



**ORANGE COUNTY ZONING ADMINISTRATOR
SUMMARY MINUTES
REGULAR HEARING DATE: May 20, 2021, 1:30 PM**

- I. Call to Order – Hearing called to order at 1:30 pm. Staff and members of the public participated in person, practicing social distancing, and were also invited to participate via WebEx phone call.**
- II. Minutes of March 4, 2021 – Approved by Zoning Administrator, Laree Alonso**
- II. Discussion Item(s)**

ITEM #1 PUBLIC HEARING – PA20-0201 – APPLICANTS – SCOTT AND PAULA BOWER – AGENT - ERIC TRABERT & ASSOCIATES - LOCATION – 191 EMERALD BAY, WITHIN THE EMERALD BAY COMMUNITY, IN THE 5TH SUPERVISORIAL DISTRICT (APN 053-040-22).

A request for a Coastal Development Permit, Use Permit and Variance approvals in conjunction with the demolition of an existing residence and construction of a three-level single-family residence with attached tandem garage. The Coastal Development Permit is required to demolish the existing single-family dwelling and construct a new single-family dwelling in the Emerald Bay Local Coastal Plan area, with associated grading. The Variance is to reduce the front yard setback from the required 16 feet 7 inches setback for a shallow lot to 13 feet for a portion of the structure and to reduce the rear yard setback from the required 15 feet to 8 feet A Use Permit is required to address proposed over-height retaining walls for the project. Proposed 5-foot walls within the front yard setback for the project would exceed the 3.5-foot height limitation of the Zoning Code. A Use Permit is also required to allow an exception to the maximum building height of 35 feet to permit a minor architectural projection of 2 feet on a portion of the roof area.

Recommended Action(s):

1. Receive staff report and public testimony as appropriate, and.
2. 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,

- 3. Approve Planning Application PA20-0201 for a Coastal Development Permit, Variance and Use Permit subject to the attached Findings and Conditions of Approval.

Special Notes:

Kevin Canning, Planner provided a presentation and answered questions from the Zoning Administrator. One resident of Emerald Bay raised concerns of the location of the garage and any potential line-of-sight safety issues. Mr. Canning responded that the construction plans would be required to demonstrate compliance with the County’s line-of-sight criteria.

The following is the action taken by the Orange County Zoning Administrator, Laree Alonso:

Approve Planning Application PA20-0201 for a Coastal Development Permit, Variance and Use Permit subject to the attached Findings and Conditions of Approval.

APPROVE
DENIED

OTHER

ITEM #2 PUBLIC HEARING - PA20-0048 – APPLICANT – RANCHO MISSION VIEJO – AGENT- JAY BULLOCK - LOCATION – RANCH PLAN PLANNED COMMUNITY, PA3.1, WITHIN THE 5TH SUPERVISORIAL DISTRICT.

Applicant Rancho Mission Viejo request approval of a Site Development Permit to allow for the development of the development of 73 Planned Concept Detached Single-Family Dwellings on an 8.14-acre site, a model home sales complex, and a Project Specific Alternative Site Development Standard. The Project Specific Alternative Site Development Standard would allow for 8.2-foot aggregate setbacks and 8.2-foot building separations where 10-foot aggregate setbacks and 10-foot building separations are the minimum required.

Recommended Action(s):

- 1. Receive staff report and public testimony as appropriate, and;



2. 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, the Planning Area 2 Addendum (PA130001-06) approved March 27, 2013, and Addendum 3.1 (PA140072-81) approved February 25, 2015, reflect the independent judgment of the County and are adequate to satisfy the requirements of CEQA for approval of PA20-0048, 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, the Planning Area 2 Addendum, and Addendum 3.1.
 - a. The circumstances of the project are substantially the same as described in Final EIR 589, Addendum 1.0, Addendum 1.1, the Planning Area 2 Addendum, and Addendum 3.1, which adequately addressed the effects of the project proposed in PA20-0048. 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, the Planning Area 2 Addendum, and Addendum 3.1 were certified and approved has become known; therefore, no further environmental review is required.
 - b. Final EIR 589, Addendum 1.0, Addendum 1.1, the Planning Area 2 Addendum, and Addendum 3.1 are adequate to satisfy the requirements of CEQA for PA20-0048.
 - 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.
3. Approve Planning Application PA20-0048, subject to the attached Findings and Conditions of Approval.

Special Notes:

Robert Zegarra, Planner provided a presentation and answered questions from the Zoning Administrator. Jay Bullock, representing the applicant answered questions of the Zoning Administer and stated that he has read and accepts the Conditions of Approval.



The following is the action taken by the Orange County Zoning Administrator, Laree Alonso:

Approve Planning Application PA20-0048 for a Site Development Permit and a Project Specific Alternative Site Development Standard, subject to the attached Findings and Conditions of Approval

APPROVE

OTHER

DENIED

IV. Public Comments:

- None

V. Adjournment:

The May 20, 2021 Zoning Administrator hearing adjourned at 2:17 pm.