



Attachment 2

Conditions of Approval

PA24-0040

1 [Z01]

**BASIC/ZONING
REGULATIONS**

PA24-0040

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirement.

2 [Z02]

BASIC/TIME LIMIT

PA24-0040

This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 [Z03]

BASIC/ PLAN

PA24-0040

If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, OC Planning, for approval. If the Director, OC Planning, determines that the proposed change complies with the provisions and the spirit and intent of the original approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

4 [Z04]

BASIC/COMPLIANCE

PA24-0040

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

5 [Z05]

INDEMNIFICATION

PA24-0040

Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Zoning Administrator, Director of OC Public Works, or Director of Planning concerning this application. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

6 [Z06] BASIC/APPEAL EXACTIONS PA24-0040

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7 [FP05] FUEL MODIFICATION PLAN PA24-0040
[Res] Service Codes: 1.9 & 1.10

A. Prior to the recordation of a subdivision map (except for conveyance purposes) or the issuance of a preliminary grading permit (whichever occurs first), the applicant must provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), demonstrating approval of a conceptual or precise fuel modification plan.

B. Prior to the issuance of a precise grading permit, the applicant must provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), demonstrating approval of a precise fuel modification plan.

8 [FP06] RESIDENTIAL SITE PLAN PA24-0040
[Res] Service Codes: 1.9 & 1.10

Prior to issuance of a building permit, the applicant shall provide a residential site plan for review and approval by the Fire Code Official. *Note-refer to the OCFA website to obtain a copy of "Residential Site Review Assistance" form for information regarding the submittal requirements.

9 [FP07] FIRE HAZARD SEVERITY PA24-0040
ZONE

Prior to the issuance of a building permit, in all Fire Hazard Severity Zones within State Responsibility Areas (SRA) and within Very High Fire Hazard Severity Zones within the Local Responsibility Areas (LRA), the applicant shall provide the Manager, Permit Services with a clearance from OCFA, or other Local Fire Agency (if applicable), indicating compliance with all requirements of Chapter 47 and Chapter 7A or shall have and approved Fire Protection Plan which provides protection equivalent to the risk for the site.

10 [FP14] AUTOMATIC FIRE P PA24-0040
SPRINKLER
SYSTEMS

A. Prior to the issuance of a building permit, the applicant shall provide the Manager, Permit Services with a copy of the OCFA, or other Local Fire Agency (if applicable), approved Fire Master Plan or site plan indicating that an approved automatic fire sprinkler system will be provided.

B. Prior to the final inspection approval, this system shall be operational in a manner meeting the approval of the Fire Chief.

11 [G01] GEOLOGY REPORT PA24-0040

Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Permit Services, for approval. The report shall include the information and be in the form as required by the Grading Code and Grading Manual.

12 [Go4]

SOILS REPORT/SEPTIC

PA24-0040

Prior to the recordation of a subdivision map, or issuance of any grading permits, whichever comes first, the applicant shall submit a soils report which demonstrates that an on-site sewage disposal system can be designed in accordance with County standards, in a manner meeting the approval of the Manager, Permit Services. The report shall present a log of the soil borings and results of percolation tests performed in accordance with County of Orange "On Site Sewage Disposal System Guidelines" and a grading plan, of site grades on each lot as proposed on the tentative map. Tests shall be reported by a Registered Environmental Health Specialist, Registered Civil Engineer, or Registered Geologist.

13 []

PURCHASER NOTIFICATION

PA24-0040

Prior to the issuance of building permit final, the applicant shall provide written evidence statement to the satisfaction of the Manager, OC Planning, that the purchaser of this home will be provided with a copy of Foothill/Trabuco Specific Plan.

14 [HP03]

**OPEN SPACE DEDICATIONS AND
SCENIC/RESOURCE PRESERVATION
EASEMENT(S)**

PA24-0040

The Trabuco Canyon Residential District (TCR) Regulations of the F/TSP requires the dedication of 66 % of the site(s) be offered for dedication in fee (Section III.6.8.i), or be placed within preservation easements also to be dedicated to the County of Orange. No grading, structures, walls, fences or commercial activities shall be permitted within said open space area. The following conditions shall apply:

1. Prior to the issuance of building permits, the applicant/owner shall dedicate an easement for open space preservation purposes to the County of Orange or its designee over 66% of the site, pursuant to the Foothill/Trabuco Specific Plan - Trabuco Canyon Residential District Regulations, in a manner meeting the approval of the Manager, RDMD/HBP Program Management. Maintenance, upkeep and liability for said easement area shall remain the responsibility of the applicant or assigns and successors or current underlying owner(s) of said easement area and shall not be included in said dedication offer. The applicant/owner shall not grant any easement over any property subject to said easement unless such easements are made subordinate to said easement offer in a manner meeting the approval of the Manager, RDMD/HBP Program Management.
2. Prior to the recordation of a final tract/parcel map or the issuance of grading permits, whichever comes first, applicant/owner shall offer for dedication in fee or preservation easement to the County of Orange or its designee those areas within the required scenic roadway setback area, as defined in the Resources Overlay Component of the Foothill/Trabuco Specific Plan, Section II.C.5.2.
3. Prior to the issuance of building permits, the applicant/owner shall note limitations and restrictions for said easement by reference to a separate document recorded in a manner meeting the Manager, RDMD/HBP Program Management.
4. Prior to the issuance of building permits, or as determined by the Manager, RDMD/HBP/Program Management, applicant/owner shall survey and monument all open preservation easement dedications. The applicant/owner shall monument the property line of the dedication area(s) with durable, long-lasting, high visibility markers at all angle

points and line of sight obstructions to the satisfaction of the Manager RDMD/HBP Program Management.

15 [N10] CONSTRUCTION NOISE PA24-0040

A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Permit Services, that:

(1) All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers.

(2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).

(3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.

B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

16 [To8] ROAD FEE PROGRAM PA24-0040

Prior to the issuance of building permits, the applicant shall pay applicable fees for the Major Thoroughfare and Bridge Fee Program listed below, in a manner meeting the approval of the Manager, Permit Services.

- a. Foothill/Eastern Transportation Corridor
- b. Santiago Canyon Road
- c. San Joaquin Hills Transportation Corridor

17 [WQ01] WATER QUALITY MANAGEMENT PLAN PA24-0040

Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Permit Services, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. The applicant shall utilize the Orange County Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Manual for reference, and the County's WQMP template for submittal. This WQMP shall include the following:

- Detailed site and project description
- Potential stormwater pollutants
- Post-development drainage characteristics
- Low Impact Development (LID) BMP selection and analysis
- Structural and Non-Structural source control BMPs
- Site design and drainage plan (BMP Exhibit)
- GIS coordinates for all LID and Treatment Control BMPs
- Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and

maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs

The BMP Exhibit from the approved WQMP shall be included as a sheet in all plan sets submitted for plan check and all BMPs shall be depicted on these plans. Grading and building plans must be consistent with the approved BMP exhibit.

18 [WQ02]

**COMPLIANCE WITH THE NPDES
IMPLEMENTATION PROGRAM**

PA24-0040

Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the County's NPDES Implementation Program in a manner meeting the satisfaction of the Manager, OC Inspection, including:

- Demonstrate that all structural Best Management Practices (BMPs) described in the BMP Exhibit from the project's approved WQMP have been implemented, constructed and installed in conformance with approved plans and specifications
- Demonstrate that the applicant has complied with all non-structural BMPs described in the project's WQMP
- Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs (the O&M Plan shall become an attachment to the WQMP;
- Demonstrate that copies of the project's approved WQMP (with attached O&M Plan) are available for each of the initial occupants;
- Agree to pay for a Special Investigation from the County of Orange for a date twelve (12) months after the issuance of a Certificate of Use and Occupancy for the project to verify compliance with the approved WQMP and O&M Plan
- Demonstrate that the applicant has RECORDED one of the following:
 1. The CC&R's (that must include the approved WQMP and O&M Plan) for the project's Home Owner's Association;
 2. A water quality implementation agreement that has the approved WQMP and O&M Plan attached; or
 3. The final approved Water Quality Management Plan (WQMP) and Operations and Maintenance (O&M) Plan.

19 [WQ04]

**STORMWATER POLLUTION
PREVENTION PLAN**

PA24-0040

Prior to the issuance of any grading or building permits, the applicant shall demonstrate compliance with California's General Permit for Stormwater Discharges Associated with Construction Activity 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 in a manner meeting the satisfaction of the Manager, Permit Intake. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for County review on request.

Prior to the issuance of any grading or building permit, the applicant shall submit a Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Permit Intake, to demonstrate compliance with the County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. The ESCP shall be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP shall be kept at the project site and be available for County review on request.