



OC DEVELOPMENT SERVICES REPORT

ITEM # 2

DATE: June 14, 2023

TO: Orange County Planning Commission

FROM: OC Development Services / Planning

SUBJECT: PA22-0015 – Area Plan Amendment and Site Development Permit to permit the construction of two new single-family residences on Lots 4 and 7 of TR 14749.

PROPOSAL: The applicant seeks an Area Plan Amendment and Site Development Permit to allow for the development of two new single-family residences with associated accessory structures on 20062 Summit Trail (APN 856-171-08) and 19942 Summit Trail (APN 856-171-04)

ZONING: Foothill/Trabuco Specific Plan; Trabuco Canyon Residential District (F/TSP TCR)

GENERAL PLAN: 1A “Rural Residential”

LOCATION: The project is located at 20062 Summit Trail and 19942 Summit Trail in the Foothill/Trabuco community, within the Third (3rd) Supervisorial District.

APPLICANT: Linda Sandusky, Applicant
Bruce Goren, Property Owner

STAFF CONTACT: Ilene Lundfelt, Associate Planner
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Email: Ilene.Lundfelt@ocpw.ocgov.com

RECOMMENDED ACTIONS

OC Development Services/Planning recommends that the Planning Commission:

1. Receive staff report and public testimony as appropriate; and,
2. Find that the proposed project is statutorily exempt under California Code of Regulations Title 14, Section 15182 and Government Code Section 65457(a), which exempts residential development projects that are consistent with a specific plan for which an environmental impact report (EIR)

was certified after January 1, 1980. Final EIR No. 531 for the Foothill/Trabuco Specific Plan, was certified by the Board of Supervisors on December 10, 1991 and as such this residential development is consistent with a specific plan for which an environmental impact report (EIR) was certified after January 1, 1980; and

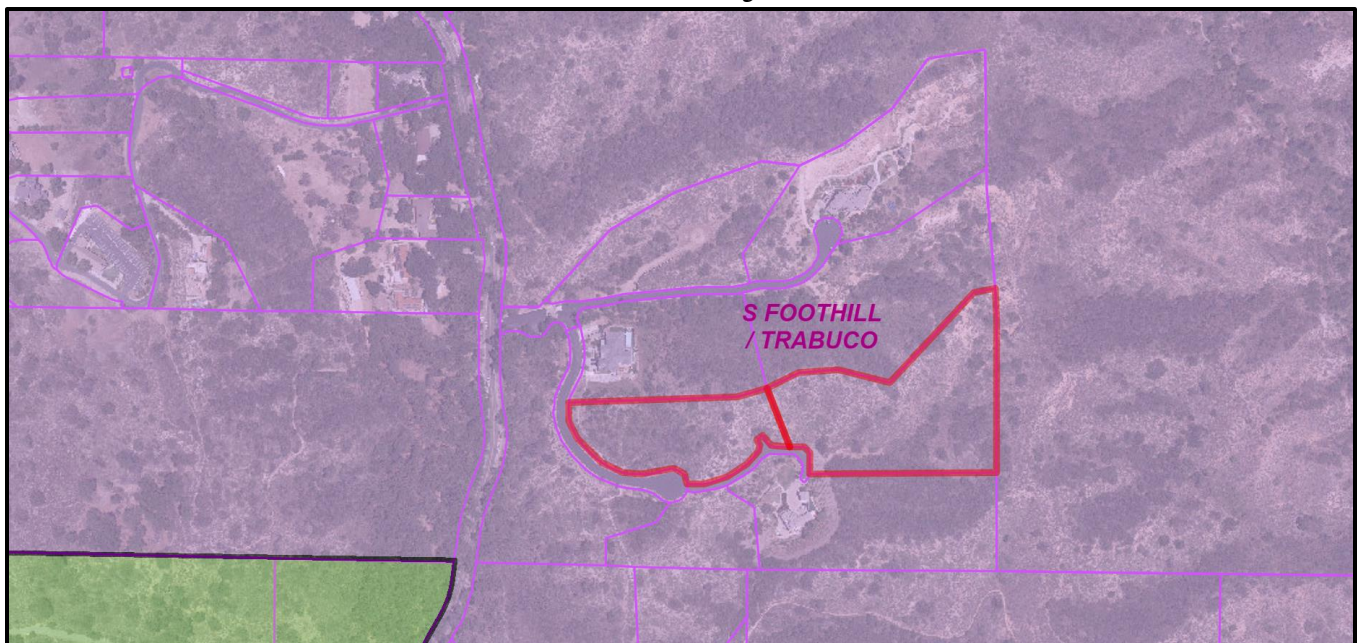
3. Approve Planning Application PA22-0015, Area Plan Amendment to amend AP92-04; and
4. Approve Planning Application PA22-0015, Site Development Permit for the development of two new single-family residences with associated accessory structures on 20062 Summit Trail (APN 856-171-08) and 19942 Summit Trail (APN 856-171-04) subject to the attached Findings and Conditions of Approval.

BACKGROUND AND EXISTING CONDITIONS

Area Plan/Site Plan AP92-04P/SP91-75P was approved by the Board of Supervisors on October 19, 1993 (Board of Supervisors Resolution No. 93-1182) to allow for the future subdivision of nine (9) lots for the purposes of the development of detached residential structures. Tentative Tract Map (TTM) 14749 was approved for subdivision into nine (9) residential lots on January 17, 1996. Revised Conditions of Approval for TTM 14749 were approved on October 30, 1996. TTM 14749 was recorded on July 6, 2004. The required scenic open space dedication was recorded by this instrument.

There are currently three lots that have been developed in the tract.

Aerial of the Project Site



PROPOSED PROJECT

The applicant is seeking an Amendment to Area Plan 92-04 (AP92-04). AP 92-04 was to establish baseline grading quantities and pad areas for the main residential structures on TR 14749. AP92-04 was approved by the Board of Supervisors on October 19, 1993. This amendment is intended to revise the grading baseline for Lot 4 to be able to construct this project and be consistent with the residential architectural guidelines of the F/TSP.

The applicant is also seeking a Site Development Permit for new single-family residences on Lot 4 and 7 of TR14749. On Lot 4, the applicant is proposing a 6,502 square feet (sq. ft) three-story residence with an attached 4-car garage and a 562 sq. ft. attached casita. This residence will require approximately 666 cubic yards (cu. yds) of cut and 1,038 cu. yds. of fill. The applicant will also revise the existing scenic easement area on the lot to allow for a construction of a walkway and retaining wall by removing 2106 sq. ft. from the existing recorded map and adding 2,112 sq. ft of new area, thereby creating a net addition of area to the scenic easement.

On Lot 7, the applicant is proposing a 5,579 square feet two-story home with an attached 3-car garage with a detached 533 sq. ft. guesthouse. This home will require approximately 2,087 cu. yds. of cut, 581 cu. yds. of fill, and 1,506 cu. yds. of export.

SURROUNDING LAND USES

The subject site is residential use and is zoned F/TSP – Trabuco Canyon Residential District (F/TSP – TCR). The surrounding properties are also zoned F/TSP - TCR. Surrounding the project site are single-family residences and vacant properties. The zoning and existing land use for the project site and surrounding properties are as follows:

Direction	Land Use Designation/Zoning	Existing Land Use
Project Sites	F/TSP - TCR	Vacant
North	F/TSP - TCR	Single-Family Dwelling
South	F/TSP - TCR	Single-Family Dwelling
East	F/TSP - TCR	Vacant
West	F/TSP - TCR	Vacant

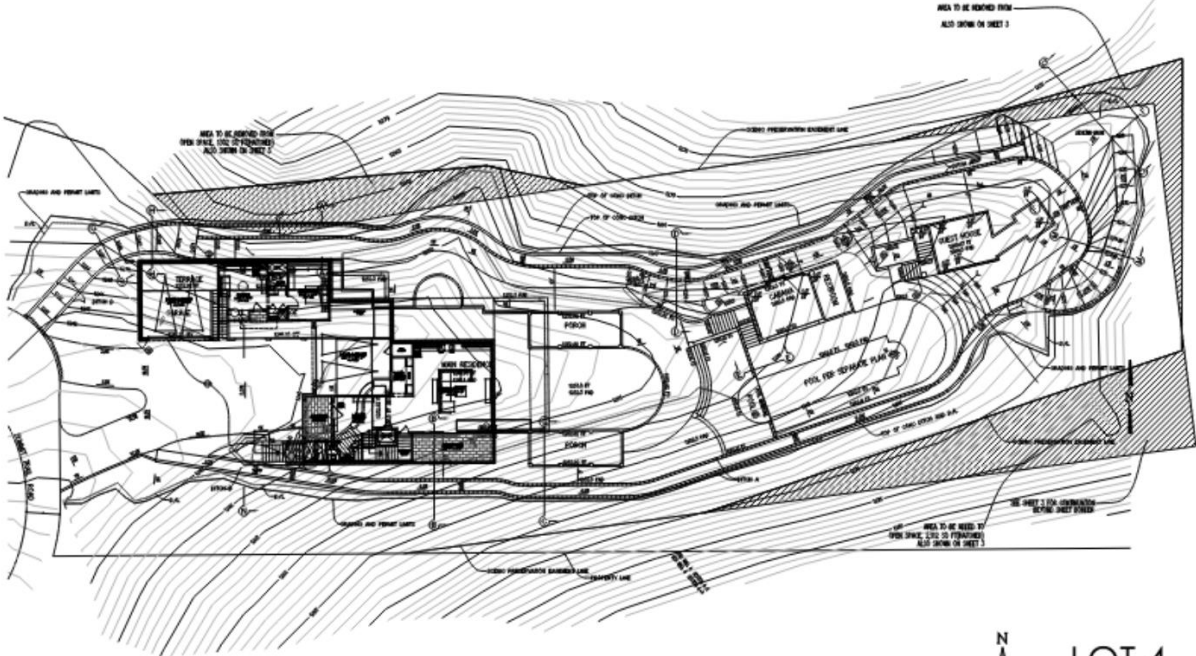
DISCUSSION/ANALYSIS

Below is a table comparing the development standards of the F/TSP – TCR for the proposed project:

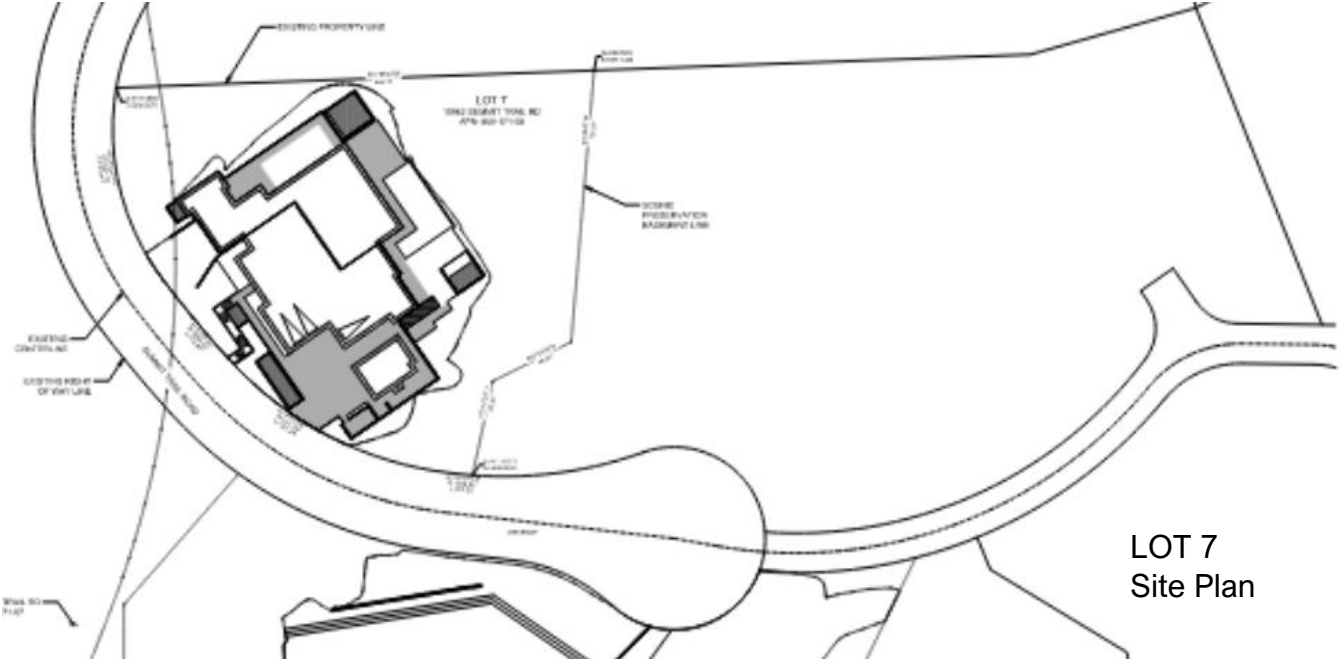
STANDARD	Requirement	PROPOSED	
		Lot 4	Lot 7
Building Site Area	2 Acres	4.49 Acres	2.46 Acres
Open Space Dedication	66% of the project area	81%	68%
Structural Front Setback	20 feet minimum	50 feet	22 feet
Structural Left-Side Setback	15 feet minimum	195 feet	15 feet
Structural Right-Side Setback	15 feet minimum	27 feet	75 feet
Structural Rear Setback	20 feet minimum	383 feet	434 feet
Off-Street Parking requirement	2 Covered Parking	4 covered parking	3 covered parking
Grading	Established from AP92-04 Lot 4 – Cut: 0 cu. yds Fill: 1,235 cu. yds Lot 7 - Cut: 2,181 cu. yds.	Cut: 666 cu. yds * Net Fill: 1,038 cu. yds	Cut: 2087 cu. yds Fill: 581 cu. yds Export: 1,506 cu. yds

*Area Plan Amendment

Site Plan



N
LOT 4
SITE PLAN
SCALE 3/32" = 1'-0"



LOT 7
Site Plan

Amendment to Area Plan 92-04

Area Plan/Site Plan AP92-04P/SP91-75P was approved by the Board of Supervisors on October 19, 1993. Under Condition 5B it states:

This condition applies to Lots #4, #5, #6, #7, and #8 only. Prior to the approval of a grading or building permit for habitable structures for Lots #4, #5, #6, #7, and #8, the applicant shall submit a site development permit, per the requirements of the Foothill/Trabuco Specific Plan. Such site development permit shall include, but no the limited to, the precise location of all structures and uses, precious landscaping plan, precise landscaping plan, precise fuel modification plan and program, precise grading plan, and architectural plans for all structures, all to be approved by the Planning Commission after a public hearing. A site development permit for all building sites need not be approved in order to issue a building or grading permit for any one site. Also, this condition does not apply to grading of roads and driveways necessary to access each proposed building pad.

The grading volumes and design described in AP92-004 represent the maximum limits for grading for each building site which may be further restricted by subsequent site development permits for individual lots. Off-site grading for each building site is allowed if related directly to the grading necessary to implement the precise grading plan for the subject building site. Such off-site grading shall be shown on the site development permit approved by the Planning Commission.

The “limit of development” and building pad shown on AP92-004 for each building site is the maximum envelope for the location of the main residence which may be further restricted by subsequent site development permits.

Under the current approved Area Plan 92-04, Lot 4 does not allow for any cut and 1,235 cu. yds. of fill. The applicant requests an amendment to Area Plan 92-04 to cut approximately 666 cu. yds. in Lot 4 this would allow the proposed residence to blend into the terrain and would be more consistent with the architectural guidelines of the F/TSP. The total cut would not exceed the grand total of cut which is 7,347 cu. yds allowed by Area Plan 92-04 and all the F/TSP requirements for the TCR district are being satisfied. If the amendment is approved; the quantity of cut will be allocated from a future development to ensure that maximum grading quantities will be consistent with the approved Area Plan.

Site Development Permit

Section 6.3 of the TCR district of the F/TSP requires Planning Commission approval of a Site Development Permit for single-family dwellings. The proposed project complies with the County of Orange's Zoning Code and F/TSP's site development standards, as shown from the table above.

The applicant is requesting the scenic preservation area in Lot 4 to allow for the creation of a walkway and masonry wall on the north side of the property and for this revision to comply with current Orange County Fire Authority (OCFA) standards. The request will remove 2,106 sq. ft. of area from the existing approved scenic preservation area and add 2,112 sq. ft. to the scenic preservation area, for a total of 160,032 sq. ft.

Consistency with Foothill /Trabuco Specific Plan Resource Criteria

The purpose and intent of the Resource Criteria is to preserve and minimize impact on significant regional resources.

Section 2.0 Wildlife Corridors

As described by the F/TSP, the purpose of wildlife corridors is to ensure the future viability and movement of wildlife through preservation of necessary habitat and wildlife movement areas. Parcels within a wildlife corridor area or parcels within 150 feet of a wildlife area are required to submit a site-specific wildlife corridor analysis prepared by a biologist. The project site is not located within 150' an F/TSP mapped wildlife corridor area as mapped on FTSP Exhibit II-3 (Attachment 6).

Section 3.0 Oak Woodlands

The purpose of the oak woodlands designation is to ensure the preservation of significant stands of oak woodlands. Parcels within 100 feet of any designated oak woodlands shall be required to prepare a site-specific oak woodlands analysis prepared by a qualified biologist/arborist to determine the precise boundary of the oak woodlands. The developed site is not located within oak woodland as mapped on F/TSP Exhibit II-4 (Attachment 6). The F/TSP requires a Tree Management/Preservation Plan when any oaks are proposed to be removed, also identifying trees to be preserved. The project does not propose removal of any trees.

Section 4.0 Streambeds

The streambed preservation designation is to provide for the preservation of stream channels in their natural condition. The primary objective of including streambeds within the Resources Overlay Component is to minimize the need for structures which would alter the natural condition of any designated streambeds. The project site is not located adjacent to or within a streambed as mapped on F/TSP Exhibit II-5 (Attachment 6).

Section 5.0 Visual Resources – Major Ridgelines & Major Rock Outcroppings

The F/TSP designates major ridgelines and major rock outcroppings. It specifies that no structure shall be located closer to the centerline of any ridgeline or rock outcropping than 200' horizontally on a topographic map and 50' measured vertically on a cross section. The project site is not located adjacent to or within a major ridgeline or rock outcropping as mapped on F/TSP Exhibit II-6 (Attachment 6).

Section 5.2 Scenic Roadway Corridors

The scenic roadway corridors specified by the F/TSP are Santiago Canyon Road, Live Oak Canyon Road, and Trabuco Canyon Road. Greater development setbacks are required adjacent to these roads. Additionally, projects adjacent to these roads are required to prepare a viewshed analysis. The project site is on adjacent to a Scenic Roadway Corridor as mapped on F/TSP Exhibit II-7 (Attachment 6) but out of the scenic corridor setback.

Section E.1.b Landscaping

The FTSP (Section E.1.b) requires submittal of a landscape plan in conformance with County standard procedures. A Condition of Approval (9) is recommended to implement the Landscape Plan consistent with County Landscape Irrigation Code and Implementation Guidelines. The plan shall be prepared by a licensed professional in the State of California and shall include criteria for its installation and irrigation if necessary until it is fully established. The preparer shall consider the use of appropriate plants designated in the F/TSP Plant Palette. The Landscape Plan will be subject to the review and approval of the Manager, Development Services.

Section E.2 Fuel Modification Regulations

The project site is located within a High Fire Hazard Severity Zone. Orange County Fire Authority has reviewed the project and determined that a Fuel Modification Plan is required. Construction of the new residence will be subject to all applicable OCFA fire prevention requirements as determined through the plan check review process, including review and approval of the Fuel Modification plan.

Section IV.E Design Guidelines – Architectural Guidelines

It should be noted that the Design Guidelines are intended to serve as a supplement to the F/TSP to encourage property owners to develop innovative and creative design solutions for rural hillside development. Section IV.E.1.b. requires that architectural treatment should be provided on all sides of residential structures. Elements of architectural treatment used on the front façade should be repeated on all sides of the structure with additional emphasis on those elevations which are visible from public rights-of-way.

The applicant is proposing a rustic style architecture installing metal roof and stucco finishes. There are decorative stucco accents and rafters that have been incorporated into the design of home to avoid large expanses of single material on walls and paved areas. The applicant has also designed the home to blend with the curvature of the existing hillside.

Section IV.E.1.e requires the use of natural indigenous materials found in the FTSP area (plant materials, rocks, soils) as the basis for selecting colors, textures and materials for residential construction.

The primary material finishes that are being proposed for the residential construction is painted stucco. The proposed materials and finishes are consistent with the intent of the FTSP Design Guidelines.

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

A copy of the planning application and proposed site plan were distributed for review and comment to County Divisions (the Building Official, Building/Grading Plan Check, Watersheds, Flood, and Traffic Engineering), OCFA, and the Foothill/Trabuco Specific Plan Review Board (F/TSPRB).

The applicable County Divisions have reviewed the project and consented to referral of the item to both the F/TSPRB and Planning Commission for consideration and action.

The F/TSPRB reviewed the application and approved (5-0) the current plans on March 8, 2023. Their draft meeting minutes are included as Attachment 5.

Staff has reviewed all comments received, and where appropriate, has addressed the comments through recommended Conditions of Approval, which are provided as Attachment 2. Public notices were mailed to all owners of record within 300 feet of the subject property, and posted in front of the project site, at the County Administration South (CAS) building located at 601 N. Ross St., and the notice was published in a local publication at least ten days prior to this public hearing, as required by established public hearing posting procedures.

CEQA COMPLIANCE:

The Board of Supervisors adopted the Foothill/Trabuco Specific Plan, Ordinance No. 3851, and certified Environmental Impact Report No. 531 on December 10, 1991.

Government Code and the California Environmental Quality Act (CEQA) both provide exemptions for specified residential projects that are consistent with specific plans for which an Environmental Impact Report (EIR) has been certified. Government Code Section 65457(a) exempts a residential development project that is consistent with a specific plan for which an environmental impact report (EIR) was certified after January 1, 1980. In addition, Title 14, Section 15182 of the California Code of Regulations (State CEQA Guidelines) exempts certain residential projects that are consistent with a specific plan for which an EIR has been prepared after January 1, 1980.

PA22-0015 is statutorily exempt from the provisions of CEQA based upon the following findings:

- Final EIR No. 531 was certified after January 1, 1980, and therefore, the project is eligible for an exemption under Section 15182 of the California Code of Regulations and Government Code Section 65457(a); and,
- The project characteristics are consistent with the applicable specific plan, the F/TSP for which an EIR was certified; and,
- This project is consistent with all applicable Regulations and Guidelines of the F/TSP as shown by the F/TSP Specific Plan Project Consistency Checklist (Attachment 7); and,

- An event described in Section 15162 of the State CEQA Guidelines has not occurred such that the exemption granted under State CEQA Guidelines Section 15182 would not apply; and,
- An event described in Public Resources Code Section 21166 of has not occurred such that the exemption granted under Government Code Section 65457(a) would not apply.,

CONCLUSION:

Staff has analyzed the proposed project and concluded that the size and scale of the proposed project is not detrimental to surrounding land uses and has been planned in a manner that is the least intrusive, both on the project site and to the surrounding community. Staff therefore supports the applicant's proposal and recommends approval of Planning Application PA22-0015 for a Site Development Permit and Area Plan Amendment subject to Findings and Conditions of Approval provided as Attachments #1 and #2 to this report.

Submitted by:



Ilene Lundfelt, Associate Planner
OC Public Works/Development Services

Approved by:



Justin Kirk, Deputy Director
OC Public Works/Development Services

ATTACHMENTS:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Applicant's Letter of Explanation
4. Notice of Exemption PA22-0015
5. Minutes from the March 8, 2023, Foothill/Trabuco Specific Plan Review Board
6. Resource Overlay Maps
7. FTSP Consistency Checklist
8. Site Plans
9. Site Aerial

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Planning Commission on this permit to the Orange County Board of Supervisors within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$500 filed at the County Service Center, 601 N. Ross Street, Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to OC Development Services/Planning Division.