

**DESIGN REVIEW NO. 4933-17  
MINOR SITE PLAN REVIEW NO. 0929-17  
MITIGATED NEGATIVE DECLARATION NO. 1864-17**

**RESOLUTION NO. PC 27-21**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY  
OF ORANGE APPROVING DESIGN REVIEW NO. 4933-17, MINOR  
SITE PLAN REVIEW NO. 0929-17, MITIGATED NEGATIVE  
DECLARATION NO. 1864-17 AND ASSOCIATED MITIGATION  
MONITORING PROGRAM FOR A NEW 1,999 SQUARE FOOT  
COMMERCIAL DEVELOPMENT AT 887 N. GLASSELL STREET**

**APPLICANT: LEASON POMEROY III**

Moved by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ that the following Resolution be adopted:

WHEREAS, the Planning Commission has authority per Orange Municipal Code (OMC) Table 17.08.020 to take action on Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17 to construct a new 1,827 square foot multi-tenant commercial building and 172 square foot single tenant commercial building (1,999 square feet total) on a vacant lot at 887 N. Glassell Street; and

WHEREAS, Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17 were filed by the applicant in accordance with the provisions of the OMC; and

WHEREAS, Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17 were processed in the time and manner prescribed by state and local law; and

WHEREAS, Mitigated Negative Declaration No. 1864-17 was prepared to evaluate the physical environmental impacts of the Project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines. The Mitigated Negative Declaration finds that the Project will have less than significant impacts to the environment, with the implementation of standard conditions and mitigation measures; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was published and the Mitigated Negative Declaration was made available for a 20-day public review and comment period from August 28, 2020 through September 26, 2020, in compliance with Section 15105 of the State CEQA Guidelines; and,

WHEREAS, the City staff review committee reviewed the submitted project plans on February 14, 2018, July 18, 2018, January 16, 2019, August 7, 2019, April 29, 2020, July 1, 2020, and March 24, 2021, and recommended approval of the applications requested subject to standard conditions; and

WHEREAS, the Design Review Committee reviewed the subject proposal at the September 2, 2020, February 3, 2021 and February 18, 2021 regular meetings and recommended denial of the project to the Planning Commission, citing potential negative impact on the historic integrity of the building that may result due to the relocation and reorientation of the building on a new site. In response to the Design Review Committee recommendation, the applicant opted to remove the building relocation entirely from the proposed project, eliminating potential impacts to cultural resources; and

WHEREAS, the Planning Commission conducted a duly advertised public hearing on September 20, 2021 at which time interested persons had an opportunity to testify either in support of or opposition to Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17 upon property described in Exhibit “A,” attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17 to construct a new 1,999 square foot commercial development on the vacant lot located at 887 N. Glassell Street, based on the following findings:

## **SECTION 1 – FINDINGS**

### *General Plan Finding:*

- 1. The project must be consistent with the goals and policies stated within the City’s General Plan.*

The project is consistent with the goals and policies stated in the City’s General Plan Land Use and Economic Development Elements. Retail commercial development offers the public a wide variety of services, promotes commercial enterprise, supports a revenue-generating business, and encourages the creation of a successful commercial district. Permitting new commercial development on the project site revitalizes a currently vacant lot. Authorizing new retail commercial site improvements may help to retain the neighborhood-level economic activity and demonstrate economic vitality at the intersection of N. Glassell Street and E. Collins Avenue.

### *Design Review Findings:*

- 1. The project design upholds community aesthetics through the use of an internally consistent, integrated design theme and is consistent with all adopted specific plans, applicable design standards, and their required findings.*

The project upholds community aesthetics through implementation of a compatible design theme with surrounding development. The proposed project is not located in an area of the City with any specific adopted design standards or guidelines. Existing commercial

development includes small-scale commercial strip centers and some standalone restaurant buildings that back up directly to adjacent residential homes. Commercial buildings reflect simple low-rise development, with stucco siding, glass storefronts, and flat roofs with red clay tile accents. Residences represent a mix of architectural styles ranging from the 1920s to present day. The applicant proposes to construct a simple multi-tenant commercial building with finishes to match those of surrounding commercial properties. The building serves as a backdrop to the new visually distinctive standalone building at the northwest corner of the lot, which has a more prominent location near the intersection on the site plan. The development is similar in style compared to the other developments around it, and the mass and scale is consistent with previous development in the area. The site is directly adjacent to single-family and multifamily residential development, but commercial activity on the site is oriented towards the street intersection, away from residential uses.

*Minor Site Plan Review Findings:*

1. *The project design is compatible with surrounding development and neighborhoods.*

The properties directly adjacent to the project site have been developed with no cohesive design theme, representing a mix of older contemporary commercial and residential construction. The project will provide a revitalized architectural and landscaped appearance to the project site. The project also provides for a compatible transition between the surrounding residential neighborhood and the neighborhood-oriented commercial at the intersection of N. Glassell Street and E. Collins Avenue.

Site landscaping and building orientation considers the relationship of the site to adjacent property uses. The site is directly adjacent to single-family and multifamily residential development, but commercial activity on the site is oriented towards the street intersection, away from residential uses. This reduces the potential impact of noise from businesses activity in the center on residential neighbors.

2. *The project conforms to City development standards and any applicable special design guidelines or specific plan requirements.*

The project as proposed meets the required standards for development in OMC Chapter 17.18. No adjustment or variances from development standards have been requested by the applicant. The Project is not located in an area of the City with any specific adopted design standards or guidelines. The properties directly adjacent to the project site have been developed with no cohesive design theme, representing a mix of older contemporary commercial and residential construction. The applicant proposes to construct a simple multi-tenant commercial building with finishes to match those of surrounding commercial properties. The building serves as a backdrop to the new standalone building at the northwest corner of the lot, which has a more prominent location near the intersection on the site plan. The development is similar in style compared to the other developments around it, and the mass and scale is consistent with previous development in the area.

3. *The project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site.*

The project has safe and adequate access and circulation for vehicles and pedestrians from N. Glassell Street and E. Collins Avenue. The on-site circulation has been designed to accommodate all access needs to parking spaces and for emergency vehicle access, with one way circulation entering from N. Glassell Street and exiting onto E. Collins Avenue. The orientation of the development and amenities clearly differentiate vehicular and pedestrian space in support of safe and well-defined movement through and around the site.

4. *City services are available and adequate to serve the project.*

The project site provides adequate access for City public safety and utility services. No special conditions or accommodations are needed to meet this requirement.

5. *The project has been designed to fully mitigate or substantially minimize adverse environmental effects.*

Mitigated Negative Declaration No. 1864-17 includes mitigation measures to address potential impacts to geology and soils, noise, and tribal cultural resources. The Mitigated Negative Declaration includes mitigation measures reflected in the Conditions of Approval that are adopted with the certification of the Mitigated Negative Declaration. These measures reduce potential impacts to a less than significant level.

## **SECTION 2 – ENVIRONMENTAL REVIEW**

Mitigated Negative Declaration No. 1864-17 has been prepared for this Project to evaluate the physical environmental impacts of the Project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines. The Planning Commission finds that the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program (Exhibit C) contain an adequate assessment of the potential environmental impacts of the Project. The Planning Commission finds that the Project will have less than significant impacts to the environment, with the implementation of standard conditions and mitigation measures to address potential impacts to noise, geology and soils, and tribal cultural resources. The project description has been modified to remove relocation of a historic building and no longer has an environmental impact on Cultural Resources.

## **SECTION 3– CONDITIONS OF APPROVAL**

BE IT FURTHER RESOLVED that the following conditions are imposed with approval:

1. The Project shall conform in substance and be maintained in general conformance with plans and exhibits date labeled September 7, 2021 including any modifications required by conditions of approval, and as recommended for approval by the Planning Commission. Any future expansion in area or in the nature and operation of the use Design Review No. 4933-

17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17, shall require an application for a new or amended Site Plan Review.

2. Except as otherwise provided herein, this Project is approved as a precise plan. After any application has been approved, if changes are proposed regarding the location or alteration of any use or structure, a changed plan may be submitted to the Community Development Director for approval. If the Community Development Director determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plan, the Community Development Director may approve the changed plan without requiring a new public hearing.
3. Within two (2) days of final approval of this Project, the applicant shall deliver to the Planning Division a cashier's check payable to the Orange County Clerk in an amount required to fulfill the fee requirements of Fish and Game Code Section 711.4(d)(2) and the County Administrative fee, to enable the City to file the Notice of Determination required under Public Resources Code 21152, & California Code of Regulations 15075.
4. The applicant shall indemnify, hold harmless, and defend the City, its officers, agents and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permits, save and except that caused by the City's active negligence. The City shall promptly notify the applicant of any such claim, action, or proceedings and shall cooperate fully in the defense.
5. Design Review No. 4933-17, Minor Site Plan Review No. 0929-17, and Mitigated Negative Declaration No. 1864-17 shall become void if not vested within two years from the date of approval. Time extensions may be granted for up to one year, pursuant to OMC Section 17.08.060.
6. The applicant shall comply with all federal, state, and local laws, including all City regulations. Violation of any of those laws in connection with the use will be cause for revocation of this permit.
7. All Project Mitigation Measures and Project Design Features shall be complied with and implemented as stated in the Mitigation Monitoring and Report Program located in Mitigated Negative Declaration No. 1864-17.
8. All project Mitigation Measures shall be complied with and implemented as stated in the Mitigation Monitoring and Reporting Program for Mitigated Negative Declaration No. 1864-21.
9. The two London Plane (*Platanus acerifolia*) trees proposed in the approval site plan shall be a minimum 60-inch box size for the trees adjacent to the commercial buildings and minimum 42-inch box size for the tree adjacent to the trash enclosure.

I hereby certify that the foregoing Resolution was adopted on September 20, 2021, by the Planning Commission of the City of Orange by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Dave Simpson, Planning Commission Chair

**ATTACHMENT A**  
**LEGAL DESCRIPTION**

**ATTACHMENT B  
PROCEDURAL CONDITIONS OF APPROVAL**

**WATER QUALITY**

1. Prior to City approval of the landscape plans, the applicant shall review the approved Water Quality Management Plan and ensure the proposed landscape plans are consistent with the project grading plans. The plans must show the proposed storm water treatment Best Management Practices such as bio-retention planters, drywells, permeable pavers, and any other proposed surface water quality BMPs.
2. Prior to the issuance of any grading permits the applicant shall submit a Priority Project WQMP for review and approval to the Public Works Department that:
  - a. Prioritizes the use of Low Impact Development principles as follows: preserves natural features; minimizes runoff and reduces impervious surfaces; and utilizes infiltration of runoff as the method of pollutant treatment. Infiltration BMPs to be considered include the use of permeable materials such as concrete and concrete pavers, infiltration trenches, infiltration planters, and other infiltration BMPs as applicable,
  - b. Incorporates the applicable Site Design, Routine Source, Structural Control and Low Impact BMPs as defined in the Model Water Quality Management Plan and Technical Guidance Document,
  - c. Maintains the hydrologic characteristics of the site by matching time of concentration, runoff, velocity, volume and hydrograph for a 2-year storm event,
  - d. Minimizes the potential increase in downstream erosion and avoids downstream impacts to physical structures, aquatic and riparian habitat,
  - e. Generally describes the long-term operation and maintenance requirements for structural and Treatment Control BMPs,
  - f. Identifies the entity or employees that will be responsible for long-term operation, maintenance, repair and or replacement of the structural and Treatment Control BMPs and the training that qualifies them to operate and maintain the BMPs,
  - g. Describes the mechanism for funding the long-term operation and maintenance of all structural and Treatment Control BMPs,
  - h. Includes a copy of the forms to be used in conducting maintenance and inspection activities,
  - i. Meets recordkeeping requirements (forms to be kept for 5 years).
  - j. Includes a copy of the form to be submitted annually by the project owner to the Public Works Department that certifies that the project's structural and treatment BMPs are being inspected and maintained in accordance with the project's WQMP.
3. Prior to the issuance of certificates for use of occupancy or final signoff by the Public Works Department, the applicant shall demonstrate to the satisfaction of Public Works, that the preparer of the WQMP has reviewed the BMP maintenance requirements in Section V of the WQMP with the responsible person and that a copy of the WQMP has been provided to that person. A certification letter from the WQMP preparer may be used to satisfy this condition.



4. Prior to issuance of building permits, the applicant shall review the approved Water Quality Management Plan (WQMP) and grading plan to ensure the structure's downspouts or drainage outlet locations are consistent with those documents. Copies of the building or architectural plans specifically showing the downspouts and drainage outlets shall be submitted to the Public Works Department for review.
5. The project applicant shall maintain all structural, treatment and low impact development BMPs at the frequency specified in the approved WQMP. Upon transfer of ownership or management responsibilities for the project site, the applicant shall notify the City of Orange Public Works Department of the new person(s) or entity responsible for maintenance of the BMPs.
6. Prior to the issuance of certificates for use of occupancy, the applicant shall demonstrate the following to the Public Works Department:
  - a. That all structural and treatment control best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with the approved plans and specifications,
  - b. That the applicant is prepared to implement all non-structural BMPs described in the Project WQMP,
  - c. That an adequate number of copies of the project's approved final Project WQMP are available for the future occupiers.

#### FIRE

1. Plans submitted for Building Plan Check shall comply with the California Fire Code as amended by the City and as frequently amended and in effect at the time of application for Building Permit.

#### WATER DIVISION

1. Prior to building permit issuance, the applicant shall submit improvement plans to the Water Division for review and approval for any new fire hydrants, domestic water services, fire services, landscape services, and any other proposed improvements or relocations affecting the public water system facilities.
2. Prior to issuance of the certificate of occupancy, the applicant shall be responsible for the installation of necessary fire hydrants and fire services as approved by the Fire Department and Water Division.
3. Prior to building permit issuance, the Water Division shall approve the type and location of landscaping and fire service (backflow prevention) device for proposed City services.
4. Prior to building permit issuance, construction documents shall show that a six foot minimum horizontal clearance and a one foot minimum vertical clearance would be maintained between City water mains, laterals, services, meters, fire hydrants and all other utilities except sewer. The Water Division shall review and approve the construction documents.

5. Prior to building permit issuance, construction documents shall show that an eight-foot minimum clearance is provided between City water mains, laterals, services, meters, fire hydrants, signs, or trees or other substantial shrubs and plants as required by the Water Division. The Water Division shall review and approve the construction documents.
6. Prior to building permit issuance, construction documents shall show that permanent signs, awning, surface water quality management features or other structures are not built over water mains, laterals, services, meters, or fire hydrants as required by the Water Division.
7. Prior to building permit issuance for the first phase of work, the applicant shall be responsible for obtaining approval all of the necessary encroachment permits from affected agencies for all public water construction work.
8. Prior to approval of a water improvement plan, the applicant shall satisfy all water main connection, plan check, and inspections charges as determined by the Water Division.
9. Prior to the issuance of any grading permit, the applicant shall construct all public and/or private improvements to the satisfaction of the Water Division. The applicant may be required to enter into an agreement with the City of Orange, and post security in a form and amount acceptable to the City Engineer and/or Water Division to ensure construction of said improvements.
10. Plans submitted during plan check shall show that the water improvement plans are consistent with the fire suppression plans and or fire master plan. The applicant's consultant preparing the water improvement plans shall coordinate their plans with the consultant preparing the fire suppression plans and/or fire master plan so that their designs concur.
11. Plans submitted during plan check shall show that the minimum separation requirements are met and that each of the various designer's plan sets match. The applicant's consultant preparing the improvement and utility plans shall coordinate their plans with the consultants preparing the landscape, architectural, surface water quality management, fire master and/or fire suppression plans so that their designs are consistent.
12. At least fourteen calendar days prior to commencing construction, the applicant's civil engineer shall prepare and provide product material submittals consistent with the water improvement plans for all proposed public water system facilities to the Water Division per the City of Orange General Water Construction Notes for review and approval.
13. Prior to issuance of certificate of occupancy, the applicant shall furnish and install individual pressure regulators on new services where the incoming pressure exceeds eighty-pounds per square inch.

#### COMMUNITY SERVICES

1. At building permit plan check, an irrigation plan shall be submitted that complies with the City's Landscape Standards and Specifications.

**ATTACHMENT C**  
**MITIGATION MONITORING AND REPORTING PROGRAM**

# MITIGATION MONITORING AND REPORTING PROGRAM

## ENVIRONMENTAL DOCUMENT REFERENCE NUMBER

**PROJECT NAME: NORTHERN GATEWAY COMMERCIAL CENTER**

**PROJECT LOCATION: 887 N. GLASSELL STREET**

**PROJECT DESCRIPTION:**

**LEAD AGENCY: CITY OF ORANGE**

**CONTACT PERSON/ TELEPHONE NO.: COMMUNITY DEVELOPMENT, 714-744-7220**

**APPLICANT: LEASON POMEROY III**

**CONTACT PERSON/ TELEPHONE NO.:**

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
Geology and Soils						
GEO-1	<p>Conformance with the California Building Code. All grading operations and construction shall be conducted in conformance with the current California Building Code (CBC), which includes consideration of the following issues: 1. Earthwork, including site preparation for structural areas (building pad) and sidewalks, pavements, and other flatwork areas; fill material; and temporary excavations. 2. Utility trenches. 3. Site drainage. 4. Seismic design parameters. 5. Allowable soil bearing capacities. 6. Lateral resistance. 7. Design settlement. 8. Footings and slabs. 9. Soil corrosion. 10. Exterior concrete flatwork design, including thickness and joint spacing, reinforcement, subgrade preparation, and drainage.</p> <p>Additional site testing and final design evaluation, if required by the City’s Building Official and/or Director of Public Works, or designee, shall be conducted by the Project geotechnical consultant to refine these</p>	During construction - Applicant	City of Orange			

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	<p>requirements. The Project Applicant shall require the Project geotechnical consultant to assess whether the requirements in that report need to be modified or refined to address any changes in the Project features that occur prior to the start of grading. If the Project geotechnical consultant identifies refinements to the requirements, the Project Applicant shall require appropriate changes to the final Project design and specifications. In such a situation, such refinements shall comply with all applicable City requirements.</p> <p>Grading plan review shall be conducted, and a grading permit issued by the City Engineer, or designee, prior to the start of grading to verify that the requirements developed during the geotechnical design evaluation have been appropriately incorporated into the Project plans. Design, grading, and construction shall be conducted in accordance with the requirements of the City's Standard Conditions at the time of grading, as well as the recommendations of the Project geotechnical consultant as summarized in a final report subject to review by the City Engineer, or designee, prior to the start of grading activities. On-site inspection during grading shall be conducted by the Project geotechnical consultant; the City Building Official, or designee; and the City Engineer, or designee, to ensure compliance with geotechnical specifications as incorporated into the Project plans.</p>					
<b>GEO/PA L-1</b>	If paleontological resources are encountered during Project excavation and no monitor is present, all ground-disturbing activities within 100 feet of the find shall be redirected to other areas until a qualified paleontologist can be retained to evaluate the find and	During construction - Applicant	City of Orange			

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	make recommendations for additional paleontological mitigation, which may include paleontological monitoring; collection of observed resources; preservation, stabilization, and identification of collected resources; curation of resources into a museum repository; and preparation of a final report documenting the monitoring methods and results to be submitted to the museum repository and the City. The Community Development Director shall be notified immediately if paleontological resources are encountered. Further, the Community Development Director shall review and approve a paleontological resources mitigation plan prior to resumption of work at that portion of the site.					
<b>Noise</b>						
<b>NOI-1</b>	<p>The Project contractor shall implement the following measures during construction of the Project:</p> <ul style="list-style-type: none"> <li>• Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.</li> <li>• Ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.</li> <li>• Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active Project site.</li> <li>• Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-</li> </ul>	During construction - Applicant	City of Orange			

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	<p>sensitive receptors nearest the active Project site during all construction activities.</p> <ul style="list-style-type: none"> <li>• Ensure that all general construction-related activities are restricted to between the hours of 7:00 a.m. and 8:00 p.m., Monday through Saturday, and between the hours of 9:00 a.m. and 8:00 p.m. on Sundays and federal holidays.</li> <li>• Designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The construction contractor shall visibly post a telephone number for the disturbance coordinator at the construction site.</li> <li>•</li> </ul>					
<b>NOI-2</b>	Prior to issuance of construction permits, the City of Orange Community Development Director, or designee, shall verify that the approved plans indicate that mechanical equipment (e.g., heating, ventilation, and air conditioning [HVAC]) shall have an A-weighted decibel (dBA) rating of less than 59 dBA when measured at 5 feet or be structurally insulated to ensure compliance with the City Noise Ordinance.	Prior to issuance of grading or building permits – Applicant and City of Orange	City of Orange			
<b>NOI-3</b>	Construction plans shall specify that the construction contractor shall use light construction equipment (e.g., small bulldozers and trucks) within 10 feet from the southern Project site boundary.	During construction - Applicant	City of Orange			

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
Tribal Cultural Resources						
TCR-1	Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation—the tribe that consulted on this project pursuant to Assembly Bill 52 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Orange Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on site during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the Project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American	Prior to any ground disturbing activities - Applicant	Kizh Nation and City of Orange			



No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	<p>in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project site, all ground disturbance shall immediately cease, and the County Coroner shall be notified per Public Resources Code Section 5097.98, and Health &amp; Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code Section 5097.98(d)(1) and (2). Work may continue on other parts of the Project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution</p>					

No.	Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
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	accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.					