

EXHIBIT C

RESOLUTION NO. _____
RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA
APPROVING PLANNING APPLICATION
PA170040 - USE PERMIT AND SITE DEVELOPMENT PERMIT
FOR VACANT PROPERTY
LOCATED AT 11901 NEWPORT AVENUE

On Motion of Supervisor _____, duly seconded and carried, the following Resolution was adopted:

WHEREAS, pursuant to California Government Code Section 65000, *et seq.*, the County has an adopted General Plan and Zoning Code that meet all of the requirements of California State law; and

WHEREAS, the Roman Catholic Bishop of Orange (“Owner”) and Clearwater Living (“Operator”) submitted Planning Application 170040 (“PA170040”), requesting the following actions: 1) approval and adoption of an ordinance which would amend the North Tustin Specific Plan (“NTSP”) to add the RCF “Residential Care Facility” Overlay District and to apply the RCF Overlay District to a vacant 6.6-acre site located at 11901 Newport Avenue (APN 395-033-01); 2) approval of a Use Permit to allow a 100-unit senior care facility on the same property; 3) approval of a Development Agreement related to the senior living facility, as required by the new RCF regulations; 4) approval of a Site Development Permit to allow project grading in excess of 5,000 cubic yards on the project site; and 5) adoption of The Clearwater at North Tustin Environmental Impact Report (“EIR”) Addendum to Final EIR No. 607, collectively the Amended Project (“Amended Project”); and,

WHEREAS, the Owner and Applicant submitted an amendment to the North Tustin Specific Plan (NTSP) to add text and exhibits to create a new Residential Care Facility (RCF) Overlay land use designation and to apply the overlay designation to the subject 6.6-acre project site; and,

WHEREAS, the RCF Overlay District permits the development of a senior living facility subject to the approval of a Use Permit by the Planning Commission and approval of a Development Agreement by the Board of Supervisors; and,

WHEREAS, the Owner and Applicant have also submitted a Development Agreement for Board consideration and approval; and,

WHEREAS, the North Tustin Specific Plan was prepared and adopted to implement policies of the Orange County General Plan and other applicable planning documents, with specific emphasis on development of land use and traffic circulation recommendations for the North Tustin area, and among its goals, to promote future development which will be compatible with the character of the existing surrounding community, to seek a balance of housing opportunities through encouraging a variety of types and densities of housing, to provide a local and regional park system designed to meet the recreation needs of Community Service Area 5 residents including the North Tustin Specific Plan area, and to provide an optimum variety of recreation facilities to meet the specific needs of the North Tustin residents; and,

WHEREAS, the County has adopted a North Tustin Specific Plan Amendment that permits the adoption of a Residential Care Facility overlay zone designation on residentially zoned properties that meet specified area and site width requirements; and,

WHEREAS, after the adoption of the Residential Care Facility overlay zone designation on a qualified property, a Senior Living Facility, as defined in Orange County Codified Ordinances section 7-9-40), may be approved on such property with the approval of a Use Permit and a Development Agreement; and

WHEREAS, in accordance with the California Environmental Quality Act (California Public Resources Code, Sections 21000 et seq.) (“CEQA”) and the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000, et seq.) (“CEQA Guidelines”) and the County’s CEQA Procedures Manual, the County, as Lead Agency, has prepared an Addendum to Final Environmental Impact Report No. 607 (“Final EIR No. 607” and “Addendum to Final EIR No. 607”); and,

WHEREAS, Final EIR No. 607 addressed the potentially significant environmental impacts associated with a previously proposed 153-unit senior living facility (“Initial Project”) on the Project site, that included a NTSP Amendment, Use Permit and Site Development Permit, and related programs and entitlements, as well as the impacts anticipated from subsequent implementing steps in the chain of contemplated actions designed to carry out the final planning and development of the Initial Project; and,

WHEREAS, as required by CEQA Guidelines Section 15162, the potentially significant environmental impacts associated with the Amended Project, which is reduced in scope from the Initial Project, were compared to those potentially significant environmental impacts identified for the Initial Project, and it was concluded that no subsequent or supplemental EIR was warranted and that an Addendum to Final EIR No. 607 was the appropriate CEQA process; and,

WHEREAS, based on Final EIR No. 607 and the Addendum to Final EIR No. 607, it has been determined that environmental impacts related to the Amended Project have been reduced to less than significant with the incorporation of mitigation measures and conditions of approval; and,

WHEREAS, on July 11, 2018, the Planning Commission issued its formal recommendation that this Board approve, among other things, the Use Permit and Site Development Permit PA170040 (see Planning Commission Resolution No. 18-04); and

WHEREAS, on _____, 2018, this Board of Supervisors conducted a public hearing regarding the Amended Project; and

WHEREAS, the Board of Supervisors has reviewed and fully considered the Use Permit and Site Development Permit PA170040 and has determined after review and consideration to approve the Use Permit and Site Development Permit.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors adopts the following:

1. The Recommend Findings included as Attachment 1.
2. The Recommended Conditions of Approval included as Attachment 2 that are reasonably related to the use of the property and necessary for appropriate development and operation of the uses permitted by the County General Plan and the County Zoning Code.

BE IT FURTHER RESOLVED that the Board of Supervisors approve the Use Permit and Site Development for the PA170040.

The foregoing resolution was carried by the following vote:

Ayes:

Noes:

Absent:

I HEREBY CERTIFY that the foregoing Resolution No. ____ was adopted on _____, _____, by the Orange County Board of Supervisors.

ORANGE COUNTY BOARD OF SUPERVISORS

By: