



Attachment 2

Findings

PA20-0009

1 **GENERAL PLAN** **PA20-0009**

That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.

2 **ZONING** **PA20-0009**

That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.

3 **COMPATIBILITY** **PA20-0009**

That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.

4 **GENERAL WELFARE** **PA20-0009**

That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

5 **PUBLIC FACILITIES** **PA20-0009**

That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).

6 **COASTAL DEVELOPMENT PERMIT 1** **PA20-0009**

That the development project proposed by the application conforms to the certified Local Coastal Program.

7 **COASTAL DEVELOPMENT PERMIT 2** **PA20-0009**

That the project conforms to the public access and public recreation policies of the California Coastal Act.

8 **COASTAL DEVELOPMENT PERMIT 3** **PA20-0009**

That the approval of this application will result in no modification to the requirements of the certified land use plan.

9 **COASTAL DEVELOPMENT PERMIT 4** **PA20-0009**

That the approval of the application will result in a project which is in full compliance with the requirements of the certified land use plan.

10 **PREVIOUS DOPCUMENTATION** **PA20-0009 (Custom)**

That the potential environmental impacts of components of the project have previously been assessed and approved by the County in MND No.05-240 and Addendum IP 09-306. Modifications to the project have been found to decrease any potential impacts previously found and are documented in in a combined analysis, OP94U MND and Finding of No Significant Impact (Caltrans 2018).;

11 **FISH & GAME - EXEMPT** **PA20-0009**

That pursuant to Section 711.4 of the California Fish and Game Code, this project is exempt from the required fees as it has been determined that no adverse impacts to wildlife resources will result from the project.

12 **NCCP NOT SIGNIFICANT** **PA20-0009**

That the proposed project will not have a significant unmitigated impact upon Coastal Sage Scrub habitat and therefore, will not preclude the ability to prepare an effective subregional Natural Communities Conservation Planning (NCCP) Program.



Attachment 2
Conditions of Approval
PA20-0009

1 BASIC/ZONING REGULATIONS PA20-0009

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

2 BASIC/TIME LIMIT PA20-0009

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

3 BASIC/COMPLIANCE PA20-0009

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

4 INDEMNIFICATION PA20-0009

Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Subdivision Committee, Zoning Administrator, Director of OC Public Works, or Deputy Director of OC Development Services concerning this application. The County may, at its sole discretion, participate in the defense of any action, at the applicant's expense, but such participation shall not relieve applicant of his/her obligations under this condition. The County may, at its sole discretion, require the Applicant to post a bond, enter into an escrow agreement, obtain an irrevocable letter of credit from a qualified financial institution, or provide other security, to the satisfaction of the County, in anticipation of litigation and possible attorney's fee awards. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

5

BASIC/APPEAL EXACTIONS

PA20-0009

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

6

GRADING OUTSIDE OF R-O-W

PA20-0009

If grading is necessary outside of the existing right-of-way, the Building Official shall determine if a County grading permit is required. Prior to the issuance of any grading permit, the applicant shall submit any required reports, plans or studies deemed necessary for issuance of the permit by the Manager, Building and Safety Division, for approval. The report shall include the information and be in the form as required by the Grading and Excavation Code and Grading Manual.

7

CONSTRUCTION NOISE

PA20-0009

The applicant will adhere to the requirements of the County Noise Ordinance, including the following measures:

- (1) All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers.
 - (2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).
 - (3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.
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MITIGATION MEASURES

PA20-0009

The applicant shall adhere to and implement all applicable mitigations measures identified within the project's related Mitigated Negative Declarations.
