

**ORANGE COUNTY ZONING ADMINISTRATOR  
SUMMARY MINUTES  
REGULAR HEARING DATE: May 2, 2019, 1:30 PM**

- I. Call to Order – Hearing called to order at 1:30 pm.**
- II. Minutes of April 4, 2019 – Approved**
- III. Discussion Item(s)**

**ITEM #1 PUBLIC HEARING – PA180026 – STAFF REQUEST FOR THE APPROVAL OF A SITE DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF THE FIRST PHASE OF A SINGLE MIXED-USE RETAIL AND RESIDENTIAL SITE; A PROJECT SPECIFIC ALTERNATIVE SITE DEVELOPMENT STANDARD FOR ARTERIAL HIGHWAY SETBACK TO 12 FEET, AND A PROJECT SPECIFIC ALTERNATIVE SITE DEVELOPMENT STANDARD FOR MODIFICATIONS TO OF-STREET PARKING REQUIREMENTS. APPLICANT: ESENCIA RETAIL, LLC. LOCATION: WITHIN RMV PLANNING AREA 2, SUBAREA 2.4, IN UNINCORPORATED ORANGE COUNTY, VTTM 17575.**

**Recommended Action(s):**

- a. Receive staff report and public testimony as appropriate, and;
- b. Find that Final EIR 589, previously certified on November 8, 2004; Addendum 1.0 (PA060023) approved July 2006, Addendum 1.1 (PA110003-06) approved February 24, 2011, and the Planning Area 2 Addendum (PA130001-06) certified March 27, 2013, reflect the independent judgment of the County and are adequate to satisfy the requirements of CEQA for approval of PA180026, which is a necessarily included element contemplated as part of the whole of the action considered in Final EIR 589, Addendum 1.0, Addendum 1.1, and the Planning Area 2 Addendum.
  - a. The circumstances of the project are substantially the same as described in Final EIR 589, Addendum 1.0, Addendum 1.1, and the Planning Area 2 Addendum which adequately addressed the effects of the project proposed in PA180026. No substantial changes have been made in the project that involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes have occurred in the circumstances under which the project is being undertaken, that involve new significant environmental effects or a substantial increase in the severity of previously identified environmental effects; and no new information of substantial importance to the project which was not known or could not have been known when Final EIR 589, Addendum 1.0, Addendum 1.1, and the

Planning Area 2 Addendum were certified and approved has become known; therefore, no further environmental review is required.

- b. Final EIR 589, Addendum 1.0, Addendum 1.1, and the Planning Area 2 Addendum are adequate to satisfy the requirements of CEQA for PA180026.
  - c. All mitigation measures are fully enforceable pursuant to Public Resources Code section 21081.6(b) and have either been adopted as conditions, incorporated as part of the project design, or included in the procedures of project implementation.
- c. Approve Planning Application PA180026 for a Site Development Permit subject to the attached Findings and Conditions of Approval.

**Special Notes:**

Robert Zegarra, Planner provided a presentation and answered questions of the Associate Zoning Administrator. The Associate Zoning Administrator asked Mr. Jay Bullock, Vice President, Planning and Entitlement, questions regarding the submitted parking study/analysis and asked Mr. Bullock if he would be averse to adding a condition requiring re-submittal of a copy of the parking study/analysis that is signed and stamped by the Traffic Engineer who performed the analysis (originally submitted study was neither stamped nor signed). Mr. Bullock answered questions of the Associate Zoning Administrator, agreed to submit a revised signed and stamped copy of the parking study/analysis, and reviewed and accepted the Findings and Conditions of Approval as amended.

The following is the action taken by the Orange County Associate Zoning Administrator, Jerry Olivera, approve PA 180026 as stated in the recommended actions and applicant must submit a signed, stamped traffic study prior to the issuance of building permits.

APPROVE   
DENIED

OTHER

**ITEM #2 PUBLIC HEARING – PA190001 – A REQUEST FOR THE APPROVAL OF A COASTAL DEVELOPMENT PERMIT FOR THE DEMOLITION OF AN EXISTING RESIDENCE AND CONSTRUCTION OF THE NEW SINGLE-FAMILY DWELLING; A USE PERMIT FOR OVER-HEIGHT RETAINING WALLS WITHIN THE REAR SETBACK AREA AND AN OVER-HEIGHT MAILBOX PEDESTAL; AND A THE VARIANCE TO FRONT AND REAR SETBACKS TO 5 FEET – APPLICANT – BRIAN FLORNES – LOCATION – 1100 EMERALD BAY, EMERALD BAY, IN THE FIFTH SUPERVISORIAL DISTRICT.**

**Recommended Action(s):**

- a) Receive staff report and public testimony as appropriate; and
  
- b) Find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), under the Class 1 (Existing Facilities), Class 2 (Replacement or Reconstruction) and Class 3 (New Construction or Conversion of Small Structures) exemptions pursuant to Sections 15301, 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange e procedures; and
  
- c) Approve Planning PA190001 for a Coastal Development Permit, Use Permit and Variance subject to the attached Findings and Conditions of Approval.

**Special Notes:**

Kevin Canning, Planner provided a presentation and answered questions of the Associate Zoning Administrator. Mr. Canning noted that he will make corrections on pg. 5 of the staff report. The corrected paragraph is below:

Coastal Development Permit

The project would permit demolition of the existing residence and the construction of a new three-level single-family residence and would include a total of 4,800 cubic yards with 4,700 cubic yards of export. The proposed development pad for the site would be lowered from that existing so that slopes along the street would be reduced from approximately 15 to 20 feet down to approximately 3 to 5 feet.

The following is the action taken by the Orange County Associate Zoning Administrator, Jerry Olivera.

APPROVE   
DENIED

OTHER

**ITEM #3 PUBLIC HEARING – PA180033 – A REQUEST FOR THE APPROVAL OF A COASTAL DEVELOPMENT PERMIT A REMODEL TO INCREASE THE EXISTING FLOOR AREA BY MORE THAN 10%; A LOT LINE ADJUSTMENT TO MODIFY THREE EXISTING LEGAL BUILDING SITES INTO TWO LEGAL BUILDING SITES; A USE PERMIT FOR A PROPOSED OVER-HEIGHT WALL WITHIN THE FRONT SETBACK; A USE PERMIT TO REDUCE THE MINIMUM DRIVEWAY LENGTH TO 14 FEET; AND A VARIANCE TO REDUCE THE REQUIRED FRONT, SIDE AND REAR SETBACK AREAS. – APPLICANT – PETER FOX – LOCATION – 221 EMERALD BAY, EMERALD BAY, IN THE FIFTH SUPERVISORIAL DISTRICT.**

**Recommended Action(s):**

- a) Receive staff report and public testimony as appropriate; and
  
- b) Find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), under the Class 1 (*Existing Facilities*), Class 2 (*Replacement or Reconstruction*) and Class 3 (*New Construction or Conversion of Small Structures*) exemptions pursuant to Sections 15301, 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures; and,
  
- c) Recommend approval of Lot Line Adjustment LLA2019-07 by the Planning Director; and,
  
- d) Approve Planning PA190001 for a Coastal Development Permit, Use Permit and Variance subject to the attached Findings and Conditions of Approval.

**Special Notes:**

Kevin Canning, Planner provided a presentation and answered questions of the Associate Zoning Administrator. Paul Shaver, agent, has reviewed and accepted the Findings and Conditions of Approval.

The following is the action taken by the Orange County Associate Zoning Administrator, Jerry Olivera.

APPROVE   
DENIED

OTHER

**Public Comments:**

None

**The May 2, 2019 Zoning Administrator hearing adjourned at 2:15 pm.**