

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF YORBA LINDA APPROVING CONDITIONAL
USE PERMIT 2021-46 – THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS, WITH CONDITIONS.

WHEREAS, an application for Conditional Use Permit 2021-46 was made by The Church of Jesus Christ of Latter-day Saints, 50 E. North Temple Street Salt lake City, UT 84150, to redevelop an existing religious facility located on 5.4-acres of property at the southwest corner of Bastanchury Road and Osmund Street, addressed as 17130 Bastanchury Road, with a new 29,842 square foot “Temple” split between a basement, the primary main floor, and a mechanical penthouse. The proposed new Temple will include two instruction rooms with 42 seats each, two waiting rooms and a lobby totaling 64 seats, a 42-seat training room, two sealing/marriage rooms totaling 59 seats, a 30-seat baptistry, and a number of ancillary rooms/areas that support the function(s) of the primary rooms, along with associated parking and landscaping improvements. Also being requested for approval is a fifty-seven (57) foot tall steeple with a seven (7) foot finial on top creating a total height of ninety-nine-feet-four-inches (99’-4”), property APN: 334-212-04 located within the RE (Residential Estate) zone.

WHEREAS, notice of public hearing before the Planning Commission of the City of Yorba Linda concerning Conditional Use Permit 2021-46 was given in accordance with applicable law; and,

WHEREAS, Design Review 2021-17 has been submitted in conjunction with Conditional Use Permit 2021-46; and,

WHEREAS, on May 11, 2022, a public hearing on Conditional Use Permit 2021-46 was held by the Planning Commission; and,

WHEREAS, after consideration of the staff report and all information, testimony, and evidence presented at the public hearing, the Yorba Linda Planning Commission does hereby find that with incorporation of those conditions attached hereto as Exhibit "A":

- A. The proposed location of the conditional use is in accord with the objectives of the Zoning Code and the purpose of the zone in which the site is located, in that Section 18.10.080 and Section 18.36.100 of the Yorba Linda Zoning Code allows for the re-construction or expansion of a religious facility within a residential zone. Further, Table 18.10-2 of the Yorba Linda Zoning Code states steeples, crosses and other religious symbols on churches and religious institutions may exceed the required height limit for the zone, above the additional allowed ten (10) feet (45-foot maximum height in this case), as determined by the Planning Commission through a conditional.

- B. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, in that the proposed church facility will not adversely impact the surrounding properties with respect to parking, traffic, or building aesthetics with the adoption of the conditions of approval for the project and based on the findings and conclusions of the Traffic Impact Analysis(s) (TIA) prepared for this project by Fehr/Peers and reviewed by the City Traffic Commission.
- D. The proposed conditional use will comply with each of the applicable provisions of the Zoning Code of the City of Yorba Linda.
- E. The project constitutes Categorical Exemption(s) (Class 2, Replacement or Reconstruction; Class 32, In-Fill Development; and common sense exemption in 14 Cal. Code Regs. § 15061(b)(3)). The project is therefore exempt from the requirements of the California Environmental Quality Act (CEQA).
- F. As this project involves no repeal, amendment, or adoption of all or any part of the land use planning policy documents as specified in Section 18.01.020 of the Yorba Linda Municipal Code, this project is exempt from the provisions of Chapter 18.01 of the Yorba Linda Municipal Code, also known as the “Yorba Linda Right-to-Vote Amendment.”

NOW THEREFORE BE IT RESOLVED that the Yorba Linda Planning Commission does hereby approve Conditional Use Permit 2021-46 subject to the conditions of approval herein known as Exhibit "A" attached to this Resolution and by this reference incorporated herein.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Yorba Linda on May 11, 2022.

Karalee Darnell
CHAIRMAN

TO WIT:

I HEREBY CERTIFY the foregoing Resolution was duly adopted at a regular meeting of the Yorba Linda Planning Commission on May 11, 2022, and carried by the following roll call vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

DAVID BRANTLEY
SECRETARY TO THE PLANNING COMMISSION

EXHIBIT "A"
FOR RESOLUTION NO.
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 2021-46 –
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Standard Conditions:

- Eng. 1. The applicant shall obtain an encroachment permit for all work within the City right of way.
2. Best Management Practices (BMPs) shall be used during construction in accordance with the Construction Runoff Guidance Manual for Contractors, Project Owners, and Developers to prevent pollutants, construction materials, and soil from entering the storm drain.
3. All lots fronting on an arterial or collector street and siding onto a local street shall take vehicular access from the local street.
4. The applicant shall maintain access to equestrian trail and protect in place equestrian fencing. Existing trees along the equestrian trail and Osmond frontage shall remain in place.
5. **Prior to issuance of grading permit** the proposed improvements shall comply with the California Building Code latest edition. Drainage and structural setbacks to slopes shall comply with the minimum requirements.
6. **Prior to issuance of building permit**, the applicant shall apply for and obtain a transportation permit that identifies the disposition of all imported or exported soil and a haul route. The applicant shall demonstrate that the imported soil is clean and suitable for the intended use and that exported soil complies OCFA and OC Environment Health Department. A geotechnical analysis may be required and if required, shall be prepared by a qualified engineer to the satisfaction of the City Engineer.
7. **Prior to issuance of grading permit**, retaining walls shall be designed have waterproofing applied to the retaining side of the wall, subdrain, and subdrain outlets. The subdrain outlets detail shall be indicated on the retaining wall plan and grading plan. Storm water runoff shall be conveyed away from the retaining wall or mitigated with drainage system.

8. **Prior to issuance of grading permit**, a complete final hydrology and hydraulic study shall be prepared by a qualified engineer to the satisfaction of the City Engineer.
9. **Prior to issuance of grading permit**, an emergency overflow is required at all sump locations. Slopes shall be armored or a drainage conveyance facility shall be designed where emergency overflow is proposed.
10. **Prior to issuance of grading permit**, grading of the project may be performed in phases subject to an approved grading phase plan. Each grading phase shall have a standalone rough grading plan, hydrology and hydraulics analysis, and grading security to the satisfaction of the City Engineer.
11. **Prior to issuance of grading permit**, individual lot drainage shall be designed to convey flows to an acceptable drainage system or outlet to the street or by other lot drainage design to the satisfaction of the City Engineer.
12. **Prior to issuance of grading permit**, a soils report shall be prepared by a qualified engineer to the satisfaction of the City Engineer.
13. **Prior to issuance of grading permit**, any grading required outside of the project boundaries will require either slope easements or right-of-entry/permission to grade letters from the adjacent property owners.
14. **Prior to first submittal for grading permit**, applicant shall submit sewer and water plans to the Yorba Linda Water District for determination of the Terms and Conditions for Water and/or Sewer Service.
15. **Prior to issuance of grading permit**, drainage facilities that discharge onto adjacent properties shall be designed in such a manner as to convey storm surface water as it historically crosses said property line in its natural state or a drainage acceptance instrument may be obtained from the downstream property owner if the historic drainage flow is affected in an adverse manner.
16. **Prior to issuance of grading permit**, an erosion and sediment control plan shall be submitted at the time of Grading Plan review and be accepted by the City Engineer.
17. **Prior to issuance of grading permit**, grading of the subject property shall be in compliance with the Grading Ordinance and to the satisfaction of the City Engineer.

18. **Prior to issuance of grading permit**, a grading plan shall be submitted for review and approval. Grading shall be in significant conformance to the proposed grading as approved by the Planning Commission.
19. **Prior to issuance of grading permit**, surety shall be posted to the satisfaction of the City Engineer and the City Attorney guaranteeing completion of grading within the project.
20. **Prior to issuance of grading permit**, a Priority Water Quality Management Plan (WQMP) shall be submitted with the grading plan for review and accepted by the City Engineer. A Maintenance Agreement outlining the post-construction Best Management Practices (BMPs) shall be executed. All costs associated with the review, installation and/or maintenance of the plan and project-related BMPs shall be the responsibility of the applicant.
21. **Prior to issuance of grading permit**, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit from the California Regional Water Quality Control Board (Santa Ana Region).
22. **Prior to issuance of grading permit**, the applicant shall file any required documents, including but not necessarily limited to the notice of intent, and comply with permits from the California Regional Water Quality Control Board.
23. **Prior to issuance of grading permit**, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for the review and accepted by the City Engineer. The SWPPP shall describe the construction phase Best Management Practices (BMPs) to ensure compliance with the NPDES General Permit for storm water discharges associated with construction activity.
24. **Prior to issuance of grading permit**, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for the review and accepted by the City Engineer. The SWPPP shall describe the construction phase Best Management Practices (BMPs) to ensure compliance with the NPDES General Permit for storm water discharges associated with construction activity.
25. **Prior to issuance of encroachment permit**, the proposed improvements shall comply with sight distance design requirements of OCPW standard plan 1117 and City Zoning Ordinance 18.26 vision triangle.

26. **Prior to issuance of encroachment permit**, the proposed improvements shall comply with sight distance design requirements of OCPW standard plan 1117 and City Zoning Ordinance 18.26 vision triangle.
27. **Prior to issuance of encroachment permit**, all arterial highways shall be dedicated and improved to arterial highway standards and to the specifications of the City Engineer.
28. **Prior to issuance of encroachment permit**, all exterior street improvements shall be constructed to the satisfaction of the City Engineer.
29. **Prior to issuance of building permit**, all habitable structures shall be set back a minimum of 50 feet from the Whittier Fault line.
30. **Prior to issuance of encroachment permit**, all proposed utilities within the project shall be installed underground in accordance with current utility engineering practices. Existing aerial utilities shall be removed and/or placed underground.
31. **Prior to issuance of encroachment permit**, all street lighting shall meet the equipment and illumination standards of the City to the satisfaction of the City Engineer.
32. **Prior to issuance of encroachment permit**, applicant is responsible to ensure that a minimum 2-inch PVC conduit or smaller, if approved by the appropriate utility companies and the City Engineer, is installed in the open common trench.
33. **Prior to issuance of encroachment permit**, applicant shall provide a free trench to the CATV operator and give said operator reasonable notice of when open trench is available.
34. **Prior to issuance of grading permit**, drainage facilities and easements shall be provided in accordance with the Master Plan of Drainage and to the specifications of the City Engineer.
35. **Prior to issuance of grading permit**, parking lot or parking stall structural sections shall be based on recommendations of a soils engineer, and approved by the City Engineer.
36. **Prior to issuance of encroachment permit**, street striping and signing plans shall be prepared by the applicant to the satisfaction of the City Engineer and included with the initial submittal of the improvement plans.

37. **Prior to issuance of building permit**, the City Engineer and Building Official will not authorize the issuance of any or all building permits unless and until in the City Engineer's opinion, traffic to be generated may be accommodated adequately on surrounding thoroughfares due to the completion of improvements, adverse effects of a natural event, or for the protection of public health, safety, and welfare.
38. **Prior to issuance of building permit**, the development shall participate in the Eastern Transportation Corridor Fee Program at the established rate.
39. **Prior to issuance of building permit**, the precise location of new or relocated monument signs shall be subject to the final review and approval of the City Traffic Engineer and Community Development Director.
40. **Prior to issuance of building permit**, this project is applicable to the requirements of the Growth Management Plan (GMP), and shall be subject to payment of Traffic Impact Mitigation (Measure M) and as established by the Development Mitigation Program.
41. **Prior to issuance of building permit**, trash receptacles shall be enclosed by a 6-foot high decorative masonry block wall with approved gates and latches designed to withstand foreseeable use and abuse. Trash receptacles shall also conform with NPDES standards, which may include provisions for a solid roofed cover, an area drain connected to the sanitary sewer system, and a hot water hose bib. Location and design shall be subject to review and approval by the City Engineer and Community Development Director.
42. **Prior to issuance of building permit**, trash receptacles shall be enclosed by a 6-foot high decorative masonry block wall with approved gates and latches designed to withstand foreseeable use and abuse. Trash receptacles shall also conform with NPDES standards, which may include provisions for a solid roofed cover, an area drain connected to the sanitary sewer system, and a hot water hose bib. Location and design shall be subject to review and approval by the City Engineer and Community Development Director.
43. **Prior to occupancy**, all required street striping and traffic/parking regulatory signing shall be installed to the satisfaction of the City Traffic Engineer

44. **Prior to occupancy**, all required street striping and traffic/parking regulatory signing shall be installed to the satisfaction of the City Traffic Engineer
45. **Prior to occupancy**, sewer facilities shall be designed and constructed to the specifications of the Yorba Linda Water District by the applicant to the satisfaction of the City Engineer and/or the Yorba Linda Water District.
46. **Prior to occupancy**, street lighting shall be installed by the applicant per the equipment and illumination standards of the City and Southern California Edison Company. A street light plan shall be prepared by the applicant and included with the initial submittal of the improvement plans. A 36 month advance energy charge deposit to SCE is required at the time of the street light authorization.
47. **Prior to occupancy**, a final grade certificate and final grade soils report or letter shall be provided by a licensed Civil Engineer and Geotechnical Engineer.
48. **Prior to improvement security release**, all catch basins and public access points that cross or abut an open channel shall be marked with a water quality message in accordance with City Standards.
49. **Prior to occupancy**, all onsite sewer and water improvements shall be plan checked and inspected by the Public Works Department.
- OCFA 50. **Prior to the issuance of a building permit**, the applicant shall submit plans for any required automatic fire sprinkler system in any structure to the Fire Chief for review and approval
51. **Prior to the issuance of a certificate of use and occupancy**, this system shall be operational in a manner meeting the approval of the Fire Chief.
52. A note shall be placed on the sit plan stating that the structure will be protected by an automatic fire sprinkler system in a manner meeting the approval of the Fire Chief.
53. **Prior to the issuance of any grading or building permits**, the applicant shall obtain approval of the Fire Chief for all fire protection access roads to within 150 feet of all portions of the exterior of every structure on site.
54. Indicate the location of all existing and proposed fire hydrants on the property
55. **Prior to the issuance of any grading or building permits**, the applicant

shall provide evidence of adequate fire flow. The "Orange County Fire Authority Water Availability for Fire Protection" form shall be signed by the applicable water district and submitted to the Fire Chief for approval. If sufficient water to meet fire flow requirements is not available an automatic fire extinguishing system may be required in each structure affected.

56. **Prior to the issuance of any grading permit**, the applicant shall submit and obtain the approval of the Fire Chief for a combustible gas/methane assessment and mitigation plan.
 57. **Prior to the issuance of a building permit**, the applicant shall submit architectural plans for the review and approval of the Fire Chief if required per the "Orange County Fire Authority Plan Submittal Criteria Form."
 58. **Prior to the issuance of a building permit**, plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. The system shall be operational **prior to the Issuance of a certificate of use and occupancy**.
- Bldg.
59. Construction and Development shall comply with the latest adopted California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, The California Electrical Code, California Green Building Standards Code, State Building Standards Title 24, and all other applicable codes.
 60. All structures shall be designed in accordance with Section 1609 for wind design and Section 1613 for seismic design from the 2019 California Building Code. The design shall be site specific and include the necessary data to justify proposed design.
 61. A soils report is required for the proposed structure(s). Please have a soils engineer provide an analysis with site boring locations, soils type, any liquefaction or contamination encounters, and the prescribed soils values to be used in the structural design of the proposed structure(s). Soils report shall coincide with all the requirements of Section 1803 of the 2016 California Building Code, Volume II.
 62. Methane Gas Requirements:
 1. New structures or additions to existing structures shall be subject to review for the presence of methane gas in the soil and any associated mitigation measures shall be required as indicated below
 - a. Additions to existing enclosed structures when the original structure was constructed with no methane mitigation provisions do not require any review or

methane mitigation protection.

Exceptions:

- i. Attached additions exceeding 1,000 SF in area to the footprint.
 - ii. The footprint of the addition is within 25' of a recorded oil well location.
- b. Any addition or new construction which is completely open with no enclosed areas where methane gas can collect, or concentrate does not require any review or methane mitigation report.
- c. Any addition, of any square footage, to an existing structure where the existing structure is provided with methane gas mitigation provisions shall also be provided with methane gas provisions.
- d. Any detached new construction which creates enclosed spaces located within the field boundaries of the Yorba Linda oil field as shown on the map from the State of California Geologic Energy Management Division (CalGEM) dated August 7, 2003 shall be subject to a methane gas review. This requirement shall not apply to swimming pools, fences, retaining walls, open patio covers or similar structures which do not contain enclosed space capable of collecting or concentrating methane gas.

63. The final determination as to whether a project is subject to a site methane gas review shall be the sole responsibility of the Building Division of the City of Yorba Linda. The determination shall be based on the location of the project as shown on the field boundaries map provided by the State of California Geologic Energy Management Division (CalGEM).

The actual site investigation and testing shall be performed by at the owner's expense by a California Licensed Professional Engineer qualified in the field of methane review and mitigation.

The determination as to whether a licensed Professional Engineer is qualified to perform the site investigation shall be determined the Orange County Fire Authority (OCFA).

Dogger map link:

["https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-122.07380/35.14662/7"](https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-122.07380/35.14662/7)

64. Any project found to be within the field boundaries, as shown on the CalGem map, shall be forwarded to OCFA for the specific requirements of the site. OCFA shall determine the extent of the site review and shall provide the following information back to the City of Yorba Linda Building Division.
- a. Should it be determined that no review is required, then OCFA shall provide written confirmation to the City that no review is required. Such confirmation shall be from OCFA and on their letterhead, with their logo and a formal statement that no further review is required.
 - b. Should it be determined that a methane gas review is required, OCFA shall provide the applicant with the requirements to perform a methane gas review. The applicant shall then perform the site methane gas review as specified by OCFA.
 - c. Should the methane gas review determine that methane is not present in sufficient concentrations to require mitigation of the proposed structure, OCFA shall provide written confirmation to the City that no methane gas mitigation is required. Such confirmation shall be on a form from OCFA with their logo affixed with a formal written statement reflecting the type of review provided and that no further review or mitigation is required.
 - d. Should the methane gas review determine that methane is

present in sufficient concentrations to require mitigation of the proposed structure, OCFA shall provide the applicant with all information and requirements to provide the required mitigation. All plans and documents shall be stamped, signed and dated by a California licensed Professional Engineer. Upon final review and approval by OCFA, two copies of the appropriate documents stamped approved by OCFA, including any specific required construction plans, shall be presented to the City for inclusion with the approved building permit package for permit issuance.

- e. The Building Division of the City may not issue any permits for construction on any site which has been identified as requiring a site methane gas review until such time as either a form stating that no methane gas mitigation is required or construction documents for methane gas mitigation, stamped approved by OCFA, have been presented to the Building Division.
65. All proposed light standards shall be designed with a wind loading of 110 mph per table 1609.3.1 using basic wind speed, and exposure "C" while incorporating the requirements of the latest adopted edition of the California Building Code.
 66. Compliance with the current Disabled Access requirements apply. This includes disabled access parking, main entrance, required exits, accessible routes, restrooms, ramps, walks, doors, hardware, trash enclosures, etc. Please refer to the current 2019 California Building Code for all requirements.
 67. It is highly suggested the owner consult with a Certified Access Specialist (CAsp).
 68. Provide a complete exiting plan. Exiting plan shall include a door and hardware schedule, access compliant landings at all required exit doors, path of travel to an area(s) of refuge, occupant loads indicated at each exit, and areas of refuge, etc.
 69. Plans submitted shall comply with California Plumbing Building Code, Chapter 4, Table A and Table 422.1. Plumbing fixtures shall be fully disabled access compliant.

70. Class A fire-rated roofing materials shall be provided for all buildings. In addition, roofing material must be installed to meet high wind velocity (110 mph), per table 1609.3.1, Basic Wind Speed, of the 2016 California Building Code and exposure "C" standards.
71. The cover sheet of building construction plans shall be a blue line print of City Conditions of Approval and shall be attached to each set of plans submitted for City approval.
72. Existing structures proposed to be demolished shall be removed to the satisfaction of the Building Official. Also, the City Council shall review and approve **prior to issuance of a demolition permit.**
73. This project shall be subject to applicable school fees, the payment of which shall be documented to the satisfaction of the Building Official **prior to the issuance of building permits.**
74. Applicant shall satisfy all conditions of approval and any other department or agency requirements prior to the building permit's final inspection.
75. All Fire Sprinkler installations require a "backflow device" to be installed. Please contact the Yorba Linda Water District as to their requirements.

Yorba Linda Water District
1717 East Miraloma Ave
Placentia CA 92870
714-701-3000

- PIng.
76. All signs shall be in conformance with Chapter 18.56 (Signs) of the Zoning Code.
 77. All roof appurtenances, including air conditioners, shall be properly shielded from view and the sound buffered from adjacent properties and streets to the satisfaction of the Community Development Director and Building Official.

78. Final landscape architecture plans, shall be subject to all applicable plan check fees, and shall be reviewed and approved by the City Landscape Architect and the Community Development Director per the Standard Plan Check process prior to installation any exterior hardscape, landscape planting, and/or irrigation. All landscape architecture shall be completed prior to issuance of building permits.
79. All required parking area spaces shall meet the minimum dimensions of the Zoning Code, Chapter 18.44, and shall be double-striped.
80. Developer shall provide landscape architecture plans prepared by a California licensed landscape architect including where applicable:
 - A. Proposed and required fencing or walls, including perimeter and retaining;
 - B. Permanent irrigation system;
 - C. Landscape planting and irrigation shall occur on all slopes, which are defined as, in excess of 7 feet in height and 5:1 or steeper.
 - D. Areas where the Fire Marshal recommends a fuel modification program;
 - E. Ground mounted lighting fixture details;
 - F. Existing trees;
 - G. Drainage details;
 - H. Areas to be maintained by Landscape Maintenance District and property owners;
81. Approval of this request shall not excuse compliance with other applicable City ordinances and development standards in effect at this time.
82. The final site plan for all lots approved per this Design Review shall be reviewed and approved to the satisfaction of the Community Development Director **prior to the issuance of building permits.**

Special Conditions:

- Plng.
83. Any approved technical drawings and/or specifications that will be changed, altered, or in any other way affected as a result of Planning Commission approval of this project shall be revised and resubmitted for review and approval to the appropriate City Department.
 84. No parking lot light fixture shall exceed twenty feet (20') in height. In addition, the parking lot lighting shall be directed away from all property lines, adjacent streets, and residences. The parking lot lighting fixtures shall be designed to be of the downward directed "shoe-box" style, incorporating light shielding devices on them, to ensure that there is no light or glare which will be visible from the adjacent residential properties, as well as from the public right-of-way. A post construction photometric

study shall be conducted and provided to the city to confirm that no light or glare spills onto any adjacent property.

85. Six foot (6') high decorative wrought iron fencing shall be constructed along project perimeter to the satisfaction of the Community Development Director. All fencing which is to be constructed from wrought iron may not be made from tubular steel unless there is at least a one foot (1') high block base between the tubular steel and the ground. A final wall plan shall be submitted for the review and approval of the Community Development Director prior to the issuance of building permits.
86. Preliminary landscape architect plans are approved in concept only and shall be submitted to the City's Landscape Architect for subsequent review, comment, and/or correction at the discretion of the City's Landscape Architect and Community Development Director.
87. Operation of this facility shall occur substantially as shown on the plans approved by the Planning Commission and on file with the Community Development Department.
88. Approval of Conditional Use Permit 2021-46 is contingent upon approval of Design Review 2021-17. Failure to approve the Design Review shall render any approvals granted to Conditional Use Permit 2021-46 as null and void.
89. The approval of Conditional Use Permit 2021-46 is granted for one year and shall become void as of May 11, 2023, unless building permits have been issued, or a time extension is requested prior to that date.
90. The applicant shall agree and consent, in writing, within sixty (60) days to these Conditions of Approval as approved by the City Council.
91. A school use, other than for childcare coincident with services provided in the Temple shall be prohibited with the approval of this Conditional Use Permit.
92. Trash enclosures shall be constructed to withstand foreseeable use and abuse to a specification acceptable to the Community Development Department, and the Yorba Linda Sanitation District.
93. Trash receptacle areas shall be enclosed by a 6-foot high decorative masonry wall with a solid roof to match that of the proposed development and approved gates and latches to the satisfaction of the Community Development Director. Furthermore, flow drains connected to the sewer shall be provided to the satisfaction of the City Engineer.

94. At all times, this project shall be operated in conformance with the Noise Control Ordinance (Chapter 8.32 - Municipal Code) of the City of Yorba Linda.
95. If project schedule permits, brush removal, tree trimming, building demolition and grading shall occur outside of the bird nesting season, defined as February 1 through August 15. If the project schedule cannot avoid the nesting season, the project site shall be surveyed for nesting birds and active nests (including raptors) by a qualified biologist prior to conducting any of the foregoing activities. Should active nests be identified, the biologist shall make recommendations and suggest appropriate mitigation measures to be implemented to avoid disturbance or harm to the active nest(s). These recommended measures shall be implemented by the applicant prior to conducting any of the foregoing activities to the satisfaction of the Community Development Director.
- Eng 96. **Prior to issuance of Certificate of Occupancy**, applicant shall install two-way left turn lane along Bastanchury Road and incidental paving and striping improvements to the satisfaction of the City Engineer. In addition, the applicant shall provide a striped "Keep Clear" zone for the section of roadway along Bastanchury Road in front of the Osmund Street exit onto Bastachury Road. The "Keep Clear" zone shall be installed Prior to the final sign-off of the building permits. Appropriate C.V.C. signage shall be posted to allow for police enforcement of this provision. The manner of implementation of the "Keep Clear" zone and C.V.C signage shall be reviewed and approved by the City Engineer.
97. Low growth vegetation shall be installed within the line of sight in both directions from the driveway entrance along Bastanchury Road.

98. **Prior to submittal of grading permit**, applicant shall prepare and submit a Traffic Management Plan (TMP) that incorporates proposed parking restrictions on Osmond, Rosebud, and other streets within 500 feet radius. The TMP shall also include all scenarios for Planned and Unplanned special events and how parking and traffic control will be implemented so as to not impact surrounding neighborhoods. **The TMP shall require the review and approval by the Traffic Commission prior to issuance of Certificate of Occupancy.** The TMP shall outline the initial circulation management measures within the Traffic Impact Analysis (TIA) as well as circulation issues to be reviewed once the project is operational, including on-site circulation and Level of Service and vehicle queues exiting and entering the project site driveway during peak periods. **The TMP shall be monitored and updated by the applicant's traffic engineering consultant at intervals of one month, six months, and twelve months after project opening.** The traffic engineer's updated TMP report will be reviewed by the City Engineer to determine if additional traffic mitigation measures identified in the TMP shall be implemented by the applicant. The project applicant shall take immediate actions, upon the request of the City, to address any traffic impacts and safety issues caused by the project traffic within public right-of-way.
99. If deemed necessary in the future, applicant shall be responsible for all costs related to any requests from the City Engineer to address delays for the Church's patrons exiting their property. Improvements may include, but not be limited to, creation of raised islands to control turn movements, dedicated left/right turn lanes, and costs for traffic control and encroachment permit(s) to work within City right-of-way.
100. Church shall make best efforts to not have patrons park on adjacent neighborhood streets (i.e. Osmond Street, Rosebud Drive). Should parking restrictions be requested from the surrounding neighborhoods in the future due to overflow parking OR at the discretion of the City Engineer, the applicant shall pay for all costs related to address the concerns including but not limited to signage, red striping, and/or implementation of a Permit Parking Program.

101. **Prior to submittal of encroachment permit**, the applicant/property owner shall evaluate ingress/egress from the Church property onto Bastanchury Road, including a sight distance analysis to be approved by the City Engineer. If determined necessary by the City Engineer at any point after project opening, the applicant/property owner shall install a dedicated right turn lane along Bastanchury Road on the west side of the project access driveway to streamline traffic ingress/egress.

-The End-