



**Attachment 2**  
**Conditions of Approval**  
PA22-0017

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**1** **BASIC/ZONING REGULATIONS** **PA22-0017**

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.

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**2** **BASIC/TIME LIMIT** **PA22-0017**

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.

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**3** **BASIC/PRECISE PLAN** **PA22-0017**

Except as otherwise provided herein, this permit is approved as a land use plan. 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.

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**4** **BASIC/COMPLIANCE** **PA22-0017**

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 Planning Commission.

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**5** **INDEMNIFICATION** **PA22-0017**

Applicant shall, at its own expense, defend, 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, Zoning Administrator, Subdivision Committee, 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. 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. If litigation is filed challenging the Project, 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. The County shall promptly notify the applicant of any such claim, action or proceeding.

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**6 BASIC/APPEAL EXACTIONS PA22-0017**

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.

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**7 CONSTRUCTION NOISE PA22-0017**

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.

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**8 EROSION AND SEDIMENT CONTROL PLAN PA22-0017**

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.

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**9 UNPERMITTED STRUCTURES/USES PA22-0017**

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.

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**10 STORAGE TANKS PA22-0017**

Prior to the issuance of a grading permit or building permit, whichever comes first, for installation of an aboveground or an underground tank used for the storage of flammable, combustible or hazardous liquids, 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-08.

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11 **COMBUSTIBLE GAS** **PA22-0017**

Prior to the issuance of any grading permit, or the building permit if a grading permit is not required, the applicant shall provide the Manager, Building and Safety with a clearance from OCFA, or other Local Fire Agency (if applicable), demonstrating approval of a combustible gas/methane investigation, assessment and mitigation plan for review and approval by the Fire Code Official. \*Note-refer to the Orange County Fire Authority website to obtain a copy of "Guideline C-03" for information regarding the submittal requirements.

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12 **FIRE HAZARD SEVERITY ZONE** **PA22-0017**

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, Building and Safety with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with all requirements of Chapter 47 and Chapter 7A current California Building Code or shall have and approved Fire Protection Plan which provides protection equivalent to the risk for the site.

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13 **UNDERGROUND FIRE PROTECTION** **PA22-0017**

Prior to the issuance of any grading or building permits, 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-03.

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14 **HAZARDOUS MATERIALS** **PA22-0017**

A. Prior to the approval of a 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 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.

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15 **AUTOMATIC FIRE SPRINKLER SYSTEMS** **PA22-0017**

A. Prior to the issuance of a building permit, the applicant shall provide the Manager, Building and Safety with a copy of the OCFA, or other Local Fire Agency (if applicable), approved Fire Master Plan or site plan indicating that an approved automatic fire sprinkler system will be provided.

B. Prior to the final inspection approval, this system shall be operational in a manner meeting the approval of the Fire Chief.

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**16 ACCESS GATES AND REMOTE GATE OPENING DEVICES PA22-0017**

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

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**17 TEMPORARY USE PA22-0017**

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.

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**18 GRADING PA22-0017**

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

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**19 GEOTECHNICAL PA22-0017**

Upon review of final plans and confirmation of project scope during grading and building permit process, a final determination of the required level of geotechnical evaluation (if any) shall be determined by County staff.

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**20 WATER QUALITY MANAGEMENT PLAN PA22-0017**

Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Permit Services, 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
- 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.

21

**COMPLIANCE WITH THE NPDES  
IMPLEMENTATION PROGRAM**

PA22-0017

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.

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**STORMWATER POLLUTION  
PREVENTION PLAN**

PA22-0017

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.

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23 **EROSION AND SEDIMENT CONTROL PLAN** **PA22-0017**

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, 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.

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24 **FUEL MODIFICATION PLAN** **PA22-0017**

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.

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25 **FIRE MASTER PLAN** **PA22-0017**

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.

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26 **VEHICLE MAINTENANCE** **PA22-0017**

Minor vehicle maintenance is allowed for the vehicles permitted to be stored on-site through this use permit. Vehicle maintenance shall only include minor servicing of the vehicles to ensure the vehicles are in good operating condition and shall not include vehicle repair or any vehicle maintenance that involves removal or replacement of any hazardous materials or fluids within the vehicle.

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27 **STORAGE OF HAZARDOUS FLUIDS** **PA22-0017**

There shall be no storage of hazardous fluids on the site other than the fuel for the vehicles allowed to be stored on-site by this use permit. Fuel for vehicles shall be kept in accordance with Condition #14 "Hazardous Materials" of this use permit (PA22-0017). Appropriate Best Management Practices (BMPs) including but not limited to

sandbags for perimeter protection and ground infiltration barriers, shall be implemented to help contain any leaking and infiltration of hazardous fluids into the ground as a result of vehicle maintenance in the areas identified for vehicle maintenance on this permit. BMPs shall be in place prior to and during use of any areas for this purpose, as approved by the Manager of Building and Safety.