

**TENTATIVE TRACT MAP NO. TTM25-0001
MAJOR SITE PLAN REVIEW NO. MJSP25-0002
ADMINISTRATIVE DESIGN REVIEW NO. ADR25-0018
MITIGATED NEGATIVE DECLARATION NO. ENV25-0001**

RESOLUTION NO. PC 10-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. TTM25-0001, MAJOR SITE PLAN REVIEW NO. MJSP25-0002, ADMINISTRATIVE DESIGN REVIEW NO. ADR25-0018, MITIGATED NEGATIVE DECLARATION NO. ENV25-0001 AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE REDEVELOPMENT OF A VACANT BEST BUY COMMERCIAL PROPERTY WITH 71, THREE-STORY SINGLE-FAMILY SMALL LOT HOMES, OPEN SPACE RECREATION AREA, GUEST PARKING, AND RELATED SITE IMPROVEMENTS ON A 4.23-ACRE SITE LOCATED AT 2375 N. TUSTIN STREET

APPLICANT: CHAD BROWN, MELIA HOMES

WHEREAS, the Planning Commission has authority per Orange Municipal Code (OMC) Section 17.08.020 to review and make a recommendation to the City Council on Tentative Tract Map No. TTM25-0001, Major Site Plan Review No. MNSP25-0002, Administrative Design Review No. ADR25-0018, and Mitigated Negative Declaration No. ENV25-0001 for the redevelopment of an existing 4.23-acre vacant Best Buy commercial site with 71, three-story single-family small lot homes, open space recreation area, guest parking, and related site improvements, located at 2375 N. Tustin Street; and

WHEREAS, the applications for Tentative Tract Map No. TTM25-0001, Major Site Plan Review No. MJSP25-0002, Administrative Design Review No. ADR25-0018, and Mitigated Negative Declaration No. ENV25-0001 were filed in accordance with the provisions of the Orange Municipal Code (OMC); and

WHEREAS, General Plan Amendment No. GPA25-0003 to change the General Plan Land Use Element designation from General Commercial, Max. 1.0 FAR (GC) to Medium Density Residential 15-24 dwelling units per acre (MDR), and Zone Change No. ZC25-0002 to change the Zoning from Limited Business Tustin Redevelopment Project Area (C-TR) to Residential Multiple Family (R-3) were filed concurrently; and

WHEREAS, Tentative Tract Map No. TTM25-0001, Major Site Plan Review No. MJSP25-0002, Administrative Design Review No. ADR25-0018, and Mitigated Negative Declaration No. ENV25-0001 were processed in the time and manner prescribed by state and local law; and

WHEREAS, on January 29, 2026, the City’s interdepartmental Staff Review Committee completed its review of the project and recommended the applications proceed to the Planning Commission subject to conditions; and

WHEREAS, Mitigated Negative Declaration No. ENV25-0001 was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) and concluded that the project will have less than significant impacts to the environment with the implementation of Project Design Features, Plans, Programs, and Policies, relating to Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, and Tribal Cultural Resources, and Mitigation Measures relating to Biological Resources, Noise, and Tribal Cultural Resources; and

WHEREAS, Mitigated Negative Declaration No. ENV25-0001 was circulated for public review and comments for 20 days as required by CEQA, with the comment period beginning February 5, 2026, and ending February 25, 2026; and

WHEREAS, the Planning Commission has reviewed and considered the information presented in Mitigated Negative Declaration No. ENV25-0001, including any written comments received during the public review period; and

WHEREAS, the Planning Commission conducted one duly advertised public hearing on April 6, 2026, at which time interested persons had an opportunity to testify either in support of or in opposition to Tentative Tract Map No. TTM25-0001, Major Site Plan Review No. MJSP25-0002, Administrative Design Review No. ADR25-0018, and Mitigated Negative Declaration No. ENV25-0001 upon property described in Attachment “A” to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council approve Tentative Tract Map No. TTM25-0001, Major Site Plan Review No. MJSP25-0002, Administrative Design Review No. ADR25-0018, and Mitigated Negative Declaration No. ENV25-0001, including the Mitigation Monitoring and Reporting Program for the redevelopment of an existing 4.23-acre vacant Best Buy commercial site with 71, three-story single-family small lot homes, open space recreation area, guest parking, and related site improvements, located at 2375 N. Tustin Street, based on the following findings:

SECTION 1 – GENERAL PLAN FINDINGS

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

With adoption of General Plan Amendment No. GPA25-0003, in conjunction with the subject development proposal establishing the Medium Density Residential land use designation for the site, the project is consistent with the goals and policies stated within the City’s General Plan in that the project will enhance and promote quality of life in the community by supporting and enhancing diverse living environments. The project transforms and revitalizes a vacant Best Buy commercial site with a small lot residential

development that provides a space-efficient and economical alternative to traditional options for home ownership in the City. The project provides architecture and landscape design that emphasizes pedestrian orientation and safe and convenient access between uses. The project brings a residential population into an area where goods and services are offered by local businesses, national retailers, and restaurants. The project supports the goals of the City's Housing Element by bringing forward housing that increases the inventory of housing and diversifying the housing types available in the community. The creation of infill housing is consistent with Housing Element Policy Action 7 and supports the City's Regional Housing Needs Allocation pursuit on a site not previously identified as a Candidate Housing Site.

The project also provides housing in proximity to bus service located on both sides of Tustin Street in the vicinity of the project, contributing to the public transportation network. Finally, providing housing in proximity to employment, services, and transit also supports the Natural Resources Element by establishing more efficient relationships between land uses that encourage public transportation and reduced dependence on traditional auto travel and associated vehicle trips in pursuit of reduced air pollution emissions.

SECTION 2 – TENTATIVE TRACT MAP FINDINGS

- 1. The proposed division of land complies with all requirements of the Subdivision Map Act and Title 16, Subdivisions, of the Orange Municipal Code, and all other resolutions and ordinances of this City, including, but not limited to, requirements concerning area, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, public safety facilities and environmental protection.*

The proposed tentative tract map for the small lot subdivision complies with the requirements of the Subdivision Map Act, OMC Title 16, Subdivisions, and all other resolutions and ordinances of this City, including the Small Lot Subdivision Ordinance (OMC Section 17.14.270). Further, the tract map for the small lot subdivision establishes private and common use areas for the proposed residential development on a vacant paved site that was used as a Best Buy commercial property. Site planning requirements related to area, improvements and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, public safety facilities and environmental protection have been addressed either via project design components shown on the proposed plans or through conditions of approval. The project, therefore, meets this finding.

SECTION 3 – MAJOR SITE PLAN REVIEW FINDINGS

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

The project site is in an area of the city that contains a mix of multi-family residential uses and commercial development. The proposed project introduces a contemporary residential design that is intended to respond to the eclectic contemporary visual character of the area. The proposed density and small lot single-family product type is compatible with the multifamily condominium developments to the north and south. Because of the project's flag lot configuration, the three-story residential units will be set back more than 220 feet from the Tustin Street right-of-way and will be partially buffered by existing one-story commercial buildings along the street frontage. This substantial setback directs the project's three-story massing away from the Tustin Street right-of-way and does not visually affect the existing appearance of the Tustin Street corridor. Three story units without roof decks are placed on the north and south perimeter boundaries taking into consideration the adjacent one-story condominium and mobile home developments. Because the adjacent condominium living units and mobile homes are distanced from the proposed project, no privacy impacts created by the second and third story windows of the new homes are anticipated. There is existing landscaping/tree on the mobile home property that serves as a visual screen from the second and third story windows of the new units, therefore maintaining the privacy of the mobile homeowner. In addition, the applicant has demonstrated that potential shading/shadowing will not impact the adjacent properties. The landscape design, project lighting, and signage enhance the architectural aesthetics and contribute to the integration of the project with the surrounding development. The project, therefore, meets this finding.

2. *The project conforms to City development standards and any applicable special design guidelines or specific plan requirements (OMC 17.10.060.H.2).*

The proposed development conforms with the OMC and the City's Small Lot Subdivision Development Standards and Guidelines. There are no specific plan requirements applicable to the project.

The project complies with the Small Lot Subdivision Guidelines in that three-story residential units will be set back significantly from the Tustin Street right-of-way and partially buffered by existing one-story commercial buildings along the street frontage. Residential developments to the north and south are similarly located and buffered by commercial development. This substantial setback directs the project's three-story massing away from the Tustin Street right-of-way containing primarily one-story commercial buildings, and does not visually affect the existing appearance of the Tustin Street corridor. The architectural design incorporates varied roof forms, arched openings, unique window arrangements, trim and siding, and façade plane changes that help break up the massing and provide visual interest to the building elevations. The building orientations along the project boundary consider the site's characteristics and the City's, Small Lot Subdivision Guidelines in that the main entrances are oriented towards the private roadway and walkways to create a relationship between the buildings and pedestrians and to establish a strong tie to the internal street frontages. The main entrances of the units within the center cluster are oriented towards the landscaped paseos or walkways. These paseos/walkways connect to the private roadway, open space recreation area, and public right-of-way. The project, therefore, meets this finding.

3. *The project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site (OMC 17.10.060.H.3).*

This project was reviewed by the City's interdepartmental Staff Review Committee and vehicular and pedestrian circulation, both on and off-site, were found to be safe and adequate. Vehicle access is provided by an existing signalized shared two-way driveway entrance along Tustin Street. This entry drive connects to a looped private interior roadway and two additional interior roadways off the center cluster that provide vehicle and pedestrian access to the main entrances and garages of the dwelling units. There is an emergency vehicle access gate that leads to an emergency access easement dedicated to the City of Orange located at the northeast corner of the site and on the adjacent property to the north. Pedestrian access from Tustin Street is provided via an existing paved sidewalk/walkway along the south side of the entrance driveway that connects to a network of interior walkways that lead to unit entries and common open space amenities. The project is also within walking distance to nearby shopping, restaurants, office, and residential uses, as well as adjacent to multiple bus stops located on the east and west sides of Tustin Street in the general vicinity of the project site.

The design of the vehicle and pedestrian network for the site supports the goals and policies of the Circulation & Mobility Element of the General Plan which focus on achieving safe and comprehensive circulation that sustains quality of life in Orange neighborhoods. The project, therefore, meets this finding.

4. *City services are available and adequate to serve the project (OMC 17.10.060.H.4).*

The project was reviewed by the City's interdepartmental Staff Review Committee and City services were found to be sufficient to serve the project. The project is an infill development located on a site that is already developed as a commercial use in an area of the City that is essentially built out. As such, City services are already available in the area to serve the site. The project, therefore, meets this finding.

5. *The project has been designed to fully mitigate or substantially minimize adverse environmental effects (OMC 17.10.060.H.5).*

Mitigated Negative Declaration No. ENV25-0001 analyzes the environmental impacts of the project and requires implementation of Project Design Features, Plans, Programs, and Policies, relating to Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, and Tribal Cultural Resources, and Mitigation Measures relating to Biological Resources, Noise, and Tribal Cultural Resources. These mitigation measures reduce the environmental effects of the project to a less than significant level. The project, therefore, meets this finding.

SECTION 4 – ADMINISTRATIVE DESIGN REVIEW FINDINGS

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 17.10.07.G.3).*

The project is neither located in a specific plan area nor an area of the City subject to design standards. The surrounding community is characterized by a mix of land use types and design styles with no specific architectural theme. Adjacent commercial and residential buildings are generally contemporary in style and one story in height.

The proposed project will revitalize the neighborhood by replacing an existing vacant Best Buy retail building and surface parking lot with a distinctive, contemporary residential development that integrates with the surrounding development along North Tustin Street between Meats and Heim Avenues. Because of the Project's flag lot configuration, the three-story residential units will be set back more than 220 feet from the Tustin Street right-of-way and partially buffered by existing one-story commercial buildings along the street frontage. Residential developments to the north and south are similarly located and buffered by commercial development. This substantial setback directs the project's three-story massing away from the Tustin Street right-of-way containing primarily one-story commercial buildings, and does not visually affect the existing appearance of the Tustin Street corridor. Three story units without roof decks are placed on the north and south perimeter boundaries taking into consideration the adjacent one-story condominium and mobile home developments. The applicant has demonstrated that potential shading/shadowing and privacy will not impact the adjacent properties due to existing and proposed building distance separations, and existing landscape buffers. The architectural design incorporates a combination of hip, flat, and shed roof forms, unique window arrangements and details, arched openings, use of trim and siding, and façade plane changes to add visual interest. The proposed landscape design, project lighting, and signage will enhance the architectural aesthetics and will contribute to the integration of the project with the surrounding development. This project presents a unifying theme and results in an internally consistent design that is compatible with the eclectic mix of styles in the surrounding area. Further, in order to accommodate this residential development project, a Zone Change, General Plan Amendment, and implementation of the Small Lot Subdivision Development Standards will allow a space efficient alternative housing type which would create an additional opportunity for homeownership in the City of Orange. The project, therefore, meets this finding.

SECTION 5 – ENVIRONMENTAL REVIEW

Mitigated Negative Declaration No. ENV25-0001 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 in conformance with local CEQA guidelines. The Planning Commission finds that the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program contain an adequate assessment of the potential environmental impacts of the proposed project. The

Planning Commission finds that the project will have less than significant impacts to the environment with the implementation Project Design Features, Plans, Programs, and Policies, relating to Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Noise, and Tribal Cultural Resources, and Mitigation Measures relating to Biological Resources, Noise, and Tribal Cultural Resources included in the Mitigated Negative Declaration.

On February 5, 2026, a Notice of Intent to Adopt Mitigated Negative Declaration No. ENV25-0001 was filed with the Orange County Clerk Recorder, posted at the site in two locations, mailed to property owners and tenants within a 300-foot radius of the project site, potentially affected cities, public agencies, utility service providers, and published in the Anaheim Bulletin Newspaper on February 5, 2026. The public review period began on February 5, 2026, and ended on February 25, 2026. The Mitigated Negative Declaration was made publicly available at the Community Development Department, City Clerk's office, and the City's website.

Public comments on Mitigated Negative Declaration No. ENV25-0001 were received from the California Department of Transportation (Caltrans), Pala Band of Mission Indians, and six community members. Responses to comments addressing feedback relevant to environmental impacts received during the public review period were incorporated into the final Mitigated Negative Declaration. Comments did not change the conclusions of Mitigated Negative Declaration No. ENV25-0001.

SECTION 6 – CONDITIONS OF APPROVAL

BE IT FURTHER RESOLVED that the following conditions are imposed:

General:

1. All Project Design Features, Plans, Programs, and Policies, and Mitigation Measures identified in Mitigated Negative Declaration No. ENV25-0001 and in the associated Mitigation Monitoring and Reporting Program, included as Attachments 9 and 10 to the Planning Commission staff report for this project, shall be incorporated as conditions of approval for the project by the final decision-making body and shall be implemented as described in Mitigated Negative Declaration No. ENV25-0001.
2. Vesting Tentative Tract Map No. TTM25-0001, Major Site Plan Review No. MJSP25-0002, Administrative Design Review No. ADR25-0018 and Mitigated Negative Declaration No. ENV25-0001 shall become void if not vested within two years from the date of approval. Time extensions may be granted pursuant to OMC Section 17.08.060.
3. Within two (2) business days of approval by the final decision-making body for 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, and Cal

Code Regulations 15075. If it is determined that there will be no impact on wildlife resources, the fee shall be as required based on the current fee schedule.

4. Within two (2) business days of final approval by the final decision-making body for this project, the applicant shall submit a deposit to the Planning Division for the Mitigation Monitoring and Reporting Program. Time spent by City staff to complete the project will be charged to the applicant on an hourly basis, in accordance with the city's fee schedule.
5. These conditions shall be reprinted on the second and third pages of the construction documents when submitted to the Building Division for the plan check process.
6. This project shall conform in substance and be maintained in general conformance with plans and as recommended for approval by the Planning Commission, unless modified by the City Council.
7. Except as otherwise provided herein, this project is approved as a precise plan and shall conform to, and be maintained in accordance with plans and exhibits labeled as Attachment 8 in the Planning Commission staff report for this project. 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.
8. Subsequent modifications to the approved architecture, color scheme, and landscape plan specifically shall be submitted for review and approval to the Community Development Director.
9. The applicant agrees, as a condition of the City's approval of Vesting Tentative Tract Map No. TTM25-0001, Major Site Plan Review No. MN25-0002, Administrative Design Review No. ADR25-0018, and Mitigated Negative Declaration No. ENV25-0001, to indemnify, defend, and hold harmless, at applicant's expense, the City, its officers, agents, and employees ("City") from and against any claim, action or proceeding brought against the City, including, but not limited to, any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the City's approval, to challenge the determination made by the City under the California Environmental Quality Act ("CEQA") or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify applicant of any such claim, action or proceeding to which the City receives notice and to cooperate fully with the applicant in the defense thereof. Applicant shall reimburse the City for any and all costs and expenses, including, but not limited to, court costs and attorney's fees that the City may be required to pay, including any expenses ordered by a court or expenses incurred through the Office of the City Attorney in connection with said claim, action or proceeding. City may, in its sole discretion,

participate in the defense of any claim, action or proceeding but such participation shall not relieve applicant of the obligations of this condition. In the event the applicant is required to defend City in connection with such claim, action or proceeding, City shall have the right to approve counsel to so defend the City, approve all significant decisions concerning the manner in which the defense is conducted and approve any all settlements, which approval(s) shall not be unreasonably withheld. The obligations set forth herein remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgment rendered in the proceeding. Further, applicant agrees to indemnify, defend and hold harmless the City for all costs and expenses incurred in enforcing this provision.

10. 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.
11. The project approval 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.
12. Prior to building permit issuance, the applicant shall pay all applicable Development Impact Fees in accordance with the current fee schedule at the time of final entitlement approval, including but not limited to: City sewer connection fees, Orange County Sanitation District connection fees, Transportation System Improvement Program (TSIP) fees, Fire Facility fees, Police Facility fees, Park Acquisition fees, Library fees, Sanitation District fees, and School District fees, as required.
13. Prior to building permit issuance, the applicant shall pay any outstanding monies due to the City for Planning Division entitlement activities related to this project.
14. Building permits shall be obtained for all future construction work, as required by the City of Orange, Community Development Department's Building Division. Failure to obtain the required building permits may cause for revocation of the entitlements provided.
15. All signage shall comply with Sign Regulations of the OMC, Chapter 17.36. Project signage shall be subject to Community Development Director approval.
16. 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.

17. In conjunction with construction, all activity 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.
18. Prior to certificate of occupancy, the applicant shall contact the Orange Police Crime Prevention Bureau to schedule an on-site appointment to test all lighting to ensure it meets OMC standards. 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, or cause illumination in residential districts in excess of 0.5 foot-candles.
19. Prior to building permit issuance, 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.
20. Prior to building permit issuance, all required parking spaces shall be shown on construction documents as doubled striped to City standards at the time of approval.
21. 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.
22. Prior to building permit issuance, the applicant shall identify the precise location of existing walls proposed for demolition. If the location of the existing wall slated for demolition is wholly or partially upon an adjacent property, the applicant shall secure the property owner(s) approval to demolish and replace the wall. The applicant will be responsible for any site repairs to walls damaged through demolition activity.
23. Prior to building permit issuance, 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.
24. Prior to City approval of the landscape plans, the applicant shall review the approved Water Quality Management Plan (WQMP) and ensure the proposed landscape plans are consistent with the project grading plans and show the proposed structural storm water treatment BMPs incorporated into the project.
25. Prior to building permit issuance, 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.
26. 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. 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.
27. Prior to certificate of occupancy issuance, 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.
 28. Prior to building permit issuance, 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.
 29. Prior to building permit issuance, 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.
 30. Prior to building permit issuance, the final landscape plan shall include a note that a fully automated irrigation system will be provided.
 31. Prior to building permit issuance, landscape plans shall include landscape area calculations needed for State landscape water use reporting.
 32. Prior to building demolition permit issuance, a Tree Removal Permit shall be approved by the Public Works Department 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 specifics of each tree, and the number of trees proposed for removal and replacement.
 33. 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.
 34. Landscaping shall be maintained so as to not interfere with lighting or addressing. All landscape areas shall be maintained in a neat and healthy condition. Should the plant material die, it shall be replaced at the earliest time with similar plant material.
 35. Patio covers, pergolas, canopies, umbrellas larger than five feet in diameter, or similar shade structures, unsecured furniture, and overhead patio string lighting, on roof top

- decks are prohibited. Heat lamps and other outdoor accessory fixtures shall be secured in place and shall not extend above the height of the roof parapet/balcony railing.
36. The CC&R's of the Homeowner's Association for the project shall include enforceable restrictions prohibiting patio covers, pergolas, canopies, umbrellas larger than five feet in diameter, or similar shade structures, unsecured furniture, and overhead patio string lighting on roof top decks, and require that heat lamps and other outdoor accessory fixtures be secured in place and to not extend above the height of the roof parapet/balcony railing.
 37. Storage of trash bins on the private street and within parking spaces is prohibited. A 20 feet by 20 feet inside clear area in each garage is to be maintained at all times for its intended use as vehicle parking. Guest parking shall remain available for and be used by guests. Parking in fire access areas is prohibited. The Fire Chief can, at his/her discretion, require further street markings for fire lanes (including red curbing) if signage fails to keep fire lanes clear of vehicles or other obstructions.
 38. The CC&R's of the Homeowner's Association for the project shall contain enforceable restrictions prohibiting storage of trash bins on the private street and within parking spaces. CC&R's shall also require a 20 feet by 20 feet inside clear area in each garage to be maintained at all times for its intended use as vehicle parking. CC&Rs shall contain enforceable restrictions to ensure guest parking remains available for and is used by guests. The CC&R's shall contain enforceable restrictions that prohibit parking in fire access areas. The CC&R's shall contain a provision that the Fire Chief can, at his/her discretion, require further street markings for fire lanes (including red curbing) if signage fails to keep fire lanes clear of vehicles or other obstructions.
 39. Any changes to the CC&R's at any time after building permit issuance shall require review and written approval by the Community Development Director.
 40. Each unit is to maintain a minimum of 120 cubic feet of storage within the garage and outside of the 20 feet by 20 feet inside clear area, as shown on the submittal floor plans.
 41. The CC&R's shall indicate that each unit is to maintain a minimum of 120 cubic feet of storage within the garage and outside of the 20 feet by 20 feet inside clear area, as shown on the submittal floor plans.
 42. Prior to approval of the Final Map, the Final Tract Map shall dedicate to the City and its assigns, and the City shall approve the method and language of the dedication, the right to enter the private streets and driveways for the maintenance of public utilities (if any), emergency access, trash collection, and for any other reasons stated in the dedication mechanism.
 43. A Tentative Tract Map shall expire unless recorded within 24 months after tentative map approval (final City Council Resolution date) and prior to the sale or lease of any parcel, unless the tentative map is extended pursuant to Government Code Section 66452.6.

44. Model Homes shall comply with the following standards:
- a. Within 90 days after the close of escrow of the last unit within the tract, restore the model homes, and remove the parking lots, signs, all temporary fencing, and the sales office as necessary to comply with the current applicable zoning regulations.
 - b. A maximum of 10 on-site pennants are permitted in connection with the model homes sales use.
 - c. The applicant shall submit a plan identifying the model homes and parking areas and to reflect exact size, location, and copy of signs associated with the model home sales complex. The sign copy shall be limited to matters relating to the recorded tract within which the signs are located. Such signs shall have a time limit of existence concurrent with the use of the permitted temporary offices within the recorded tract.
 - d. Signage whose purpose is to direct people to the development that is the subject of this permit shall conform to the requirements of the OMC.
 - e. The model home sales office shall be used solely for the first sale of dwelling units approved under this permit.
45. Codes Covenants and Restrictions (CC&R'S) shall be designed and approved by the City for the entire site and address specific responsibilities of the Homeowners Association (HOA). A few specific areas include, but are not limited to:
- a. Any aspect that is zoning in nature shall be structured so they cannot be rescinded or modified without City concurrence.
 - b. Maintenance responsibilities for any private drainage or water quality features.
 - c. Maintenance responsibilities for landscape areas, including parkway median roadway areas, arterial roadway landscaping, common slopes or native open space.
 - d. Detailing enforcement options available to the City to ensure that maintenance is continuously undertaken for drainage and water quality, or other zoning aspects.
 - e. Maintenance of any applicable private streets.
 - f. Maintenance of any applicable private recreation facilities.
 - g. Identification of common open space lots that will be owned or under the control of the HOA and maintenance for open space lots.

- h. A method to distribute the cost of required maintenance in an equitable manner among the owners of the dwelling units within the subdivision.
 - i. The CC&R's shall contain a provision that the Fire Chief can, at his discretion, require further street markings for fire lanes (including red curbing) if signage fails to keep fire lanes clear of vehicles or other obstructions.
- 46. A final acoustical report shall be prepared and approved by the City of Orange, showing that dwelling units have been sound attenuated for interior and exterior standards. Evidence prepared by a state certified acoustical consultant shall be submitted to the Building Official describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards and that sound attenuation measures have been incorporated into the design of the project. The applicant shall show all freestanding acoustical barriers on the project's plot plan illustrating height, location, and construction in a manner meeting the approval of the Building Official.

Building Division:

- 47. Prior to building permit issuance, beginning on January 1, 2026, each California City is required by State law to enforce the 2025 Edition of California Building Standards Codes (a.k.a., Title 24 of the California Codes of Regulations). All projects submitted before or on December 22, 2025, are permitted to comply with the 2022 Edition of the California Building Standards Code.
- 48. Prior to building permit issuance, construction plans shall include and comply with the following:
 - a. The City of Orange has adopted the 2025 California Code Amendments and Local Ordinance.
 - b. A space measuring 2 inches in height and 3 inches in width shall be provided at the top right corner of each sheet for the City's electronic approval stamp.
 - c. The City of Orange is located in Seismic Design Category D.
 - d. The ultimate wind speed is 95 mph; this can be verified with ASCE 7-22, chapter 26, 2025 CBC Table 1609.3(1). Most areas of Orange can be classified as wind exposure category C.
 - e. Provide a "Green Code Checklist". The green measures associated with the project shall be clearly specified as to what sheet of plans are shown.
 - f. Plans shall note that a Cal-OSHA permit is required for excavations deeper than 5 feet and for shoring and underpinning. Contractor to provide a copy of the OSHA permit.
 - g. A soil report is required.
 - h. Plans shall include a complete plot plan showing: lot dimensions, yard setbacks, street name(s), north arrow, and easement(s).
 - i. Provide Certificate of Compliance documents.
 - j. Plans shall include the following regarding roof construction and covering:

1. Details of roof construction assembly.
 2. Specification of ICC approval number for tile and weight of special roof coverings.
 3. Class "A" roofing is required.
- k. Include Energy Conservation –Title 24 energy forms & calculations: Certificate of Compliance Documents.
 - l. Roof eave projections of dwelling units and accessory buildings with automatic residential fire sprinkler protection are not permitted less than 2 feet to the property line and are required to be 1 hour fire rated on the underside with a fire separation distance between 2 feet and 3 feet [CRC Table R302.1 (2)].
 - m. Walls of dwelling units and accessory buildings with automatic residential fire sprinkler protection with a fire separation distance less than 3 feet are required to have a full one-hour rating [CRC Table R302.1 (2)].
 - n. Openings are not permitted less than 3 feet to the property line. In projects without automatic residential fire sprinkler protection, openings are limited to 25 percent the wall area when fire separation distance is greater than 3 feet and less than 5 feet [CRC R302.1 (1)].
 - o. Provide specifications from the heat pump water heater company for using metal enclosures. Otherwise, provide framing and foundation for the heat pump water heater.
 - p. The cover sheet of the plans shall list all HERS inspection features and special features required. This shall be coordinated with the Energy Report.
 - q. Plans shall include a "Foundation & Finished Floor Certificate" form. This form is located on the City's website at:
<https://www.cityoforange.org/home/showpublisheddocument/3182>.
 - r. The Utility Plan shall be fully dimensioned demonstrating the locations for proposed utilities such as sewer, water, gas, and electric.
 - s. Plans shall note that a pre-construction meeting is required with the City inspector.
 - t. The minimum sewer slope is 2%.
 - u. A maximum of five water closets are allowed on a 3" drain line (Table 703.2 note #4 CPC).
 - v. A new gas line may be required per device requirements.
 - w. A Temporary power pole may be required per site conditions. This will be determined by the City inspector.
 - x. Construction fencing may be required if construction materials are placed in front of the property, people are living inside the house during construction, or if no existing fencing is located around the property. This will be determined by the City inspector.
 - y. Location of the electric meter may be changed due to Edison's requirements and clearance.
 - z. Provide a letter of agreement from the neighbor that workers may work on the neighbor's side during construction.
 - aa. For the sewer line, provide the drainage fixture unit (DFU) table and clarify the length and size of pipe on plan.
 - bb. For the water line, provide the fixture unit count and clarify the length and size of pipe on plan.

- cc. Plans shall show that walls/partitions and floor-ceiling assemblies separating dwelling units shall be rated for fire (1-hr) and sound (50 STC). Please provide tested assembly number (UL#) and details on plan.

Fire Department:

- 49. 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.
- 50. Onsite fire department access will require reciprocal easement recording prior to final map recordation and shall be reviewed by Fire prior to approval. Because new property lines extend into the shared roadways, the onsite easement recording shall include reciprocal access amongst all properties. Recording shall include a Declaration of Restrictions in perpetuity, to include impact and liability being created by the shared obligation of all property owners and future individuals with interest to each property. All maintenance of, including but not limited to, roadways, utility mains, fire lane signage, markings, fire lines, fire hydrants testing and service, and all equipment thereto within the reciprocal easement.

In addition, the required offsite easement, providing the required secondary emergency access shall be recorded prior to rough grading permit issuance.

Police Department:

- 51. 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 considerations such as placement and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing, and landscaping. CPTED promotes public safety, physical security and allows citizens the ability to monitor activity. It is based on five concepts to provide non-invasive and permanent measures to prevent and reduce crime: territoriality, natural surveillance, access control, activity support, and maintenance. The project shall also comply with the requirements contained in the City of Orange Municipal Code Chapter 15.52, Building Security Construction Standards reference Ordinance #6-22.

Public Works Department, Subdivision Section:

- 52. 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 pervious surfaces, and 2% for impervious surfaces, at a minimum distance of 10 feet.
- 53. The contractor shall obtain a grading permit from Public Works Department prior to start of any site demolition, clearing and grubbing, and grading.
- 54. Any soil imported or exported shall require a Transportation Permit from Public Works Traffic Division prior to start of construction.

55. Upon submittal of grading plan for plan check, the applicant shall submit a deposit to cover plan check and inspection services related to the grading activities
56. The grading plan shall detail all locations where retaining walls will be constructed. Geometric details 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 City Building Division.
57. Any grading outside of the owner's property boundary shall require the applicant to either obtain temporary construction easements or permission by adjacent property owners in a form suitable to the Public Works Director prior to rough grading permit issuance.
58. Show all structural BMPs for water quality purposes on the grading plan. Water quality features shown on the grading plan must match the WQMP.
59. The property owner shall maintain in good condition, all on-site driveways where heavy-duty trucks would travel throughout construction.
60. 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.
61. Prior to building permit issuance, the applicant shall submit an address number request, including an addressing plan, to the Public Works Department for review and approval.
62. The final map and CC&R's shall be recorded (model homes excluded) prior to building permit issuance or sale or lease of any parcels.
63. All trash carts shall be labeled to identify the unit/address number and shall be addressed in the CC&R's.
64. 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.
65. All public infrastructures, including street sections, sidewalk, driveway apron, and utilities shall comply with City of Orange Standard Plans and Specifications.
66. 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.

67. Sanitary sewer system connecting from the buildings to the public mainline shall be private and maintained by the property owner.
68. The applicant shall remove unused driveway approaches and restore them to full height curb and gutter, including any sidewalk restoration at the driveway apron.
69. Driveway aprons shall conform to Public Works Standard Plan 115 for commercial driveway with ADA accessibility.
70. Repair any cracked, uneven, or damaged public sidewalk, curb and gutter along property frontage.
71. Pavement restorations on streets, under Moratorium or with a Pavement Condition Index of 75 or greater, shall be completed per Standard Plan 125.
72. The applicant shall submit a grading plan in compliance with City standards for review and approval by the Public Works Director prior to grading permit issuance. 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.
73. A Hydrology Study/Report or Drainage Assessment Letter 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. Approval is required prior to rough grading permit issuance.
74. The CC&R's shall be subject to a joint review by the Community Development Director, Public Works Director, and City Attorney. The applicant shall be required to pay for the review of the CC&R's by the City Attorney, Public Works Director and the Community Development Director at the City's hourly billing rate.
75. Prior to rough grading permit issuance, the applicant shall submit and have approved an Offsite Emergency Access Easement dedicated to the City. Additionally, a Reciprocal Emergency Access Agreement between the adjacent land owner and the applicant must be recorded and a copy provided to the City.

Public Works Department, Water Division:

76. Prior to encroachment permit issuance, the applicant must 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 Standard Specifications and Plans For the Construction of Water System for review and approval.

77. Plans submitted during plan check must 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 must coordinate their plans with the consultants preparing the landscape, architectural, surface water quality management, fire master and/or fire suppression plans so that all designs are consistent.
78. Plans submitted during plan check must 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 must coordinate their plans with the consultant preparing the fire suppression plans and/or fire master plan so that their designs concur.
79. Prior to approval of a water improvement plan, the applicant must satisfy all water main connection, plan check, and inspections charges as determined by the Water Division.
80. Prior to building permit issuance for the first phase of work, the applicant will be responsible for obtaining approval of all necessary encroachment permits from affected agencies for all public water construction work.
81. Prior to building permit issuance, construction documents must 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.
82. Prior to building permit issuance, the applicant must submit construction documents that 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 will review and approve the construction documents.
83. Prior to building permit issuance, the construction documents must 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 will review and approve the construction documents.
84. Prior building permit issuance, the construction documents must show that the installation of sewer mains in the vicinity of water mains is done per the Department of Public Works Water Division Standard No. 113 and will be approved by the Water Division.

85. Prior building permit issuance, the Water Division will approve the type and location of landscaping services, fire services, and backflow prevention devices for proposed City services.
86. Prior certificate of occupancy issuance, the applicant will be responsible for the installation of necessary fire hydrants and fire services as approved by the Fire Department and Water Division.
87. Prior to precise grading permit or building permit issuance, the applicant will be responsible for the installation and/or relocation of the proposed or existing public water system facilities to a location and of a design per the improvement plans approved by the Water Division.
88. Prior to precise grading permit issuance, the applicant may be required to enter into an agreement with the City of Orange, and post security in a form and amount acceptable to the City Engineer and/or Water Division to ensure construction of all public and/or private improvements to the satisfaction of the Water Division.
89. Prior to any grading permit or building permit issuance, the applicant must submit improvement plans to the Water Division for review and approval for any new fire hydrants, domestic water services, fire services, landscape services, backflow prevention devices, and any other proposed improvements or relocations affecting the public water system facilities.

Public Works Department, Water Quality Division:

91. Prior to grading permit issuance, the applicant shall demonstrate that coverage has been obtained under the State's General Permit for Storm water 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 current SWPPP required by the General Permit shall be kept at the project site and be available for review by City representatives upon request.
92. 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.
93. Prior to building permit issuance, the applicant shall review the approved Water Quality Management Plan (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.

94. Prior to certificate of occupancy issuance or final sign-off 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.
95. Prior to certificate of occupancy issuance, the applicant shall demonstrate the following to the Public Works Department:
 - a. That all structural and treatment control best management practices (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.
96. Prior to final map recordation, a copy of the project's CC&Rs shall be provided to the Public Works Department for review and approval that includes requirements for maintenance and funding of the project's structural and treatment water quality best management practices as approved by the City in the project's WQMP.
97. Prior to grading permit issuance, 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.

ADOPTED this 6th day of April 2026.

Isaiah Leslie, Planning Commission Chair

I hereby certify that the foregoing Resolution was adopted by the Planning Commission of the City of Orange at a regular meeting thereof held on the 6th day of April 2026, by the following vote:

AYES:

NOES:

RECUSED:

ABSENT:

Hayden Beckman
Planning Manager

Attachment A
Legal Description

LEGAL DESCRIPTION

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 A:

PARCEL 1 AS SHOWN ON EXHIBIT "B" OF LOT LINE ADJUSTMENT NO. 2025-01 RECORDED MAY 29, 2025 AS [INSTRUMENT NO. 2025000151774, OF OFFICIAL RECORDS](#) OF ORANGE COUNTY, CALIFORNIA, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF PARCEL 1 OF LOT LINE ADJUSTMENT NO. 2024-02, IN THE CITY OF ORANGE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS DESCRIBED AND SHOWN ON THE DOCUMENT RECORDED MAY 08, 2024 AS [INSTRUMENT NO. 2024000114291, OF OFFICIAL RECORDS](#) OF ORANGE COUNTY.

EXCEPTING THEREFROM THAT PORTION OF SAID PARCEL 1, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY MOST CORNER OF SAID PARCEL 1; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL 1, NORTH 00°08'36" WEST 170.52 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 1; THENCE EASTERLY ALONG THE EASTERLY PROLONGATION OF SAID SOUTHERLY LINE, NORTH 89°23'21" EAST 22.20 FEET TO A POINT ON A LINE BEING 22.20 FEET EASTERLY OF AND PARALLEL WITH SAID WESTERLY LINE; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, SOUTH 00°08'36" EAST 170.60 FEET TO A POINT ON THE SOUTHERLY MOST LINE OF SAID PARCEL 1; THENCE WESTERLY ALONG SAID SOUTHERLY LINE, SOUTH 89°36'14" WEST 22.20 FEET TO THE POINT OF BEGINNING.

PARCEL B:

NON-EXCLUSIVE EASEMENTS FOR PARKING, ACCESS, DRAINAGE, AND OTHER PURPOSES OVER AND ACROSS THE COMMON AREA AS PROVIDED FOR IN THAT CERTAIN INSTRUMENT ENTITLED "RECIPROCAL EASEMENT AGREEMENT" RECORDED FEBRUARY 06, 2008 AS [INSTRUMENT NO. 2008000056279, OF OFFICIAL RECORDS](#) OF ORANGE COUNTY, CALIFORNIA.

[APN: 372-642-31](#)