

RESOLUTION NO. 11662

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE APPROVING ENT25-0015 (TENTATIVE TRACT MAP, MAJOR SITE PLAN REVIEW, AND ADMINISTRATIVE DESIGN REVIEW), A REQUEST TO SUBDIVIDE AN EXISTING 0.72-ACRE VACANT SITE TO CONSTRUCT 15 DETACHED THREE-STORY RESIDENTIAL DWELLINGS AT 715 W. FLETCHER AVENUE

APPLICANT: HAMILTON LAND DEVELOPMENT, INC. (MATT HAMILTON)

WHEREAS, the City Council of Orange has authority per Orange Municipal Code (OMC) Section 17.08.020 to take action on ENT25-0015 (Tentative Tract Map, Major Site Plan Review, Administrative Design Review); and

WHEREAS, the application for ENT25-0015 (Tentative Tract Map, Major Site Plan Review, Administrative Design Review) was filed by Hamilton Land Development, Inc. (Matt Hamilton) in accordance with the provisions of the OMC; and

WHEREAS, the application for ENT25-0015 (Tentative Tract Map, Major Site Plan Review, Administrative Design Review) was processed in the time and manner prescribed by state and local law; and

WHEREAS, the application for ENT25-0015 (Tentative Tract Map, Major Site Plan Review, Administrative Design Review) is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15332 (Class 32 – In-Fill Development Projects) because the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. There is no environmental public review required for a CEQA categorically exempt project; and

WHEREAS, the City Council conducted a duly advertised public hearing on April 28, 2026, at which time all interested persons had an opportunity to testify either in support of or in opposition to the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves ENT25-0015 (Tentative Tract Map, Major Site Plan Review, Administrative Design Review), a request to

subdivide an existing 0.72-acre vacant site to construct 15 detached three-story residential dwellings at 715 W. Fletcher Avenue, based on the following findings:

SECTION 1 – FINDINGS

Tentative Tract Map

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 complies with the requirements of the Subdivision Map Act, Title 16, Subdivisions of the Orange Municipal Code, and all other resolutions and ordinances of this City. The Tentative Tract Map proposes to subdivide an approximately 0.72-acre site into 15 single-family residential lots. Lot sizes will range from 1,370 to 1,760 square feet. The project will utilize the small lot subdivision development standards as outlined in OMC Section 17.14.270, which is allowed in the Multiple-Family Residential (R3) zoning district. The R3 zoning is the same as the existing multi-family residential developments to the north, east, and west. Vehicle access to the site will be provided from a private driveway along the southern property line fronting onto W. Fletcher Avenue. Two dwelling units (Units 1 and 15) will have frontage on W. Fletcher Avenue; however, all private garages will be accessed from the common private driveway.

Major Site Plan Review

1. *The project design is compatible with surrounding development and neighborhoods.*

The project transforms a vacant and underutilized R3 zoned property into a new small lot subdivision consisting of 15 detached residential dwelling units that incorporates a Spanish Colonial Revival-inspired architectural style to create a uniform identity for the development. New landscaping along the street frontage and trees planted throughout the project site will soften the predominant paved areas of the site. The zoning designation of the project site as well as the adjacent residential development to the north, east, and west is R3.

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

The project utilizes the City's Small Lot Subdivision Development Standards as outlined in OMC Section 17.14.270 to allow an alternate "detached" housing typology, as opposed to the traditional multi-family development. Proposed lot sizes will range from 1,370 to 1,760 square feet. The project is also subject to the City of Orange Small Lot Subdivision Guidelines which ensure that new small lot subdivisions fit into the existing neighborhood

context, promote walkable urbanism through infill development, and achieve high-quality new urban design. The Spanish Colonial Revival-inspired architecture with the variety of landscaping types makes this a high-quality and visually appealing development along that residential corridor (along the northside of W. Fletcher Avenue).

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

Vehicle access to the site will be provided from a private two-way driveway along the southern property line fronting onto W. Fletcher Avenue. Two dwelling units (Units 1 and 15) will have frontage on W. Fletcher Avenue; however, all private garages will be accessed from the common private driveway. The sidewalk along the street frontage will be maintained consistent with the adjacent properties to the east and west, thus maintaining connectivity.

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

The project incorporates design features and conditions of approval that address Code requirements for building and infrastructure systems that maximize safety and ensure adequate utility services to the site. The applicant will be subject to payment of impact fees associated with schools, parks, libraries, sewer, and Sanitation District fees.

5. *The project has been designed to fully mitigate or substantially minimize adverse environmental impacts.*

The proposed project includes project design features that minimize potential adverse impacts to Transportation/Traffic, Air Quality, Cultural Resources, Tribal Cultural Resources, Geology/Soils, and Noise. The applicant prepared a CEQA (Class 32-In-Fill Development Projects Categorical Exemption) Memo, which is included as Attachment 10 to the staff report. Per the memo, the project meets the criteria for a categorically exempt project and would not have a significant effect on the environment.

Administrative Design Review

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.*

The project transforms a vacant and underutilized R3 zoned property into a new small lot subdivision consisting of 15 detached residential dwelling units that incorporates a Spanish Colonial Revival-inspired architectural style to create a uniform identity for the development. New landscaping along the street frontage and trees planted throughout the project site will soften the impervious areas of the site.

2. *For infill residential development, as specified in the City of Orange infill residential design guidelines, the new structure(s) or addition are compatible with the scale, massing,*

orientation, and articulation of the surrounding development and will preserve or enhance existing neighborhood character.

The project is developed to the City of Orange Small Lot Subdivision Guidelines which ensure that new small lot subdivisions fit into the existing neighborhood context, promote walkable urbanism through infill development, and achieve high-quality new urban design. The Spanish Colonial Revival-inspired architecture with the variety of landscaping types makes this a high-quality and visually appealing development along that residential corridor (along the northside of W. Fletcher Avenue).

SECTION 2 - ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15332 (Class 32 – In-Fill Development Projects) because the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. There is no environmental public review required for a CEQA categorically exempt project.

SECTION 3 – CONDITIONS OF APPROVAL

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

General:

1. The final conditions of approval shall be reprinted on a dedicated sheet of the construction documents when submitted to the Building Division for the plan check process.
2. The term “applicant” shall refer to the entity that requests approval of this action or any successor in interest to this approval.
3. Except as otherwise provided herein, this Project is approved as a precise plan. After any application has been approved, if subsequent changes or modifications are proposed regarding the location or alteration of any use or structure, architecture, color scheme, etc., a changed plan may be submitted to the Community Development Director for review and approval. If the Community Development Director or designee determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, the Community Development Director may approve the changed plan administratively. Should the modifications be considered substantial, the modifications shall be reviewed by the Planning Commission at a subsequent public meeting.

4. The applicant agrees, as a condition of City's approval of ENT25-0015, 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 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.
5. 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 may be cause for revocation of this permit.
6. If no use or construction has occurred, the project approval expires 24 months from the approval date. Extensions of time may be granted, if requested in writing in accordance with OMC Section 17.080.060.

Planning Division:

7. The applicant/operator at all times shall provide the required number of parking spaces based on the uses on site. Parking facilities shall be made permanently available and permanently marked for parking purposes only. The storage of materials or other objects on required off-street parking shall be prohibited, in accordance with OMC Section 17.34.030.
8. Prior to building permit issuance, all required parking spaces shall be shown on construction documents as double striped to City standards at the time of approval.
9. Building permits shall be obtained for all construction work, as required by the City of Orange, Community Development Department's Building and Safety Services. Failure to obtain the required building permits may be cause for revocation of this entitlement.

10. In conjunction with construction, all activity will 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.
11. In conjunction with the operation of the residences, the property owner shall be responsible to maintain the property to a level deemed adequate by the Community Development Director, or designee. This includes, but is not limited to, the buildings, landscape on-site, recreational facilities, trash areas, signage, utilities, property walls, and gates.
12. 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.
13. A lighting plan shall be submitted for review and approval for any exterior lighting of common areas or parking areas. Lighting plan shall be designed to confine all direct lighting to the property in a manner meeting the approval of the Community Development Director, or designee. Lighting shall be included for any trail not adjoining a public street that will be utilized in evening hours.
14. A final common area landscaping and irrigation plan shall be submitted for review and approval by the Planning Division and Public Works. Plants and shrubbery chosen for landscaping around common area fencing or public trails shall be such that when installed is of a graduated height, from lower to higher away from the access area so as to prevent blind corners and maintain maximum visibility of surrounding area for those using the access.
15. Prior to building permit issuance, final landscaping plans for the Project shall be designed to comply with the City's Water Efficient Landscape Guidelines as described in Section IX et al of the City of Orange Landscape Standards and Specifications.
16. Prior to issuance of certificate of occupancy, all parking lot and landscaping improvements shall be completed according to the approved plans and to the satisfaction of the Community Development Director, or designee.
17. 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.
18. 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.

19. 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.
20. 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.
21. Prior to building permit issuance, the applicant shall pay all of the applicable Development Impact Fees in accordance with the most current fee schedule at the time of payment (e.g., TSIP fees).
22. Prior to Building Permit issuance, the applicant shall pay any outstanding monies due to the City of Orange for Planning Division entitlement activities related to the Project.

Tentative Tract Map:

23. A Tentative Tract Map shall expire unless recorded within 24 months after tentative map approval (April 28, 2026) and prior to the sale or lease of any parcel, unless the tentative map is extended pursuant to Government Code Section 66452.6.
24. This approval constitutes approval of the proposed subdivision only to the extent that the project complies with the City of Orange's Subdivision Ordinance and any other applicable zoning regulations. Approval does not include any action or findings as to compliance or approval of the project regarding any other applicable ordinance, regulation, or requirement.

Covenants, Conditions, and Restrictions (CC&R's):

25. 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 fuel modification areas.
 - d. Maintenance responsibilities for landscape areas, including parkway median roadway areas, arterial roadway landscaping, common slopes or native open space.
 - e. Identification of HOA community trail or bikeway systems that will be open to the general public through public pedestrian easements, and maintenance of these community trails and bikeways.
 - f. Detailing enforcement options available to the City to ensure that maintenance is continuously undertaken for common slopes, drainage and water quality, fuel modification zones, trails that are open to the public or other zoning aspects.
 - g. Maintenance of any applicable private streets.
 - h. Maintenance of any applicable private recreation facilities.

- i. Identification of common open space lots that will be owned or under the control of the HOA and maintenance for open space lots.
 - j. Ensure, in perpetuity, that private trails and bikeways open to the general public shall not be blocked through the construction of any fencing, gates or other devices that would limit or restrict access to the general public.
 - k. A method to distribute the cost of required maintenance in an equitable manner among the owners of the dwelling units within the subdivision.
 - l. Ownership and maintenance of common slope areas, including down drain and terrace drains.
 - m. 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.
26. The CC&R's shall be recorded prior to or at the same time as the first final map.
27. 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 City's hourly billing rate.
28. All lettered parcels not specifically assigned to and accepted by a governmental entity shall remain under the common ownership, maintenance, and liability of the HOA. No lettered lot may be sold separately. Private park facilities within a development area shall be maintained as designed and approved by the City and shall not be altered or removed without specific approval from the City of Orange. These provisions shall be reflected in the CC&R's.

Density Bonus Agreement:

29. Prior to the building permit issuance, the applicant shall record a Density Bonus Housing Agreement on the parcel(s) designated for the construction of the affordable units. The Density Bonus Housing Agreement shall be drafted by the applicant and reviewed by the Community Development Director and the City Attorney with a recommendation made to the Planning Commission and City Council. The Density Bonus Housing Agreement shall provide for the following conditions governing the initial sale and use of affordable units during the applicable use period:
- a. Affordable units shall, upon initial sale, be sold to eligible very low or lower income households at an affordable sales price and housing cost.
 - b. Affordable units shall be initially owner-occupied by eligible very low or lower income households.
 - c. The initial purchaser of each affordable housing unit shall execute an instrument or agreement approved by the City restricting the sale of the affordable housing unit in accordance with this chapter during the applicable use restriction period. Such instrument or agreement shall be recorded against the parcel containing the

affordable housing unit and shall contain such provisions as the City may require to ensure continued compliance with this chapter and the state Density Bonus Law.

- d. Sale Clause. The Density Bonus Housing Agreement shall stipulate that, when the terms of affordability have expired on an affordable unit, the City, its redevelopment agency and/or a non-profit housing organization shall have a first right of purchase option sixty (60) days prior to the affordable unit being advertised on the market.
 - e. Rental of For-Sale Units. Rental of affordable units shall not be allowed unless the proposed renter(s) qualifies as a very low or lower income household.
 - f. Monitoring of Compliance to Agreement. A monitoring program shall be required, specifying the party responsible for certifying tenant incomes and rent levels or sales price, maintaining the required number of affordable units and each affordable unit's property, and marketing and filling unit vacancies.
30. Prior to the issuance of a building permit, the applicant shall record a Density Bonus Housing Agreement on the parcel(s) designated for the construction of the affordable units. The Density Bonus Housing Agreement shall be drafted by the applicant and reviewed by the Community Development Director and the City Attorney with a recommendation made to the Planning Commission and City Council. The Density Bonus Housing Agreement shall provide for the following conditions governing the use of the affordable housing units during the use restriction period:
- a. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and maintaining the affordable units for qualified tenants.
 - b. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this chapter.
 - c. Provisions requiring owners to submit an annual report to the city, which includes the name, address and income of each person occupying each affordable unit, and which identifies the bedroom size and monthly rent or cost of each affordable unit.
 - d. Determination of Rent. A maximum rent schedule shall be submitted to the Department of Community Development prior to the issuance of an occupancy permit for the affordable units and updated annually on the anniversary date of occupancy.
 - e. Deposit amount. Total move-in costs for eligible tenants occupying affordable units shall be limited to first month's rent plus a security/cleaning deposit not to exceed one month's rent.
 - f. Upward Mobility Allowance. When a tenant occupying an affordable unit no longer qualifies under the income requirements, verified through the monitoring program required as part of the Density Bonus Housing Agreement, that tenant may then be charged market rate rent. If this occurs, any currently vacant unit of similar type to the affordable unit in question shall then be designated as an affordable unit, and the owner shall immediately attempt to secure tenants in accordance with this chapter. The owner is required to maintain at all times during the use restriction the minimum number of affordable units identifies in the Density Bonus Housing Agreement.

- g. Subletting of Affordable Units. No subletting of designated affordable units shall be allowed unless the following conditions are met:
 - i. Written permission is obtained from the Community Development Director.
 - ii. The sublessee qualifies as a very low or lower income household.
 - iii. The rent collected shall not exceed the maximum affordable rent.

Fire Department:

- 31. Automatic Fire Sprinklers required. Deferred submittal for plan and permit by licensed C-16 contractor. Permit is required prior to water service approval.
- 32. 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.
- 33. Onsite fire department access will require reciprocal easement recording prior to issuance of Rough Grading Permit and shall be reviewed by Fire prior to approval. The easement 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.

Police Department – Crime Prevention Bureau:

- 34. 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.

Building and Safety Division:

- 35. Prior to building permit issuance, the construction documents shall provide the “Green Code Checklist”. And the green measures associated with the project shall be clearly specified as to what sheet of plans are shown.
- 36. Prior to building permit issuance, a Soils Report is required.

37. Prior to building permit issuance, the plans shall show that the climate zone is Zone 8.
38. 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.
39. Prior to building permit issuance, the plans shall provide the design data on the first sheet of the construction documents:
 - a. Occupancy groups
 - b. Type of construction
 - c. Sprinkler building
 - d. Floor area
 - e. Height
 - f. Number of stories
 - g. Allowable floor area
 - h. APNs (assessor parcel numbers)
40. Prior to building permit issuance, the applicant shall provide Energy Conservation – Title 24 energy forms and calculations:
 - a. Certificate of Compliance Documents
41. Projections of dwelling units and accessory buildings:
 - a. With an 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)].
42. Walls of dwelling units and accessory buildings:
 - a. With an 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)]
43. Openings are not permitted less than 3 feet to the property line. In without an automatic residential fire sprinkler protection openings are limited to 25 percent the wall area when fire.
44. See the link below, it may provide you the general info for residential permit applications.
<https://www.cityoforange.org/home/showpublisheddocument/1670/637707554843470000>
45. Prior to building permit issuance, the construction documents shall include a Utility Plan with dimensions demonstrating the locations for proposed utilities such as sewer.

46. Periodic special inspection is required for wood shear walls, shear panels, and diaphragms, including nailing, bolting, anchoring, and other fastening to components of the seismic/wind force resisting system. Special inspection by a deputy inspector is required where the fastener spacing of the sheathing is 4" o.c. or less. [CBC 1705.12.1 & CBC 1705.13.2]
47. Provide the following Electric-Ready requirements on plan: [150]
 - a. Heat Pump Space Heater Ready
 - b. Electric Cooktop Ready
 - c. Electric Clothes Dryer Ready
 - d. Energy Storage System (ESS) Ready
48. R327.1.4 Doorbell buttons. Doorbell buttons or controls, when installed, shall not exceed 48 inches (1219.2 mm) above exterior floor or landing, measured from the top of the doorbell button assembly. Where doorbell buttons integrated with other features are required to be installed above 48 inches (1219.2 mm) measured from the exterior floor or landing, a standard doorbell button or control shall also be provided at a height not exceeding 48 inches (1219.2 mm) above exterior floor or landing, measured from the top of the doorbell button or control.

Public Works – Development Services:

49. Pavement restorations on streets under Moratorium or with a Pavement Condition Index of 75 or greater, shall be done per Std Plan 125, Note 17 of the Encroachment Permit. W. Fletcher Ave. does currently have a PCI greater than 75.
50. Any soil imported or exported shall require a Transportation Permit from Public Works Traffic Division.
51. An approval by the City Council is required prior to import or export of soil exceeding 30,000 cubic yards. A dirt haul route shall be approved by the City Council and the travel path is subjected to pavement deterioration evaluation. (O.M.C. 10.67.030(B)).
52. Upon submittal of grading plan for plan check, the applicant shall make a deposit to cover plan check and inspection services related to the grading activities.
53. The grading plan shall detail all of the locations where retaining walls will be constructed. Geometric detail of retaining walls shall be shown on the grading plan, including material type, dimensions, backfill, and subdrains. A building permit is also required for retaining walls over 4 feet in height measured from the bottom of the footing to the top of the wall prior to construction. Structural details and design calculations shall be submitted as a separate document and will be reviewed and permitted by City Building Division.
54. 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.

55. The applicant shall submit a grading plan in compliance with City standards for review and approval by the Public Works Director. All grading and improvements on the subject property shall be made in accordance with the Manual of Grading and Standard Plans and Specifications to the satisfaction of the Public Works Director. The applicant may be required to include Phased Erosion and Sediment Control Plans, Site Demolition Plan, and Utility Plan as parts of the grading plan.
56. 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.
57. The contractor shall obtain a Grading Permit from Public Works Department prior to start of any site demolition, clearing and grubbing, and grading.
58. A sewer capacity analysis shall be required to ensure sufficient sewer service can be provided.
59. Submit a hydrology report for 10- and 100-year rainstorms. Show that 100-year flood elevation level to confirm there is a one-foot freeboard to the building finished floor level.
60. The final map and CC&R's shall be recorded (model homes excluded) prior to issuance of building permits or sale or lease of any parcels.
61. 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 City's hourly billing rate.
62. 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.
63. All public infrastructures, including street sections, sidewalk, driveway apron, and utilities shall comply with City of Orange Standard Plans and Specifications.
64. 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.
65. Driveway aprons shall conform to Public Works Standard Plan 115 for commercial driveway with ADA accessibility.
66. Repair any cracked, uneven, or damaged public sidewalk, curb and gutter along property frontage.

67. The applicant shall extend the sewer main with a manhole at the upstream end, with an additional 4 feet stub out prepared for any future extension. The extended sewer main shall be dedicated to City of Orange.
68. Sanitary sewer system connecting from the buildings to public mainline shall be private and maintained by the property owner.
69. Show all structural BMPs for water quality purpose on Grading Plan. Water quality features shown on the Grading Plan must match WQMP.
70. 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.
71. Arborist report and tree removal permit will be required prior to any tree removal.
72. 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.
73. A sewer capacity analysis report, stamped and signed by a registered Civil Engineer, shall be required to ensure sufficient sewer service downstream of the project site.
74. Prior to building permit issuance, the applicant shall submit to the Public Works Department an address number request, including an addressing plan for the buildings within the property for review and approval by the Addressing Committee.
75. Additional comments will be provided during the plan check process.

Water Division:

76. 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.
77. Prior to issuance of encroachment permit, 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.
78. Prior to issuance of any grading permit or building permit, 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.

79. Prior to issuance of any grading permit, the applicant must 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.
80. Prior to issuance of any grading permit or building permit, 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.
81. Prior to issuance of building permit, the Water Division will approve the type and location of landscaping services, fire services, and backflow prevention devices for proposed City services.
82. Prior to issuance of building permit, the applicant must submit 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.
83. Prior to issuance of building permit, the applicant must submit 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 to issuance of building permit, 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.
85. Prior to issuance of building permit, 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.
86. 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.

Surface Water Quality:

87. Prior to recordation of the final map, 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 Water Quality Management Plan (WQMP).

88. The project applicant shall maintain all structural, treatment and low impact development best management practices (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.
89. Prior to issuance of building permits, the applicant shall review the approved WQMP and grading plan to ensure the structure's downspouts or drainage outlet locations are consistent with those documents. Copies of the building or architectural plans specifically showing the downspouts and drainage outlets shall be submitted to the Public Works Department for review.
90. Prior to 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.
91. Prior to issuance of certificates for use and occupancy, the applicant shall demonstrate the following to the Public Works Department:
 - a. That all structural and treatment control BMPs described in the Project WQMP have been constructed and installed in conformance with the approved plans and specifications.
 - b. That the applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - c. That an adequate number of copies of the project's approved final Project WQMP are available for the future occupiers.
92. Prior to issuance of 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.

Traffic Division:

93. Prior to issuance of certificate of occupancy, the applicant will be responsible for paying Transportation Systems Improvement Program (TSIP) fees based on the proposed net change in land use. Final TSIP fees will be calculated using the final approved building plans and current rates at the time of building permit issuance. TSIP fees can be found on the City's website.

ADOPTED this ____ day of _____, 2026

Daniel R. Slater, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

APPROVED AS TO FORM:

Nathalie Adourian, City Attorney, City of Orange

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

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the _____ day of _____, 2026 by the following vote:

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

Pamela Coleman, City Clerk, City of Orange