

RESOLUTION NO. 11313

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ORANGE APPROVING MAJOR
SITE PLAN REVIEW NO. 0976-19, VARIANCE
NO. 2251-19, DESIGN REVIEW NO. 4977-19, AND
ADMINISTRATIVE ADJUSTMENT NO. 0274-19
FOR THE EXPANSION OF THE ORANGE
COUNTY RONALD MCDONALD HOUSE AT 383
S. BATAVIA STREET AND 802 W. CULVER
AVENUE**

APPLICANT: ORANGE COUNTY RONALD MCDONALD HOUSE

WHEREAS, the City Council has authority per Orange Municipal Code (OMC) 17.08.020 to approve Major Site Plan Review, Variance, Design Review, and Administrative Adjustment applications; and,

WHEREAS, the Land Use Element of the City's General Plan establishes goals and policies to encourage the creation of high quality, compatible development that supports the continuation of institutional and civic uses in the Old Towne Historic District; and,

WHEREAS, the applications for Major Site Plan Review (MJSP) No. 0976-19, Variance (VAR) No. 2251-19, Design Review (DRC) No. 4977-19, and Administrative Adjustment (AA) No. 0274-19 were filed by Orange County Ronald McDonald House in accordance with the provisions of the OMC; and,

WHEREAS, the applications for MJSP No. 0976-19, VAR No. 2251-19, DRC No. 4977-19, and AA No. 0274-19 were processed in the time and manner prescribed by state and local law; and,

WHEREAS, the applications for MJSP No. 0976-19, VAR No. 2251-19, DRC No. 4977-19, and AA No. 0274-19 consist of a request to construct a three-story, 17,325 square foot addition to the Orange County Ronald McDonald House at 383 S. Batavia Street with associated surface parking, landscaping, and utilities and conversion of a historic single-family residence at 802 W. Culver Avenue to an associated office on a 60,670 square foot site ("Project"); and,

WHEREAS, the City Council adopted Mitigated Negative Declaration No. 1868-19, which was prepared 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 City of Orange Local CEQA Guidelines. The Mitigated Negative Declaration finds that the Project will have less than significant impacts to the environment, with the implementation of standard conditions and mitigation measures; and,

WHEREAS, the City’s interdepartmental staff review committee completed its review of the Project on October 7, 2020, and recommended approval of the applications subject to standard conditions; and,

WHEREAS, the Design Review Committee reviewed the Project at meetings on December 4, 2019 and February 5, 2020 and provided comments to the applicant on building massing and scale, privacy, and landscaping. The applicant redesigned the building footprint, elevations, and landscaping and returned to the Design Review Committee meeting on December 16, 2021. At that meeting, the Committee voted, by a vote of 4-1, to recommend denial of the Project; and

WHEREAS, the Planning Commission conducted a duly advertised public hearing on February 17, 2021, considered public comments, and recommended approval of the Project to the City Council by a 4-0 vote; and

WHEREAS, the City Council conducted a duly advertised public hearing on April 13, 2021, at which time interested persons had an opportunity to testify either in support of or opposition to the Project upon property described in Attachment “A” to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Orange approves MJSP No. 0976-19, VAR No. 2251-19, DRC No. 4977-19, and AA No. 0274-19, based on the following findings:

SECTION 1 – ENVIRONMENTAL REVIEW

Mitigated Negative Declaration No. 1868-19 was prepared to evaluate the physical environmental impacts of the Project, in conformance with the provisions of CEQA per State CEQA Guidelines Section 15070 and the Local CEQA Guidelines. The Mitigated Negative Declaration finds that the Project will have less than significant impacts to the environment, with the implementation of the mitigation measures addressing potential impacts to Biological Resources, Cultural Resources, Geology/Soils, and Tribal Cultural Resources, and standards conditions therein.

SECTION 2 – FINDINGS

General Plan Required Findings

- 1. The Project must be consistent with the goals and policies stated within the City’s General Plan.*

The Project is consistent with the City’s General Plan Land Use Element in that the expansion of the Orange County Ronald McDonald House promotes the continuation of a long-term institution in the Old Towne Historic District, integrated with the hospitals and other medical uses to the west. The Project is located along the S. Batavia Street boundary of the Old Towne Historic District and is surrounded by a mix of residential, commercial, and institutional uses. The expansion of a community-serving institutional use is consistent with the blend of property types in the vicinity, and the Project’s compatible design elements ensure that it

represents a high-quality development project, as encouraged by the General Plan Urban Design Element. Consistent with the Cultural Resources & Historic Preservation Element, the Project will not negatively impact historic resources or the Old Towne Historic District.

Major Site Plan Review Required Findings

1. The Project design is compatible with surrounding development and neighborhoods.

The Project is an expansion of an existing institutional use within a neighborhood with a variety of property types. It is located in the Old Towne Historic District, along the Batavia Street western boundary. Surrounding properties include large-scale institutional buildings, such as the Sisters of St. Joseph campus to the west, office complexes, such as Sycamore Plaza and Batavia Woods to the south, and single-family residences, including historic houses, to the north and east. The project design is a balance between the materials and features of the existing Ronald McDonald House building and an updated contemporary design that reflects elements of surrounding historic buildings. Although the proposed addition results in a larger building than surrounding residences, its design elements and form serve as a transition from the more substantial commercial buildings to the south.

The site layout, building footprint, setbacks, and landscaping are intended to limit potential impacts to surrounding residential properties. Site landscaping and building orientation address the relationship of the site to the neighborhood to the west. New street trees and landscaping along Batavia Street will provide an attractive frontage that transitions into the residential neighborhood.

The project also includes adaptive reuse of a historic single-family residence at 802 W. Culver Avenue as an administrative office for the Orange County Ronald McDonald House. All deliveries, parking, and pedestrian access associated with the office will take place on the existing Orange County Ronald McDonald House property to avoid potential conflicts with the residential neighborhood.

2. The Project conforms to City development standards and any applicable special design guidelines or specific plan requirements.

As described in Mitigated Negative Declaration No. 1868-19 and the Design Review Required Findings below, the Project is compatible with the Old Towne Historic District and in conformance with the Historic Preservation Design Standards for Old Towne. The architecture and landscape design will enhance the boundary of the Historic District and provide streetscape improvements that balance the project's location between a commercial/institutional setting and the residential neighborhood.

The Project conforms to the required development standards for the Public Institution zoning, including Floor Area Ratio, landscaping, and parking lot dimensions. The applicant is requesting the following exceptions, which are addressed in the findings below: 1) the front yard setback, for which the applicant is requesting a variance to allow a decreased setback consistent with the existing building; 2) the fence height at the rear property line, for which the applicant is requesting a variance to allow increased fence height to reduce potential privacy impacts on neighboring properties; and 3) the required number of parking spaces, for which the applicant is requesting an administrative adjustment to allow a reduction of one parking space.

3. *The Project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site.*

The Project incorporates streetscape improvements to reinforce the pedestrian environment, including front yard landscaping, a more prominent front entry, and street trees. Walkways link the public sidewalks to the Ronald McDonald House building. A pedestrian access point has been provided from the Ronald McDonald House property to the historic residence at 802 W. Culver Avenue. This linkage will ensure that unwanted effects from increased traffic or circulation to the adaptively reused office will not impact the adjacent residential neighborhood. Vehicular access points from S. Batavia Street have been designed to ensure safe circulation conditions. With adoption of Conditions of Approval and mitigation measures, the Project provides for safe and adequate circulation.

4. *City services are available and adequate to serve the Project.*

As evaluated in Mitigated Negative Declaration No. 1868-19, the Project will result in less than significant impacts to police, fire, recreation and park services. The Project incorporates design features and mitigation measures that address OMC requirements. Building and infrastructure systems are designed to maximize safety and ensure adequate utility services to the site. The Project will be subject to payment of impact fees associated with schools, parks, libraries, sewer, and sanitation.

5. *The Project has been designed to fully mitigate or substantially minimize adverse environmental effects.*

The Project includes mitigation measures in Mitigated Negative Declaration No. 1868-19 that reduce potential adverse impacts to Biological Resources, Cultural Resources, Geology/Soils, and Tribal Cultural Resources. The mitigation measures are incorporated by reference in the Conditions of Approval that are adopted with the certification of the Mitigated Negative Declaration and this Resolution. These measures reduce potential impacts to a less than significant level.

Variance Required Findings

1. *Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.*

The applicant is requesting two variances: 1) a decrease in the required front yard setback from 20 feet to 15 feet; and 2) an increase in the fence height at the rear property line from the 6 foot maximum permitted to 8 feet.

The southern end of S. Batavia Street at W. La Veta Avenue has been widened over time through a series of City road projects. As a result, the lot dimensions and area of the property containing the Ronald McDonald House have been reduced. In requesting the variance for a 15 foot front yard setback, the applicant is proposing to maintain the front yard setback of the existing Ronald McDonald House for the new addition. This places the addition in line with the majority of the residential properties to the north, thus maintaining the existing street edge along Batavia Street. Granting the variance allows the property to enjoy a similar front yard setback to adjacent properties in the block.

The maximum fence height for any zoning district is 6 feet. However, this maximum does not take into account varying interfaces between residential and institutional properties such as the Ronald McDonald House. The Ronald McDonald House is permitted to build to three stories under a conditional use permit approved for the construction of the original House. This condition interfaces with adjacent low-rise residential properties to the east. The variance will improve the edge conditions between these adjacent uses to reduce potential privacy or noise concerns. The specific surroundings of the property warrant an increase in fence height to ensure that adjacent residential units can continue the reasonable enjoyment of their properties.

2. *The variance granted shall be subject to such conditions which will assure that the authorized adjustment shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.*

As described above, the variances are requested to address specific, unique circumstances related to the Ronald McDonald House property and do not constitute special privileges that are inconsistent with the intent of the OMC or with limitations placed on other properties in the vicinity.

Design Review Required Findings

1. *In the Old Towne Historic District, the proposed work conforms to the prescriptive standards and design criteria referenced and/or recommended by the DRC or other reviewing body for the project.*

The Project is in conformance with the Historic Preservation Design Standards for Old Towne, which are the prescriptive design criteria for projects within the Old Towne Historic District. The Project is compatible with the context of the Historic District, which in this location includes a variety of commercial, institutional, and residential properties from a range of construction periods. The landscape and building design create a transition between the commercial and institutional area of S. Batavia Street and W. La Veta Avenue and the adjacent historic residential neighborhood. The proposed addition does not adversely affect any contributing historic resources or the character of the Historic District as a whole. The design incorporates features and materials that are compatible with the architectural style of the property and with traditional building materials found in the Historic District.

2. *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.*

Projects located within the Old Towne Historic District must comply with the Historic Preservation Design Standards for Old Towne. As described above, the proposed work conforms to these design standards. The proposed addition also uses materials and building features that relate to the existing building to create an internally consistent site. The project landscaping is consistent with the context of the neighborhood and the project site, through the use of similar tree types and other landscaping materials.

Administrative Adjustment Required Findings

1. *The reduction in standards will not be detrimental to the public health, safety, and general welfare of persons residing or working on the subject property or in the vicinity.*

The applicant is requesting an administrative adjustment for one parking space, from a total of 44 required to 43 provided. The required parking rate for the property is one space per bedroom, which is the typical rate for a hotel or bed-and-breakfast in the OMC. This rate was determined to be the most compatible with the function of the Ronald McDonald House. However, given the close proximity of the Ronald McDonald House to hospitals and the out-of-state residence of some guests, it is unlikely that each guest will at all times need space to park a vehicle on the property. The applicant chose to remove the parking space in order to respond to the Design Review Committee's comments on the addition's massing and scale and interface between the parking lot, building entrance, and landscape.

The reduction of one parking space should not be detrimental to public safety or the general welfare of persons on or in the vicinity of the property, because sufficient parking for the use is provided on the property. The administrative adjustment also allows a more compatible building and landscape design with the neighborhood.

2. *Issuance of the permit does not compromise the intent of this code.*

Granting of the administrative adjustment does not compromise the intent of the OMC because the requested reduction continues to accommodate a functional and efficient site plan, on-site circulation, and additional landscape.

SECTION 3– CONDITIONS OF APPROVAL

BE IT FURTHER RESOLVED that the following conditions are imposed with approval:

1. The project shall conform in substance and be maintained in general conformance with plans and exhibits attached to the City Council Staff Report dated April 13, 2021 including any modifications required by conditions of approval, and as approved by the City Council. Any future expansion in area or in the nature and operation of the use approved by GPA No. 2019-001, ZC No. 1298-19, MND No. 1868-19, MJSP No. 0976-19, VAR No. 2251-19, DRC No. 4977-19, and AA No. 0274-19 shall require an application for a new or amended Site Plan Review.
2. 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 plan, the Community Development Director may approve the changed plan without requiring a new public hearing. Should the modifications be considered substantial, the modifications shall be reviewed and approved by the Planning Commission and/or Design Review Committee.
3. These conditions shall be reprinted on the second page of the construction documents when submitted to the Building Division for the plan check process.
4. Within two 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 14 Cal. Code Regulations 15075. If it is determined that there will be no impact upon wildlife resources, the fee shall be as required based on the current fee schedule.

5. 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 permits, 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.
6. MJSP No. 0976-19, VAR No. 2251-19, DRC No. 4977-19, and AA No. 0274-19 shall become void if not vested within two years from the date of approval. Time extensions may be granted for up to one year, pursuant to OMC Section 17.08.060.
7. Building permits shall be obtained for all construction work, as required by the Community Development Department's Building Division. Failure to obtain the required building permits may be cause for revocation of this entitlement.
8. Prior to issuance of building permits for the project, 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.
9. The project approval includes certain fees and/or other exactions. Pursuant to Government Code Section 66020, these conditions 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.
10. All project Mitigation Measures and Project Design Features shall be complied with and implemented as stated in the Mitigation Monitoring Reporting Program and as described in MND No. 1868-19.
11. In conjunction with the operation of the project, the property owner shall be responsible for maintaining the property to a level deemed adequate by the Community Development Director or designee. This includes, but is not limited to, the buildings, landscaping, recreational facilities, trash areas, signage, utilities, walls, fences, gates, and parking areas.
12. Prior to building permit issuance, final landscape and irrigation plans shall be prepared and submitted by a licensed landscape architect for review and approval by the Community Services Department and the Design Review Committee.
13. Prior to issuance of a Certificate of Occupancy, all landscaping improvements shall be completed according to the approved plans and to the satisfaction of the Community Development Director and the Community Services Director.
14. All landscape areas shall be maintained in neat and healthy condition. Should any plant material die, the property owner/operator shall replace it with new healthy plant material to match the approved landscape plans.

15. Prior to building permit issuance, 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.
16. Prior to building permit issuance, City required irrigation and landscape inspection notes shall be placed on the final landscape plan, to the satisfaction of the Community Services Director.
17. Prior to building permit issuance, final landscape plans for the project shall include landscape area calculations required for State-mandated landscape water use reporting.
18. Plans submitted for Building Plan Review 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 Permit.
19. Prior to building permit issuance, construction plans shall show that all structures shall comply with the requirements of OMC Chapter 15.52 - Building Security Standards, which relates to the use of specific hardware, doors, windows, lighting, etc. Architect drawings shall include sections of the Ordinance that apply under "Security Notes". An "Approved Products List 1/08" of hardware, windows, etc. is available upon request.
20. 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.
21. Prior to issuance of 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.
22. Prior to building permit issuance, the applicant shall complete a lot line adjustment with the Public Works Department to consolidate the three legal lots with Assessor Parcel Numbers 041-131-29 and 041-140-23 into one lot.
23. Prior to grading permit issuance, the applicant shall complete and provide easement vacation and dedication documents for the relocation of the storm drain to the Public Works Department. The easement shall be in a form reviewed and approved by the City Attorney's Office, the Community Development Department and the Public Works Department prior to recordation.
24. All works within the public right-of-way and public utility easements require Encroachment Permits, including sidewalk and driveway constructions and utility main and lateral constructions.
25. All public infrastructures, including street sections, sidewalk, driveway apron, and utilities, shall comply with City of Orange Standard Plans and Specifications.

26. Prior to issuance of a certificate of occupancy, all new 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.
27. Prior to issuance of a 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.
28. Prior to issuance of a certificate of occupancy, driveway aprons along the property frontage shall conform to Public Works Standard Plan Nos. 115 and 116 for commercial driveways with Americans with Disabilities Act (ADA) accessibility standards.
29. An unobstructed pedestrian access way of five feet width shall be maintained at all time for the sidewalk. The unobstructed access shall increase to six feet when there is no planting strip between the sidewalk and the street curb.
30. Prior to issuance of a certificate of occupancy, the applicant shall repair any cracked, uneven, or damaged public sidewalk, curb and gutter along property frontage.
31. Sanitary sewer system connecting from the buildings to public mainline shall be private and maintained by the property owner.
32. Prior to issuance of a grading permit, 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. A geotechnical report shall accompany the grading plan review. 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.
33. Plans submitted to the Public Works Department shall be prepared per Public Works Department Development Services Division guidelines and submittal checklist.
34. The applicant shall obtain a grading permit from the Public Works Department prior to start of any site demolition, clearing and grubbing, and grading.
35. Any soil imported or exported shall require a Transportation Permit from the Public Works Traffic Division prior to issuance of a grading permit. If import or export of soil exceeds 30,000 cubic yards, an approval by City Council is required prior to issuance of a grading permit. For greater than 30,000 cubic yards, a dirt haul route shall be approved by the City Council and the travel path is subjected to pavement deterioration evaluation.
36. Upon submittal of grading plan for plan check, the applicant shall provide a deposit to cover plan check and inspection services related to the grading activities.
37. Prior to issuance of a grading permit, 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 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 Building Division.

38. 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, prior to the issuance of a grading permit.
39. Trash receptacle locations and details shall be included on the Grading Plan. The trash storage area shall be constructed per Public Works Standard Plan No. 409.
40. All sewer and storm drain lines shall be shown on the Grading Plan. Other utility lines, such as water lines, may also be shown on Grading Plan for reference.
41. All structural Best Management Practices (BMPs) for water quality purpose shall be shown on the Grading Plan. Water quality features shown on the Grading Plan must match the approved Water Quality Management Plan (WQMP).
42. The property owner shall maintain in good condition all on-site driveways where heavy-duty trucks would travel.
43. 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.
44. Existing easements shall be shown and called out on the grading plans.
45. The hydrology, hydraulics, and design of the proposed relocation of the storm drain system, including the laterals on Clark/Culver, are subject to review in plan check. Hydrology and hydraulics calculations shall be submitted to Public Works for review and approval prior to issuance of a construction permit.
46. The construction to relocate the proposed storm drain system shall be completed prior to abandonment of existing 36-inch storm drain.
47. The project proponent shall solely bear the cost of the engineering and construction for the relocation of the storm drain system.
48. Drainage solutions for the properties for 378 and 388 S. Clark Avenue following abandonment of the existing 36-inch storm drain shall be clearly shown on the plans submitted to the Public Works Department for review and approval prior to issuance of a construction permit.
49. Finished floor elevation shall provide for a one-foot freeboard from back of walk or as approved by the City Engineer.
50. Finished grade adjacent to the building foundations shall provide minimum 2% for impervious surface and 5% for pervious surface within the first 10 feet adjacent to the building foundation.
51. Cross sections with neighboring property lines shall be shown on the grading plans.
52. Prior to issuance of building permits, the applicant shall submit an address number request, including an addressing plan, to the Public Works Department for review and approval. The structure at 802 W. Culver Avenue can maintain the existing address.
53. Prior to issuance of certificate of occupancy, all unused service laterals shall be abandoned.

54. Prior to issuance of certificate of occupancy, all existing services to be reused shall be provided with a backflow prevention device. A separate dedicated service with backflow prevention device will be required for domestic use, irrigation use, and fire service.
55. Prior to building permit issuance, 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.
56. Prior to issuance of 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.
57. Prior to building permit issuance, the Water Division shall approve the type and location of landscaping and fire service (backflow prevention) device for proposed City services.
58. Prior to building permit issuance, 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.
59. Prior to building permit issuance, 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.
60. Prior to building permit issuance, 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.
61. Prior to building permit issuance 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.
62. 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.
63. Prior to the issuance of any grading permit, the applicant shall construct all public and/or private improvements to the satisfaction of the Water Division. The applicant may be required to enter into an agreement with the City, and post security in a form and amount acceptable to the City Engineer and/or Water Division to ensure construction of said improvements.
64. 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.
65. 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.

66. At least fourteen 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.
67. Prior to issuance of 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.
68. Prior to the issuance of any 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 WQMP 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.
69. Prior to the issuance of 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.
70. Prior to the issuance of certificates for use 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.
 71. Prior to issuance of 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.
 72. 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 Public Works Department of the new person(s) or entity responsible for maintenance of the BMPs.
 73. Prior to the issuance of building permits the applicant shall identify the location of the grease interceptor and provide evidence to the Building Official that the design meets and is consistent with the City’s latest adopted building codes.
 74. 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 the proposed storm water treatment BMPs such as bioretention planters, drywells, permeable pavers, and any other proposed surface water quality BMPs.

ADOPTED this ____ day of _____, 2021

 Mark A. Murphy, Mayor, City of Orange

ATTEST:

 Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the ____ day of _____, 2021 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange

ATTACHMENT A

Assessor's Parcel No. 041-131-29

That portion of Richland Farm Lot 59, as shown on a map thereof recorded in Book 5 Page 123 of Miscellaneous Maps, of Los Angeles County, California, described as follows:

Beginning at a point in the westerly line of Lot 59 distant thereon 570 feet southerly from the northwest corner of said lot and running thence easterly, parallel with the southerly line of said lot 165 feet; thence southerly, parallel with the westerly line of said lot, 70 feet to a point 20 feet north of the southerly line of said lot; thence westerly parallel with the southerly line of said lot 165 feet to a point on the westerly line of said lot; thence northerly along the westerly line of said lot, 70 feet to the point of beginning.

That portion of Richland Farms Lot 59, as per map recorded in Book 5 Page 123 of Miscellaneous Maps, Los Angeles County, described as follows:

Beginning at a point in the westerly line of said lot 59, distant thereon 520 feet southerly from the northwest corner of said lot; and running thence easterly parallel with the southerly line of said lot, 165 feet; thence southerly parallel with the westerly line of said lot, 50 feet; thence westerly parallel with the southerly line of said lot, 165 feet to the westerly line of said lot; thence northerly along said westerly line 50 feet to the point of beginning.

Parcel 2 of Parcel Map No. 2002-162 as shown on a map filed in Book 330, Pages 14 to 15 of Parcel Maps, Records of Orange County, California

Assessor's Parcel No. 041-140-23

Parcel 3 of Parcel Map No. 2002-162 in the City of Orange, County of Orange, State of California, as shown on a map filed in Book 330, Pages 14 and 15 of Parcel Maps, in the Office of the Recorder of Orange County, California

An easement for sewer purposes over that portion of Parcel 2 of Parcel Map No. 2002-162, as shown on a map filed in Book 330, Pages 14 and 15 of Parcel Maps, in the Office of the County Recorder of said County, included with that certain strip of land delineated on said map as "Sewer Easement Reserved for the Use of Parcel".