

**CONDITIONAL USE PERMIT 3120-20**

**RESOLUTION NO. PC 24-20**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE APPROVING CONDITIONAL USE PERMIT 3120-20 ALLOWING AN INCREASE OF STUDENT AND STAFF CAPACITY AT AN EXISTING ONE-TO-ONE INSTRUCTIONAL LEARNING SCHOOL TO ALLOW UP TO 32 STUDENTS, ELEVEN INSTRUCTORS, AND FIVE STAFF MEMBERS AT 3111 NORTH TUSTIN STREET, SUITE 240**

**APPLICANT: FUTURES ACADEMY**

Moved by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ that the following resolution be adopted:

WHEREAS, the Planning Commission has authority per Orange Municipal Code (OMC) Section 17.10.030 to make a final determination on an application for a Conditional Use Permit; and

WHEREAS, OMC Table 17.13.030 identifies schools as Conditionally Permitted Uses in specified zones; and

WHEREAS, the application for Conditional Use Permit 3120-20 was processed in the time and manner prescribed by state and local law; and

WHEREAS, Conditional Use Permit No. 3120-20 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1- Existing Facilities) because the project consists of a new use at an existing facility with no expansion of the existing facility; and

WHEREAS, Futures Academy is requesting to establish an instructional school with one-to-one instruction, small group instruction with one instructor and up to five students, and a guided study hall which can accommodate up to ten students for a total of thirty-two students, eleven instructors, and five staff members on-site at any one time; and

WHEREAS, the Planning Commission conducted a duly advertised public hearing on September 21, 2020 at which time interested persons had an opportunity to testify either in support of or opposition to an instructional school at a property described in Exhibit A to this Resolution and currently addressed as 3111 North Tustin Street, City of Orange, Orange County, California.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves Conditional Use Permit 3120-20 to allow the applicant to operate an instructional learning school providing students in grades 6<sup>th</sup> through 12<sup>th</sup> instruction in a full curriculum of subjects at 3111 N. Tustin Street, based on the following findings:

## **SECTION 1 – FINDINGS**

### ***General Plan Findings:***

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

The project contributes to a balanced and functional mix of uses in the City. The use provides new employment and educational opportunities for residents in the City. Additionally, it strengthens business in the area by allowing school students and staff to shop and do business in the City. The proposed use is not in conflict with existing development or insensitive to the use, scale or character of existing development.

### ***Conditional Use Permit Required Findings:***

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

The existing instructional school is increasing capacity in an existing office building based on increased demand for such services. The building and school are located in an urban area with transit services adjacent to major transportation corridors. The school could provide education and training to the surrounding community, including City residents.

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.*

The school will occupy an existing developed site and provide education in a business setting that is consistent with the existing office look and function of the site. Pursuant to the parking analysis, adequate parking is provided for the proposed use. The use is within proximity to public transit which also serves the adjacent commercial and residential uses.

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.*

The proposed school will provide educational opportunities for the surrounding community in a business office setting. Direct access to the site is provided from Tustin Street. The existing office building is surrounded by mature landscaping that buffers views of the building. Noise generated by the proposed school would be no more intense than noise that could occur from office occupancy of the existing building.

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.*

The project is subject to conditions to ensure the operation of the facility will not have an adverse impact on the general welfare. Such conditions include having a minimum of 10 minutes between instructional sessions to allow for students to fully vacate the building before another session arrives (Condition No. 5); no more than 11 on-site instructors and 5 administrative staff and no more than 32 on-site students may be on the subject site (Condition No. 6). The conditions are provided to ensure that adequate parking is maintained.

## **SECTION 2 – ENVIRONMENTAL REVIEW**

**Categorical Exemption:** This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1, Existing Facilities) because the project consists of a new use at an existing facility with no expansion of the existing facility. There is no public review required.

## **SECTION 3 – CONDITIONS OF APPROVAL**

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

1. The project shall conform in substance and be maintained in general conformance with plans and exhibits date labeled August 11, 2020, including any modifications required by conditions of approval, and as approved by the Planning Commission. Any future expansion in area or in the nature and operation of the use approved by Conditional Use Permit No. 3120-20 shall require an application for a new or amended Conditional Use Permit.
2. In conjunction with the operation of the business, any proposed increase in students, faculty, or building area, or in nature and operation of the use approved by Conditional Use Permit No. 3120-20 shall require an application for a new or amended Conditional Use Permit.
3. The applicant at all times shall provide the required number of parking spaces based on the uses on the site.
4. In conjunction with the operation of the business, school operations may occur daily from 8:00 a.m. to 8:00 p.m. Exceptions for special events may be made with the prior written approval of the Community Development Director. Requests should be made in writing at least two weeks prior to the event.
5. In conjunction with the business, a minimum of 10 minutes shall be maintained between instructional sessions to allow for students to fully vacate the building before other students arrive for their instructional sessions.

6. In conjunction with the operation of the business, no more than 11 on-site instructors, 5 administrative staff and no more than 32 on-site students may be present at the instructional school at any given time.
7. No amplified sound shall be allowed to be used inside the tenant suite that is audible from the outside of the suite.
8. In conjunction with the operation of the business, should parking 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 Conditional Use Permit shall be presented to the Planning Commission for their consideration of further conditions, modifications or revocation.
9. 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.
10. 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.
11. Prior to issuance of business license, the applicant shall ensure compliance with the California Fire Code to the satisfaction of the City of Orange Fire Department.
12. Conditional Use Permit 3120-20 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.
13. These conditions shall be reprinted on the second page of the construction documents when submitted to the Building Division for the plan check process.
14. 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.
15. Prior to the issuance of 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.
16. Construction permits shall be obtained 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 will be cause for revocation of this permit.

17. In addition to the above conditions, the applicant shall comply with the procedural requirements contained in Attachment B to this Resolution.

I hereby certify that the foregoing Resolution was adopted on September 21, 2020 by the Planning Commission of the City of Orange by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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David Simpson, Planning Commission Chair

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Date

ATTACHMENT A  
LEGAL DESCRIPTION

**PARCEL 1:**

**BEGINNING AT A POINT IN THE WEST LINE OF TUSTIN AVENUE, SAID POINT BEING THE NORTHEASTERLY TERMINUS OF A CURVE, HAVING A RADIUS OF 3050.00 FEET, AS DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED IN BOOK 777, PAGES 21 OF OFFICIAL RECORDS, THENCE TANGENT TO SAID CURVE NORTH 50° 11' 05" EAST, 51.13 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY ALONG THE EASTERLY LINE OF JEFFERSON STREET, THE FOLLOWING COURSES AND DISTANCE; NORTH 6° 27' 56" WEST, 140.07 FEET TO A POINT; THENCE NORTH 19° 29' 40" WEST 202.96 FEET TO A POINT; THENCE NORTH 9° 07' 39" EAST, 103.13 FEET TO A POINT IN THE COMPROMISE LINE AS SHOWN ON RECORD OF SURVEY MAP FILED IN BOOK 4, PAGE 3 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA; THENCE ALONG SAID COMPROMISE LINE THE FOLLOWING COURSES AND DISTANCES:" SOUTH 82° 03' 29" EAST 54.56 FEET TO A POINT; THENCE SOUTH 71° 30' 28" EAST 360.59 FEET TO A POINT; THENCE NORTH 72° 51' 10" EAST 72.28 FEET TO A POINT IN THE NORTHWESTERLY LINE OF TUSTIN AVENUE, AS DESCRIBED IN THE ABOVE-MENTIONED DEED RECORDED IN BOOK 777, PAGE 21 OF OFFICIAL RECORDS; THENCE SOUTH 50° 11' 05" WEST, 518.07 FEET TO THE TRUE POINT OF BEGINNING.**

**EXCEPT THENCE FROM THAT PORTION GRANTED IN DEED FROM PERALTA INN COMPANY, A PARTNERSHIP TO JAMES A. CARTER, AND OTHERS, RECORDED DECEMBER 22, 1971 IN BOOK 9935, PAGE 788, OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:**

**THAT PORTION OF THE LAND ALLOTTED TO LEANDRO SERRANO, AS DESCRIBED IN THE FINAL DECREE OF PARTITION OF THE RANCHO SANTIAGO DE SANTA ANA, WHICH WAS ENTERED SEPTEMBER 12, 1868 IN BOOK "B", PAGE 410 OF JUDGEMENTS OF THE DISTRICT COURT OF THE 17TH JUDICIAL DISTRICT IN AND FOR LOS ANGELES COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:**

**A TRIANGULAR PARCEL OF LAND BEING A PORTION OF THE LAND DESCRIBED IN DEED TO PERALTA INN COMPANY, RECORDED MARCH 16, 1964 IN BOOK 6964, PAGE 131, OFFICIAL RECORD OF ORANGE COUNTY, CALIFORNIA, BOUNDED NORTHERLY AND SOUTHERLY BY THOSE CERTAIN COURSES CITED AS:**

**"NORTH 72° 51' 10" EAST 72.28 FEET" AND "SOUTH 50° 11' 05" WEST, 518.07 FEET RESPECTIVELY IN SAID DEED TO PERALTA INN COMPANY, AND BOUNDED WESTERLY BY A LINE THAT EXTENDS SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM THAT CERTAIN COURSE MENTIONED ABOVE, HAVING A LENGTH OF 72.28 FEET SAID WESTERLY BOUNDARY LINE TO INTERSECT SAID LAST MENTIONED COURSE AT ITS WESTERLY TERMINUS.**

**ALSO EXCEPTING AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, MINERALS, PETROLEUM, AND HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND BUT WITHOUT THE RIGHT OF ENTRY UPON THE SURFACE OF SAID LAND FOR DRILLING, BORING, REMOVING, EXTRACTING, STORING, MARKETING OR PROSPECTING FOR SAID SUBSTANCES, AS RESERVED IN THE DEED FROM DONLEY BOLINGER TO MARJORIE W. BOLINGER, HUSBAND AND WIFE, RECORDED DECEMBER 30, 1969 IN BOOK 5572, PAGE 564 OFFICIAL RECORDS.**

**ALSO EXCEPTING THE REMAINING UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, MINERALS, PETROLEUM AND HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 VERTICAL FEET FROM THE SURFACE OF SAID LAND, BUT WITHOUT THE RIGHT OF ENTRY UPON THE SURFACE OF SAID LAND FOR DRILLING, BORING, REMOVING EXTRACTING, STORING, MARKETING OR PROSPECTING FOR SAID SUBSTANCES AS RESERVED IN THE DEED FROM ACACIA, INC., A CALIFORNIA CORPORATION AND THOMAS L. SIMS AND KATHRYN G. SIMS, HUSBAND AND WIFE RECORDED DECEMBER 30, 1960 IN BOOK 5572, PAGE 577 OF OFFICIAL RECORDS.**

**PARCEL 2:**

**THAT PORTION OF PARCEL 4 DELINEATED AND SHADED ON A MAP RECORDED ON MAY 10, 1974 IN STATE HIGHWAY MAP BOOK NO. 9, PAGES 15 THROUGH 18, INCLUSIVE RECORDS OF ORANGE COUNTY, AND AS DESCRIBED IN RELINQUISHMENT REQUEST NO. 639 RECORDED JULY 08, 1974 IN BOOK 11190, PAGE 656 OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE INTERSECTION OF SANTA ANA CANYON ROAD AND JEFFERSON STREET, NOW KNOWN AS TUSTIN STREET, AS SHOWN ON A MAP OF TRACT NO. 5158, RECORDED IN BOOK 211, PAGES 47 AND 48 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, THENCE ALONG THE CENTER LINE OF TUSTIN STREET, AS SHOWN ON SAID MAP OF TRACT NO. 5158, SOUTH 17° 52' 31" WEST 70.03 FEET TO A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 500.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2° 39' 12 SECONDS AN ARC LENGTH OF 23.15 FEET TO A POINT ON SAID CURVE, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 74° 46' 41" WEST SAID POINT ALSO BEING ON THE COMPROMISE LINE, AS SHOWN ON RECORD OF SURVEY MAP FILED IN BOOK 4, PAGE 3 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, THENCE SOUTH 82° 03' 29" EAST ALONG SAID COMPROMISE LINE 40.32 FEET TO**

**A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 460.00 FEET, SAID POINT BEING THE TRUE POINT OF BEGINNING, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 74° 10' 21" WEST; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20° 45' 26" AN ARC LENGTH OF 166.65 FEET TO A TANGENT LINE; THENCE SOUTH 4° 55' 47" EAST 216.79 FEET TO A POINT ON A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 440.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24° 13' 14" AN ARC LENGTH OF 186.00 FEET TO A POINT OF CUSP, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 70° 42' 33" EAST; THENCE NORTH 44° 10' 07" EAST 44.07 FEET; THENCE NORTH 37° 25' 26 EAST 123.00 FEET TO THE MOST SOUTHERLY SOUTHWEST CORNER OF THE LAND DESCRIBED IN A DEED TO HERIBERSON LAGUNAS AND OTHERS, RECORDED IN BOOK 11878, PAGES 1089 AND 1090, OFFICIAL RECORDS OF ORANGE COUNTY, THENCE ALONG THE WESTERLY LINE OF SAID LAND THE FOLLOWING BEARINGS AND DISTANCES; NORTH 6° 27' 56" WEST 140.07 FEET; THENCE NORTH 19° 29' 40" WEST 202.96 FEET; THENCE NORTH 9° 07' 39" EAST 103.13 FEET TO THE SAID COMPROMISE LINE AS SHOWN ON SAID RECORD OF SURVEYS; THENCE NORTH 82° 03' 29" WEST ALONG SAID COMPROMISE LINE 18.30 FEET TO THE TRUE POINT OF BEGINNING.**

**EXCEPT THENCE FROM THAT PORTION LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF THE LAND DESCRIBED IN A DEED RECORDED SEPTEMBER 06, 1935 TO THE STATE OF CALIFORNIA AND RECORDED IN BOOK 777, PAGE 21 OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA.**

**EXCEPT AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, MINERALS, PETROLEUM AND HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 VERTICAL FEET FROM THE SURFACE OF SAID LAND BUT WITHOUT THE RIGHT OF ENTRY UPON THE SURFACE OF SAID LAND FOR DRILLING, BORING, REMOVING, EXTRACTING, STORING, MARKETING OR PROSPECTING FOR SAID SUBSTANCES AS RESERVED IN THE DEED EXECUTED BY DONLEY BOLINGER AND MARJORIE W. BOLINGER, RECORDED DECEMBER 30, 1960 IN BOOK 5572, OF OFFICIAL RECORDS.**

**ALSO EXCEPT THE REMAINING UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, MINERALS, PETROLEUM, AND HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND, BUT WITHOUT THE RIGHT OF ENTRY UPON THE SURFACE OF SAID LAND FOR DRILLING, BORING, REMOVING, EXTRACTING, STORING, MARKETING OR PROSPECTING FOR SAID SUBSTANCES AS RESERVED IN THE DEED FROM ACACIA INC., A CALIFORNIA CORPORATION AND THOMAS L. SIMS AND KATHRYN G. SIMS, HUSBAND AND WIFE, RECORDED DECEMBER 30, 1960 IN BOOK 5572, PAGE 577 OF OFFICIAL RECORDS.**

**PARCEL 3:**

**THAT PORTION OF SECTION 9, T4S, R9W, SEM, ACQUIRED BY THE STATE OF CALIFORNIA BY HIGHWAY EASEMENT DEED (STATE PARCEL 32) RECORDED SEPTEMBER 06, 1935 IN BOOK 777, PAGE 21 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDED OF SAID COUNTY, DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT IN THE NORTHWESTERLY LINE OF SAID EASEMENT DEED, SAID POINT BEING THE SOUTHERLY TERMINUS OF THAT COURSE DESCRIBED AS NORTH 5° 33' 08" WEST, 140.07 FEET IN PARCEL 1 OF DEED (STATE PARCEL A8724) RECORDED NOVEMBER 27, 1961 IN BOOK 5923, PAGE 333 OF SAID OFFICIAL RECORDS, SAID POINT ALSO BEING IN THE GENERAL EASTERLY LINE OF PARCEL 4 OF SATE HIGHWAY RELINQUISHMENT NO. 639, RECORDED JULY 08, 1974 IN BOOK 11190, PAGE 656 OF SAID OFFICIAL RECORDS, AND SHOWN ON MAP RECORDED IN BOOK 9, PAGE 18 OF STATE HIGHWAY MAPS IN SAID OFFICE THENCE ALONG THAT COURSE SHOWN AS "SOUTH 38° 20' 13" WEST, 199.77 FEET" IN SAID PARCEL 4, SOUTH 38° 20' 13" WEST, 130.33 FEET; THENCE SOUTH 80° 56' 07" EAST 27.95 FEET; THENCE NORTH 48° 26' 05" EAST, 58.55 FEET; THENCE NORTH 8° 31' 24" EAST, 30.00 FEET; THENCE NORTH 46° 54' 49" EAST 363.53 FEET TO SAID NORTHWESTERLY LINE; THENCE ALONG SAID NORTHWESTERLY LINE SOUTH 51° 05' 54" WEST 334.74 FEET TO THE POINT OF BEGINNING.**

**PARCEL 4:**

**THE PORTION OF THE LAND ALLOTTED TO THE HEIRS OF LEONDR0 SERRANO IN DECREE OF PARTITION OF THE RANCHO SANTIAGO DE SANTA ANA, RECORDED IN BOOK "B" OF JUDGEMENTS OF THE 17TH JUDICIAL DISTRICT COURT OF CALIFORNIA, IN THE COUNTY OF ORANGE STATE OF CALIFORNIA, ALSO KNOWN AS A PORTION OF PARCEL 4 OF PROPOSED RELINQUISHMENT NO. 639 FILED MAY 10, 1974 IN THE STATE HIGHWAY MAP BOOK 9;**

**BEGINNING AT A POINT BEING THE NORTHEASTERLY TERMINUS OF A CURVE HAVING A RADIUS OF 3050.00 FEET AS DESCRIBED IN A DEED TO THE STATE OF CALIFORNIA RECORDED ON SEPTEMBER 06, 1935 IN BOOK 777, PAGE 21, OFFICIAL RECORDS OF SAID COUNTY, AND BEING SOUTH 50° 11' 05" WEST 51.13 FEET FROM THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 05° 33' 05" WEST, 140.07 FEET IN PARCEL 1 OF DEED (STATE PARCEL A8724) RECORDED NOVEMBER 27, 1961 IN BOOK 5923, PAGE 333 OF THE OFFICIAL RECORDS OF SAID COUNTY; THENCE SOUTHWESTERLY ALONG SAID TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 3050.00 FEET A CENTRAL ANGLE OF 01° 16' 01" AND AN ARC DISTANCE OF 67.44 FEET TO A POINT NON-TANGENT ON THE EASTERLY LINE OF TUSTIN AVENUE, A CURVE CONCAVE WESTERLY FROM WHICH A RADIAL LINE BEARS NORTH 77° 51' 23" WEST AND HAVING A RADIUS OF 440.00 FEET; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID TUSTIN AVENUE AND SAID CURVE CONCAVE WESTERLY HAVING A RADIUS OF 440.00 FEET A CENTRAL ANGLE OF 07° 08' 50" AN ARC LENGTH OF 54.89 FEET TO A POINT NON-TANGENT TO SAID CURVE; THENCE NORTH 45° 30' 29" EAST 36.80 FEET THENCE NORTH 37° 25' 26" EAST 130.33 FEET; THENCE SOUTH 50° 11' 05" WEST 51.13 FEET TO THE POINT OF BEGINNING.**

## **ATTACHMENT B PROCEDURAL REQUIREMENTS**

### **Planning:**

1. Prior to building permit issuance, the applicant shall obtain approval from the Planning Division for any and all signage associated with the proposed project and/or business.

### **Fire:**

1. 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.

### **Police:**

1. 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.
2. Any graffiti on the property shall be removed within 72 hours from the time the City of Orange Notice of Violation is received by the applicant/property owner.

### **Water Quality:**

1. All exterior areas shall be kept clean of trash and debris at all times.
2. Property maintenance shall include the mechanical sweeping of the parking lot and drive aisles on a regular basis to ensure the proper removal of pollutants generated by vehicles. Sweeping must also occur immediately prior to the rainy season (October 1<sup>st</sup>).
3. The use of water to wash down any exterior impervious areas and/or the disposal of wash water to the storm drain system is prohibited.
4. During construction, on-going normal operations, and any maintenance on-site; the project shall be in compliance with the OMC Chapter 7.01, Water Quality and Storm Water Discharges.