it is expected that the project site, and the adjacent lands, will be submitted for permit review to change the land use to a master planned residential development. In the interim, the property owner and lease tenants wish to continue to use the Menchego Site as a temporary site to support both oil and local business operations. Due to the temporary nature of the proposed use, the application includes a condition (Condition #13) that the use will be permitted for a five-year period plus a five-year extension with a written request to be approved by the Director of OC Public Works or his/her designee. The condition also includes the language that to extend the use beyond a 10 year period, a Change Plan to the Use Permit would be required.

In addition to the site's south and east boundary paralleling Brea Canyon Road and the 57 Freeway, the project site is surrounded by acres of undeveloped vacant land of various elevations and mature landscaping providing obscurity and a relatively low potential for adverse aesthetic impacts. Further, due to the project's temporary nature and its low-intensity use of vehicle and equipment storage, the proposal is consistent with the intent and purpose of the A1(O) District with an "Oil Production" Overlay.

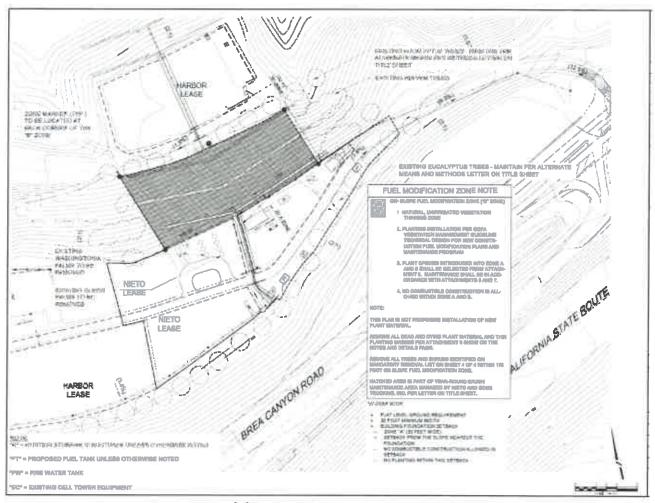
# Fuel Modification and Landscaping

The project site is located within the State Responsibility Area Very High Fire Hazard Severity Zone A. The OCFA has reviewed and approved the Fire Master Plan and the Fuel Modification Plan for the project site. Both plans addressed OCFA code regulations including fire roadway access and the thinning/removal of combustible vegetation surrounding structures from potential wildfires. No additional landscape is required.

Approval of the use is subject to all applicable California Building Codes and OCFA fire prevention requirements as determined through the plan check review process. Project specific requirements include the following:

- Asphalt paving material for the first 100 feet of entry road.
- An "all-weather" surface material (soil/cement mixture) installed beyond the paved entry road to support emergency vehicles.?

- Reduction/removal of combustible fuels within 100 feet of any structure enclosure or storage container.
- Manual access gate at site entry with Knox or breakaway padlock.



OCFA FUEL MOD PLAN

#### Fault Study and Water Quality

The project site is located in the seismically active Southern California Region. The Whittier Fault Zone (WFZ) is present on site and crosses the central portion of the subject site. Also, liquefaction and landslide hazards exist at the project site. A Geological Study dated September 19, 2017, was prepared by Alta California to address the principle geologic/geotechnical concerns onsite associated with the presence of the WFZ, associated seismic hazards, and the support characteristics of the underlying compacted fill, with respect to the sites proposed use as vehicular storage with limited improvements.

Seismic and geologic issues and the associated potential for hazards are regulated in California through applicable State and local regulatory requirements, including the California Building Code (CBC) and local building requirements such as the County of Orange Building Regulations, the County of Orange

Codified Ordinances, and County Grading Ordinance. Subject to the applicable regulatory requirements and implementation of site-specific design recommendations, the potential for geologic hazards are minimal and the project site is suitable to continue to support the current operation and the limited improvements as proposed.

Additionally, as specified in the Conceptual Water Quality Management Plan (cWQMP) prepared for the proposed project, no grading or drainage improvements are proposed as part of this project. However, due to the limited improvements required per OCFA, the applicant shall submit for review and approval a WQMP specifically identifying Best Management Practices (BMPs) to control predictable pollutant runoff prior to the issuance of any grading or building permits.

#### REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A copy of the planning application including the proposed plans were distributed for review and comment to appropriate County divisions, Orange County Health Care Agency, and the Orange County Fire Authority. Staff has reviewed all comments received, and where appropriate, has addressed the comments through recommended Conditions of Approval, which are provide as Attachment 2. Public notices were mailed to all property owners of record within 300 feet of the subject property, and posted at the entry to the project site, the County Hall of Administration building, 333 West Santa Ana Boulevard, and at the County Administration South (CAS) building, 601 N. Ross Street, as required by established public hearing posting procedures. No public comments have been received to date.

#### **CEOA COMPLIANCE:**

The California Environmental Quality Act (CEQA) allows categorical exemptions for projects that have been determined not to have a significant effect on the environment and therefore do not require preparation of an environmental document. The proposed project is consistent with several exemptions provided by CEQA Guidelines, each of which is discussed below and is consistent with Section 10.3 and 10.4 of the Orange County 2020 Local CEQA Procedures Manual. None of the exceptions outlined in CEQA Guidelines Section 15300.2 prevents the use of these exemptions.

#### Class 1 Categorical Exemption (Existing Facilities)

The Class 1 (Section 15301) exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use beyond that existing at the time of the lead agency's determination.

The project includes three cargo containers totaling 840 square feet for storage and a canopy structure for weather protection. The proposed project is eligible for a Class 1 exemption since there is no expansion beyond what is currently existing on site.

Class 3 Categorical Exemption (New Construction or Conversion of Small Structures)

The Class 3 (Section 15303) exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and

the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The proposed project is eligible for a Class 3 exemption since the three cargo containers for storage total 840 square feet and do not exceed 2,500 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

#### Class 4 Categorical Exemption, (Minor Alterations to Land)

The Class 4 (Section 15304) exemption consists of consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

The site will continue its current operation with only limited improvements proposed including minor grading, paved access road, and placement of water/gas tanks. Minor grading for fuel management is proposed. The limited improvement activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters.

# Class 11 Categorical Exemption, (Accessory Structures)

The Class 11 (Section 15311) exemption consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities

The proposed project is eligible for a Class 11 exemption because the metal shade structure and the three exiting storage structures are related accessory structures specifically related to the commercial facility.

#### Exceptions to Exemptions

Section 15300.2 of the Guidelines includes criteria where, if applicable to a project, would except a project from a Class 3 exemption. None of the exceptions listed in Section 15300.2, such as location in a sensitive environment, etc., apply to the project. The project will not result in a cumulative impact, significant environmental effect, and will not damage scenic or historic resources and the appropriate environmental document for this project is a Notice of Exemption. Standard conditions of approval applied by the County for all construction projects of this nature will address any less than significant short-term construction related concerns.

#### **CONCLUSION:**

Staff has reviewed the applicant's request for a Use Permit and found the project request to be compliant with Zoning Code Section 7-9-30.2, any other use is permitted where the Planning Commission finds consistent with the purpose and intent of the zone. The project use permit is conditioned to be temporary unless a changed plan is submitted. This low-intensity use of vehicle and equipment storage is consistent with the intent and purpose of the A1(O) District with an "Oil Production" Overlay. Further, the project site is surrounded by acres of undeveloped vacant land of various elevations and mature landscaping providing obscurity and a relatively low potential for adverse impacts. Staff supports the approval for the proposed project subject to the attached Findings and Conditions of Approval provided as Attachments 1 and 2.

Planning Application PA170021 March 24, 2021 Page 9 of 9

Submitted by:

Richard Vuong, Planning Manager OC Development Services/Planning Concurred by:

Amanda Carr, Interim Deputy Director OC Public Works/OC Development Services

#### **ATTACHMENTS:**

- 1. Recommended Findings
- 2. Recommended Conditions of Approval
- 3. Applicant's letter
- 4. Site photos
- 5. Project plans
- 6. OCFA approved plans
- 7. Geotechnical Report

#### **APPEAL PROCEDURE:**

Any interested person may appeal the decision of the Planning Commission on this permit to the Orange County Board of Supervisors within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$500 filed at the Development Processing Center, 601 N. Ross St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to OC Development Services/Planning Division.



# Attachment 1 Findings PA170021

1 GENERAL PLAN PA170021

That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.

2 **ZONING** PA170021

That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.

3 COMPATIBILITY PA170021

That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.

4 GENERAL WELFARE PA170221

That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

5 PUBLIC FACILITIES PA170021

That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).

6 CATEGORICALLY EXEMPT PA170021 (Custom)

That the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), under the Class 1 (Existing Facilities), Class 3 (*New Construction or Conversion of Small Structures*), Class 4 (Minor Alterations to Land), and Class 11 (Accessory Structures) pursuant to Sections 15301, 15303, 15304, and 15311 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures.

7 FISH & GAME - EXEMPT PA170021

That pursuant to Section 711.4 of the California Fish and Game Code, this project is exempt from the required fees as it has been determined that no adverse impacts to wildlife resources will result from the project.

8 NCCP NOT SIGNIFICANT PA170021

That the proposed project will not have a significant unmitigated impact upon Coastal Sage Scrub habitat and therefore, will not preclude the ability to prepare an effective subregional Natural Communities Conservation Planning (NCCP) Program.



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# Attachment 2 Conditions of Approval

PA170021

# BASIC/ZONING REGULATIONS

PA170021

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirement.

## BASIC/TIME LIMIT

PA170021

This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

# 3 BASIC/PRECISE PLAN

PA170021

If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, OC Planning, for approval. If the Director, OC Planning, determines that the proposed change complies with the provisions and the spirit and intent of the original approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

#### BASIC/COMPLIANCE

PA170021

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Zoning Administrator.

# 5 INDEMNIFICATION PA170021

Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Subdivision Committee, Zoning Administrator, Director of OC Public Works, or Deputy Director of OC Development Services concerning this application. The County may, at its sole discretion, participate in the defense of any action, at the applicant's expense, but such participation shall not relieve applicant of his/her obligations under this condition. The County may, at its sole discretion, require the Applicant to post a bond, enter into an escrow agreement, obtain an irrevocable letter of credit from a qualified financial institution, or provide other security, to the satisfaction of the County, in anticipation of litigation and possible attorney's fee awards. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

#### **BASIC/APPEAL EXACTIONS**

PA170021

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

#### CONSTRUCTION NOISE

PA170021

- A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building and Safety Division, that: (1) All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of
- a dwelling shall be equipped with properly operating and maintained mufflers.
- (2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).
- (3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.
- B. Notations in the above format appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

# 8 EROSION AND SEDIMENT CONTROL PLAN PA170021

Prior to the issuance of any grading or building permit, the applicant shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building and Safety Division, to demonstrate compliance with the County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. The ESCP shall be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP shall be kept at the project site and be available for County review on request.

## 9 UNPERMITTED STUCTURES/USES

PA170021

Approval of this application does not legalize or otherwise permit any existing unpermitted structures or uses on the project site or depicted on the plans or other documents associated with this application, except as specifically identified and included with the approval of this application.

# 10 HAZARDOUS MATERIALS

PA170021

A. Prior to the approval of an use/site permit(s), issuance of any grading permits or building permits, whichever occurs first, the applicant shall submit to the Fire Chief a list of the quantities of all hazardous, flammable and combustible materials, liquids or gases to be stored, used, or handled on site. These liquids and materials shall be classified according to the Uniform Fire Code using the "Guideline for Completing Chemical Classification Packets." The submittal shall provide a summary sheet listing each hazard

6 P class, the total quantity of chemicals stored per class and the total quantity of chemicals used in that class. All forms of materials are to be converted to units of measure in pounds, gallons and cubic feet.

B. Prior to the issuance of a building permit, the applicant shall contact the Orange County Fire Authority Hazardous Materials Services Section at (714) 744-0463 to obtain a "Hazardous Materials Disclosure Chemical Inventory and Business Emergency Plan" packet. This shall be completed and submitted to the Fire Chief prior to the issuance of a building permit.

# 11 ACCESS GATES AND REMOTE GATE OPENING DEVICES

PA170021

- A. Prior to the issuance of any grading or building permits allowing construction of any gate across an OCFA required emergency accessway, the applicant shall provide the Manager, Building and Safety with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with Guideline B-09.
- B. Prior to the issuance of any grading or building permits allowing construction of any gate across an OCFA required emergency accessway requiring a remote gate opening device, the applicant shall provide the Manager, Building and Safety with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with Guideline B-06

#### 12 HAZARDOUS MATERIALS STORAGE OR USE

PA170021

- A. Prior to the issuance of a building permit, the applicant shall provide the Manager, Building and Safety with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with Guideline G-06.
- B. Prior to the final inspection approval, the applicant shall provide the Manager, Building and Safety with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating a "Hazardous Materials Disclosure Chemical Inventory and Business Emergency Plan" packet has been submitted to the OCFA for review and approval.

## 13 TEMPORARY USE

PA170021

The use shall be permitted for a period of five-years from the date of approval, the applicant may request a five-year extension upon written request to be approved by the Director of OC Public Works or his/her designee prior to the expiration of the initial five year time period.

Should the applicant request to extend the use beyond a 10-year period, a Changed Plan approved pursuant to the Zoning Code shall be required.

14 **GRADING PA170021** 

Prior to issuance of a building permit, if applicable, the applicant shall provide a grading plan for review and approval.

# WATER QUALITY MANAGEMENT PLAN PA170021

Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Building and Safety, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. The applicant shall utilize the Orange County Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Manual for reference, and the County's WQMP template for submittal. This WQMP shall include the following:

- Detailed site and project description
- Potential stormwater pollutants

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- Post-development drainage characteristics
- Low Impact Development (LID) BMP selection and analysis
- Hydromodification Control BMP selection and analysis
- Structural and Non-Structural source control BMPs
- Site design and drainage plan (BMP Exhibit)
- GIS coordinates for all LID and Treatment Control BMPs
- Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs

The BMP Exhibit from the approved WQMP shall be included as a sheet in all plan sets submitted for plan check and all BMPs shall be depicted on these plans. Grading and building plans must be consistent with the approved BMP exhibit.

# COMPLIANCE WITH THE NPDES PA170021 IMPLEMENTATION PROGRAM

Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the County's NPDES Implementation Program in a manner meeting the satisfaction of the Manager, OC Inspection, including:

- Demonstrate that all structural Best Management Practices (BMPs) described in the BMP Exhibit from the project's approved WQMP have been implemented, constructed and installed in conformance with approved plans and specifications
- Demonstrate that the applicant has complied with all non-structural BMPs described in the project's WQMP
- Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs (the O&M Plan shall become an attachment to the WQMP;
- Demonstrate that copies of the project's approved WQMP (with attached O&M Plan) are available for each of the initial occupants;
- Agree to pay for a Special Investigation from the County of Orange for a date twelve (12) months after the issuance of a Certificate of Use and Occupancy for the project to verify compliance with the approved WQMP and O&M Plan
- Demonstrate that the applicant has RECORDED one of the following:
- 1. The CC&R's (that must include the approved WQMP and O&M Plan) for the project's Home Owner's Association;
- 2. A water quality implementation agreement that has the approved WQMP and O&M

Plan attached; or

3. The final approved Water Quality Management Plan (WQMP) and Operations and Maintenance (O&M) Plan.

#### 17 STORMWATER POLLUTION PREVENTION PLAN PA170021

Prior to the issuance of any grading or building permits, the applicant shall demonstrate compliance with California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number; or other proof of filing in a manner meeting the satisfaction of the Manager, Permit Intake. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for County review on request.

# 18 EROSION AND SEDIMENT CONTROL PLAN PA170021

Prior to the issuance of any grading or building permit, the applicant shall submit a Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Permit Intake, to demonstrate compliance with the County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. The ESCP shall be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP shall be kept at the project site and be available for County review on request.

## 19 FUEL MODIFICATION PLAN PA170021

A. Prior to the issuance of a preliminary grading permit, the applicant shall provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), demonstrating approval of a conceptual or precise fuel modification plan.

B. Prior to the issuance of a precise grading permit, the applicant must provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), demonstrating approval of a precise fuel modification plan.

#### 20 FIRE HAZARD SEVERITY ZONE PA170021

Prior to the issuance of a building permit, in all Fire Hazard Severity Zones within State Responsibility Areas (SRA) and within Very High Fire Hazard Severity Zones within the Local Responsibility Areas (LRA), the applicant shall provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with all requirements of Chapter 47 and Chapter 7A or shall have and approved Fire Protection Plan which provides protection equivalent to the risk for the site.

# 21 FIRE MASTER PLAN PA170021

Prior to the issuance of any grading permit (with the exception of initial mass grading of a large scale project), the applicant shall provide the Manager, Building and Safety with a clearance from OCFA indicating that a Fire Master Plan has been prepared that complies with Guideline B-09 including identification of access to and within the project area. \*Note-refer to the OCFA website to obtain a copy of Guideline B-09 for information regarding the submittal requirements.

# ATTACHMENT 3 Applicant's letter

County of Orange, OC Public Works, OC Planning Land Use Planning 300 N. Flower, 1<sup>st</sup> Floor Santa Ana. CA

Re: Letter of Project Proposal and Scope of Work - Revised

Aera Menchego Lease Site - Bennett Transport Inc.

DM170057

Owner: Bennett Transport Inc.

1608 Peacock Lane Fullerton, CA 92833 APN 304-171-08

The owner, Bennett Transport Inc., proposes to use the Lease Pad as a vehicle storage locale for its equipment leasing business. The equipment leasing business is located in Fullerton as indicated above.

Bennett Transport Inc. has had operations at the Lease Pads since 1977 to store vehicles and equipment. The hours of operation on the site are 5AM- 5PM, Monday- Friday. Operations consist of drivers arriving, picking up a truck, leaving the site, and returning the truck at the end of the work day. A pole barn is proposed to be demolished at the Lease Pad and no new structures will be constructed or replaced. DM170057 Pole Barn has been demolished. Bennett has a pad lock at the gate. No other security is in place.

# How the proposed use is justified:

#### Compatibility

The existing Lease Pad is located off of the 57 freeway in Brea. The use of the project will be temporary as the landowner will ultimately pursue alternate uses of its land holdings. Consequently, no change in use or any further impacts to the Lease Pad or Menchego Site is expected. The duration of use will be for a 5 year maximum period of time.

#### **General Welfare**

The proposed use of the Bennett Lease Pad will not change from the previous use. There is no impact to the public health, safety, or general welfare of residents, visitors or others concerned. It is expected that any changes to the site (demolition of the pole barn only) will have no effect to the lease site when completed.

# **Special Circumstances**

The applicable zoning code section for this site is 7-9-55.4(b) of A1 zoning district for storage of vehicles not used for agricultural purposes.

# No special Privileges

The granting of this proposal will not create new impacts or increase any onsite activities. The use at the Lease Pad will not change.

Sincerely.

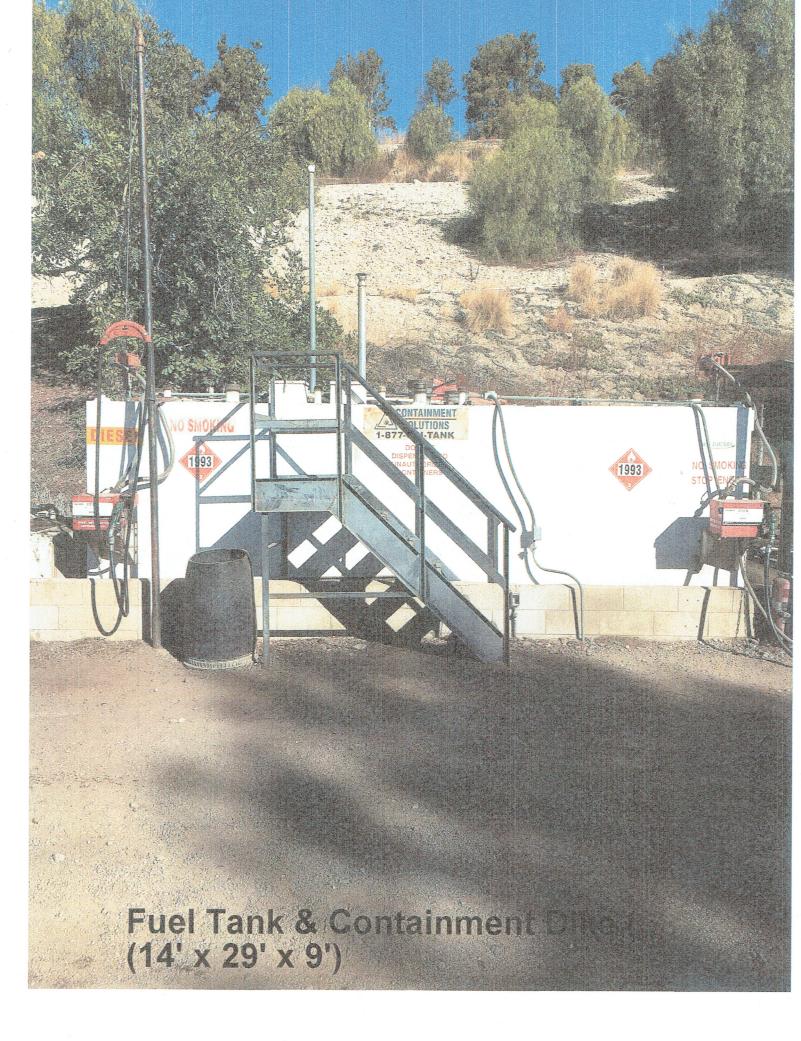
Joe Lambert

Agent for the owner

**Garth Bennett** 

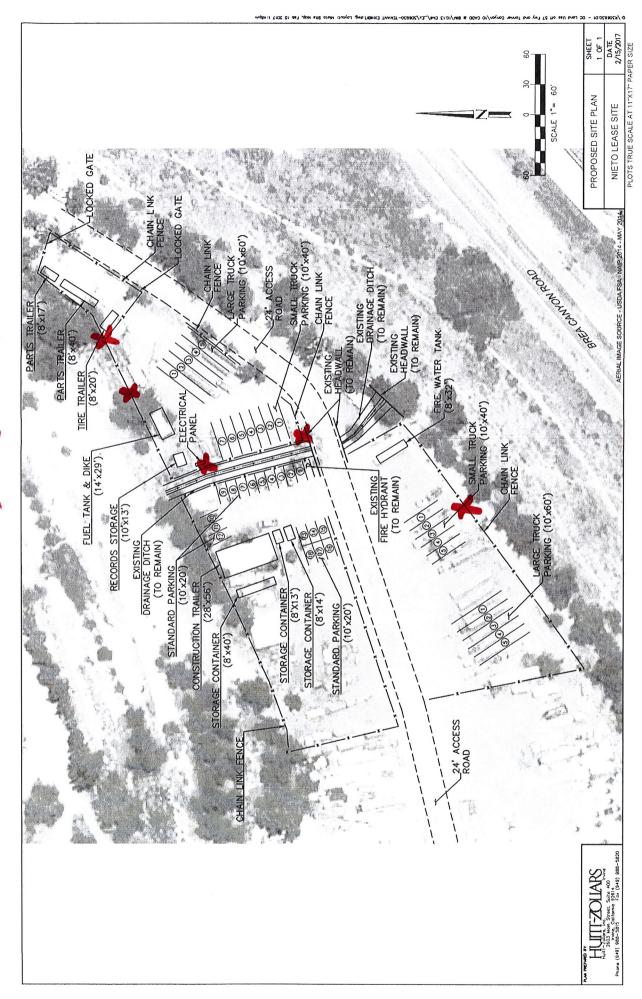
Property tenant and applicant

# ATTACHMENT 4 Site Photos



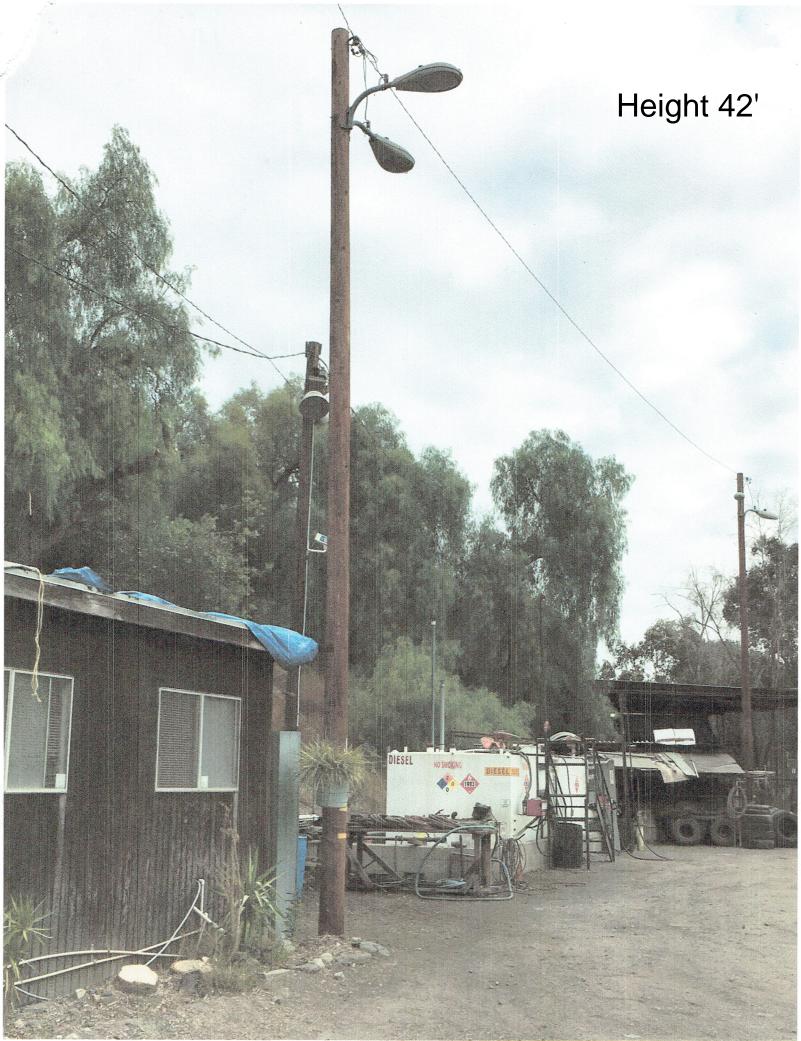






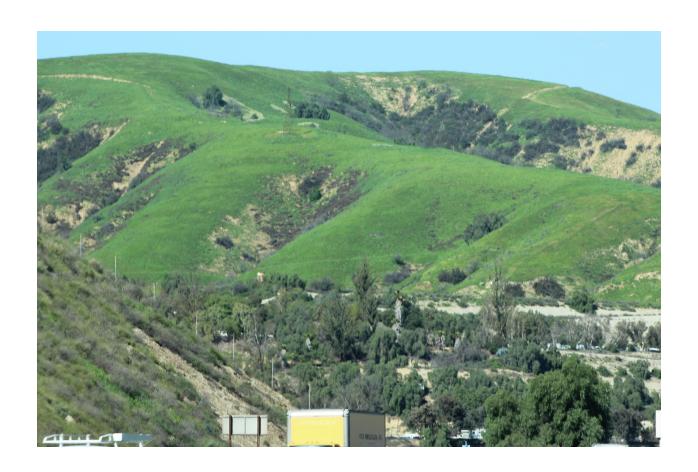






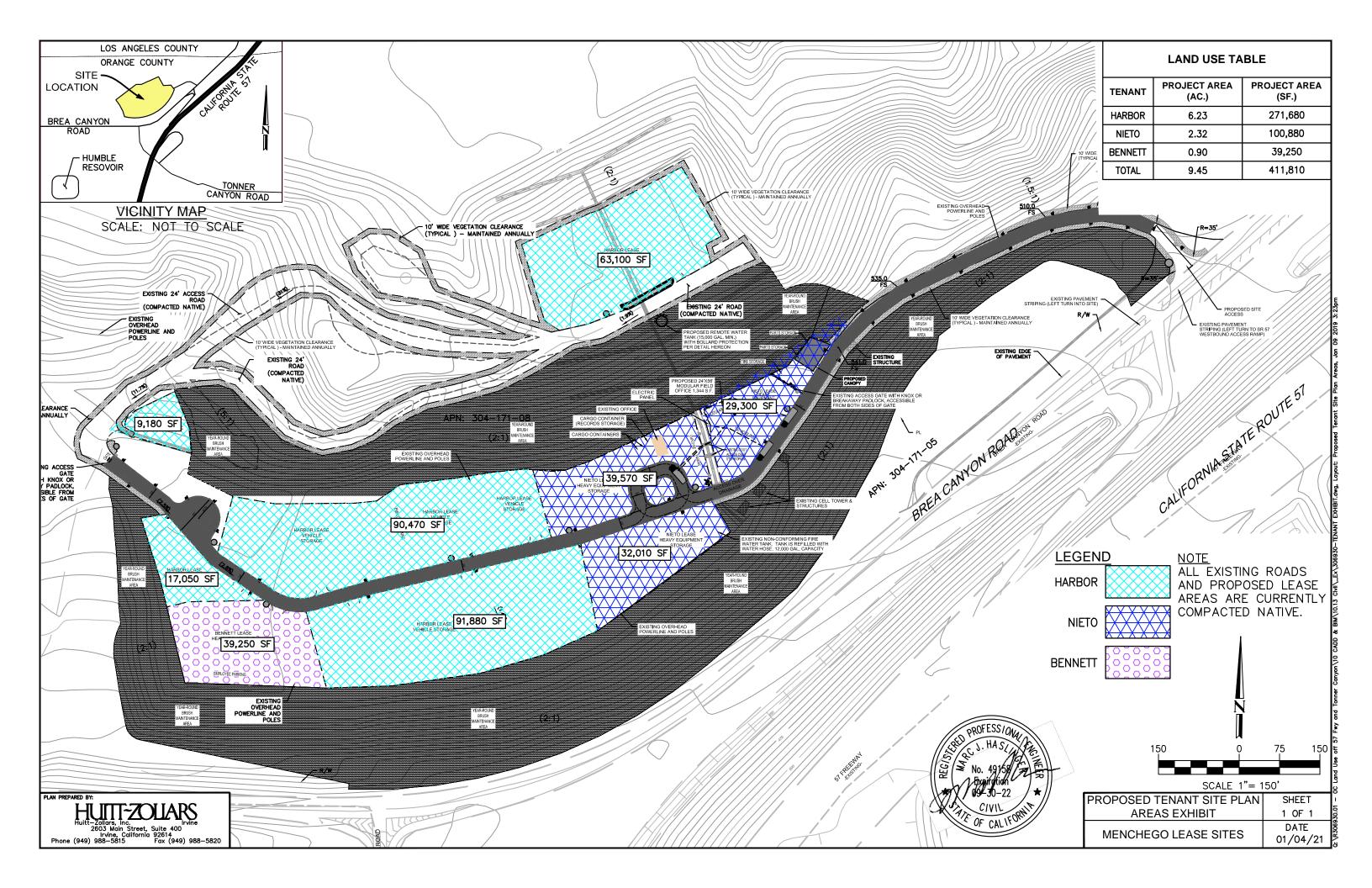


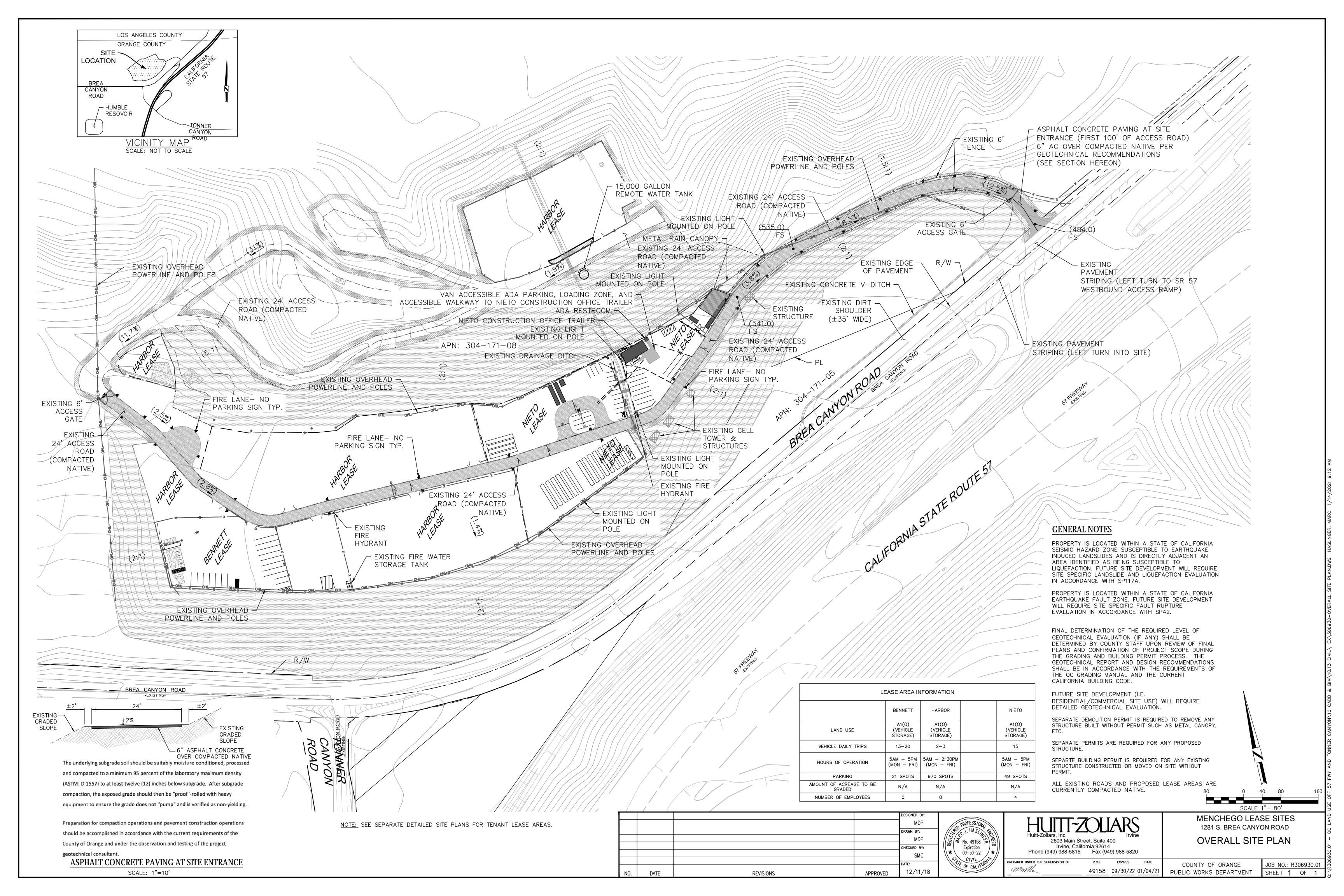






# ATTACHMENT 5 Project Plans





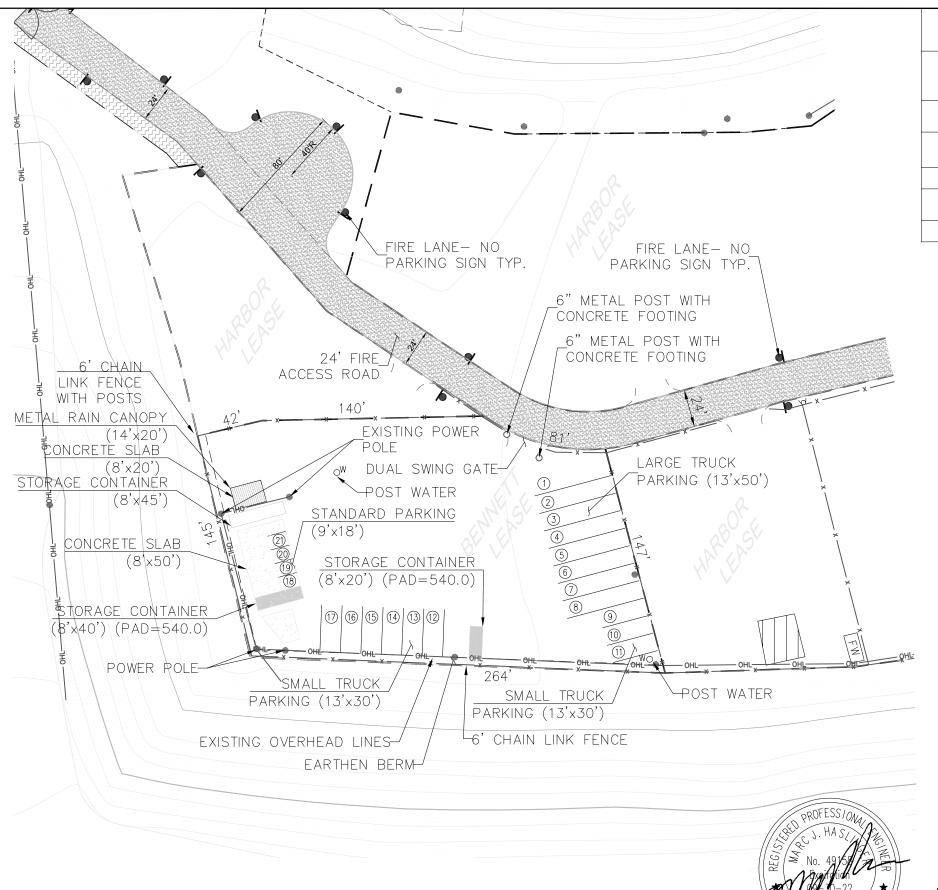
# **GENERAL NOTES**

- 1. PROPERTY IS LOCATED WITHIN A STATE OF CALIFORNIA SEISMIC HAZARD ZONE SUSCEPTIBLE TO EARTHQUAKE INDUCED LANDSLIDES AND IS DIRECTLY ADJACENT AN AREA IDENTIFIED AS BEING SUSCEPTIBLE TO LIQUEFACTION. FUTURE SITE DEVELOPMENT WILL REQUIRE SITE SPECIFIC LANDSLIDE AND LIQUEFACTION EVALUATION IN ACCORDANCE WITH SP117A.
- 2. PROPERTY IS LOCATED WITHIN A STATE OF CALIFORNIA EARTHQUAKE FAULT ZONE. FUTURE SITE DEVELOPMENT WILL REQUIRE SITE SPECIFIC FAULT RUPTURE EVALUATION IN ACCORDANCE WITH SP42.
- 3. FINAL DETERMINATION OF THE REQUIRED LEVEL OF GEOTECHNICAL EVALUATION (IF ANY) SHALL BE DETERMINED BY COUNTY STAFF UPON REVIEW OF FINAL PLANS AND CONFIRMATION OF PROJECT SCOPE DURING THE GRADING AND BUILDING PERMIT PROCESS. THE GEOTECHNICAL REPORT AND DESIGN RECOMMENDATIONS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE OC GRADING MANUAL AND THE CURRENT CALIFORNIA BUILDING CODE.
- 4. FUTURE SITE DEVELOPMENT (I.E. RESIDENTIAL/COMMERCIAL SITE USE) WILL REQUIRE DETAILED GEOTECHNICAL EVALUATION.
- 5. SEPARATE DEMOLITION PERMIT IS REQUIRED TO REMOVE ANY STRUCTURE BUILT WITHOUT PERMIT SUCH AS METAL CANOPY, ETC.
- 6. SEPARATE PERMITS ARE REQUIRED FOR ANY PROPOSED STRUCTURE.
- 7. SEPARATE BUILDING PERMIT IS REQUIRED FOR ANY EXISTING STRUCTURE CONSTRUCTED OR MOVED ON SITE WITHOUT PERMIT.
- 8. ALL EXISTING ROADS AND PROPOSED LEASE AREAS ARE CURRENTLY COMPACTED NATIVE.

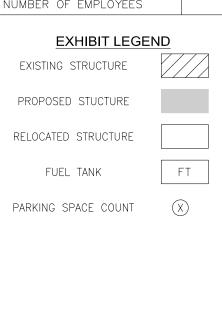
HUITT-ZOLIARS

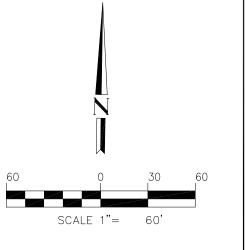
Phone (949) 988-5815

Fax (949) 988-5820



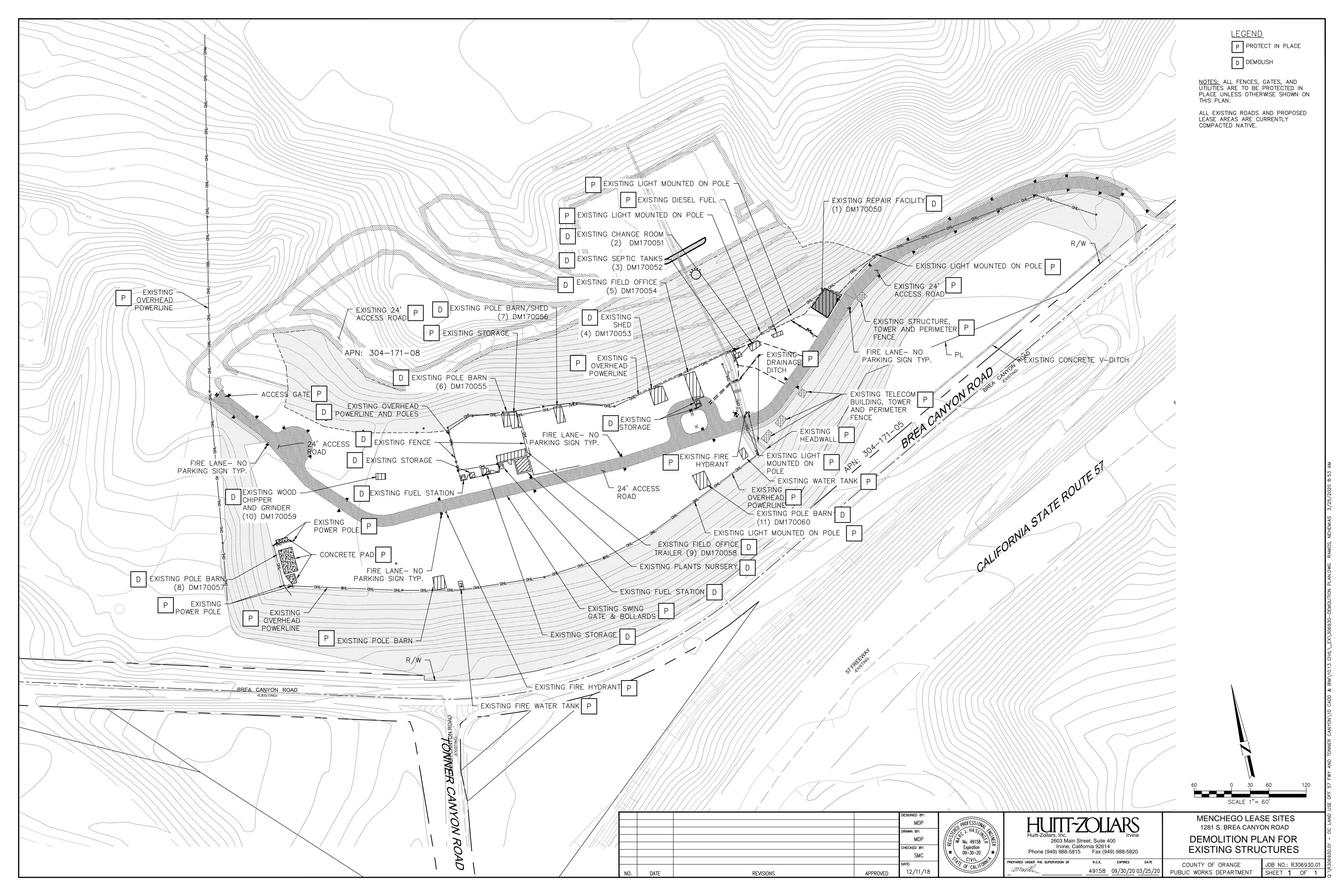
LEASE AREA INFORMATION				
LAND USE	A-1 (VEHICLE STORAGE)			
VEHICLE DAILY TRIPS	13-20			
HOURS OF OPERATION	5AM – 5PM (MON – FRI)			
PARKING	21 SPOTS			
AMOUNT OF ACREAGE TO BE GRADED	N/A			
NUMBER OF EMPLOYEES	0			
EXHIBIT LEGEND				





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PROPOSED SITE PLAN	1 OF 1	30.01
DENNETT LEACE CITE	DATE	3069
BENNETT LEASE SITE	02/22/21	۳.

PLOTS TRUE SCALE AT 11"X17" PAPER SIZE



## ATTACHMENT 6 OCFA Approved Plans

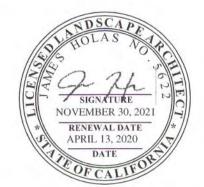
# NIETO AND SONS TRUCKING INC. SITE PRECISE FUEL MODIFICATION PLAN

**OWNER: AERA ENERGY** MAINTENANCE ENTITY: NIETO AND SONS TRUCKING INC. 1281 S. BREA CANYON ROAD BREA, CA 92821

VEHICLE AND MISCELLANEOUS STORAGE WITH MODULAR OFFICES APN 304-171-05 & 301-171-08

## SHEET INDEX

- 1 TITLE SHEET
- 2 FUEL MODIFICATION INFO. PLAN
- 3 FUEL MODIFICATION PLAN
- 4 FUEL MODIFICATION NOTES AND **DETAILS**

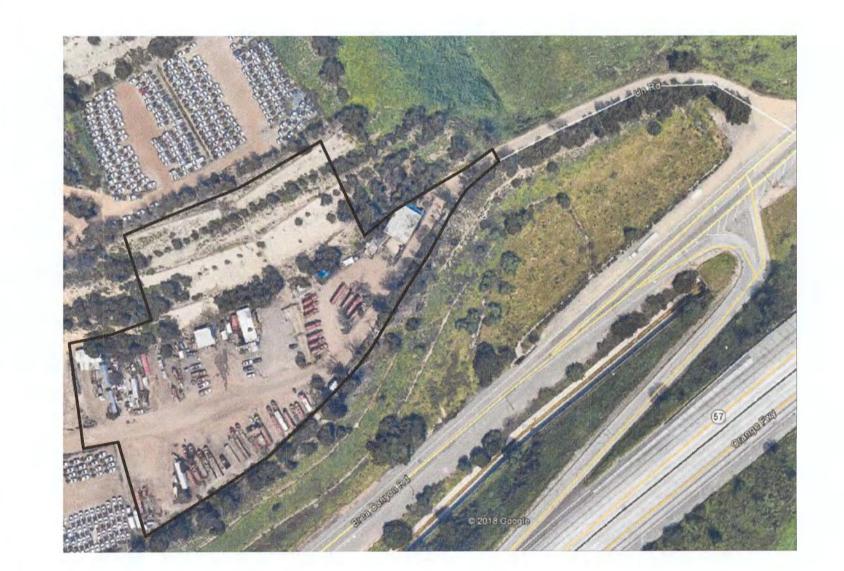


**REVISIONS** 

JAMES HOLAS
LANDSCAPE ARCHITECT

## PROJECT LOCATION

## **VEGETATION MANAGEMENT LETTERS**



LOS ANGELES COUNTY ORANGE COUNTY LOCATION CANYON ROAD RESOVOIR

Nieto and Sons Trucking, Inc. Box 760 Yorba Linda, CA 92885-0760 (714) 990-6855 (fax) 990-4862 nietoandsons.com License #673912

October 12, 2019

Orange County Fire Authority 1 Fire Authority Road Irvine, CA 92602

Re: Vegetation Management Requirements, Aera Storage Site, Unincorporated Orange County, CA - SR# 209264

The Vegetation Management Requirements for the above referenced Aera Storage Site is stated as follows:

The Brush Management Slopes surrounding the Aera Storage Site shall be maintained on a year-round basis. There is no Federally protected animal or bird habitat within the brush management areas. There are no restrictions regarding the dates of plant density thinning throughout the year, and maintenance is required in the late spring and early Fall of each year.

THIS PROPERTY FALLS WITHIN A STATE RESPONSIBILITY

STRUCTURES SHALL BE CONSTRUCTED IN COMPLIANCE

AREA VERY HIGH FIRE SEVERITY ZONE A. ALL NEW

WITH THE CALIFORNIA BUILDING CODE CHAPTER 7A.

License #673912

October 15, 2019

Orange County Fire Authority Planning and Development Services Section 1 Fire Authority Road Irvine, CA 92602

Precise Fuel Modification Plan Eucalyptus Tree Maintenance Adjacent to the Nieto Lease

There are several Eucalyptus Trees adjacent to the fuel modification boundary which have been identified on the precise fuel modification plan. The following criteria will always need to be followed to

- Remove all undesirable trees, shrubs, and ground cover from within the fuel modification zones.
- · Reduce combustible fuels within 100 feet of a structure enclosure or storage container
- · Perform maintenance with time periods of middle to late spring and once again in early to
- middle fall, following the specific criteria below:

Maintenance shall include a minimum of two maintenance activities per year.

- o All dead and dying material shall be removed
- Remove plants found on the undesirable list besides Eucalyptus Trees.
- Annual weeds and grasses shall be cut to 4 inches
- o Ground Cover or grasses shall be maintained at 2 feet or less in height.
- Shrubs shall be maintained in groups of 3 plants wit a minimum spacing between groups of 15 feet or 3 times the tallest in the group.
- o Leaves, branches and bark shall be cleared from the ground during the required brush management (Late Spring and early Fall).

Refer to Orange County Fire Authority "Vegetation Management Maintenance Guidelines for Property Owners" for additional maintenance information:

https://www.ocfa.org/Uploads/SafetyPrograms/OCFA%20RSG%20-%20Vegetation%20Management%20Guidelines.pdf

**ORANGE COUNTY FIRE AUTHORIT** Reviewed by Planning & Development conformance with applicable regulations. The stamp OCFA SR #: 124 Plan Type: Precise Food men By: Doughy Hute Emp #: 3025 Date: 4/27/2 ONLY STAMPED SHEET SAREVIEWED BY ORANGE COUNTY FIRE AUTHORITY Call at least 48 hours in advance to sch inspections: (714) 573-6150

20 TO 209264

PROJECT MANAGER: M HOLAS APPROVED BY

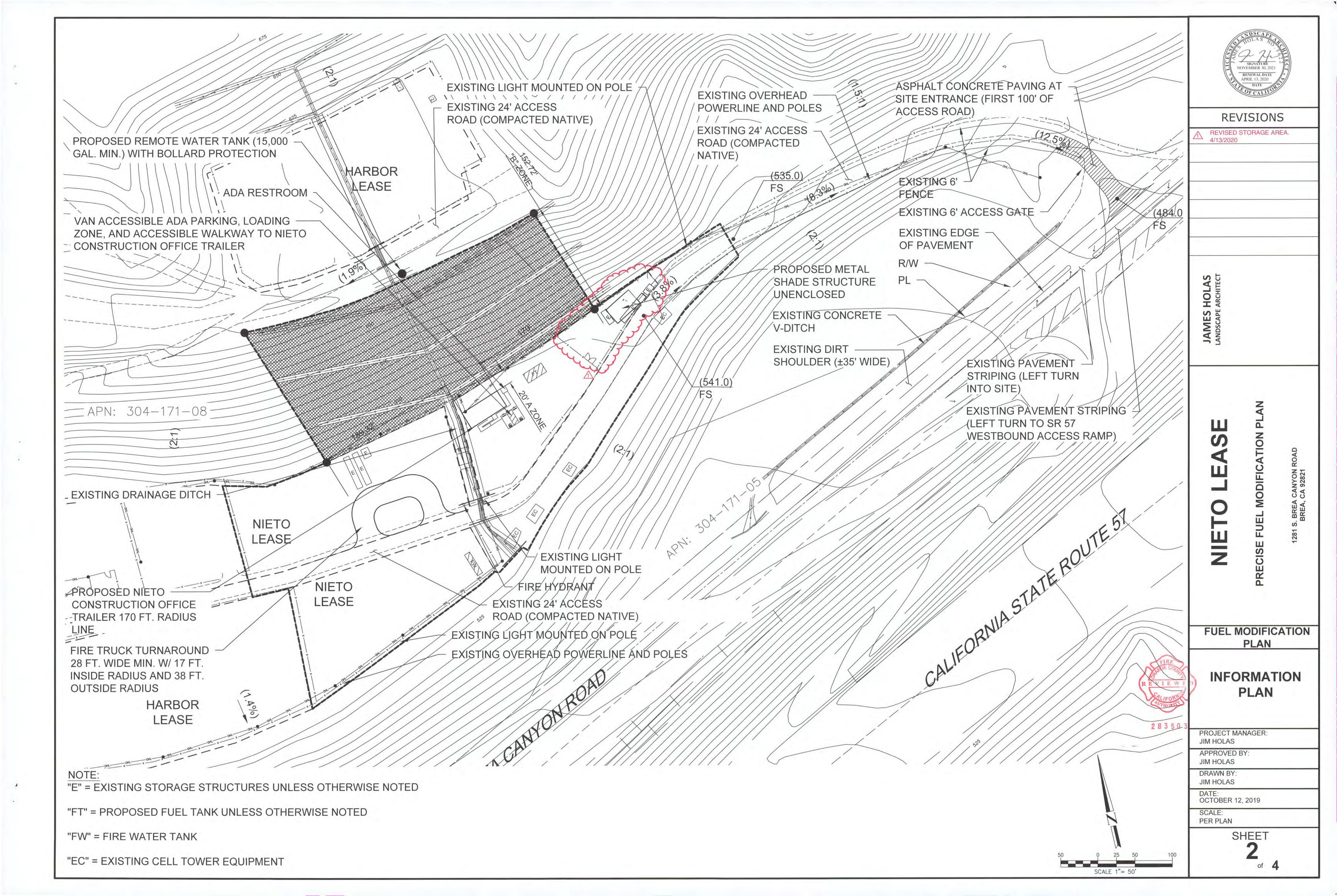
> JIM HOLAS DRAWN BY: JIM HOLAS

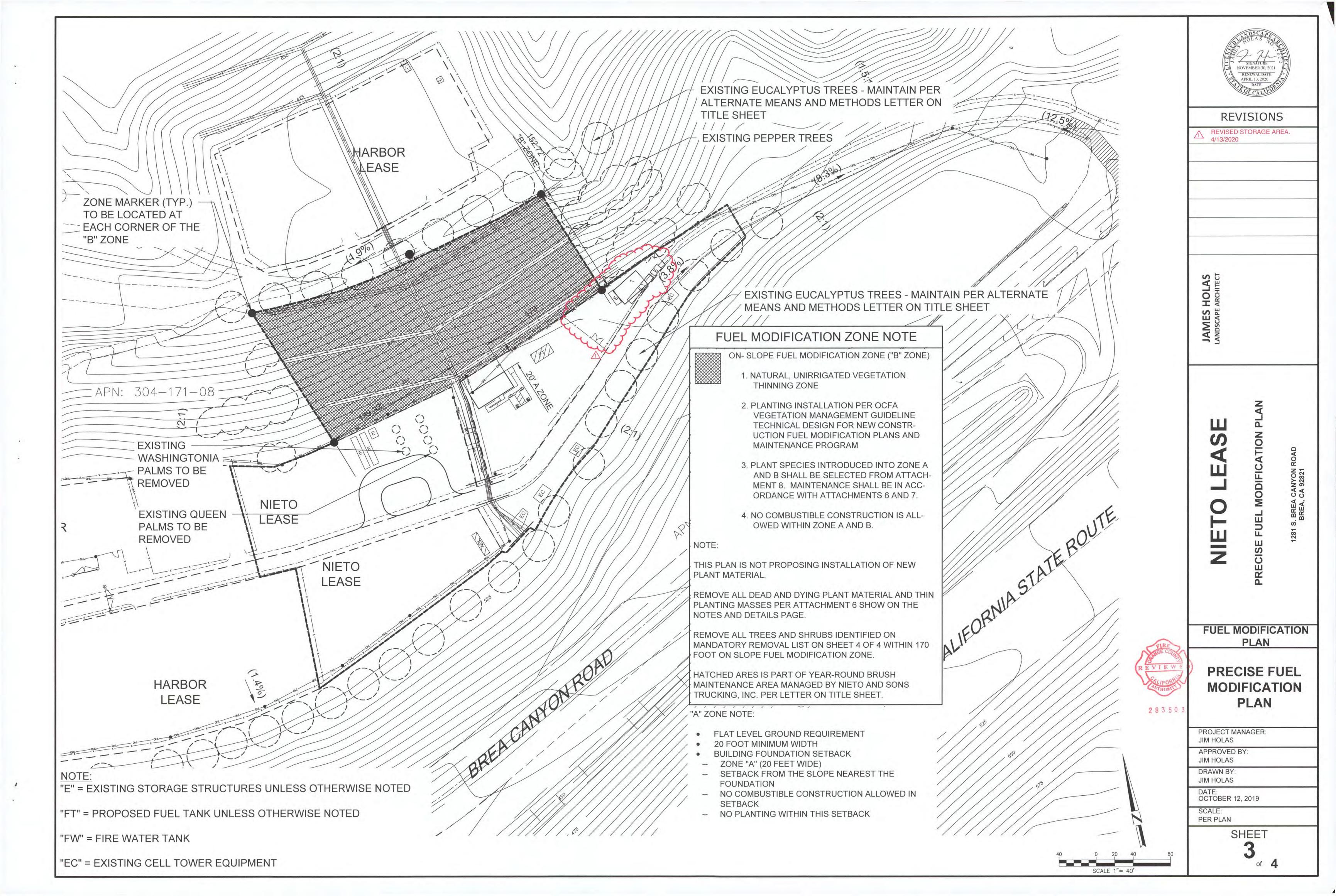
OCTOBER 12, 2019 SCALE: PER PLAN

SHEET

SERVICE FEE CODE PR 124

OCFA SERVICE REQUEST #209264



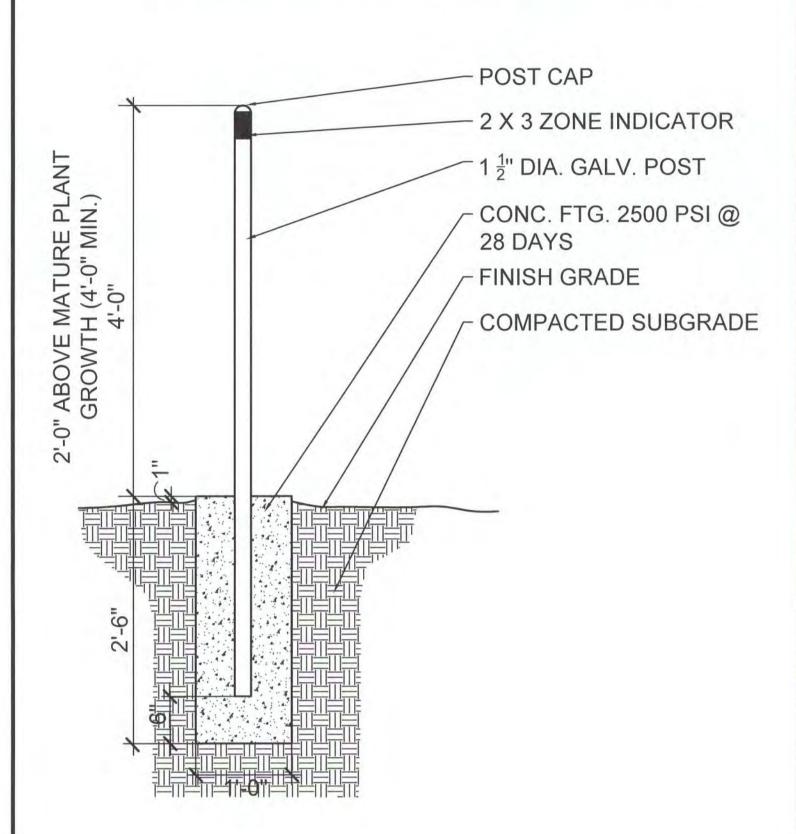


- 1. The developer will obtain planting plan approval from OCFA prior to receiving final approval from all other permitting agencies; within FMZs FMZ, interior slopes / common area landscaping SMA, and RPZ.
- 2. FMZ, SMA and RPZ land areas were purchased and dedicated for the purposes of wildfire activities, beautification, and maintenance erosion control. Protected plants and habitat identified after fuel modification plan approval through surveys or other Biological programs cannot be retrofitted back within the limits of these areas.
- 3. The developer is responsible to ensure the calculated revenue from homeowners dues, is sufficient to cover the cost of future maintenance, based on the originally approved design. Changes to the fuel modification areas or interrupted maintenance activities by the final the final landowner has maintenance long-term accepted responsibility, become the responsibility of the final landowner
- 4. When a required maintenance area is located on commonly owned land, while the required zone "A" is located on homeowners land, a written disclosure regarding the zone "A" and vegetation requirement is required to be signed by the homeowner and the lot number referenced in the CC and R's.
- 5. The FMZ, SMA and RPZ shall be maintained in perpetuity for fire safety purposes, in accordance with recorded covenants and CC and R's, and property title restrictions.
- 6. Prior to Dropping of Lumber, call for a Vegetation Clearance Inspection: Prior to dropping lumber, the developer/builder shall provide a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structures and lumber stock-pile. An inspection sign-off and/or release letter to the building department is required.

This property falls within a State Responsibility Area Very High Fire Severity Zone A. All new structures shall be constructed in compliance with the California Building Code Chapter 7A.

## **ATTACHMENT 4** ZONE MARKER DETIALS

(Marker Distances Shall Be Increase on Slopes to Accommodate Incline Measurements in Accordance With Attachment 3)



Fuel Modification Plans Design: C-05

For These 3 New Construction Inspections:

building department is required.

ATTACHMENT 1

**New Construction Inspection Requirements** 

The Builder or Developer Shall Call OCFA Inspection Scheduling at 714-573-6150

1. Prior to Dropping of Lumber: Schedule a, "Vegetation Clearance" Inspection:

Prior to dropping lumber, the developer/builder shall provide a separation of

combustible vegetation for a minimum distance of 100 feet from the location of the

structures and lumber stock-pile. An inspection sign-off and/or release letter to the

2. Prior to Occupancy of the Building: Schedule a, "Final Fuel Modification" Inspection

The FMZ, SMA, and RPZ adjacent to structures must be installed, irrigated, and

inspected. This includes physical installation of features identified in the approved

thinning, irrigation, zone markers, access easements, etc.). An OCFA Inspector will

building card. A written disclosure will be requested by the OCFA Inspector indicating

3. Prior to Homeowner Association (HOA) or Landowner Maintenance Acceptance from

C. The Inspection / Meeting must include the following representatives:

D. At the time of turnover, the fuel modification areas shall be maintained by

builder sufficiently calculated the amount of revenue needed to perform the

on-going maintenance of the FMZs and any SMAs per the approved plans.

F. A copy of the approved plans must be provided to the HOA representatives

representatives or homeowner indicating that the HOA or homeowner is

aware of the FMZ on their land and that they are aware of the importance

G. Landscape Architect must convey ongoing maintenance requirements to

I. The responsibility and necessary language for maintenance must also be

H. An OCFA written disclosure will be required to be signed by the HOA

of the retaining the plans and the on-going maintenance.

stated within the CC and R's (Refer to Attachment 5).

E. The accepting landowner is responsible for ensuring the developer or

precise fuel modification plans (including, but not limited to, plant establishment,

provide written approval of completion at the time of this final inspection on the

This Inspection / Meeting must happen with OCFA staff prior to accepting the

the developer or builder as originally installed and approved.

that the landowner is aware of the FMZ on their land.

Developer or Builder: Schedule a "Owner Turnover" Inspection:

maintenance responsibility from the developer or builder.

2) Property Manager or Homeowner

4) Installing Landscape Company

5) HOA landscape Company

or homeowner at this time.

HOA representatives or homeowner.

1) Landscape Architect

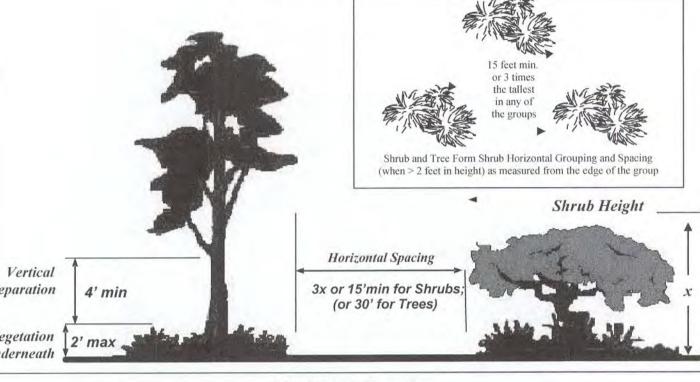
3) HOA Board Member

January 1, 2017

Fuel Modification Plans Design: C-05

### Attachment 6

Requirements for Planting Installation in Fuel Modification Zones (For on-going requirements, see Attachment 2, and the OCFA Vegetation Management Maintenance Guidelines)



### **Horizontal Spacing**

Vegetation Less than 2 Feet in Height: No horizontal spacing or vertical separation is required. Ground cover shall not exceed 2 feet in height. In Zone B, ground cover shall cover the entire ground between groups of shrubs, trees, or grasses and grasses are not considered ground cover. Limited compartments of grasses are acceptable as approved on the planting plans. In Zone C/D grasses

### Shrubs and Trees 2 Feet in Height or Greater:

can cover the entire area.

Shrub and Tree Group Size All Shrubs and Trees can be in groups of 3 specimens or less. No horizontal spacing is required inside the group.

Groups of shrubs shall be spaced by the greater of the following two measurements: A distance of 15 feet minimum (or) 3 times the height of the tallest specimen in any of the groups.

No vegetation over 2 feet in height is allowed within 15 feet from the edge of tree canopy(s). Tree Group Spacing:

Groups of Trees shall be spaced by a distance of 30 feet minimum regardless of height. In Zone 'A" full growth tree

branches are not allowed within 10 feet of enclosed combustible structures.

### Vertical Separation

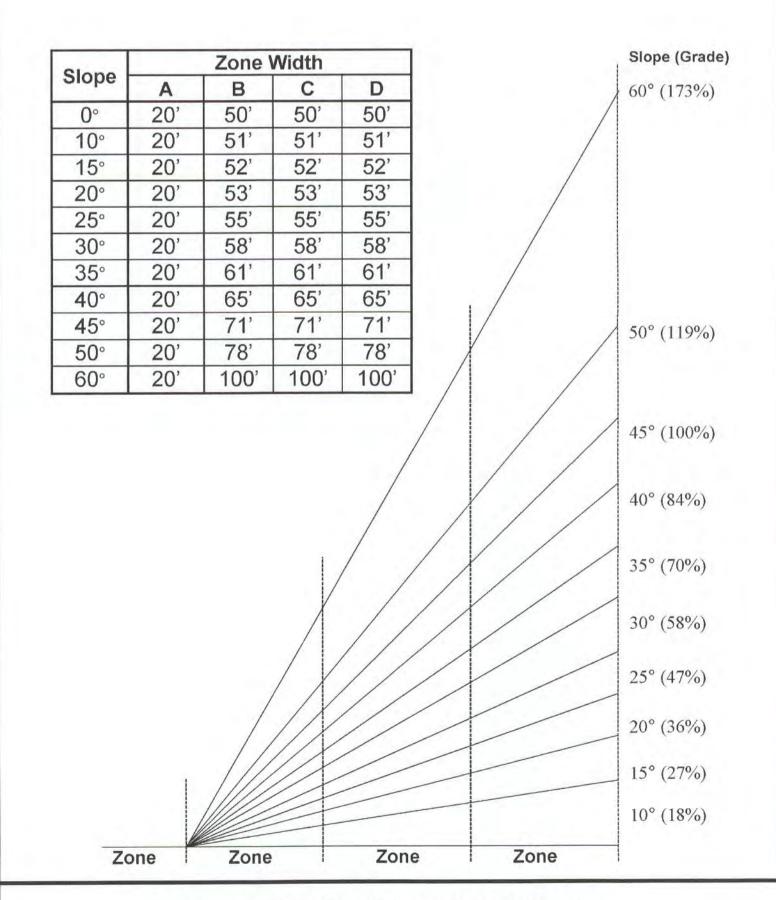
### Shrubs and Trees Less than 10 Feet in Height:

When the fuel modification zone is within 30 feet of the structure, a vertical separation of 2 feet minimum is required from the vegetation below. (Not required if shrubs are further than 30 feet from structure). Shrubs and Trees 10 Feet in Height or Greater:

A vertical separation of 4 feet minimum is required to be maintained from the vegetation below. Trees only: All vegetation located underneath trees, shall be a maximum of 2 feet in height.

## **VEGETATION SEPARATION NOTES**

## **Attachment 3** INCLINE MEASUREMENT FOR SELECTED SLOPES (See Attachment 4)



Fuel Modification Plans Design: C-05 January 1, 2017

## **ATTACHMENT 2**

**INSPECTION REQUIREMENTS** 

**Introductory Maintenance Information** 

The FMZ, SMA, RPZ shall be maintained in perpetuity for fire safety purposes, and shall cause a Covenant to be recorded and referenced in the CC and R's or on the Property Title when there is no HOA involvement.

Emergency Access Covenants shall be identified on the Tract Map indicating the reservation and restriction for permanent entry by the HOA or Fire Authority.

## Select Either Option #1 or #2 below

- 1. Option #1 Maintenance Method
  - A. On-going maintenance shall occur as to preserve the originally approved design as found on the approved plans. Attachment 6 spacing is required and only approved planting species and arrangements on the plans are perpetually preserved.
  - B. The property owner is responsible for all maintenance of FMZ, SMA, and
  - C. This includes a minimum of two maintenance activities each year.
  - D. Perform maintenance sometime within time periods of middle to late spring and once again in early to middle fall.
  - E. Other activities include: Grasses are cut to 4 inches after annual seeding. Attached dead and dying, all vegetation litter, and Attachment 7 species removed from the zones. Maintenance of irrigation systems. Replacement of dead or dying vegetation with approved species. Removal of trees and shrubs not on the approved plans.
  - F. If maintained by an HOA, the landscape maintenance company and/or property manager shall inspect the FMZs throughout the year to identify where specific maintenance activities need to take place.
  - G. The OCFA may conduct inspections of established fuel modification areas. Ongoing maintenance shall be conducted a minimum of twice each year regardless of the dates of these inspections.
  - H. The property owner shall retain all approved fuel modification plans. The plans shall be used to perform the maintenance.

## Option #2 Maintenance Method

On-going maintenance shall occur per the current posted OCFA Vegetation Management Maintenance Guidelines at ocfa.org". Distances of FMZ, SMA, and RPZ will always remain required and will be specific to approved Fuel Modification Plan.

**VEGETATION SEPARATION NOTES** 

Fuel Modification Plans Design: C-05

## Attachment 7

Certain plants are considered to be undesirable and invasive due to their characteristics. These characteristics can be either physical or chemical. Physical properties that would contribute to high flammability include large amounts of dead material retained within the plant, rough or peeling bark, and the production of copious amounts of litter. Chemical properties include the presence of volatile substances such as oils, resins, wax, and pitch.

Plants with these characteristics shall not be planted in any fuel modification zones or anywhere with Alternate Methods & Materials agreements (See Section 4). Should these species already exist within these areas, they shall be removed because of their invasiveness or potential threat they pose to any structures.

Botanical Name	Common Name
Cynara Cardunculus	Artichoke Thistle
Ricinus Communis	Castor Bean Plant
Cirsium Vulgare	Wild Artichoke
Brassica Nigra	Black Mustard
Silybum Marianum	Milk Thistle
Sacsola Austails	Russian Thistle/Tumblewood
Nicotiana Bigelevil	Indian Tobacco
Nicotiana Glauca	Tree Tobacco
Lactuca Serriola	Prickly Lettuce
Conyza Canadensis	Horseweed
Heterothaca Grandiflora	Telegraph Plant
Anthemix Cotula	Mayweed
Urtica Urens	Burning Nettle
Cardaria Draba	Noary Cress, Perennial Peppergrass
Brassica Rapa	Wild Turnip, Yellow Mustard, Field Musta
Adenostoma Fasciculatum	Chamise
Adenostoma Sparsifolium	Red Shanks
Cortaderia Selloana	Pampas Grass
Artemisia Californica	California Sagebrush
Eriogonum Fasciculatum	Common Buckwheat
Salvia Mellifera	Black Sage
Nassella/Stipa tenuissima	Mexican Feathergrass
Ornamental:	
Cortaderia	Pampas Grass
Cupressus sp	Cypress
Eucalyptus sp	Eucalyptus
Juniperus sp	Juniper
Pinus sp	Pine
Arecaceae (all palm species)	Palms

W

HOLAS

JAMES

January 1, 2017

January 1, 2017

NOVEMBER 30, 2021

RENEWAL DATE

APRIL 13, 2020

**REVISIONS** 

UNDESIRABLE and INVASIVE PLANT SPECIES

Certain native plants are notorious for containing these volatile substances.

## PLANT SPECIES (MANDATORY REMOVAL)

**FUEL MODIFICATION** 

**PLAN** 

**NOTES AND** 

**DETAILS** 

PROJECT MANAGER JIM HOLAS APPROVED BY: JIM HOLAS DRAWN BY: JIM HOLAS DATE: OCTOBER 12, 2019 SCALE:

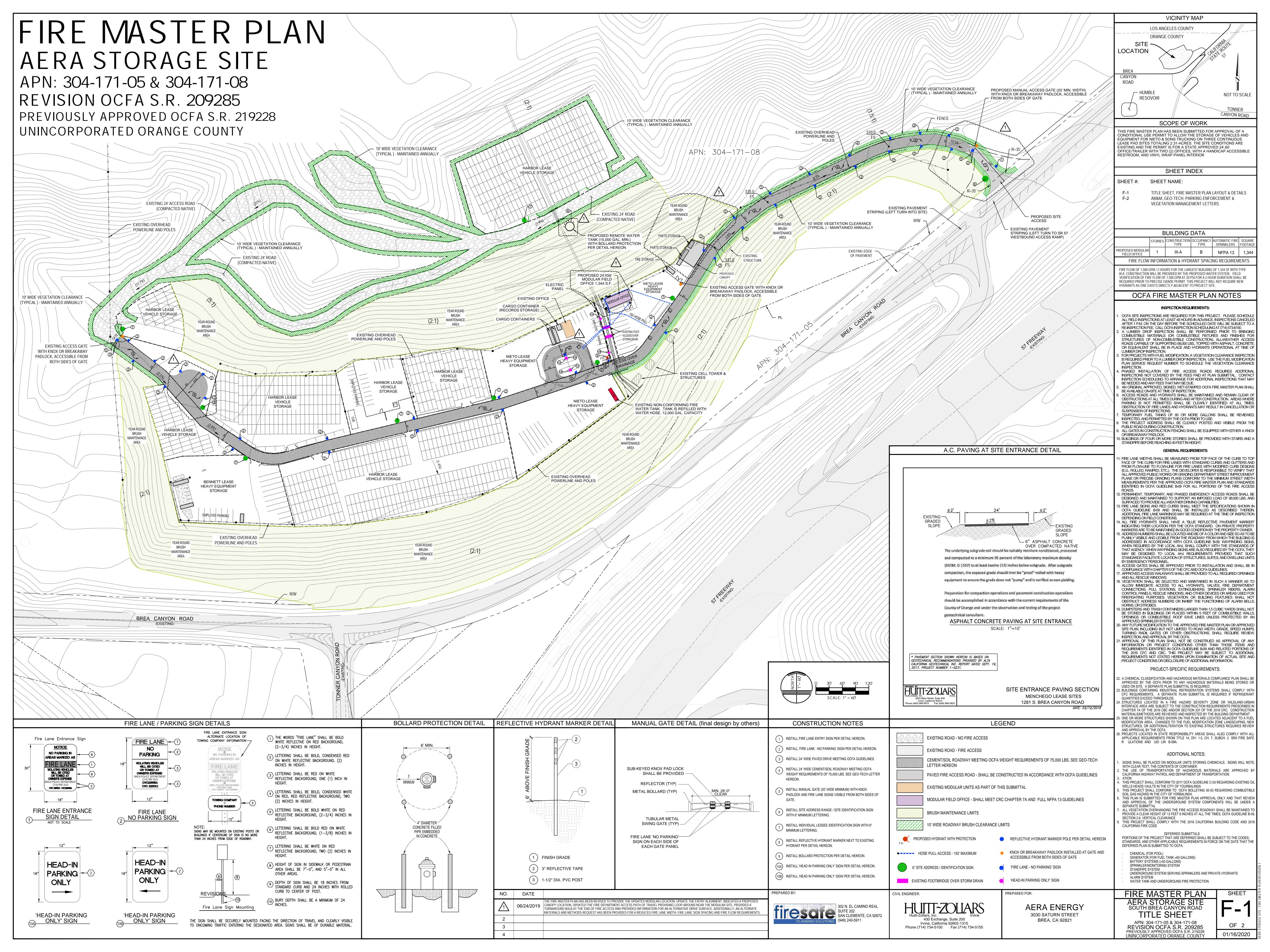
PER PLAN SHEET

**FUEL MODIFICATION NOTES** 

**INCLINE MEASUREMENTS** 

**MAINTENANCE NOTES** 

**UNDESIRABLE PLANT LIST** 



PARKING ENFORCEMENT LETTER

**VEGETATION MANAGEMENT LETTER** 

## ATTACHMENT 7

**Geotechnical Report** 



CONSTRUCTION PLANNING SERVICES

P.O. Box 487 Dana Point, California 92629 January 12, 2021 Project No. 1-0231

Attention: Mr. Joe Lambert

Subject: UPDATE ON STATUS OF PROPOSED STRUCTURE

Menchego Lease Sites 1281 Brea Canyon Road County of Orange, California

#### References:

- Updated Clarification on References, Menchego Lease Sites, 1281 Brea Canyon Road, County of Orange, California, dated June 9, 2020 by Alta California Geotechnical, Inc. (Project Number 1-0231).
- Summary Fault Investigation and Updated Design Recommendations, Menchego Lease Sites, 1281 Brea Canyon Road, County of Orange, California, dated March 12, 2019 by Alta California Geotechnical, Inc. (Project Number 1-0231).
- Revised Geotechnical Recommendation Report, Menchego Lease Sites, 1281
   Brea Canyon Road, County of Orange, California, dated September 19, 2017, by Alta California Geotechnical, Inc. (Project Number 1-0231)

#### Dear Mr. Lambert:

Presented herein is Alta California Geotechnical Inc.'s (Alta) update on the status of the proposed office trailer for the Menchego Lease Sites, located at 1281 Brea Canyon Road in the City of Brea, County of Orange, California.

As noted in Reference 2, the proposed office trailer onsite was originally going to be occupied for greater than 2,000 man-hours per year, which would qualify it as a habitable structure per the Alquist-Priolo (A-P) Earthquake Fault Zoning Act. It is our understanding that the intended use of the office trailer has been update such that it will be occupied for less than 2,000 manhours per year. As such, a fault investigation is not required per the Alquist-Priolo (A-P) Earthquake Fault Zoning Act.

Alta appreciates the opportunity to provide you with geotechnical consulting services. If you have any questions or should you require any additional information, please contact the undersigned at (951) 509-7090.

Sincerely,

Alta California Geotechnical, Inc.

SCOTT A. GRAY/RGE 2857

Reg. Exp.: 12-31-22

Registered Geotechnical Engineer

President

Distribution: (1) Addressee

SAG: 1-0231, January 12, 2021 Update on Status of Proposed Structure



**CONSTRUCTION PLANNING SERVICES** 

P.O. Box 487 Dana Point, California 92629 September 19, 2017 Project Number 1-0231

Attention:

Mr. Joe Lambert

Subject:

REVISED GEOTECHNICAL RECOMMENDATION REPORT

Menchego Lease Sites 1281 Brea Canyon Road County of Orange, California

References:

See Appendix

Dear Mr. Lambert:

Presented herein is Alta California Geotechnical, Inc.'s (Alta) revised geotechnical recommendation report for the Menchego Lease Sites, located at 1281 Brea Canyon Road, County of Orange, California. This report is based on a review of the referenced reports, a recent site visit, review comments from the County of Orange Public Works Department, and Alta's experience with similar projects in the area.

Alta's review of the data and plans indicates that the site is suitable in its current graded configuration for its intended continued use as staging areas/vehicular storage with the limited improvements shown on Figure 1. Future development beyond the proposed continued use will require additional geotechnical reports and recommendations. Included in this report are:

- Discussion of the background of the site, including previous grading operations, and existing conditions.
- Discussion of geologic hazards, including surface-rupture due to a fault zone, landslide potential and liquefaction potential, with respect to the sites proposed use as staging areas/vehicular storage.

San Diego Office Phone: 858.674.6636

Corona Office Phone: 951.509.7090

056 2080 0 9-30-18

- Recommendations for foundations for the proposed commercial modular unit and water/gas tanks.
- Pavement design parameters.
- Discussion of requirements for future development.

If you have any questions or should you require any additional information, please contact the undersigned at (951) 509-7090. Alta appreciates the opportunity to provide geotechnical consulting services for your project.

Sincerely,

Alta California Geotechnical, Inc.

SCOTT A. GRAY/RGE 2857

Reg. Exp.: 12-31-18

Registered Geotechnical Engineer

Vice President

THOMAS J. MCCARTHY/CEG 2080

Reg. Exp.: 9-30-48

Certified Engineering Geologist

Vice President

Distribution: (3) Addressee

SAG: TJM: 1-0231, September 19, 2017 (Revised Geo Recommendation, Menchego Lease Sites)

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APPENDIX – References

#### 1.0 INTRODUCTION

The following report presents geotechnical recommendations for the Menchego Lease Site, in the County of Orange, California.

#### 1.1 Purpose

The purpose of this report is to examine the existing geotechnical conditions and evaluate their impacts on the subject site. This report is suitable for submittal to governing agencies and for use in developing plans.

#### 1.2 Scope of Work

Alta's scope of work for this geotechnical investigation included the following:

- Reviewed the referenced reports for the project;
- Reviewed subsurface information from a previous investigation conducted onsite by Pacific Soils Engineering, Inc.
- Collected a near surface sample from the access road area and conducted R-Value testing for use in pavement design;
- Evaluate geologic and laboratory data to develop recommendations for foundation and pavement section design;
- Prepare this report and accompanying exhibits.

#### 1.3 Report Limitations

The conclusions and recommendations in this report are based on the information generated during investigations presented in the referenced reports. The materials adjacent to or beneath those observed may have different characteristics than those observed and no representations are made as to the quality or extent of the materials not observed.

#### 2.0 PROJECT DESCRIPTION

#### 2.1 Background

The subject site is located northerly adjacent to the intersection of Tonner Canyon Road and Brea Canyon Road, in the County of Orange, California. Two, flat, graded pads, separated by twenty- to thirty-foot high slopes were previously created onsite by placing fill within a southerly trending canyon. Based on our literature review, this fill was placed in the mid to late 1970's and was observed and documented by F. Beach Leighton and Associates (Leighton, 1970). The fill was placed by Caltrans as part of the construction of the 57 Freeway.

The site is currently being used as staging areas for various vehicle, heavy equipment, and construction operations. There are existing access roads, sheds, trailers, powerlines, water service for fire hydrants and fencing onsite.

#### 2.2 Proposed Development

It is Alta's understanding that the site will continue its current operations as staging areas/vehicular storage. Limited improvements to the site will include a paved access road, construction of a commercial modular unit, and placement of water/gas tanks. Several sheds and the existing office trailer will be removed/demolished.

#### 3.0 PREVIOUS SITE INVESTIGATION

Subsurface investigations were previously conducted at the site by Pacific Soils Engineering, Inc. (PSE), in 1998 and 1999, as part of a review for possible future development. Alta was able to review boring logs and laboratory test results from seven (7) hollow-stem auger borings that were conducted onsite. It is our understanding that the referenced reports from PSE will be included in future submittals if further development beyond the site's current use occurs.

#### 4.0 GEOLOGIC CONDITIONS

Presented below is a brief summary of the geologic conditions onsite. Based on our review of the available reports, it is our opinion that the site is suitable, from a geologic standpoint, to continue to support the current use and the limited proposed improvements. More detailed discussions of geologic conditions shall be provided if further development beyond the site's current use is proposed.

#### 4.1 Stratigraphy

The subject is underlain by artificial fill, older alluvium, and the Soquel and La Vida Members of the Puente Formation. The approximate distribution of the geologic units is shown on the enclosed Figure 1.

The majority of the fill onsite was placed in the mid to late 1970's and was observed and documented by F. Beach Leighton and Associates (Leighton, 1970). The fill was placed by Caltrans as part of the construction of the 57 Freeway. PSE drilled borings in the engineered fill to evaluate the characteristics and depth of the fill material. Based on our review of the available reports, the fill materials exhibit favorable engineering characteristics for the support of the site's current use.

The Soquel Member of the Puente Formation is generally composed of poorly to moderately cemented sandstones. The La Vida Member is composed of interbedded, fine-grained sandstone and platy siltstone.

#### 4.2 Groundwater

Groundwater seepage was encountered at 85 and 93 feet below existing grade in the previous subsurface investigation. It is anticipated that groundwater will not be encountered during the proposed development.

#### 4.3 Earthquake Hazards

The subject site is located in southern California, which is a tectonically active area. The type and magnitude of seismic hazards affecting a site are dependent on the distance to the causative fault and the intensity and magnitude of the seismic event. The seismic hazard may be primary, such as surface rupture, landslides, and/or ground shaking, or secondary, such as liquefaction and/or ground lurching.

#### 4.3.1 Local and Regional Faulting

The subject site is located in tectonically active southern California; consequently, the site is likely to be impacted by seismic activity in the future. The Whittier Fault Zone (WFZ) is present onsite.

#### 4.3.2 Surface Rupture

A review of Special Publication 42 indicates the site is within a California State designated Alquist-Priolo earthquake fault zone. The WFZ is considered active, and, as such, the potential for fault surface rupture exists. It is likely that fault setback zones for habitable structures (defined as being occupied for greater than 2000 man-hours per year) to comply with A-P Zone requirements will be required for future developments. However, given that the proposed development does not include habitable structures, setback zones are not required at this time.

#### 4.3.3 Landslides

The site is located in an area susceptible to earthquake induced landslides. Further investigation of the potential for landslides shall be accomplished if future site development beyond the current use is proposed.

#### 4.3.4 Seismicity

The 2016 California Building Code requires use-modified spectral accelerations and velocities for most structural designs. Seismic design parameters using soil profile types identified in the 2016 California Building Code are presented in Section 7.2.

#### 4.3.5 <u>Liquefaction</u>

Liquefaction effects can manifest in several ways including: 1) loss of bearing; 2) lateral spread; 3) dynamic settlement; and 4) flow failure.

Lateral spreading has typically been the most damaging mode of failure.

Based on the dense nature of the underlying compacted fill and bedrock, and the lack of shallow groundwater, it is anticipated that liquefaction will not be a significant design constraint for the proposed site use.

Further review/analysis will be required for future developments.

#### 5.0 ENGINEERING PROPERTIES AND ANALYSIS

#### 5.1 Materials Properties

Presented herein is a general discussion of the engineering properties of the onsite materials that will be encountered during construction of the proposed improvements.

#### **5.1.1** Excavation Characteristics

Based on the data provided from the subsurface investigation and Alta's knowledge of the geologic units, it is our opinion that the majority of the onsite materials possess favorable excavation characteristics.

#### 5.1.2 Expansion Potential

Expansion index testing was performed on samples taken during the previous investigation. Based on the results, the majority of the upper

soils onsite are "low" to "medium" in expansion potential (21≤EI≤50, Appendix C) when tested per ASTM D: 4829.

#### 5.1.3 Hydro-Consolidation

Hydro-consolidation is the effect of introducing water into soil that is prone to collapse. Upon loading and initial wetting, the soil structure and apparent strength are altered resulting in almost immediate settlement. That settlement can have adverse impacts on engineered structures, particularly in areas where it is manifested differentially. Differential settlements are typically associated with differential wetting, irregularities in the subsurface soil conditions, and/or irregular loading patterns. Based on previous laboratory testing, it is anticipated that the potential for hydro-collapse onsite is within tolerances for the site's current use.

#### 5.1.4 Pavement Support

A sample of the subgrade along the entry access road was collected by an Alta representative and R-Value testing was conducted. The result R-Value was 60.

#### 5.2 **Engineering Analysis**

Presented below is a general discussion of the engineering analysis methods that were utilized to develop the conclusions and recommendations presented in this report.

#### 5.2.1 Bearing Capacity

Ultimate bearing capacity values were obtained using the graphs and formula presented in NAVFAC DM-7.1. Allowable bearing was

determined by applying a factor of safety of at least 3 to the ultimate bearing capacity.

#### 6.0 CONCLUSIONS AND RECOMMENDATIONS

The principle geologic/geotechnical concerns onsite are associated with the presence of the WFZ and associated seismic hazards, and the support characteristics of the underlying compacted fill. The site will continue to be used for staging areas/vehicular storage, without habitable structures as defined by the State of California. As such, fault setback zones are not required at this time. Additionally, the compacted fill onsite exhibits favorable engineering characteristics that are suitable to continue to support the current use. As such, it is Alta's opinion that the existing site is suitable to continue to support the current operations and the proposed limited improvements shown on the enclosed Figure 1 are feasible, from a geotechnical perspective. Presented below are recommendations that should be incorporated into site development and construction plans.

#### 6.1 Preparation for Foundations for Temporary Structures

Prior to the construction of foundations for the proposed temporary structures, the upper foot of fill of the building pads shall require moisture conditioning after the existing vegetation/debris has been removed. The methodology of the moisture conditioning (water trucks, rainbirds, scarification, etc.) is at the discretion of the contractor and developer, as long as the method increases the moisture content of these upper soils to optimum moisture or above.

#### 6.2 General Earthwork Recommendations

#### 6.2.1 Compaction Standards

All fill and processed natural ground shall be compacted to a minimum relative compaction of 90 percent, as determined by ASTM Test Method:

D-1557. Fill material should be moisture conditioned to optimum moisture or above. Compaction shall be achieved with the use of sheepsfoot rollers or similar kneading type equipment. Mixing and moisture conditioning will be required in order to achieve the recommended moisture conditions.

#### 6.2.2 <u>Utility Trenches</u>

#### 6.2.2.1 Excavation

Utility trenches should be supported, either by laying back excavations or shoring, in accordance with applicable OSHA standards. In general, existing site soils are classified as Soil Type "B" per OSHA standards. The Project Geotechnical Consulting should be consulted if geologic conditions vary from what is presented in this report.

#### 6.2.2.2 Backfill

Trench backfill should be compacted to at least 90 percent of maximum dry density as determined by ASTM D-1557. Onsite soils will not be suitable for use as bedding material but will be suitable for use in backfill provided oversized materials are removed. No surcharge loads should be imposed above excavations. This includes spoil piles, lumber, concrete trucks, or other construction materials and equipment. Drainage above excavations should be directed away from the banks. Care should be taken to avoid saturation of the soils. Compaction should be accomplished by mechanical means. Jetting of native soils will not be acceptable.

#### 7.0 DESIGN CONSIDERATIONS

The proposed structures onsite include a commercial modular unit and placement of water/gas tanks. It is anticipated these improvements will be founded on shallow footings. Additional improvements include a paved access road.

Based on laboratory testing, the onsite soils are "low" to "medium" in expansion potential when tested in general accordance with ASTM Test Method D: 4829. The design recommendations herein are presented as a minimum standard for the on-site soil conditions. Structural and Building Code requirements should govern final foundation design.

#### 7.1 Foundation Design

The foundations for the proposed structures at the site can be designed in accordance with the parameters presented in Table 7-1.

Table 7-1 Foundation Design Parameters*				
Lateral Bearing	150 lbs/ft² at a depth of 12 inches plus 150 lbs/ft² for each additional 12 inches of embedment to a maximum of 1500 lbs/ft²			
Sliding Coefficient	0.30			
Minimum Footing Width	12 inches for continuous footings and 18 inches for isolated spread footings			
Minimum Footing Embedment	12 inches			
Minimum Footing Reinforcement	Two (2) No. 4 bars, one (1) on top and one (1) on bottom			
Settlement	Static: Differential = 1/2-inch in 40 feet			

<sup>\*</sup>These values may be increased as allowed by Code to resist transient loads such as wind or seismic. Building code and structural design considerations may govern depth and reinforcement requirements and should be evaluated.

#### 7.2 Seismic Design

The site soil classification has been identified from geotechnical data as "D" site class in accordance with Table 20.3-1 of ASCE 7-10. Utilizing this information, the computer program USGS Seismic Design Maps Version 3.1.0 and ASCE 7-10 criterion, the spectral response accelerations that can be utilized for the project are attached on Figure 2. These parameters should be verified by the structural engineer. Additional parameters, such as seismic design category, should be determined by the structural engineer based on the Occupancy Category of the proposed structures.

#### 7.3 Footing Excavations

The excavations should be cleaned of all loose/sloughed materials and be neatly trimmed at the time of concrete placement. The Project Geotechnical Consultant should observe the footing excavations prior to the placement of concrete to determine that the excavations are founded in suitably compacted material.

#### 7.4 Concrete Design

Given the nature of the improvements and discussions presented in the referenced reports, it is anticipated that sulfate-resistant concrete will not be required for the proposed structures. This recommendation should be verified by sulfate content testing during construction.

#### 7.5 Pavement Design

Based on the enclosed site plan, the entry access road will be paved with 6-inches of asphalt over compacted native subgrade. A representative of Alta collected a sample of the access road subgrade and delivered in to the laboratory for testing. The resultant R-Value was 60. Based on the R-Value, and an assumed Traffic

Index of 6.0, the proposed section is suitable for the access road. Alternatively, a 4-inch asphalt of 4-inch aggregate base section would also be suitable.

The underlying subgrade soil should be suitably moisture conditioned, processed and compacted to a minimum 95 percent of the laboratory maximum density (ASTM: D 1557) to at least twelve (12) inches below subgrade. After subgrade compaction, the exposed grade should then be "proof"-rolled with heavy equipment to ensure the grade does not "pump" and is verified as non-yielding.

Preparation for compaction operations and pavement construction operations should be accomplished in accordance with the current requirements of the County of Orange and under the observation and testing of the project geotechnical consultant.

#### 7.6 Site Drainage

Positive drainage away from the proposed structures should be provided and maintained. Roof, pad and lot drainage should be collected and directed away from the structures toward approved disposal areas through drainage terraces, gutters, down drains, and other devices. Design fine grade elevations should be maintained through the life of the structure or if design fine grade elevations are altered, adequate area drains should be installed in order to provide rapid discharge of water, away from structures.

#### 8.0 FUTURE DEVELOPMENT

The conclusions and recommendations presented in this report are intended solely for the continued use of the site as staging areas/vehicular storage with the limited improvements shown on Figure 1. Future development of the site will require

detailed geotechnical investigations/reports, which shall at a minimum include the following.

- Investigation of seismic hazards, including the presence of active faults, potential for landslides, and potential for liquefaction;
- Analysis of the suitability of the existing fill to support future development;
- Grading recommendations specific to the proposed development;
- Slope stability analysis;
- Improvement design recommendations specific to the proposed development.

#### 9.0 LIMITATIONS

This report is based on the following: 1) the project as presented on the attached plan;

2) the information presented in the previous subsurface investigations; and 3) from
the information presented in the referenced reports. The findings and
recommendations are based on the results of the subsurface investigation, laboratory
testing, and office analysis combined with an interpolation and extrapolation of
conditions between and beyond the subsurface excavation locations. The results
reflect an interpretation of the direct evidence obtained. Work performed by Alta has
been conducted in a manner consistent with the level of care and skill ordinarily
exercised by members of the geotechnical profession currently practicing in the same
locality under similar conditions. No other representation, either expressed or
implied, and no warranty or guarantee is included or intended.

The recommendations presented in this report are based on the assumption that an appropriate level of field review will be provided by a geotechnical consultant who is familiar with the design and site geologic conditions. That field review shall be sufficient to confirm that geotechnical and geologic conditions exposed during grading are consistent with the geologic representations and corresponding recommendations presented in this report.

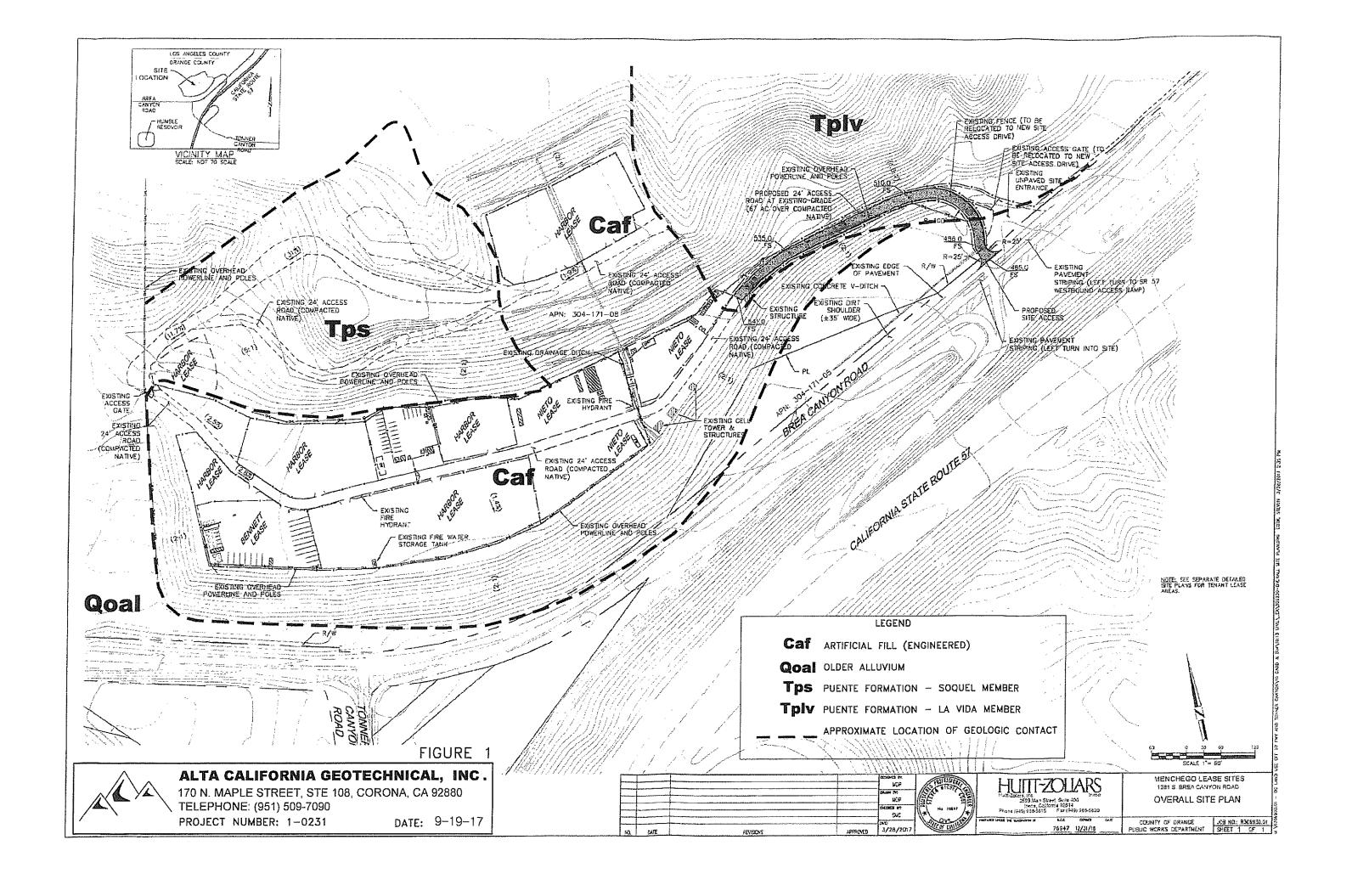
The conclusions and recommendations included in this report are applicable to the specific design of this project as discussed in this report. They have no applicability to any other project or to any other location and any and all subsequent users accept any and all liability resulting from any use or reuse of the data, opinions, and recommendations without the prior written consent of Alta.

Alta has no responsibility for construction means, methods, techniques, sequences, procedures, safety precautions, programs in connection with the construction, acts or omissions of the CONTRACTOR or any other person performing any of the construction, or for the failure of any of them to carry out the construction in accordance with the final design drawings and specifications.

#### **APPENDIX**

#### **Selected References**

- 1. F. Beach Leighton and Associates, Inc., 1970, In-Grading Geologic Report of Fill Site, Shell Oil Property, Brea Canyon, County of Orange, California, dated September 20, 1990 (Project No. 1055).
- Pacific Soils Engineering, Inc., 2008, Second Addendum Geological and Geotechnical Engineering Assessment, In Support of an Environmental Impact Report, 2935± Acre AERA-Master Planned Community (AMPC) Northwesterly Adjacent to the Intersection of Tonner Canyon Road and Brea Canyon Road, Counties of Los Angeles and Orange, California, dated May 6, 2008 (Work Order 102280).
- 3. Pacific Soils Engineering, Inc., 2007, Addendum Geological and Geotechnical Engineering Assessment, In Support of an Environmental Impact Report, 2935± Acre AERA-Master Planned Community (AMPC) Northwesterly Adjacent to the Intersection of Tonner Canyon Road and Brea Canyon Road, Counties of Los Angeles and Orange, California, dated September 25, 2007 (Work Order 102280).
- 4. Pacific Soils Engineering, Inc., 2005a, Geological and Geotechnical Engineering Assessment, In Support of an Environmental Impact Report, 2935± Acre AERA-Master Planned Community (AMPC) Northwesterly Adjacent to the Intersection of Tonner Canyon Road and Brea Canyon Road, Counties of Los Angeles and Orange, California, dated November 1, 2005 (Work Order 102280).
- Pacific Soils Engineering, Inc., 2005b, Alquist-Priolo Earthquake Fault Zone Investigations, Existing Caltrans Fill Site, Northwest Adjacent to the Intersection of Tonner Canyon Road and Brea Boulevard; and Possible Extension of "North Whittier Fault', Near Harbor Boulevard; Brea Oil Field, Counties of Los Angeles and Orange, California, Aera Master Planned Community, dated October 4, 2005 (Work Order 102280-F).



### **⊠USGS** Design Maps Summary Report

User-Specified Input

Report Title 1-0231

Mon May 1, 2017 16:36:59 UTC

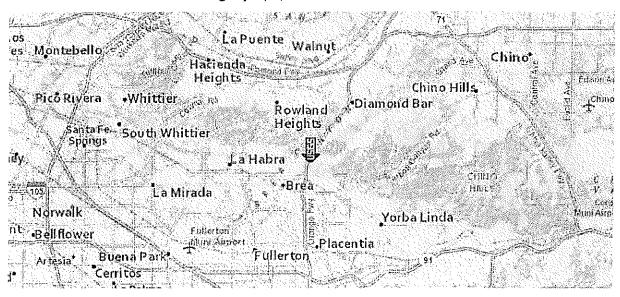
Building Code Reference Document ASCE 7-10 Standard

(which utilizes USGS hazard data available in 2008)

Site Coordinates 33.9424°N, 117.8766°W

Site Soil Classification Site Class D - "Stiff Soil"

Risk Category I/II/III



#### **USGS-Provided Output**

$$S_s = 2.191 g$$

$$S_{MS} = 2.191 g$$

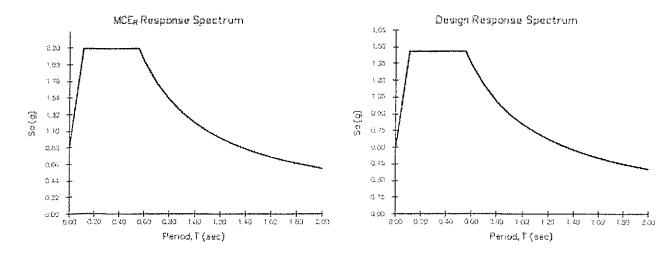
$$S_{DS} = 1.461 g$$

$$S_1 = 0.808 g$$

$$S_{MI} = 1.212 g$$

$$S_{pi} = 0.808 g$$

For information on how the SS and S1 values above have been calculated from probabilistic (risk-targeted) and deterministic ground motions in the direction of maximum horizontal response, please return to the application and select the "2009 NEHRP" building code reference document.



For PGAM, TL, CRS, and CR1 values, please view the detailed report.