



# ORANGE COUNTY Public Works MEMORANDUM

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**DATE:** April 10, 2024 (Meeting Date)  
**TO:** Coto de Caza Planning Advisory Committee  
**FROM:** Kevin Canning, Contract Planner  
[Kevin.Canning@ocpw.ocgov.com](mailto:Kevin.Canning@ocpw.ocgov.com)  
**SUBJECT:** PA24-0021 - An Administrative Site Development Permit to the Director to establish/legalize a community facility within the Village. Project site is 23882 Via Ortega (Via Ortega at Via Coyote).

## RECOMMENDATION

By motion find that:

- The Coto Planning Advisory Committee has reviewed and discussed the proposed project and received public comments on the proposal and finds that the proposed project is consistent with the Coto de Caza Specific Plan; and
- The Committee recommends that the Director approve the proposed Site Development Permit to establish/legalize the existing improvements as a community facility.

## BACKGROUND and SUMMARY

In response to an anonymous community complaint received, it was determined that the 'tough shed' structures located at the subject site had been placed there without proper building permits. As a necessary precursor to the issuance of the building permits to legalize the structures, it must be established that the structures represent a permitted use within the applicable zoning district. The site is zoned Medium Density Residential under the Specific Plan, which permits the establishment of 'community facilities' subject to the administrative approval of a Site Development Permit by the Director. A community facility is a broadly defined term that can apply to a collection of structures and/or uses that are intended to provide some benefit to the community. Types of uses that could qualify as 'community facilities' could range widely from something as large as a community seniors center down to an HOA's community support facility.

## PROPOSAL

The approval of the Site Development Permit would legitimize the use(s) which have existed on this site for several decades and which benefit the Coto de Caza Community Association and Village area residents and homeowners. This approval would allow the Association to formalize the long-standing uses, to secure the necessary building permits and will also add opportunities for improved use and access to portions of the Association's open space areas for its homeowners.

## PROJECT DISCUSSION

As noted, the HOA has utilized this site for many years for the storage of miscellaneous landscaping support equipment, street and traffic signage, and community support



materials such as tables and chairs used for community events. The lot also provides a limited amount of off-street parking for service vehicles and, at times, for community residents.

The subject approval would formally establish the use of the site as a community facility, as permitted by the Coto Specific Plan, and allow all subsequent zoning and building permit applications to be processed and approved. At this time, the County's Building Services Department has not identified any restrictions to the issuance of the 'retro-permits' other than the zoning consistency that is the subject of this application. This approval could also establish certain limitations on the use of the site, such as a limitation of parking to daylight hours only, although it is noted that the Association has in the past enforced (towed) vehicles that parked overnight on the site.

The Association had submitted an initial description of the proposed uses and limitations for the site. However, in response to comments and concerns submitted by the immediate neighbor, the Association Board further discussed the proposal at a Board meeting to address the comments received. Attached for the Committee's information is the Association's revised proposal letter including a list of the proposed conditions and limitations to be self-imposed. Also included are the initial and subsequent comments from Mr. Sohn as well as the Association's Board response to the additional comments.

At this time, Planning staff is supportive of the proposed continued use of the site as a proper and valid community facility, subject to additional and on-going discussions to address potential nuisance issues through redesign or appropriate limitations.

### **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from CEQA Class 1 Existing Facilities pursuant to CEQA Guidelines Section 15301. The exemption provides for operation or minor alteration of private structures or facilities involving negligible or no expansion of existing use.

If you have any questions, please contact me at (714) 667-8847 or [Kevin.Canning@ocpw.ocgov.com](mailto:Kevin.Canning@ocpw.ocgov.com)

#### **Attachments:**

- 1A. Applicant's revised proposal letter and attachments
- 1B. Historic Aerials
2. Comments and materials received from David Sohn (February 2024)
3. Additional Comments from David Sohn (March 2024)
4. Board Response to Additional Comments
5. Miscellaneous public comment