

**PLANNING COMMISSION  
RESOLUTION NO. 26-003**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WESTMINSTER APPROVING DEVELOPMENT REVIEW, TENTATIVE TRACT MAP NO. 19387, AND GRANTING AN AFFORDABLE HOUSING DENSITY BONUS WITH ASSOCIATED INCENTIVES AND WAIVERS FOR THE PROPERTY LOCATED AT 14201–14205 WILLOW LANE (CASE NO. 2025-0081)

**WHEREAS**, the applicant, Loc Tran, on behalf of the property owner Willow 68 Investments, LLC, submitted applications for a Tentative Tract Map, Development Review, and Affordable Housing Density Bonus (Case No. 2025-0081) requesting to allow the development of twenty-eight (28) residential condominium units and nine (9) accessory dwelling units on an approximately 1.72-acre site located at 14201–14205 Willow Lane; and

**WHEREAS**, the proposed development is governed by the applicable goals and policies of the City of Westminster General Plan, the Westminster Municipal Code (WMC), the Subdivision Map Act, the Housing Accountability Act, Senate Bill (SB) 330, Assembly Bill (AB) 130, Assembly Bill (AB) 52, and State Density Bonus laws; and

**WHEREAS**, under California Government Code Section 65915 (State Density Bonus Law), the applicant is entitled to request one or more incentives or concessions and may request waivers or reductions of development standards necessary to achieve the permitted density and affordable housing units; and

**WHEREAS**, certain qualifying housing development projects may be eligible for a statutory exemption pursuant to Public Resources Code (PRC) Section 21080.66 (AB 130); and

**WHEREAS**, pursuant to SB 330, the City's review of the project is limited to objective standards in effect at the time a complete application was submitted; and

**WHEREAS**, AB 52 tribal consultation pursuant to Public Resources Code Section 21080.66 was conducted, consultation requirements have been satisfied, and conditions have been incorporated into the project approval; and

**WHEREAS**, the applicant's detailed list of the requested incentives, concessions, and waivers or reductions of development standards is attached to this resolution as "Exhibit A" and incorporated herein by this reference; and

**WHEREAS**, a notice of public hearing describing the project, date, time, and location of the hearing was mailed on March 19, 2026, to all property owners of record

and occupants within a 500-foot radius of the project site at least 10 days prior to the hearing date. A notice was also posted at the project site, City Council Chambers, City Hall, Westminster Branch Library, Community Services and Recreation Building, and on the City's website. In addition, the notice was published in the *Westminster Herald Journal* on March 19, 2026; and

**WHEREAS**, on April 1, 2026, the Planning Commission of the City of Westminster, California held a duly noticed public hearing on the subject applications (Case No. 2025-0081), considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties;

**NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF WESTMINSTER, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The Planning Commission of the City of Westminster, California, hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of the Commission.

**SECTION 2. Required Development Review Findings.** The Planning Commission hereby finds that the project complies with all objective standards of the WMC, as modified by the requested incentives and waivers. Pursuant to Section 17.520.020 of the WMC, the Planning Commission hereby approves the project and makes the following specific findings of fact related to the granting of the Development Review. These findings are based on the entire record before the Planning Commission, regardless of whether such information is specifically set forth in this Resolution.

*A. The proposed development will not be detrimental to the public health, safety and welfare.*

The proposed development will not be detrimental to the public health, safety, or welfare because it has been designed to meet applicable building, fire, accessibility, and engineering standards and is subject to review and approval by the City's Building, Fire, Public Works, Water, and Engineering Divisions. Conditions of approval address traffic circulation, stormwater quality management, water and sewer service, emergency access, and long-term maintenance of private drives and common areas. The project has been reviewed by the Westminster Police Department for compliance with Residential Building Security Requirements and will incorporate required safety measures.

Additionally, the project qualifies for statutory exemption from the California Environmental Quality Act pursuant to Public Resources Code Section 21080.66.

*B. The proposed development is in full compliance with this Title.*

The proposed project complies with the applicable objective development standards of Title 17 of the WMC in effect at the time the application was deemed complete, as

required pursuant to Government Code Section 66300 et seq. (SB 330) and Government Code Section 65589.5 (Housing Accountability Act), as modified by the requested incentives and waivers pursuant to Government Code Section 65915 (State Density Bonus Law). These modifications are authorized by State law and must be granted unless specific statutory findings for denial can be made. The project otherwise complies with applicable lot coverage, height, parking, landscaping, and subdivision requirements as modified pursuant to the Density Bonus Law.

- C. The proposed development will not adversely affect the General Plan and is consistent with the General Plan.*

The proposed project is consistent with the Residential Low-Density designation of the General Plan, which contemplates single-family residential development. The project provides residential units in a configuration consistent with the General Plan's intent to provide a range of housing types while maintaining neighborhood character.

The project's density is permitted pursuant to Government Code Section 65915, and the project supports the Housing Element's goals of increasing housing production and facilitating the development of affordable housing units. Therefore, the project is consistent with and will not adversely affect the General Plan.

- D. The existing or proposed public facilities necessary to accommodate the proposed project will be available to serve the subject site.*

The project site is located within an established residential neighborhood and is served by existing public utilities and infrastructure, including water, sewer, storm drain, fire protection, police services, and public streets. The applicant will be required to comply with all applicable conditions of approval, including those of the Water District, Midway City Sanitary District (MCSD), Orange County Fire Authority (OCFA), and Public Works (PW), to ensure adequate service capacity and, where necessary, infrastructure improvements.

Vehicular and pedestrian access to the development will be provided from Willow Lane and internal private drive aisles designed to provide adequate circulation and emergency access. The proposed driveway configuration, sight distance, and internal circulation have been reviewed as part of the Tentative Tract Map and Development Review processes and were determined to comply with applicable City engineering and circulation standards. The review concluded that the proposed access and internal circulation system will adequately serve the development and will not create unsafe traffic conditions. Therefore, adequate public facilities and services are available to accommodate the proposed development.

**SECTION 3. Required Tentative Tract Map (TTM) Findings.** The Planning Commission hereby finds that the project complies with all objective standards of the WMC, as modified by the requested incentives and waivers. Pursuant to Section 16.04.060 of the WMC, the Planning Commission hereby makes the following specific

findings of fact related to the granting of the Tentative Tract Map. These findings are based on the entire record before the Planning Commission, regardless of whether such information is specifically set forth in this Resolution.

*A. The proposed map is consistent with the General Plan.*

The proposed map is consistent with the Residential Low-Density designation of the Westminster General Plan, which permits residential development at a maximum density of eight dwelling units per acre. Although the proposed 28 primary residential units exceed the base density of approximately 14 units, the increased density is permitted pursuant to Government Code Section 65915 (State Density Bonus Law). The subdivision facilitates residential development consistent with the General Plan's housing and land use policies by allowing the development of residential units, including deed-restricted affordable units, within an established residential neighborhood. The proposed Tentative Tract Map establishes a single-family lot for the residential units, condominium ownership structure for the garage structures, and common areas in accordance with the Subdivision Map Act while maintaining consistency with the site's underlying residential land use designation.

*B. The design and improvement of the proposed subdivision are consistent with the General Plan.*

The design and improvement of the proposed subdivision, including 28 residential dwelling units, nine attached accessory dwelling units, private internal drive aisles, landscaped common areas, and pedestrian pathways, are consistent with the Residential Low-Density designation of the General Plan. The project maintains a residential neighborhood development pattern through detached building forms, landscaped setbacks, private open space areas, and internal circulation that functions similarly to a private residential street. These design features are consistent with the General Plan's Land Use, Community Design, and Mobility elements, which encourage compatible infill development, neighborhood-oriented design, and safe internal circulation. In addition, the inclusion of deed-restricted affordable units advances the housing goals of the General Plan and supports the City's Regional Housing Needs Allocation obligations.

*C. The site is physically suitable for the proposed type of development.*

The 1.72-acre site is relatively flat, previously developed, and located within an established residential area served by existing infrastructure. The site is suitable for residential condominium development.

*D. The requirements of the California Environmental Quality Act (CEQA) have been satisfied.*

The Planning Commission finds that the proposed project qualifies for a statutory exemption from the California Environmental Quality Act pursuant to Public Resources

Code Section 21080.66 (Assembly Bill 130). The project is a residential development located within the incorporated limits of the City of Westminster and within an urbanized area. The project site is substantially surrounded by existing urban development and is adequately served by existing public utilities and municipal services. The project is consistent with the applicable General Plan and zoning standards in effect at the time the application was deemed complete, as modified pursuant to Government Code Section 65915 (State Density Bonus Law). Accordingly, the Planning Commission finds that the project satisfies the eligibility criteria for statutory exemption, and that no further environmental review is required pursuant to CEQA.

*E. The site is physically suitable for the proposed density of development.*

The proposed density is permitted pursuant to the State Density Bonus Law and does not exceed the applicable height limit of the R-1 zoning district. The site design accommodates required access, circulation, parking, open space, and infrastructure improvements necessary to support the development.

*F. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.*

The project will comply with all applicable building, fire, and public works standards to ensure public health and safety. The subdivision design respects existing easements of record and accommodates necessary utility easements. There are no known public access easements that would conflict with the proposed subdivision plan.

*G. The design and improvement of the proposed subdivision are suitable for the uses proposed, and the subdivision can be developed in compliance with the applicable zoning regulations.*

The subdivision is suitable for residential use consistent with the Residential Low-Density designation of the General Plan and the R-1 (Single-Family Residential) zoning district. The subdivision layout, including detached condominium units, private drive aisles, garage structures, and common open space areas, supports the proposed residential use and is capable of development in compliance with applicable objective zoning standards, as modified pursuant to Government Code Section 65915 (State Density Bonus Law).

*H. The design of the subdivision provides to the extent feasible for future passive or natural heating and cooling opportunities in the subdivision.*

The residential units are oriented and designed to allow for natural light, ventilation, and shading where feasible. The site layout and spacing between structures facilitate air circulation and opportunities for passive heating and cooling consistent with contemporary residential design practices.

- 1. The design, density, and configuration of the subdivision strike a balance between the effect of the subdivision on the housing needs of the region and of public service needs of its residents and the city's available fiscal and environmental needs.*

The subdivision contributes to the City's and region's housing supply, including the provision of deed-restricted affordable units, while providing adequate on-site amenities, private and common open space, and internal circulation. The project has been conditioned to comply with applicable infrastructure requirements and to pay required development impact fees, ensuring that public service demands associated with the development are appropriately addressed.

**SECTION 4. Density Bonus Findings.** There are no grounds upon which to deny the requested density bonus, incentives and waivers.

**SECTION 5. CEQA.** The Planning Commission finds that the proposed project qualifies for a statutory exemption from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.66 (Assembly Bill 130) based on the following:

1. The project is a residential development project located within the incorporated limits of the City of Westminster and within an urbanized area.
2. The project site is less than 20 acres.
3. The project site has previously been developed with an urban use, at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses, and at least 75 percent of the area within a one-quarter mile radius of the site is developed with urban uses.
4. The project is consistent with the applicable General Plan and zoning standards in effect at the time the application was deemed complete, as modified pursuant to Government Code Section 65915 (State Density Bonus Law).
5. At 16.3 dwelling units per acre, the project is at least one-half the minimum applicable density set forth in Government Code Section 65583.2(c)(3), which is 30 dwelling units per acre.
6. The project is not located in any of the restricted type of areas set forth in Government Code Section 65913.4(a)(6).
7. The project does not require the demolition of any historic structure.

The Planning Commission further finds that the project complies with the additional requirements set forth in Public Resources Code Section 21080.66(b), including the incorporation of conditions addressing potential tribal cultural resources and has been conditioned as required by Public Resources Code Section 21080.66(c),

Accordingly, the Planning Commission determines that no further environmental review is required pursuant to CEQA. The Planning Commission further finds that none of the exceptions to the statutory exemption apply.

**SECTION 6. Approval.** Based on the above findings, the Planning Commission hereby approves Case No. 2025-0081 in its entirety, including the Development Review for the 28 individual units, nine attached ADU's, six condominium garages and Tentative Tract Map No. 19387, subject to the conditions set forth below.

**SECTION 7. Applicability of Conditions.** The term "Applicant" includes Loc Tran, the current property owner, and any successor, assign, transferee, developer, builder, or future owner of the subject property or any portion thereof. All conditions imposed herein shall run with the land and be binding upon any party with a legal or equitable interest in the property, and it shall be the responsibility of any such party to comply fully with these conditions prior to exercising any rights granted by this approval.

## **I. GENERAL CONDITIONS OF APPROVAL**

1. Except as prohibited by Government Code Section 65914.2, the Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability arising from the City's approval of Case No. 2025-0081. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City's approval of this project, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section, "the City" includes the City of Westminster's elected officials, appointed officials, officers, and employees.
2. The Applicant of the proposed project acknowledges all the conditions of approval and accepts this resolution subject to those conditions and with full awareness of the provisions of Westminster's Municipal Code. These conditions are binding on all future property owners of the subject property.
3. The development and/or use shall conform to all applicable provisions of the Westminster Municipal Code and shall conform to the requirements of the Subdivision Map Act when applicable, as modified by this approval.
4. These Conditions of Approval shall run with the land and shall be binding upon the applicant, property owner, and all successors in interest.
5. The project shall be constructed in substantial conformance with the approved site plan, architectural plans, floor plans, elevations, landscape plans, parking plan, and project narrative on file with the Community Development Department, except as modified by these conditions or by minor modification approved pursuant to WMC Section 17.510.035.
6. The project shall comply with all applicable provisions of the Westminster Municipal Code, State Density Bonus Law (Gov. Code §65915), SB 330, and all

other applicable State and federal laws in effect at the time the application was deemed complete. The project shall also comply with all applicable Building Codes, including Fire Code, that are in effect at the time that the project application is filed.

7. The development review approval shall expire two years from the date of approval unless building permits are issued or a time extension is granted pursuant to WMC Section 17.510.030. The tentative tract map approval shall expire two (2) years from the date of approval. The development review approval shall be concurrent with the tentative tract map life.
8. These Conditions of Approval shall be printed verbatim on all plan sets submitted for plan check and shall be included in any subsequent revisions.

## **II. PLANNING CONDITIONS OF APPROVAL**

9. Prior to issuance of the first Certificate of Occupancy, the applicant shall submit draft Conditions, Covenants, and Restrictions (CC&Rs) to the Planning Division for review and approval by the Community Development Director and City Attorney. In addition to conditions below which require incorporation into CC&Rs, the CC&Rs shall:
  - Establish a Homeowners Association (HOA) responsible for the ownership, operation, and maintenance of all common areas, including but not limited to private drive aisles, guest parking spaces, landscaping, water quality facilities, private roadways, and shared infrastructure.
  - Establish a long-term maintenance program and funding mechanism, such as HOA assessments, sufficient to ensure the ongoing maintenance and repair of all private roads, alleys, courts, and other privately maintained improvements.
  - Require enclosed garages to be used primarily for vehicle parking and prohibit conversion to habitable space.
  - Trash containers shall not be visible from the public right-of-way except on designated collection days.
  - The three uncovered parking spaces shall be permanently designated and maintained for the exclusive use of the ADUS (19,20 &21) that do not have assigned parking associated with the detached garage structures. These spaces shall not be reassigned or used for any other purpose without prior review and approval by the City.
  - Be consistent with and shall not conflict with the provisions of the Affordable Housing Ownership Agreement recorded against the property.

- Provide that the CC&Rs shall run with the land and be binding upon all successors in interest.

When the draft is provided to the City for review, it shall be accompanied by a table specifying where all required CC&R conditions can be found.

10. Prior to issuance of the first Certificate of Occupancy, the applicant shall execute and record an Affordable Housing Ownership Agreement against lots 5, 6, 14, 15, and 28, in a form approved by the City Attorney, to ensure compliance with Government Code Section 65915 (State Density Bonus Law). The agreements shall establish affordability terms, resale restrictions, monitoring requirements, and enforcement mechanisms to ensure the continued affordability of the designated affordable units for the period required by State law.
11. All mechanical equipment, utility boxes, transformers, refuse enclosures, and similar features shall be screened from public view and architecturally integrated with the principal structures. Screening details shall be shown on construction plans prior to issuance of the building permit.
12. Trash storage for all residential units shall be accommodated within garages or other screened areas and shall comply with the provisions of Chapter 8.12 (Solid Waste Collection and Disposal) of the Westminster Municipal Code. Trash containers shall not be visible from the public right-of-way except on designated collection days.
13. All required landscaping shall be installed and maintained in accordance with Chapter 17.400 (Landscaping Requirements) of the Westminster Municipal Code and the approved landscape plans. Landscaping shall be installed prior to issuance of final occupancy unless otherwise approved by the Community Development Department.
14. The six condominium garage units shall be constructed and maintained for the exclusive use of residential units that include an Accessory Dwelling Unit (ADU). The detached garage units shall be permanently associated by deed with the designated residential lots containing ADUs. The detached garage units shall not be sold, transferred, or assigned independently from the residential unit with which they are associated, except to another residential unit within the project that contains an ADU. Documentation demonstrating the permanent linkage of each detached garage unit to its corresponding residential unit shall be included in the project's Conditions, Covenants, and Restrictions (CC&Rs) and recorded prior to the issuance of building permits.
15. The proposed storage area located between the two detached triple garage structures adjacent to Mahogany Avenue shall include a solid roof structure. The roof shall match the materials, color, and architectural style of the proposed garage

structures and shall be shown on the construction plans prior to the issuance of the building permit.

16. All parking areas shall be developed and maintained in accordance with the applicable provisions of Chapter 17.400 (Parking and Loading Requirements) of the Westminster Municipal Code, except where modified pursuant to Government Code Section 65915 (State Density Bonus Law). Parking spaces shall be maintained for their intended use and shall not be converted to other uses.
17. All fencing and walls shall comply with the requirements of Section 17.300.030 (Fences, Walls, and Hedges) of the Westminster Municipal Code unless otherwise approved through a State Density Bonus incentive or waiver, or as depicted on Project plans per Sheet SD-1.5 dated December 11, 2025.
18. Construction activity shall comply with the permitted construction hours established in Section 8.68.050 of the Westminster Municipal Code.
19. All exterior lighting shall comply with the lighting standards of Section 17.300.030 (Outdoor Lighting) of the Westminster Municipal Code. Lighting fixtures shall be shielded and directed downward to minimize glare and prevent light spillover onto adjacent residential properties and public rights-of-way. A photometric plan demonstrating compliance shall be submitted to the Community Development Department for review and approval prior to the issuance of building permits.
20. The final exterior color palette of the proposed residential units shall be subject to the developer's meeting and input with the residents prior to finalizing the color scheme.
21. Window coverings shall be installed on the second and third-floor windows of all the proposed residents' units facing the existing residential units.
22. Tribal Cultural Resource (TCR) Conditions:

(Tribal Cultural Resource) TCR-1: Retention of a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

- a) The Project applicant shall retain a Native American Monitor from or approved by each of the following Tribes: The Juaneño Band of Mission Indians, Acjachemen Nation-Belardes, and the Gabrieleno Band of Mission Indians-Kizh Nation. The monitors shall be retained prior to the commencement of any ground-disturbing activity for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not

limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

- b) A copy of each of the executed monitoring agreements shall be submitted to the City prior to the commencement of any ground-disturbing activity or the issuance of any permit necessary to commence ground-disturbing activity.
- c) The monitors will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, culturally related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered tribal cultural resources (TCRs), including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Project applicant upon written request to the Tribe.
- d) On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Tribe or Tribal monitoring agency from a designated point of contact for the Project applicant that all ground-disturbing activities and phases that may involve the Project are complete; or (2) a determination and written notification by the Tribe or Tribal monitoring agency to the Director of Community Development, or designee that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact TCRs.
- e) In the event either Tribe is willing to allow the other Tribe to assume all monitoring obligations, such verification shall be provided to the City in writing, and the Project applicant need only enter into one monitoring agreement.

TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial).

- a) Upon discovery of any tribal cultural resources (TCRs), all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American Monitors. The Tribes or Tribal monitoring agencies shall determine between themselves who will recover and retain each discovered TCR in the form and/or manner such Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems

appropriate, including for educational, cultural, and/or historic purposes. The Tribes shall provide written notification, signed by both Tribes, to the Project applicant as to who will recover and retain the TCR.

**TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects.**

- a) Native American human remains are defined in PRC 5097.98(d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- b) If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
- c) Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- d) Preservation in place (i.e., avoidance) is the preferred manner of treatment by both Tribes for discovered human remains and/or burial goods.
- e) Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

**Public Resources Code § 21080.66(b) additional requirements:**

- f) The tribal monitors shall comply with the Project applicant's site access and workplace safety requirements.
- g) The Project applicant shall compensate each tribal monitor at a reasonable rate, determined in good faith, that aligns with customary compensation for cultural resource monitoring, taking into account factors such as the scope and duration of the project.
- h) To the extent not covered above, tribal cultural resources shall be avoided where feasible, in accordance with subdivision (a) of Section 21084.3. In furtherance of this requirement, where feasible, the project applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes.

- i) To the extent not covered above, all treatment and documentation of tribal cultural resources shall be conducted in a culturally appropriate manner, consistent with Section 21083.9.
- j) A California Historical Resources Information System archaeological records search and a tribal cultural records search shall be completed for the project site prior to the start of any ground-disturbing activities.
- k) A Sacred Lands Inventory request shall be submitted to the Native American Heritage Commission and must be received prior to the start of any ground-disturbing activities.
- l) An application of tribal ecological knowledge into habitat restoration efforts undertaken by the project as applicable to the specific environmental context and conditions of the project.

### **III. BUILDING DIVISION CONDITIONS OF APPROVAL**

- 23. Applicant shall submit complete architectural, structural, mechanical, electrical, plumbing (MEP), green building, and Title 24 energy compliance documentation for review and approval prior to issuance of building permits.
- 24. The project site is located within 500 feet of a freeway; therefore, the applicant shall comply with the requirements of Public Resources Code Section 21080.66(c)(2). Prior to issuance of building permits, the applicant shall demonstrate that the residential units are designed and constructed to ensure that interior noise levels attributable to freeway traffic do not exceed 45 CNEL in habitable rooms. Compliance may be achieved through the incorporation of appropriate building design features, including but not limited to upgraded windows, exterior wall insulation, and mechanical ventilation systems that allow windows to remain closed. A qualified acoustical analysis shall be submitted to the satisfaction of the Community Development Director to verify compliance with this requirement.
- 25. Prior to the issuance of building permits, the applicant shall submit a geotechnical soils report prepared by a qualified professional, including liquefaction analysis, for review and approval by the City. In addition, pursuant to Public Resources Code Section 21080.66(c)(1), the applicant shall submit a Phase I Environmental Site Assessment prepared in accordance with applicable industry standards to evaluate the potential presence of hazardous materials on the site. If the Phase I Environmental Site Assessment identifies the potential for hazardous materials contamination, the applicant shall conduct any additional environmental investigation or remediation recommended in the report to ensure the site is

suitable for residential development. All recommendations of the approved reports shall be incorporated into the project design and construction as applicable.

26. Construction plans shall demonstrate compliance with CBC Table R302.1(1) and R302.1(2), including fire-rated walls, opening protection, and eave restrictions based on separation distances.
27. Prior to issuance of building permits, the applicant shall pay all applicable development impact and connection fees in effect at the time of permit issuance.
28. Each residential unit shall be served by its own independent water meter. Installation shall be completed prior to final inspection.
29. All residential units shall be equipped with automatic fire sprinkler systems in accordance with the California Fire Code and Building Code.

#### **IV. PUBLIC WORKS / ENGINEERING CONDITIONS OF APPROVAL**

30. A Grading Plan prepared by a Registered Civil Engineer shall be submitted and approved by the City Engineer prior to issuance of grading permits.
31. Prior to issuance of grading permits, the applicant shall execute an Agreement for Grading and Street Improvements and post-performance and labor bonds equal to 100% of the approved cost estimate.
32. All required public improvements shall be constructed per approved plans and City standards, including driveway approaches, curb and gutter, sidewalk, street grinding and paving, and utility trench restoration.
33. The project shall comply with all Water Quality Management Plan (WQMP) requirements. Structural and non-structural BMPs shall be installed and operational prior to final inspection.
34. Where applicable, a Notice of Intent (NOI) and WDID number shall be obtained prior to issuance of grading permits.
35. Driveway approaches and garage access shall comply with applicable City standards and shall be verified prior to final inspection.

#### **V. WESTMINSTER POLICE DEPARTMENT CONDITIONS OF APPROVAL**

36. Prior to issuance of building permits, the project shall comply with the City of Westminster Police Department's Standard Residential Building Security Requirements, attached hereto. Compliance shall be verified by the Westminster Police Department, and only those requirements applicable to the project shall be enforced.



AYES: COMMISSIONERS: A. NGUYEN, J. NGUYEN, T. NGUYEN, ANDERSON,  
WOLBERT  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS:  
ABSTAIN: COMMISSIONERS:

  
Secretary of the Planning Commission