

## RESOLUTION NO.

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YORBA LINDA APPROVING TENTATIVE PARCEL MAP 2024-01 – THE CHURCH IN YOURBA LINDA, WITH CONDITIONS

WHEREAS, an application was made was made by K.C. Chang on behalf of The Church in Yorba Linda, 3812 Rose Drive, California 92886, for Tentative Parcel Map 2024-01 to consolidate six lots into a single parcel for the purposes of developing a religious facility with associated parking and landscaping improvements, for the vacant 1.08-acre parcel located at the northeast corner of Imperial Highway and Los Angeles Street, and,

WHEREAS, this matter requires a public hearing in conformance with applicable law; and,

WHEREAS, notice of public hearing before the Planning Commission of the City of Yorba Linda concerning Tentative Parcel Map 2024-01 was given in accordance with applicable law; and,

WHEREAS, on April 23, 2025, a public hearing concerning Tentative Parcel Map 2023-119 was conducted before the Planning Commission of the City of Yorba Linda; and,

WHEREAS, City of Yorba Linda staff prepared a written report on this matter, a copy of which was provided to the applicant in accordance with Government Code Section 66452.3; and,

WHEREAS, after consideration of the staff report and information, testimony, and evidence presented at the public hearing, the Yorba Linda Planning Commission does hereby find:

- (1) The proposed map will be consistent with the City's General Plan in that it will be compatible with the objectives, policies, general land uses and programs specified in the General Plan.
- (2) The proposed map will be consistent with the zoning designation on the property in that each of the proposed lots meets the minimum property development standards for the CG (Commercial General) zone.
- (3) The design and improvement of the proposed lot consolidation as designated on the subject tentative map will be consistent with the City's General Plan in that it will be compatible with the objectives, policies, general land uses and programs specified in the General Plan, including:
  - (a) Street alignments, grades and widths;
  - (b) Drainage and sanitary facilities and utilities, including alignments and

grades thereof;

- (c) Location and size of all required easements and rights-of-way;
  - (d) Lot size and configuration;
  - (e) Traffic access;
  - (f) Grading;
  - (g) Land to be dedicated for park or recreational purposes or payment of in-lieu fees; and
  - (h) Such other specific requirements in the plan and configuration of the entire subdivision as may be necessary to ensure conformity to or implementation of the General Plan.
- (4) The site is physically suitable for the proposed type of development in that appropriate infrastructure and utilities will be available to serve the site, and there are no unmitigatable topographical peculiarities associated with the physical character of the property which may prevent the development of the property for a religious facility as requested under a conditional use permit to comply with the CG (Commercial General) development standards.
  - (5) The site is physically suitable to accommodate the proposed religious facility development without adversely affecting the health, safety, or welfare of immediately adjacent properties or the surrounding community in that the applicant has submitted a conceptual site plan which illustrates that the proposed building site will be sufficient to accommodate the proposed use and on-site parking requirements without adversely affecting the health, safety, or welfare of immediately adjacent properties or the surrounding community.
  - (6) The design of the subdivision and type of improvements are not likely to cause serious public health problems in that the proposed subdivision will comply with all requirements and development standards prescribed within the Yorba Linda General Plan and Zoning Code.
  - (7) When considering the record as a whole, there is no evidence before the City that the proposed project will have a potential for adverse effect on wildlife resources or the habitat upon which the wildlife depends.
  - (8) The project constitutes a Class 5 (Minor Alterations in Land Use Limitations) Categorical Exemption, and is therefore exempt from requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations, Section 15305.
  - (9) The design of the subdivision and the type of improvements will not conflict

with easements acquired by the public at large for access through, or use of property within the proposed subdivision.

- (10) The discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the applicable California Regional Quality Control Board.
- (11) The design of the subdivision provides, to the extent feasible, for passive or natural heating or cooling opportunities in the subdivision in that the lot size, shape and design configuration permits the existing orientation of the planned development to take advantage of existing sun and shade opportunities.
- (12) The Planning Commission has considered the effect of the proposed map on the housing needs of the region in which the City is situated and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources, and finds that the proposed map does not detrimentally affect housing in the area, or place an undue burden on public service needs and available fiscal and environmental resources.
- (13) 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 approve Tentative Parcel Map 2024-01, subject to the conditions of approval shown on Exhibit "A" attached to this Resolution and by reference incorporated herein.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Yorba Linda on April 23, 2025.

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DON BERNSTEIN  
CHAIRMAN

TO WIT:

I HEREBY CERTIFY the foregoing Resolution was duly adopted at a regular meeting of the Yorba Linda Planning Commission on April 23, 2025, and carried by the following roll call vote:

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

\_\_\_\_\_  
NATE FARNSWORTH, AICP  
SECRETARY TO THE PLANNING COMMISSION

**EXHIBIT “A”**  
FOR RESOLUTION NO.  
TENTATIVE PARCEL MAP 2024-01 – THE CHURCH IN YORBA LINDA

**Standard Conditions:**

- Eng.     1.     **Prior to map recordation**, all provisions of Title 17 (Subdivisions) of the Yorba Linda Municipal Code shall be met as they relate to the division of land.
2.     **Prior to map recordation**, public street right-of-way and street widths shall be dedicated and constructed in conformance with the street cross sections shown on the approved Tentative Parcel Map as approved by the City Engineer.
3.     **Prior to map recordation**, reciprocal access easements shall be provided on the final map ensuring access to all parcels over private roads to the satisfaction of the City Engineer.
4.     **Prior to map recordation**, surety shall be posted and an agreement executed to the satisfaction of the City Engineer and the City Attorney, guaranteeing completion of the public improvements. NOTE: Upon acceptance of the public improvements by the City Council, the City will release the Monumentation Bond immediately, release the Labor and Materials Bond in 180 days, and reduce the Grading and Faithful Performance Bonds to 10% of the original amount and release in one year if no liens have been filed.
5.     **Prior to map recordation**, the applicant shall participate in the Master Plan of Drainage at the established fee and shall be responsible for the construction of all on-site drainage facilities as required by the City Engineer.
6.     **Prior to map recordation**, the applicant shall participate in the Sewer Master Plan and pay the associated fees at the applicable rate.
7.     **Prior to map recordation**, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18.
8.     **Prior to map recordation**, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18.
9.     **Prior to map recordation**, utility easements shall be provided to the specifications of the appropriate utility companies and the City Engineer.

10. **Prior to map recordation**, vehicular access rights to arterials and local collectors shall be dedicated to the City of Yorba Linda and labeled on the final map to the satisfaction of the City Engineer
11. **Prior to map recordation**, public street right-of-way dedications shall conform to OCPW std. Plan 1111 Curb Return Radius And Corner Cut-Off.
12. **Prior to occupancy**, all public infrastructure impacted by the project shall be repaired and restored to the satisfaction of the City Engineer.
- Bldg. 13. All 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.
14. All structures shall be designed in accordance with seismic requirements for Seismic Zone 4 and wind loading based on a velocity of 110 mph and exposure "C" standards of the latest adopted edition of the California Building Code.
15. A soil report is required for future 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 2022 California Building Code, Volume II.
16. This project site is in a Methane Gas Zone. Please be advised of requirements for all future development.

**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 Division of Oil, Gas and Geothermal Resources (DOGGR) 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.
2. 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 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)

3. Any project found to be within the field boundaries, as shown on the DOGGER 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.

17. Applicant shall satisfy all conditions of approval and any other department or agency requirements **prior to issuance of building permits.**

Plng. 18. Tentative Parcel Map 2024-01 is granted for a period of two years, until April 23, 2027, at which time said Map shall expire unless, prior to the expiration date, either the final map has recorded or a written request for time extension, accompanied by the appropriate fee, is received by the Planning Department.

19. Approval of Tentative Parcel Map 2024-01 is contingent upon prior or concurrent approval of Conditional Use Permit 2024-30 and Design Review 2024-11. Failure to approve Conditional Use Permit 2024-30 or

Design Review 2024-11 shall render approval of Tentative Parcel Map 2024-01 null and void.

20. Approval of this request shall not excuse compliance with all other applicable City ordinances and development standards in effect at this time.
21. The applicant shall agree and consent in writing within 60 days to the conditions of approval as adopted by the Planning Commission.
22. Development shall occur substantially as shown on the plans approved by the Planning Commission and on file in the Community Development Department. Pad grade may not deviate by more than  $\pm$ three foot from that shown on the tentative map. A greater than one foot increase in pad elevation shall require a revised conceptual grading plan to be submitted for the review and approval of the Planning Commission.
23. Design Review approval by the Planning Commission shall be accomplished **prior to issuance of building permits** for development of religious facility within Tentative Parcel Map 2024-01.
24. The applicant shall defend, indemnify, and hold harmless the City of Yorba Linda, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney.
25. Applicant shall provide to the Planning Department, **prior to issuance of building permits**, an electronic copy of the final plans approved by the Planning Commission. The copy shall be provided on a CD-ROM in ".pdf" format.
26. The developer accepts the approval of Tentative Parcel Map 2024-01 with the understanding that the City of Yorba Linda is opposed to the land based financing of any and all public facilities or development fees required by the City or any other public agency. The developer therefore agrees that it shall not pursue with the City or any other public agency the creation of a community facilities district or any other land based financing for public facilities or development fees in connection with this project. The developer represents that it will inform any successor developer of developer's understanding of the City's prohibition and developer's agreement not to pursue such public financing. As with all the conditions

of approval contained herein, this condition shall apply to developer and its successors and assigns.

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