

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YORBA LINDA APPROVING CONDITIONAL USE PERMIT 2025-14 – SAINT FRANCIS OF ASSISI CATHOLIC SCHOOL AT 5330 EASTSIDE CIRCLE, IN YORBA LINDA, WITH CONDITIONS

WHEREAS, an application for Conditional Use Permit 2025-14 was made by Jennifer Nieto on behalf of Saint Francis of Assisi Catholic School, 5330 Eastside Circle, California 92887, to construct four 953 square-foot accessory modular buildings on the existing St. Francis of Assisi Catholic School campus, located west of Hidden Hills Drive and north of Esperanza Road, for a period of six years, and,

WHEREAS, notice of a public hearing of the Planning Commission of the City of Yorba Linda concerning Conditional Use Permit 2025-14 was given in accordance with applicable law; and,

WHEREAS, on July 23, 2025, a public hearing concerning Conditional Use Permit 2025-14 was held by the Planning Commission; and,

WHEREAS, after consideration of the staff report and all of the information, testimony, and evidence presented at the public hearing, the Yorba Linda Planning Commission does hereby find that with incorporation of the 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 18.20.020.I of the Yorba Linda Zoning Code allows for the construction of temporary modular buildings for classrooms, offices, storage use for periods exceeding ninety (90) days with the approval of a Conditional Use Permit by the Planning Commission.
- 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 modular buildings are sited in a manner that minimizes visibility from off-site properties and public rights-of-way. The proposed temporary modular buildings will not cause an increase in student enrollment and will not generate additional on-site parking demand or circulation concerns on the campus or adversely impact the surrounding properties with respect to parking, traffic, or building aesthetics with the adoption of the conditions of approval for the project.

- C. The proposed conditional use will comply with each of the applicable provisions of the Zoning Code of the City of Yorba Linda.
- D. The project constitutes a Categorical Exemption under Class 3 as New Construction, Class 11 for Accessory Structures, and Class 14 for Minor Additions to Schools, and is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Sections 15303, 15311, and 15314.
- E. 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 2025-14 subject to the conditions of approval shown on 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 July 23, 2025.

DON BERNSTEIN
CHAIRMAN

TO WIT:

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

AYES:	0	COMMISSIONERS:
NOES:	0	COMMISSIONERS:
ABSENT:	0	COMMISSIONERS:

NATE FARNSWORTH, AICP
SECRETARY TO THE PLANNING COMMISSION

EXHIBIT “A”
FOR RESOLUTION NO.
APPROVING CONDITIONAL USE PERMIT 2025-14 –
ST. FRANCIS OF ASSISI CATHOLIC SCHOOL

A. 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. **Prior to grading permit/building 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.
4. **Prior to grading approval**, a soil report shall be prepared by a qualified engineer to the satisfaction of the City Engineer.
5. **Prior to grading approval**, 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.
6. **Prior to grading permit/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.
7. **Prior to grading approval**, 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.
8. **Prior to grading approval**, 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.
9. **Prior to grading approval**, an erosion and sediment control plan shall be submitted at the time of Grading/Drainage Plan review and be accepted by the City Engineer.

10. **Prior to grading approval**, grading of the subject property shall be in compliance with the Grading Ordinance and to the satisfaction of the City Engineer.
11. **Prior to grading approval**, 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. Provide cross sections through site in both directions.
12. **Prior to grading approval**, a Non-Priority Water Quality Management Plan (WQMP) shall be submitted with the grading/drainage site plan for review and accepted by the City Engineer. All costs associated with the review, installation and/or maintenance of the plan and project related BMPs shall be the responsibility of the applicant.
13. **Prior to grading approval**, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit from the California Regional Water Quality Control Board (Santa Ana Region).
14. **Prior to grading approval**, 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.
15. **Prior to building permit**, a rough grade certificate, final rough grade report, and individual lot compaction tests shall be provided by a licensed Civil Engineer and Geotechnical Engineer.
16. **Prior to building 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.
17. **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.
18. **Prior to occupancy**, applicant shall show path of access to and from trash enclosure to pick-up location. Any public improvements that are damaged or need modifications to accommodate access shall be replaced to the satisfaction of the City Engineer. Ensure that trash enclosure shall accommodate a 3-container system adhering to state mandates, including SB 1383 Organics which built on and expanded AB 1826 Commercial Organics, and AB 341 Commercial Recycling.

- Bldg.
19. 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.
 20. Plans shall be rendered legible and usable. Separate sheets shall be provided for distinctly different aspects of the proposed project. Plan sheets shall be clearly labeled with sheet numbers on the bottom right-hand corner and each sheet included in the set shall be included in a sheet index provided on the cover sheet.
 21. Refer to the City of Yorba Linda's Geographic Information System (GIS) to see if the property in question falls within a specific boundary which may change the plan check requirements.
 - High Fire/Fuel Modification
 - OCFA Development Area
 22. The project shall comply with all applicable disabled access requirements.
 23. Deferred Submittal submittals shall be reviewed and approved by the design professional prior to being submitted to the city.
 24. Plans must indicate if the existing building is protected by an automatic sprinkler system. Projects that require a new Fire Sprinkler System to be installed shall have the cover sheet notated "FIRE SPRINKLERS REQUIRED" and the proposed fire sprinklers shall be listed as a deferred submittal.
 25. New buildings located in any adopted Fire Hazard Severity Zone, or any or any Wildland-Urban Interface (WUI) Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of R337/7A.
 26. These provisions shall also apply to all structures located within 100 feet of a Fuel Modification Zone, Vegetation Management Area, or similar area containing hazardous combustible vegetation, regardless of whether the property is currently located in an adopted Fire Hazard Severity Zone or Wildland-Urban Interface Area, when materials and/or construction methods for exterior wildfire exposure were previously required at the property by the Building or Fire Code Official.
 27. Applicant shall satisfy all requirements of the Orange County Fire Authority (OCFA) prior to issuance of building permits and final inspection. Contact Orange County Fire Authority at (714) 573-6100 for requirements. Fire Sprinkler installations requirements are part of this requirement.

28. Applicant shall satisfy all conditions of approval and any other department or agency requirements prior to the building permit's final inspection.
- Plng. 29. Conditional Use Permit 2025-14 is granted for a period of one year and shall become void as of July 23, 2026, unless a certificate of occupancy has been issued for building permits, or a time extension is requested in writing prior to that date.
30. The applicant shall agree and consent in writing within 60 days to the conditions of approval as adopted by the Planning Commission.
31. Development shall occur substantially as shown on the plans approved by the Planning Commission and on file in the Community Development Department.
32. Approval of this request shall not excuse compliance with all other applicable City ordinances and development standards in effect at this time.
33. 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.
34. The modular buildings shall not include any signage. Any graffiti that may appear on the structures shall be removed by the applicant immediately.
35. The temporary modular buildings shall be finished in a color that blends into the greatest extent possible with existing classroom buildings to the satisfaction of the Community Development Director. The proposed exterior color scheme shall be as shown on approved plans.
36. No exterior lighting is approved for the proposed temporary modular buildings.
37. Conditional Use Permit 2025-14 is for the temporary establishment of four (4) modular buildings for a period of up to six (6) years, commencing from the date of this approval, until July 23, 2031. On or prior to July 23, 2031, all four (4) temporary modular buildings shall be permanently removed from the property.

- OCFA 38. Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to approval of a tentative map or issuance of precise grading permit, whichever comes first; or, at the discretion of the planning department, prior to approval at public hearing if this precedes map approval or grading permit issuance:

- Conceptual fuel modification plan (service code PR120); the applicant may opt to skip submittal of a conceptual fuel modification plan and proceed directly to submittal of a precise fuel modification plan (service code PR124) at this time instead.

Prior to OCFA clearance of a final map or issuance of a precise grading permit or a building permit, if a grading permit is not required:

- Fire master plan (service code PR145) **Building shall comply with CBC Chapter 7A.**

Prior to issuance of a precise grading permit or a building permit, if a grading permit is not required:

- Precise fuel modification (service code PR124)

Prior to issuance of a building permit:

- Architectural Group E Occupancy (service codes PR212)
- Underground piping for private hydrants and fire sprinkler systems (service codes PR470-PR475)

Prior to concealing interior construction:

- Fire alarm system (service codes PR500-PR520)
- Fire sprinkler system (service codes PR430-PR455)

39. **Fuel Modification Inspection for Occupancy:** Prior to the issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected. This includes physical installation of features identified in the approved precise fuel medication plan (including, but not limited to, plant establishment, thinning, irrigation zone markers, access easements, etc.).

40. **Fuel Modification Maintenance:** The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approval fuel modification plans and recorded covenant. The property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.
41. **Lumber-drop Inspection:** After installation of required fire access roadways and hydrants, the applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least five days in advance to schedule the lumber drop inspection.
42. **Vegetation Clearance Inspection/Release:** The developer/builder shall implement those portions of the approved fuel modification plan determined to be necessary by the OCFA and a confirmation of proper vegetation clearance shall be issued by the OCFA to the local Building Department prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever comes first. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fuel modification plan at least five days in advance to schedule the vegetation clearance inspection.

- The End -