

Design Review No. 5032-21  
Potential Conditions of Approval

General Conditions

1. This project is approved as a precise plan. All work shall conform in substance and be maintained in general conformance with the plans included as Attachment 2 (date stamped April 7, 2021) of this report, including modifications required by the conditions of approval, and as recommended for approval by the Design Review Committee. Any changes from the approved plans shall be subject to subsequent review and approval by the Design Review Committee.
2. 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 meeting.
3. The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by the City's active negligence.
4. The final approved conditions of approval shall be reprinted on the first or second page of the construction documents when submitting to the Building Division for the plan check process.
5. Construction 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 will be cause for revocation of this permit.
6. If not utilized, project approval expires 24 months from the approval date. Extensions of time may be granted in accordance with OMC Section 17.08.060.

Street and Utility Improvements

1. All works within public right-of-way and public utility easements will require Encroachment Permits, including sidewalk and driveway constructions, utility main, and lateral and service connections (prior to any grading permit).
2. All public infrastructures, including street sections, sidewalk, driveway apron, and utilities shall comply with City of Orange Standard Plans and Specifications (prior to any grading permit).

3. 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 (prior to certificate of occupancy).
4. The applicant shall remove unused driveway approaches and restored them to full height curb and gutter, including any sidewalk restoration at the driveway apron. (prior to certificate of occupancy).
5. Driveway aprons shall conform to Public Works Standard Plan 115 for commercial driveway with ADA accessibility (prior to any grading permit).
6. All private ways shall conform to Engineering Standard Plan 108 (prior to any grading permit).
7. All driveway approaches shall conform to ADA standard for wheelchair access conforming to Public Works Standard Plans 115 and 116 (prior to any grading permit).
8. The developer shall be required reconstruct sidewalks to meet along Katella Avenue per City of Orange Engineering Standard Plan 118 (prior to certificate of occupancy).
9. An unobstructed pedestrian access way of 5 feet width shall be maintained at all time for the sidewalk. The unobstructed access shall increase to 6 feet when there is no planting strip between the sidewalk and the street curb (prior to certificate of occupancy).
10. Provide adequate wheelchair accessibility around driveway aprons that do not conform to current ADA standards (prior to certificate of occupancy).
11. Repair any cracked, uneven, or damaged public sidewalk, curb and gutter adjacent to property boundaries (prior to certificate of occupancy).
12. All landscaping shall include the installation of root barriers on the sidewalk side of tree, or where conditions warrant, the installation of Deep Root box as directed by the Community Services Department . (prior to certificate of occupancy)
13. The developer shall be required to install new streetlights, or upgrade existing streetlights, along Katella Avenue as required by City of Orange Traffic Division. Contact Mr. Jimmy Rocha at (714)532-6477 for further details(prior to certificate of occupancy) .
14. The developer shall be required to install street trees along Katella Avenue as required by City of Orange Public Works Department. Contact Tree Services Coordinator, Mr. Micah Jean (714) 532-6470; [mjean@cityoforange.org](mailto:mjean@cityoforange.org) (prior to certificate of occupancy)

### Grading

1. The applicant shall submit grading plans and off-site improvements in compliance with City standards for review and approval by the Public Works Director. Plan design, preparation and

submittal shall be per Subdivision's Guidelines and Checklists. 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 (prior to any grading permit) .

2. Provide for a minimum of 1-foot freeboard between the finished floor elevation and 100-year storm water surface elevation or public street top of curb (prior to any grading permit).
3. A geotechnical report shall accompany the grading plan review . (prior to any grading permit).
4. The contractor shall obtain a Grading Permit from Public Works Department prior to start of any site demolition, clearing and grubbing, and grading(prior to any grading permit) .
5. Any soil imported or exported shall require a Transportation Permit from Public Works Traffic Division (prior to any grading permit).
6. Upon submittal of grading and improvement plans for plan check, the applicant shall a deposit to cover plan check and inspection services related to the grading activities . (prior to any grading permit).
7. 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 sub drains. A building permit is also required for retaining walls over 3 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(prior to any grading permit).
8. Any grading outside of the owner's property boundary shall require the applicant to either obtain a temporary construction easements or permission by adjacent property owners in a form suitable to the Public Works Director (prior to any grading permit).
9. Trash receptacle locations and details shall be included on the Grading Plan. The trash storage area shall be constructed per Public Works Standard Plan 409 (prior to any grading permit).
10. Show all sewer and storm drain lines on the Grading Plan. Other utility lines, such as water lines, may also be shown on Grading Plan for reference (prior to any grading permit).
11. Show all structural BMPs for water quality purpose on Grading Plan. Water quality features shown on the Grading Plan must match WQMP (prior to any grading permit) .
12. The property owner shall maintain in good condition, all on-site driveways where heavy-duty trucks would travel (prior to certificate of occupancy).
13. 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 (prior to building permit).

### Addressing

1. Prior to issuance of building permits, the applicant shall submit an address number request, including an addressing plan, to Public Works Department for review and approval (prior to building permit).
2. The building closest to the street frontage shall have the lowest address number (prior to certificate of occupancy).
3. For the building in the back, not clear in sight from the street, an illuminated address sign shall be placed in the front (prior to certificate of occupancy).

### Water Division

1. 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.
2. Prior to issuance of the 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.
8. 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.
9. 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 of Orange, and post security in a form and amount acceptable to the City Engineer and/or Water Division to ensure construction of said improvements.
10. 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.
11. 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.
12. 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.
13. 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.

#### 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. **Onsite fire department access will require easement recording prior to issuance of Building Permit and shall be reviewed by Fire prior to approval.**

#### Water Quality

1. For developments with Food Service Establishments - 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.

2. Prior to City approval of the landscape plans, the applicant shall review the approved Water Quality Management Plan and ensure the proposed landscape plans are consistent with the project grading plans. The plans must show the proposed storm water treatment Best Management Practices such as bioretention planters, drywells, permeable pavers, and any other proposed surface water quality BMPs.
3. 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 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.
4. Prior to the issuance of certificates for use of occupancy, the applicant shall demonstrate the following to the Public Works Department:

- k.** 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,
  - l.** That the applicant is prepared to implement all non-structural BMPs described in the Project WQMP,
  - m.** That an adequate number of copies of the project's approved final Project WQMP are available for the future occupiers.
- 5. 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.
- 6. Prior to issuance of building permits, 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.
- 7. 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.

### Crime Prevention

- 1. Prior to building permit issuance, construction plans shall show that all structures shall comply with the requirements of Municipal Code (Chapter 15.52 Building Security Standards), which relates to the use of specific hardware, doors, windows, lighting, etc (Ord. No. 7-79). 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. Security and design measures that employ Defensible Space concepts shall be utilized in development and construction plans. These measures incorporate the concepts of Crime Prevention through Environmental Design (CPTED), which involves consideration such as placement and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing and landscaping.