

RESOLUTION NO. 11487

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT NO. 1870-20, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING CONDITIONAL USE PERMIT NO. 3137-21, MAJOR SITE PLAN REVIEW NO. 1039-21, DESIGN REVIEW NO. 5028-21, TO DEMOLISH AN EXISTING 40,000 SQUARE FOOT (SF) MANUFACTURING FACILITY AND SITE REDEVELOPMENT WITH A 57,900 SF TRUCK TERMINAL THAT INCLUDES 52,900 SF OF WAREHOUSE SPACE, 5,000 SF OF OFFICE SPACE, AND AN ACCESSORY 5,400 SF MAINTENANCE BUILDING, LOCATED AT 534 WEST STRUCK AVENUE

**ENVIRONMENTAL IMPACT REPORT (EIR) NO. 1870-20
CONDITIONAL USE PERMIT (CUP) NO. 3137-21
MAJOR SITE PLAN REVIEW (MJSP) NO. 1039-21
DESIGN REVIEW (DRC) NO. 5028-21**

WHEREAS, the City Council has authority pursuant to Orange Municipal Code (OMC) 17.08.020 to review and take action on a Conditional Use Permit, Minor Site Plan Review, Design Review, and Environmental Impact Report; and

WHEREAS, the Land Use Element of the City's General Plan establishes goals and policies in the Industrial Manufacturing (M-2) district designed to encourage and implement the creation of high quality development; and

WHEREAS, applications were filed by Prologis L.P., in accordance with the provisions of the OMC, for Conditional Use Permit No. 3137-21, Major Site Plan Review No. 1039-21, Design Review No. 5028-21, and were submitted for approval, to demolish an existing 40,000 square foot (SF) manufacturing facility and site redevelopment with a 57,900 SF truck terminal that includes 52,900 SF of warehouse space, 5,000 SF of office space, and an accessory 5,400 SF maintenance building, upon property described in Exhibit "A" to this Resolution (Project); and

WHEREAS, the applications for the Project were processed in the time and manner prescribed by State and local law; and

WHEREAS, an Environmental Impact Report was prepared by the City in its capacity as Lead Agency to evaluate the physical environmental impacts of the Project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines; and

WHEREAS, pursuant to CEQA, the Draft Environmental Impact Report was circulated and made available for public review for a minimum period of 45 days, between March 31, 2023, and May 15, 2023; and

WHEREAS, staff received five written comment letters during the public review period. The City prepared a “Response to Comments” to address environmental comments received during that public review period; and

WHEREAS, the Planning Commission reviewed the Project at its July 7, 2023 meeting and recommended certification of the Environmental Impact Report (EIR No. 1870-20) to the City Council, approval of the associated Mitigation Monitoring and Reporting Program and approval, with conditions, of Conditional Use Permit No. 3137-21, Major Site Plan Review No. 1039-21, and Design Review No. 5028-21, to the City Council; and

WHEREAS, the City Council conducted one duly advertised public hearing on August 22, 2023, at which time interested persons had an opportunity to testify either in support of or opposition to the Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council certifies the Final EIR No. 1870-20, approves the associated Mitigation Monitoring and Reporting Program, and approves Conditional Use Permit No. 3137-21, Major Site Plan Review No. 1039-21, and Design Review No. 5028-21, and to demolish an existing 40,000 SF manufacturing facility and site redevelopment with a 57,900 SF truck terminal that includes 52,900 SF of warehouse space, 5,000 SF of office space, and an accessory 5,400 SF maintenance building based on the following findings:

SECTION 1 – ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was originally prepared for the proposed project. On September 23, 2021, the City circulated a Notice of Intent to Adopt Mitigated Negative Declaration No. 1870-20 for the project. The MND was circulated for public review from September 23, 2021, to October 25, 2021. During the 30-day public review period, comments received requested additional technical analysis (e.g., air quality and noise modeling, traffic). Therefore, in order to address the environmental concerns raised, additional analyses were prepared and an EIR was prepared to provide comprehensive environmental review of the Project.

The EIR (California State Clearinghouse (SCH) No. 2021090399) was prepared in accordance with CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with constructing and operating the proposed Project. Implementation of the proposed project may result in significant environmental effects related to the following topical issues:

- Biological Resources (impacts to nesting migratory birds)
- Cultural Resources (potential to encounter significant subsurface archaeological resources)
- Geology and Soils (potential to unearth and adversely impact paleontological resources)
- Hazards and Hazardous Materials (soils contaminated with VOCs)
- Tribal Cultural Resources (potential to unearth and adversely impact tribal cultural resources).

Mitigation measures have been incorporated into the Final EIR No. 1870-20 that reduce potential impacts to less than significant levels. The Draft EIR was made available for public review for a minimum period of 45 days, between March 31, 2023, and May 15, 2023. Staff received five written comment letters during the public review period. The City prepared a "Response to Comments" to address environmental comments received during that public review period.

The City Council, in approving the project, has independently reviewed and analyzed the Final EIR No. 1870-02, including the Mitigation Monitoring and Reporting Program and adopts the facts and analysis and the Findings of Fact (Findings) contained therein and, accordingly, certifies the Final EIR No. 1870-02. The Findings are based upon the entire record before the City Council, as described in Subsection 1.4 of the Final EIR No. 1870-02.

SECTION 2 – FINDINGS

General Plan Finding:

1. *The project must be consistent with the goals and policies stated within the City's General Plan.*

The project is consistent with the goals and policies stated within the City's General Plan Land Use and Economic Development Elements in that the proposed truck terminal development helps to provide a service that contributes to a diversified mix of land uses in the surrounding community. Redevelopment of the existing vacant and degraded site will re-establish the economic viability of the property through aesthetic enhancement and the elimination of physical deterioration. In addition, redevelopment of the site will provide distribution services that support local revenue generating businesses which will in turn contribute to the economic vitality and support the employment base in the area. The City's industrial area as a whole, has a high demand for industrial and office uses, particularly among those who want to own their buildings. The City seeks to encourage intensification and/or redevelopment of underutilized parcels.

Conditional Use Permit Findings:

1. *A Conditional Use Permit shall be granted upon sound principles of land use and in response to services required by the community (OMC 17.10.030.F.1).*

The granting of this Conditional Use Permit is based upon sound principles of land use and in response to services required by the community in that consideration has been given to whether the proposed use will detrimentally affect adjacent land uses. The proposed project supports the goals of the existing General Plan Land Use Element by fulfilling a range of desired uses. The site is compatible with the adjacent surrounding development and uses. The proposed contemporary building design and scale complement the character of the area and the landscaping provides the project frontages with a hierarchy of plant material that soften the building mass and scale. New trees and landscaping will provide a visual buffer for the residential property to the north and adjacent Homeless Navigation Center (HUB). Granting a

permit in this instance is therefore based upon sound land use principles and responds to the needs of the community at-large.

2. *A Conditional Use Permit shall not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located (OMC 17.10.030.F.2).*

The project is not expected to detrimentally affect adjacent land uses or create special problems in the area. The project has been designed to comply with the development standards of the Industrial Manufacturing (M-2) zone and to be compatible with the adjacent surrounding development and uses. Development of the project would re-introduce activity to the property, and enhance the existing industrial character of the site and surrounding area with new modern building elevations, new landscaping, hardscape, other on-site improvements, and street frontage improvements.

3. *A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is located (OMC 17.10.030.F.3).*

There is no community or neighborhood plan for the area. As stated in the General Plan finding, the project is consistent with and implements the General Plan. The project site is designated Light Industrial in the City of Orange General Plan. The Light Industrial designation allows for the manufacturing, processing, and distribution of goods. The exterior design, including colors and materials, and landscape palette provides an internally consistent and integrated design theme that upholds community aesthetics.

4. *A Conditional Use Permit, if granted, shall be made subject to those conditions necessary to preserve the general welfare, not the individual welfare of any particular applicant (OMC 17.10.030.F.4).*

All project conditions maintain a purpose of preserving the general welfare of the City and community. Conditions specifically serve to manage project construction, provide for site maintenance, address water quality, protect or improve the public right-of-way, protect or improve utilities and accommodate aesthetics.

Major Site Plan Review Findings:

1. *The project design is compatible with surrounding development and neighborhoods (OMC 17.10.060.H.1).*

The project has been designed to comply with the development standards of the M-2 zone and to be compatible with the adjacent surrounding development and uses. The proposed contemporary building design and scale complement the character of the area and the landscaping provides the project frontages with a hierarchy of plant material that soften the building mass and scale. Overall, the proposed project presents an integrated design that provides a renewed, updated, and improved appearance to the site and to the surrounding industrial district.

Development of the project would enhance the existing industrial character of the site and surrounding area with new modern building elevations, new landscaping, hardscape, other on-site improvements, and street frontage improvements. A landscape plan which includes a variety of new trees, shrubs, and groundcover has been provided. The project will incorporate an ample spacing of trees and ornamental landscaping at the site's frontage.

2. *Major Site Plan approval shall be granted if the project conforms to City development standards and any applicable special design guidelines or specific plan requirements (OMC 17.10.060.H.2).*

The project as proposed conforms to City development standards for the M-2 zoning district. There are no special design guidelines or specific plans affecting the property. The site redevelopment with the 57,900 SF truck terminal that includes 52,900 SF of warehouse space, 5,000 SF of office space, and an accessory 5,400 SF maintenance building would meet the M-2 development standards. The site would provide 62 passenger on-site parking spaces, which exceeds the OMC requirements of 47 parking spaces based on the proposed use.

3. *Major Site Plan approval shall be granted if the project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site (OMC 17.10.060.H.3).*

The project provides safe and adequate access and circulation for vehicles and pedestrians from west Struck Avenue. The on-site circulation has been designed to accommodate all access needs to parking spaces and for emergency vehicles. Disabled parking and access have been designed to accommodate building code requirements. The site would provide 62 on-site passenger parking spaces, which exceeds the OMC requirements of 47 parking spaces based on the proposed use.

4. *Major Site Plan approval shall be granted if City services are available and adequate to serve the project (OMC 17.10.060.H.4).*

A review of the project with all City Departments concludes that City services will be available and adequate to serve this site, including water, sewer, police, and fire services.

5. *Major Site Plan approval shall be granted if the project has been designed to fully mitigate or substantially minimize adverse environmental effects (OMC 17.10.060.H.5).*

Any potentially significant environmental effects have been evaluated in Environmental Impact Report No. 1870-20 and mitigated to a less than significant level. Project conditions, mitigation measures, and the OMC will adequately manage construction and use regulation needs of the project.

Design Review Finding:

1. *The project design upholds community aesthetics through the use of an internally consistent, integrated design theme and is consistent with all adopted specific plans, applicable design standards, and their required findings (OMC 17.10.070.G.3).*

There are no specific plans or specific design standards applicable to this site. The project site is designated Light Industrial in the City of Orange General Plan. The Light Industrial designation allows for the manufacturing, processing, and distribution of goods. The exterior design, including colors and materials, and landscape palette provides an internally consistent and integrated design theme that upholds community aesthetics. The project as proposed will generally provide positive improvements to the vacant and degraded site conditions.

SECTION 3– CONDITIONS OF APPROVAL

BE IT FURTHER RESOLVED that the following conditions are imposed:

1. The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by the City's active negligence. The City shall promptly notify the applicant of any such claim, action, or proceedings and shall cooperate fully in the defense.
2. These conditions shall be reprinted on the second page of the construction documents when submitted to the Building Division for the plan check process.
3. Within two (2) days of final approval of this Project, the applicant shall deliver to the Planning Division a cashier's check payable to the Orange County Clerk in an amount required to fulfill the fee requirements of Fish and Game Code Section 711.4(d)(2) and the County Administrative fee, to enable the City to file the Notice of Determination required under Public Resources Code 21152 & Cal Code Regulations 15075.
4. The Project approvals includes certain fees and/or other exactions. Pursuant to Government Code Section 66020, these conditions or requirements constitute written notice of the fees and/or exactions. The applicant is hereby notified that the ninety (90) day protest period commencing from the date of approval of the Project has begun. If the applicant fails to file a protest regarding these conditions or requirements, the applicant is legally barred from later challenging such exactions per Government Code Section 66020.
5. All construction shall conform in substance and be maintained in general conformance with plans and exhibits labeled as Attachment 7 in the August 22, 2023 staff report, including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee and Planning Commission.
6. The applicant shall comply with all conditions of approval contained within Resolution No. 11487 associated with Conditional Use Permit No. 3137-21, Major Site Plan Review No. 1039-21, Design Review No. 5028-21, Environmental Impact Report No. 1870-20, and associated Mitigation Monitoring and Reporting Program.
7. Except as otherwise provided herein, this Project is approved as a precise plan. After any application has been approved, if changes are proposed regarding the location or alteration of any use or structure, a changed plan may be submitted to the Community Development Director for approval. If the Community Development Director determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that

the action would have been the same for the changed plan as for the approved plot plan, the Community Development Director may approve the changed plan administratively.

8. Subsequent modifications to the approved architecture and color scheme shall be submitted for review and approval to the Community Development Director or designee. Should the modifications be considered substantial, the Director may refer the review to the Design Review Committee.
9. Any modifications to the plans including, but not limited to, the landscaping and parking as a result of other Department requirements such as Building Codes, Water Quality, Fire, or Police shall be submitted for review and approval to the Community Development Director or designee. Should the modifications be considered substantial, the modifications shall be reviewed and approved by the Planning Commission.
10. Any future expansion in area or in the nature and operation of the approved use by Conditional Use Permit No. 3137-21, Major Site Plan Review No. 1039-21, Design Review No. 5028-21, shall require new or amended applications.
11. Prior to any grading/construction permit issuance by the City of Orange, the project proponent shall coordinate with the Southern California Regional Rail Authority (SCRRA) and the Orange County Transit Authority (OCTA) on any potential modifications to the rail crossing including adjacent development which may require a diagnostic in accordance with California Public Utilities Commission and the Federal Railroad Administration requirements at the onset of the final design phase.
12. Prior to approval of the final landscape plan, the applicant shall coordinate with the City and OCTA with respect to the type and location of trees at the northeast corner and along the northern boundary of the Project site to ensure consistency with Metrolink SCRRA's Design Criteria Manual.
13. The applicant will contact and coordinate with SCRRA should a Right of Way Encroachment Agreement be necessary.
14. If not utilized, Project approvals expire 24 months from the approval date. Extensions of time may be granted, if requested in writing in accordance with OMC Section 17.08.060. The Planning entitlements expire unless building permits are pulled within 24 months of the original approval.
15. Grading operations shall be restricted to Monday through Friday between the hours of 7:30 a.m. and 5:00 p.m., with limited grading as necessary permitted on Saturdays between the hours of 8:00 a.m. and 4:30 p.m. Mechanics may service the equipment up to two hours after each shift.
16. All other construction activities shall conform to the City's Noise Ordinance, OMC Chapter 8.24, and shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Saturday. No construction activity will be permitted on Sundays and Federal holidays.
17. Any new lighting on the premise shall be installed in such a way to direct, control, and screen the lighting to prevent off site light spillage onto adjoining properties and shall not be a nuisance to any point beyond the exterior boundaries of the property.

18. Prior to building permits, the landscape plans shall be revised to show that six of the eight large stature trees along the back of Struck Avenue shall be revised to trees of a minimum height of 50 feet. Applicant may select which trees will be substituted.
19. Prior to building permits, the landscape plans shall be revised to show that six of the ten large stature street trees that are in line with the front of building shall be revised to trees of a minimum height of 50 feet. Applicant may select which trees will be substituted.
20. Prior to building permits, the landscape plans shall be revised to show that four of the trees at the rear of the property line shall be substituted with a minimum 50-foot height tree. Applicant may select which trees will be substituted.
21. Prior to building permits, the landscape plans shall be revised to show that ten new trees shall be added to the planter area and in the two corners of the rear of the property and to the northeast corner of the property. Trees shall be a minimum 30-foot height taken from the proposed palette.
22. Prior to building permits, the landscape plans shall be revised to show that all of the Desert Willows on the plans shall be substituted with 30-foot minimum height trees.
23. Prior to building permits, the landscape plans shall be revised to show that the parking lot fingers in the equipment yard shall have Canary Island Pines; one per finger.
24. Prior to building permits, the landscape plans shall be revised to show that the 15-gallon Brisbane box trees shall be upsized to 24" box.
25. Prior to building permits, the applicant shall demonstrate to the satisfaction of the Community Development Director that all mechanical and air conditioning equipment shall be shielded and screened from view from adjacent streets and properties. The screening shall be integrated architecturally with the building and painted to match the walls of the building.
26. Prior to building permits, all required parking spaces shall be shown on construction documents as doubled striped to City standards.
27. Prior to building permits, the applicant shall pay any outstanding monies due to the City for Planning Division entitlement activities related to this project.
28. In conjunction with the operation of the business(es), the property owner shall be responsible to maintain the property to a level deemed adequate by the Community Development Director. This includes, but is not limited to, the buildings, on-site landscaping, trash areas, signage, utilities, property walls, and gates (if applicable).
29. Any graffiti shall be removed within 72 hours from the time the City of Orange Notice of Violation is received by the applicant/property owner.
30. In conjunction with the operation of the business(es), all loading and trash enclosure areas shall be maintained and kept clean and free of debris.
31. In conjunction with the operation of the business(es), all noise levels generated shall conform to the levels allowed by the OMC.
32. Construction equipment shall be properly maintained per manufacturers specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc.).

33. Construction equipment shall not idle for extended periods of time in the vicinity of sensitive receptors.
34. Fixed and/or stationary construction equipment shall be located as far as possible from sensitive receptors (e.g., generators, compressors, rock crushers, cement mixers). Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on powered construction equipment.
35. Prior to building permits, the applicant shall demonstrate that the trash enclosures utilize similar materials, colors, and finishes as the industrial buildings, including any roofing.
36. Prior to building permits, the applicant shall demonstrate that the trash enclosure shall conform to City Standard Plan 409.
37. In conjunction with the operation of the business(es), all loading and unloading (i.e. deliveries) activities shall only occur in the designated loading dock and loading zone areas on the subject site.
38. In conjunction with the operation of the business(es), all loading and trash enclosure areas shall be maintained and kept clean and free of debris.
39. Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc.).
40. Prior to grading permits, the construction contractor shall prepare a traffic control plan detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations to minimize impacts to sensitive receptors.
41. In conjunction with the operation of the business(es), should parking or queuing issues arise on the site or the surrounding neighborhood, the applicant shall work with the Community Development Department to resolve any issues. If such issues are not resolved to the City's satisfaction, the Major Site Plan Review application shall be presented to the Planning Commission for its consideration of further conditions and modifications.
42. Landscape maintenance shall be performed in such a manner as to allow all trees to retain their full canopy height for screening and full canopy breadth for shade at point of maturity, except as required for public safety purposes.
43. All landscape areas shall be maintained in a neat and healthy condition. Should the plant material die, the property owner/operator shall replace it with similar new plant material.
44. Prior to certificate of occupancy, all parking lot and landscaping improvements shall be completed according to the approved plans and to the satisfaction of the Community Development Director.
45. Prior to building permits, a Tree Removal Permit shall be approved by the Community Service Director in accordance with the City's Tree Preservation Ordinance. A plan is required for submittal to the City depicting all of the existing on-site trees, the species of each tree, and the number of trees proposed for removal and replacement.
46. Prior to building permits, the applicant shall work with the Public Works Department to determine if the right-of-way can accommodate street tree installation, and to determine the quantity, size, spacing, species, and locations of street trees along all street frontages of the project.

47. Prior to the issuance of Grading Permits, Applicant shall, to the satisfaction of the Public Works Department, conduct all necessary activities, including, but not limited to, soils analysis, to determine pavement section of Struck Avenue (between Batavia Street and the east terminus/cul-de-sac) needed to support the traffic loading (TI of 9.5) identified in the Project's approved Traffic Impact Study. The proposed pavement section shall be approved by the Public Works Department.
48. Prior to the issuance of Occupancy Permits, Applicant shall (remove and) reconstruct Struck Avenue (between Batavia Street and the east terminus/cul-de-sac) to provide for the approved pavement section. The pavements section shall be no less than the minimum identified in the City's Standard Plan No. 104 (Standard Commercial and Industrial Street Section.) Applicant shall design and construct the aforementioned and any associated street improvements to the satisfaction of the Public Works Department, and accordance with all applicable laws, requirements and standards.
49. Plans submitted for Building Plan Check shall comply with the California Fire Code as amended by the City and as frequently amended and in effect at the time of application for building permits. On-site fire department access will require easement recording prior to issuance of a rough grading permit and shall be reviewed by the Fire Department prior to approval.
50. Prior to building permits, payment of Transportation System Improvement Program fees is required.
51. Truck trips generated by the project shall utilize the City's existing truck routes to travel to and from the project vicinity.
52. Prior to grading permits, the property owner shall maintain in good condition, all on-site driveways where heavy-duty trucks would travel.
53. Prior to building permits, the applicant shall submit an address number request, including an addressing plan, to the Public Works Department for review and approval.
54. Prior to certificate of occupancy, the address number of each commercial building shall be illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than six inches in height and be of a color contrasting to the background. In addition, any business which affords vehicular access to the rear through any driveway, alleyway or parking lot shall also display the same numbers on the rear of the building.
55. Prior to certificate of occupancy, the building closest to the street frontage shall have the lowest address number.
56. Prior to certificate of occupancy, the building in the back, not clear in sight from the street, an illuminated address sign shall be placed in the front.

Mitigation Measures

57. All project Mitigation Measures and Project Design Features shall be complied with and implemented as stated in the Mitigation Monitoring and Report Program located in the Final Environmental Impact Report No. 1870-20.

EXHIBIT A

The Land referred to herein below is situated in the City of Orange, County of Orange, State of California, and is described as follows:

PARCEL 1:

THAT PORTION OF THE LAND ALLOTTED TO A. SEBASTIAN VAN DECLARATION GRAAF IN DECREE OF PARTITION OF THE RANCHO SANTIAGO DE SANTA ANA, RECORDED IN CASE NO. 1192, AND ENTERED SEPTEMBER 12, 1868 IN BOOK B, PAGE 410 OF JUDGMENTS OF THE 17TH JUDICIAL DISTRICT COURT OF CALIFORNIA, IN THE CITY OF ORANGE, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH BOUNDARY OF SAID VAN DE GRAAF ALLOTMENT DISTANT NORTH 89°39'30" WEST 6600.00 FEET FROM THE SOUTHEAST CORNER OF SAID ALLOTMENT; THENCE NORTH 0°12'40" EAST 1320.00 FEET; THENCE NORTH 89°35'35" WEST 579.48 FEET TO THE EAST LINE OF LAND DESCRIBED IN DEED RECORDED IN BOOK 1161, PAGE 547 OF OFFICIAL RECORDS; THENCE ALONG SAID EAST LINES SOUTH 0°12'40" WEST 1320.66 FEET TO THE SOUTH BOUNDARY OF SAID ALLOTMENT; THENCE SOUTH 89°39'30" EAST 579.48 FEET ALONG SAID SOUTH BOUNDARY TO THE POINT OF BEGINNING.

EXCEPTING THAT PORTION LYING EASTERLY OF THE EASTERLY LINE AND THE SOUTHERLY PROLONGATION THEREOF, OF THE LAND SHOWN ON A MAP FILED IN BOOK 32, PAGE 25 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO EXCEPTING THAT PORTION INCLUDED WITHIN THE FOLLOWING DESCRIBED LINES:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF COLLINS AVENUE, 60.00 FEET WIDE, WITH THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF THE 5.075 ACRE PARCEL OF LAND SHOWN ON A MAP FILED IN BOOK 32, PAGE 25 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID EASTERLY LINE BEING ALSO THE WESTERLY LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY RIGHT-OF-WAY AS DESCRIBED IN THE DEED TO SAID RAILWAY COMPANY, RECORDED MAY 19, 1959 AS INSTRUMENT NO. 78387, IN BOOK 4719, PAGE 405 OF OFFICIAL RECORDS; THENCE ALONG SAID CENTER LINE NORTH 89°39'30" WEST 549.21 FEET; THENCE NORTH 0°12'40" EAST 506.00 FEET PARALLEL WITH SAID WESTERLY LINE; THENCE SOUTH 89°39'30" EAST 550.07 FEET PARALLEL WITH SAID CENTER LINE TO SAID WESTERLY LINE; THENCE SOUTH 0°18'30" WEST 506.09 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID ALLOTMENT, NORTH 89°45'00" WEST 7179.48 FEET FROM THE SOUTHEAST CORNER OF SAID ALLOTMENT AS PER MAP RECORDED IN BOOK 4, PAGE 440 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, CALIFORNIA; THENCE NORTH 0°11'00" EAST 1320.66 FEET TO A POINT ON THE CENTERLINE OF STRUCK AVENUE AS ESTABLISHED BY THE DEED RECORDED MAY 13, 1965 AS INSTRUMENT NO. 9517, IN BOOK 7518, PAGE 808 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO THE PLASTIC AND REALTY PROPERTIES COMPANY BY DEED RECORDED NOVEMBER 15, 1974 AS INSTRUMENT NO. 13043, IN BOOK 11288, PAGE 672 OF OFFICIAL RECORDS, AND SAID POINT IS HEREAFTER REFERRED TO AS THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 89°43'00" EAST 467.86 FEET ALONG THE NORTH LINE OF THE PLASTIC AND REALTY PROPERTIES COMPANY LAND AS ESTABLISHED IN THE ABOVE MENTIONED DOCUMENT, TO A POINT OF CUSP WITH A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 89°43'00" EAST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 133°20'30" AN ARC DISTANCE OF 139.64 FEET TO A POINT ON A TANGENT CURVE, CONCAVE SOUTHERLY HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'30" AN ARC DISTANCE OF 37.82 FEET; THENCE TANGENT TO SAID CURVE NORTH 89°43'00" WEST 332.31 FEET; THENCE NORTH 0°11'00" EAST 30.00 FEET TO THE TRUE POINT OF BEGINNING, AS CONVEYED TO THE CITY OF ORANGE BY DEED RECORDED FEBRUARY 24, 1975 AS INSTRUMENT NO. 14940, IN BOOK 11345, PAGE 24 OF OFFICIAL RECORDS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR SPECIFIC PURPOSES OF LAYING, OR CAUSING TO BE LAID, GAS, WATER, STORM DRAIN, AND SEWER PIPES AND MAINS AND CONDUITS AT LEAST 18 INCHES OR MORE UNDER, AND THROUGH THE WESTERLY 10 FEET OF THE FOLLOWING DESCRIBED LAND AS PERMITTED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF ORANGE, TOGETHER WITH THE RIGHT OF ACCESS TO SAID GAS, WATER, STORM DRAIN, AND SEWER LINES FOR THE PURPOSES OF INSTALLATION, INSPECTION, ALTERATION, REPAIR, REPLACEMENT OR OTHER RELATED ACTIVITY, UPON THE CONDITIONS SET FORTH IN THAT CERTAIN DEED AND GRANT OF EASEMENT DATED OCTOBER 15, 1974, EXECUTED BY WILLIAM C. LAZIER AND OTHERS, RECORDED NOVEMBER 15, 1974 AS INSTRUMENT NO. 13043, IN BOOK 11288, PAGE 672 OF OFFICIAL RECORDS.

THAT PORTION OF THE LAND ALLOTTED TO A. SEBASTIAN VAN DE GRAAF, IN DECREE OF PARTITION OF THE RANCHO SANTIAGO DE SANTA ANA, RENDERED IN CASE NO. 1192 AND ENTERED SEPTEMBER 12, 1968 IN BOOK B, PAGE 410 OF

JUDGMENTS OF THE 17TH JUDICIAL DISTRICT COURT OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF COLLINS AVENUE, 60.00 FEET WIDE, THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF THE 5.075 ACRE PARCEL OF LAND SHOWN ON A MAP FILED IN BOOK 32, PAGE 25 OF RECORDS OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID EASTERLY LINE BEING ALSO THE WESTERLY LINE OF THE ATCHISON, TOPEKA AND SANTA FEY RAILWAY COMPANY RIGHT-OF-WAY AS DESCRIBED IN THE DEED TO SAID RAILWAY COMPANY, RECORDED MAY 19, 1959 AS INSTRUMENT NO. 78387, IN BOOK 4719, PAGE 405 OF OFFICIAL RECORDS; THENCE ALONG SAID CENTER LINE NORTH 89°39'30" WEST 549.21 FEET; THENCE NORTH 0°12'40" EAST 506.00 FEET PARALLEL WITH SAID WESTERLY LINE; THENCE SOUTH 89°39'30" EAST 550.07 FEET PARALLEL WITH SAID CENTER LINE TO SAID WESTERLY LINE; THENCE SOUTH 0°18'30" WEST 506.00 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE SOUTHERLY 40.00 FEET AS DESCRIBED IN THE DEED TO THE CITY OF ORANGE, RECORDED JUNE 30, 1970 AS INSTRUMENT NO. 20711, IN BOOK 9361, PAGE 347 OF OFFICIAL RECORDS OF SAID COUNTY.

ALSO EXCEPTING THERE FROM THE FOLLOWING:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID ALLOTMENT, NORTH 89°45'00" WEST 7179.48 FEET FROM THE SOUTHEAST CORNER OF SAID ALLOTMENT AS PER MAP RECORDED IN BOOK 4, PAGE 440 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, CALIFORNIA; THENCE NORTH 0°11'00" EAST 1320.66 FEET TO A POINT ON THE CENTERLINE OF STRUCK AVENUE AS ESTABLISHED BY THE DEED RECORDED MAY 13, 1965 AS INSTRUMENT NO. 9517, IN BOOK 7518, PAGE 808 OF OFFICIAL RECORDS, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO THE PLASTIC AND REALTY PROPERTIES COMPANY BY DEED RECORDED NOVEMBER 15, 1974 AS INSTRUMENT NO. 13043, IN BOOK 11288, PAGE 672 OF OFFICIAL RECORDS, AND SAID POINT IS HEREAFTER REFERRED TO AS THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 89°43'00" EAST 467.86 FEET ALONG THE NORTH LINE OF THE PLASTIC AND REALTY PROPERTIES COMPANY LAND AS ESTABLISHED IN THE ABOVE MENTIONED DOCUMENT, TO A POINT OF CUSP WITH A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 89°43'00" EAST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 133°20'30" AN ARC DISTANCE OF 139.64 FEET TO A POINT ON A TANGENT CURVE, CONCAVE SOUTHERLY HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'30" AN ARC DISTANCE OF 37.82 FEET; THENCE TANGENT TO SAID CURVE NORTH 89°43'00" WEST 332.31 FEET; THENCE NORTH 0°11'00" EAST 30.00 FEET TO THE TRUE

POINT OF BEGINNING, AS CONVEYED TO THE CITY OF ORANGE BY DEED RECORDED FEBRUARY 24, 1975 AS INSTRUMENT NO. 14940, IN BOOK 11345, PAGE 24 OF OFFICIAL RECORDS.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS ON AND OVER THE WESTERLY 20 FEET OF PARCEL 2 OF PARCEL MAP NO. 84-757, IN THE CITY OF ORANGE, AS SHOWN ON A MAP FILED IN BOOK 194, PAGES 5 AND 6 OF PARCEL MAPS, AS SET FORTH IN THAT CERTAIN DEED AND GRANT OF EASEMENT RECORDED APRIL 05, 1985 AS INSTRUMENT NO. 85-121284 OF OFFICIAL RECORDS OF THE COUNTY OF ORANGE.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR THE PLACEMENT AND INSTALLATION OF UTILITIES ON, IN AND OVER THE WESTERLY 10 FEET OF PARCEL 2 OF PARCEL MAP NO. 84-757, IN THE CITY OF ORANGE, AS SHOWN ON A MAP FILED IN BOOK 194, PAGES 5 AND 6 OF PARCEL MAPS, AS SET FORTH IN THAT CERTAIN DEED AND GRANT OF EASEMENT RECORDED APRIL 05, 1985 AS INSTRUMENT NO. 85-121284 OF OFFICIAL RECORDS OF THE COUNTY OF ORANGE.

APN: FOR CONVEYANCING PURPOSES ONLY: 375-331-04

EXHIBIT B PROCEDURAL REQUIREMENTS

General

1. The applicant shall comply with all federal, state, and local laws, including all City regulations. Violation of any of those laws in connection with the use will be cause for revocation of this permit.
2. Construction permits, including building permits and grading permits, as required by the City, shall be obtained in advance of any site demolition, clearing and grubbing, and grading and for all construction work, as required by the Community Development Department's Building Division and Public Works Grading Division. Failure to obtain the required building permits may be cause for revocation of this entitlement.
3. Plans submitted for Building Plan Check shall comply with the California Fire Code as amended by the City and as frequently amended and in effect at the time of application for building permits.
4. Prior to the operation of the business, the applicant shall file for, or if applicable, amend a business license with the Business License Division. Failure to obtain the required business license will be cause for revocation of this approval.
5. Prior to building permits, the applicant shall pay all applicable development fees, including but not limited to: City sewer connection, Orange County Sanitation District Connection Fee, Transportation System Improvement Program, Fire Facility, Police Facility, Park Acquisition, Sanitation District, and School District, as required.

Landscaping

6. Prior to building permits, final landscaping plans for the Project shall be designed to comply with the City's Water Efficient Landscape Guidelines as described in Section IX et al of the City of Orange Landscape Standards and Specifications. The Project landscape architect shall submit documentation certifying compliance with this requirement (Appendix B of the City of Orange Landscape Standards and Specifications) for review and approval by the Community Development Director or designee in coordination with the Public Works Director or designee.
7. Prior to certificate of occupancy, all landscaping improvements shall be completed according to the approved plans, the City of Orange Water Efficient Landscape Guidelines, and City of Orange Landscape Standards and Specifications. The project landscape architect shall submit documentation certifying compliance with this requirement (Appendix E of the City of Orange Landscape Standards and Specifications) for review and approval by the Community Development Director or designee, in coordination with the Public Works Director or designee.
8. Prior to building permits, City required irrigation and landscape inspection notes, in accordance with the City of Orange Landscape Standards and Specifications, shall be placed on the final landscape plan, to the satisfaction of the Community Development Director or designee, in coordination with the Public Works Director or designee.

9. Prior to building permits, the final landscape plan shall be reviewed and approved by the Public Works Director when landscaping is proposed within the public right-of-way and/or the Project is constructing Storm Water Quality Best Management Practices (BMPs) in landscaped areas.
10. Prior to building permits, the final landscape plan shall include a note that a fully automated irrigation system will be provided.
11. Prior to building permits, landscape plans shall include landscape area calculations needed for State landscape water use reporting.
12. Prior to building permits, the applicant shall prepare a final landscaping and irrigation plan consistent with the grading plans, site plans, and the conceptual landscaping plan as proposed for the project for the review and approval of the Community Development Director or designee, in coordination with the Public Works Director or designee.
13. Prior to building permits, all landscaping located within public areas shall be shown on the landscape plans and shall include the installation of root barriers acceptable to the Public Works Department on the sidewalk side of the tree, or where conditions warrant, the installation of a Deep Root box as directed by the Public Works Director.

Police:

14. Prior to building permits, the Project shall comply with the requirements of OMC Chapter 15.52 (Building Security Standards), which relates to hardware, doors, windows, lighting, etc. Approved structural drawings, if any, shall include sections of the security code that apply. Specifications, details, or security notes may be used to convey the compliance.
15. Security and design measures that employ Defensible Space concepts shall be utilized in development and construction plans. These measures incorporate the concepts of Crime Prevention through Environmental Design (CPTED), which involves consideration such as placement and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing and landscaping.
16. Prior to building permits, a photometric study shall be reviewed and approved by the Police Department. A minimum of one foot candle shall be maintained on all surfaces of the parking lot, from dusk until the termination of business every operating day. The applicant shall ensure that lighting on the site shall be directed, controlled, and screened in such a manner so as to refrain from shining directly on surrounding properties.
17. Prior to certificate of occupancy, the applicant shall schedule a light reading inspection with the Crime Prevention Bureau. The lighting shall be tested and confirmed to determine if the lighting meets or exceeds the exterior boundary standards. The applicant shall use shielding so as to ensure that the light standards meet the requirements of OMC Section 17.12.030 for the areas beyond the property's exterior boundaries; light spillage or pollution to surrounding residential areas shall not exceed a maintained minimum of 0.5 foot-candle.

Subdivision:

18. Prior to grading permits all works within public right-of-way and public utility easements will require Encroachment Permits, including sidewalk and driveway constructions and utility main and lateral constructions.

19. Prior to grading permits all public infrastructures, including street sections, sidewalk, driveway apron, and utilities shall comply with City of Orange Standard Plans and Specifications.
20. Prior to certificate of occupancy, utilities serving the development, such as electric, cable television, street lighting and communication shall be installed underground, completed and approved by the appropriate utility provider.
21. Prior to certificate of occupancy, the applicant shall remove unused driveway approaches and restored them to full height curb and gutter, including any sidewalk restoration at the driveway apron.
22. Prior to certificate of occupancy, the applicant shall remove unused driveway approaches and restore them to full height curb and gutter, including any sidewalk restoration at the driveway apron.
23. Prior to grading permits, driveway aprons shall conform to Public Works Standard Plan 115 for commercial driveways with ADA accessibility.
24. Prior to grading permits, all driveway approaches shall conform to ADA standards for wheelchair access and to Public Works Standard Plans 115 and 116.
25. Prior to certificate of occupancy, the developer shall be required to construct sidewalks to meet current standard along Struck Avenue per City of Orange Engineering Standard Plan 118.
26. Prior to certificate of occupancy, the applicant shall provide adequate wheelchair accessibility around driveway aprons that do not conform to current ADA standards.
27. Prior to certificate of occupancy, the applicant shall repair any cracked, uneven, or damaged public sidewalk, curb and gutter along property frontages.
28. Prior to certificate of occupancy, all landscaping shall include the installation of root barriers on the sidewalk side of tree, or where conditions warrant the installation of Deep Root box as directed by the Community Services Department.
29. Prior to certificate of occupancy, the sanitary sewer system connecting from the buildings to the public mainline shall be private and maintained by the property owner.
30. Prior to grading permits, the applicant shall submit a grading plan in compliance with City standards for review and approval by the Public Works Director. All grading and improvements on the subject property shall be made in accordance with the Manual of Grading and Standard Plans and Specifications to the satisfaction of the Public Works Director. The applicant may be required to include Phased Erosion and Sediment control Plans, Site Demolition Plan, and Utility Plan as parts of the grading plan.
31. Prior to grading permits, plans preparation and submittals shall be per Development Services Plan Preparation Guidelines and Checklist, and Checklist for Submittal Packages.
32. Prior to grading permits, a geotechnical report shall accompany the grading plan review.
33. A Hydrology Study/Report shall be submitted for review and approval by the Public Works Department. The Hydrology Study/Report shall comply with the Orange County Hydrology Manual and Addenda (OCHM). Design Storm Frequency at a minimum, shall be 10-year storm (25-year in a sump condition), and a 100-year storm event. Proposed improvements shall comply with freeboard requirements per OCHM and County Local Drainage Manuals.

34. Prior to grading permits, site grading shall conform to the latest California building Code Section 1804. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of 5% for previous surfaces, and 2% for impervious surfaces, at a minimum distance of 10 feet.
35. Prior to grading permits, the applicant shall obtain a grading permit from the Public Works Department prior to start of any site demolition, clearing and grubbing, and grading.
36. Prior to grading permits, any soil imported or exported shall require a transportation permit from the Public Works Department Traffic Division.
37. Prior to grading permits, upon submittal of grading plan for plan check, the applicant shall make a deposit to cover plan check and inspection services related to the grading activities.
38. Prior to grading permits, the grading plan shall detail all of the locations where retaining walls will be constructed. Geometric detail of retaining walls shall be shown on the grading plan, including material type, dimensions, backfill, and subdrains. A building permit is also required for retaining walls over 4 feet in height as measured from the bottom of the footing to the top of the wall prior to construction. Structural details and design calculations shall be submitted as a separate document and will be reviewed and permitted by the City Building Division.
39. Prior to grading permits, any grading outside of the owner's property boundary shall require the applicant to either obtain a temporary construction easement or permission by adjacent property owners in a form suitable to the Public Works Director.
40. Prior to grading permits, trash receptacle locations and details shall be included on the grading plan. The trash storage area shall be constructed per Public Works Department Standard Plan 409.
41. Prior to grading permits, the applicant shall show all sewer and storm drain lines on the grading plan. Other utility lines, such as water lines, may also be shown on the grading plan for reference.
42. Prior to grading permits, the applicant shall show all structural BMPs for water quality purposes on the grading plan. Water quality features shown on the grading plan shall match the Water Quality Management Plan (WQMP).
43. Prior to grading permits, any direct storm water discharge into the Orange County Flood Control (OCFD) channels shall require a permit from OCFD.
44. Prior to building permits, and prior to building foundation construction, a Certificate Letter of Line and Grade shall be submitted to Public Works Construction Inspector demonstrating that the site grading and pad elevation are completed according to the grading plan.

Water Quality:

45. Prior to grading permits the applicant shall submit a Priority Project WQMP for review and approval to the Public Works Department that:
 - a. Prioritizes the use of Low Impact Development principles as follows: preserves natural features; minimizes runoff and reduces impervious surfaces; and utilizes infiltration of runoff as the method of pollutant treatment. Infiltration BMPs to be considered include the use of permeable materials such as concrete and concrete pavers, infiltration trenches, infiltration planters, and other infiltration BMPs as applicable,

- b. Incorporates the applicable Site Design, Routine Source, Structural Control and Low Impact BMPs as defined in the Model Water Quality Management Plan and Technical Guidance Document,
 - c. Maintains the hydrologic characteristics of the site by matching time of concentration, runoff, velocity, volume and hydrograph for a 2-year storm event,
 - d. Minimizes the potential increase in downstream erosion and avoids downstream impacts to physical structures, aquatic and riparian habitat,
 - e. Generally describes the long-term operation and maintenance requirements for structural and Treatment Control BMPs,
 - f. Identifies the entity or employees that will be responsible for long-term operation, maintenance, repair and or replacement of the structural and Treatment Control BMPs and the training that qualifies them to operate and maintain the BMPs,
 - g. Describes the mechanism for funding the long-term operation and maintenance of all structural and Treatment Control BMPs,
 - h. Includes a copy of the forms to be used in conducting maintenance and inspection activities,
 - i. Meets recordkeeping requirements (forms to be kept for 5 years).
 - j. Includes a copy of the form to be submitted annually by the project owner to the Public Works Department that certifies that the project's structural and treatment BMPs are being inspected and maintained in accordance with the project's WQMP.
46. Prior to the certificates for use of occupancy, the applicant shall demonstrate the following to the Public Works Department:
- a. That all structural and treatment control BMPs described in the Project WQMP have been constructed and installed in conformance with the approved plans and specifications,
 - b. That the applicant is prepared to implement all non-structural BMPs described in the Project WQMP,
 - c. That an adequate number of copies of the project's approved final Project WQMP are available for the future occupiers.
47. Prior to the certificates of occupancy or final signoff by the Public Works Department, the applicant shall demonstrate to the satisfaction of Public Works, that the preparer of the WQMP has reviewed the BMP maintenance requirements in Section V of the WQMP with the responsible person and that a copy of the WQMP has been provided to that person. A certification letter from the WQMP preparer may be used to satisfy this condition.
48. Prior to building permits, the applicant shall review the approved WQMP and grading plan to ensure the structure's downspouts or drainage outlet locations are consistent with those documents. Copies of the building or architectural plans specifically showing the downspouts and drainage outlets shall be submitted to the Public Works Department for review.
49. The project applicant shall maintain all structural, treatment and low impact development BMPs at the frequency specified in the approved WQMP. Upon transfer of ownership or management responsibilities for the project site, the applicant shall notify the City of Orange

Public Works Department of the new person(s) or entity responsible for maintenance of the BMPs.

50. Prior to the grading permits (including, as appropriate: *clearing, grubbing, surface mining, or paving permits*), the applicant shall demonstrate that coverage has been obtained under the State's General Permit for Stormwater Discharges Associated with Construction Activity (Construction General Permit) 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. A copy of the SWPPP required by the General Permit shall be kept at the project site and be available for review by City representatives upon request.
51. For those projects requiring coverage by the State of California's General Industrial Permit: Prior to certificates for use and occupancy, the applicant shall demonstrate that coverage under the State's General Permit for Stormwater Discharges Associated with Industrial Activity has been obtained by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing.
52. Prior to City approval of the landscape plans, the applicant shall review the approved WQMP and ensure the proposed landscape plans are consistent with the project grading plans. The plans must show any proposed storm water treatment BMPs such as bioretention planters, drywells, permeable pavers, or any other proposed surface water quality BMPs.

Water Division:

53. Prior to building permits, the applicant shall submit improvement plans to the Water Division for review and approval for any new fire hydrants, domestic water services, fire services, landscape services, and any other proposed improvements or relocations affecting the public water system facilities.
54. Prior to certificate of occupancy, the applicant shall be responsible for the installation of necessary fire hydrants and fire services as approved by the Fire Department and Water Division.
55. Prior to building permits, the Water Division shall approve the type and location of landscaping and fire service (backflow prevention) device for proposed City services.
56. Prior to building permits, construction documents shall show that a six foot minimum horizontal clearance and a one foot minimum vertical clearance would be maintained between City water mains, laterals, services, meters, fire hydrants and all other utilities except sewer. The Water Division shall review and approve the construction documents.
57. Prior to building permits, construction documents shall show that an eight-foot minimum clearance is provided between City water mains, laterals, services, meters, fire hydrants, signs, or trees or other substantial shrubs and plants as required by the Water Division. The Water Division shall review and approve the construction documents.
58. Prior to building permits, construction documents shall show that permanent signs, awning, surface water quality management features or other structures are not built over water mains, laterals, services, meters, or fire hydrants as required by the Water Division.

59. Prior to building permits for the first phase of work, the applicant shall be responsible for obtaining approval all of the necessary encroachment permits from affected agencies for all public water construction work.
60. Prior to approval of a water improvement plan, the applicant shall satisfy all water main connection, plan check, and inspections charges as determined by the Water Division.
61. Plans submitted during plan check shall show that the water improvement plans are consistent with the fire suppression plans and or fire master plan. The applicant's consultant preparing the water improvement plans shall coordinate their plans with the consultant preparing the fire suppression plans and/or fire master plan so that their designs concur.
62. Plans submitted during plan check shall show that the minimum separation requirements are met and that each of the various designer's plan sets match. The applicant's consultant preparing the improvement and utility plans shall coordinate their plans with the consultants preparing the landscape, architectural, surface water quality management, fire master and/or fire suppression plans so that their designs are consistent.
63. At least 14 calendar days prior to commencing construction, the applicant's civil engineer shall prepare and provide product material submittals consistent with the water improvement plans for all proposed public water system facilities to the Water Division per the City of Orange General Water Construction Notes for review and approval.
64. Prior to certificate of occupancy, the applicant shall furnish and install individual pressure regulators on new services where the incoming pressure exceeds eighty-pounds per square inch.