

Attachment 2
Conditions of Approval
PA21-0164

1 **BASIC/ZONING REGULATIONS PA21-0164**

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.

2 BASIC/TIME LIMIT PA21-0164

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.

BASIC/LAND USE PLAN

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 Development Services, for approval. If the Director, OC Development Services, 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.

4 BASIC/COMPLIANCE PA21-0164

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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6 INDEMNIFICATION PA21-0164

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.

7 BASIC/APPEAL EXACTIONS PA21-0164

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.

8 FLOODPLAIN ELEVATION PA21-0164

- A. Prior to the issuance of a building permit, the applicant shall submit an Elevation Certificate to the Manager, Permit Services, identifying the base flood elevation and certifying that the planned elevation of the lowest floor, including basements, is at least one (1) foot above the Base Flood Elevation (BFE).
- B. Prior to the final inspection approval for any building, the applicant shall complete Section "E" of the Elevation Certification, identifying the Base Flood Elevation (BFE) and certifying that the as-built lowest floor as constructed, is at least one (1) foot above the BFE, in a manner meeting the approval of the Manager, Permit Services.

9 NEW FRONT SETBACK PA21-0164

Approval of this permit reduces the required front setback to 0 feet instead of the minimum required 8 feet 2 inches.

10 NEW SIDE SETBACK PA21-0164

Approval of this permit reduces the required right side yard setback to 12 inches instead of the minimum required 5 feet.

Prior to the issuance of any building permits, the property owner shall submit a site plan, prepared and stamped by a licensed surveyor, identifying the setbacks of all existing and proposed structures on the property.