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**ITEM # 1**

**OC DEVELOPMENT SERVICES REPORT**

**DATE:** May 22, 2024

**TO:** Orange County Planning Commission

**FROM:** OC Development Services/Land Development Division

**SUBJECT:** Public Hearing on Planning Application PA23-0032 to amend the existing Ranch Plan Planned Community – Wide Alternative Development Standards (ADS).

**PROPOSAL:** The applicant, Rancho Mission Viejo Community Development, LLC, requests Planning Commission approval of revisions to the Ranch Plan Community-Wide Alternative Development Standard (ADS) approved on December 14, 2022. The proposed revisions are as follows:

- 1) D-3 – Revisions to referenced OC Zoning Code sections
- 2) D-9 – Revisions to referenced OC Zoning Code sections and add in supporting text due to revised Zoning Code references
- 3) D-10 - Revisions to referenced OC Zoning Code sections and add in supporting text due to revised Zoning Code references
- 4) D-11 – Revisions to referenced OC Zoning Code sections
- 5) D-12 – Revisions to referenced OC Zoning Code sections
- 6) D-13 – Revisions to referenced OC Zoning Code sections
- 7) D-15 – Revisions to referenced OC Zoning Code sections

**ZONING:** Ranch Plan Planned Community

**GENERAL PLAN:** 1B Suburban Residential  
6 Urban Activity Center

**LOCATION:** The project site, the Ranch Plan Planned Community, is located in southeastern unincorporated Orange County. It is located east of I-5, north and south of Ortega Highway near Antonio Parkway/La Pata Avenue, within the 5<sup>th</sup> Supervisorial District.

**APPLICANT:** RMV Community Development, LLC  
Jay Bullock, Vice President, Planning & Entitlements

**STAFF CONTACT:** Robert Zegarra, Contract Planner, Land Development Division  
Phone: (714) 667-8893  
Email: [Robert.Zegarra@ocpw.ocgov.com](mailto:Robert.Zegarra@ocpw.ocgov.com)

**SYNOPSIS:**

With regard to Planning Application PA23-0032, OC Development Services recommends Planning Commission approval of revisions to Alternative Development Standards (ADS) D-3, D-9, D-10, D-11, D-12, D-13, and D-15, as recommended by staff, subject to the attached Findings and Conditions of Approval.

**BACKGROUND AND EXISTING CONDITIONS:**

In November 2004, the County of Orange approved the Ranch Plan Planned Community (Ranch), which encompasses approximately 22,815 acres located east of I-5, north and south of Ortega Highway at Antonio Parkway /La Pata Avenue, within the 5th Supervisorial District (see The Ranch Plan Planned Community Exhibit, on page 3). As approved, the Ranch Plan Planned Community encompasses 75 percent permanent open space, with development approval of 14,000 dwelling units and 5,200,000 square feet (SF) of non-residential uses allowed within the remaining 25 percent. The area is regulated by the Ranch Plan PC Program Text which addresses the unique characteristics of the property and a development plan for the transition to suburban/urban uses occurring over a 25 to 30-year period.

**PROJECT PROPOSAL SUMMARY:**

The applicant, Rancho Mission Viejo Community Development, LLC (RMV), requests Planning Commission approval of proposed revisions to Alternative Development Standards (ADS) D-3, D-9, D-10, D-11, D-12, D-13, and D-15. The applicant and County staff have evaluated the Ranch Plan Planned Community guidelines implemented in Planning Areas 1 and 2, and Planning subareas 3.1, 3.2a and 3.2b of the Ranch Plan, and identified several areas where revisions to the Ranch Plan ADS are appropriate.

Pursuant to Development Agreement (DA) 04-01, the applicant has had the right to develop the Ranch Plan in accordance with the County Land Use Regulations in effect on December 8, 2004. This included the application of the May 2002 OC Zoning Code (ZC) to all existing and proposed development to date. The applicant is now proposing to accept portions of the updated OC ZC adopted on July 28, 2020 as the ZC to be used regarding the development of the Ranch Plan.

In accordance with the “Protocol for Addressing New or Modified Land Use Regulations” established in August 2018 (Attachment 2), the applicant and the County conducted coordination meetings to discuss the implementation of the updated 2020 ZC. During these meetings, the applicant determined that the updated 2020 ZC would materially affect their rights under the Ranch Plan DA and implementation of the Ranch Plan. However, in coordination with the County, the applicant proposed new and revised ADS under Planning Application PA21-0165 as a means of mitigating certain adverse impacts the updated 2020 ZC would have on the Ranch Plan.

Under Planning Application PA21-0165, the proposed additions and revisions to the September 26, 2018 approved Ranch Plan Community-Wide ADS were presented to the Planning Commission on December 14, 2022. Upon approval of the new and revised ADS, the applicant originally intended to accept the updated 2020 ZC for development of the Ranch Plan. As such, the proposed new and revised ADS were written with all ZC references made to 2020 ZC sections.

The Planning Commission approved PA21-0165 on December 14, 2022, establishing the current version of the Ranch Plan Community-Wide Alternative Development Standards. However, as part of the approving action, the Planning Commission directed County Counsel and OC Development Services to work with the applicant on revising their comprehensive acceptance of the 2020 ZC to address specific concerns raised during the Planning Commission hearing regarding off street parking requirements and temporary use permits.

The applicant determined that 2020 ZC Section 7-9-70 (Off Street Parking and Loading Regulations) would result in substantial inconsistencies between existing and future development in regard to parking design. Also, 2020 ZC 7-9-117.9 (Special Gatherings) would alter special event operations from the manner with which the community association has become accustomed. To address these concerns, the contemplated revisions would carve out these two sections of the 2020 ZC from the otherwise global adoption. For these specific sections, the ZC would revert to the May 2002 ZC Sections 7-9-145 (Off-Street Parking Regulations) and 7-9-136.11 (Special Gatherings), respectively. As a result, the Ranch Plan Community-Wide ADS would also need to be updated to address the specific exception of 2020 ZC Section 7-9-70 to ensure consistency in the application of parking requirements throughout the entirety of the Ranch Plan Planned Community.

In accordance with the 2018 “Protocol for Addressing New or Modified Land Use Regulations”, the applicant provided an updated letter (Attachment 3) indicating the applicant’s determination that the 2020 ZC will materially affect the Ranch Plan, but that the material impact can be addressed through the adoption of modified ADS, and the specific exception of Sections 7-9-70 and 7-9-117.9 of the 2020 ZC. As part of this planning application, the excepted sections of the 2020 ZC, where referenced in the ADS, would revert to referencing the relevant 2002 ZC sections.

These revisions are intended to advance the community-wide land use vision of the Ranch Plan without compromising public health, welfare, and safety. As per General Regulation #25 of the Ranch Plan Planned Community Program Text (PC Program Text, Section I.B, Page 6), a “Planned Community-wide Alternative Development Standards (ADS) document may be adopted by the appropriate governing body or bodies.” For these community-wide site development standards, the Planning Commission is the appropriate approving authority.

The proposed revised Alternative Development Standards (ADS) are briefly summarized as follows:

**D-3. Reduced Age-Qualified Parking** – Revises the current ADS to reference the 2002 OC ZC sections instead of the 2020 ZC.

**D-9. Planned Concept Detached Dwellings Parking (Bedroom Count)** – Revises the current ADS to:

- Reference the 2002 OC ZC sections instead of the 2020 ZC
- Clarifies that the total percentages of on-street parking permitted on a private or public street are cumulative to the total available parking on that street, not specific to each individual development on that street. In other words, the percentage of on-street parking used by one development shall count against the total percentage of on-street parking allowed for any concurrent or subsequent development intending to use on-street parking

**D-10. Bedroom Definition to Determine Parking Requirements** – Revises the current ADS to reference the 2002 OC ZC sections instead of the 2020 ZC and includes related supporting text.

**D-11. Single Family Detached On-Street Parking** – Revises the current ADS to reference the 2002 OC ZC sections instead of the 2020 ZC.

**D-12. Single-Car Garages for Single-Family Detached Homes** - Revises the current ADS to reference the 2002 OC ZC sections instead of the 2020 ZC.

**D-13. Tandem Parking** - Revises the current ADS to reference the 2002 OC ZC sections instead of the 2020 ZC.

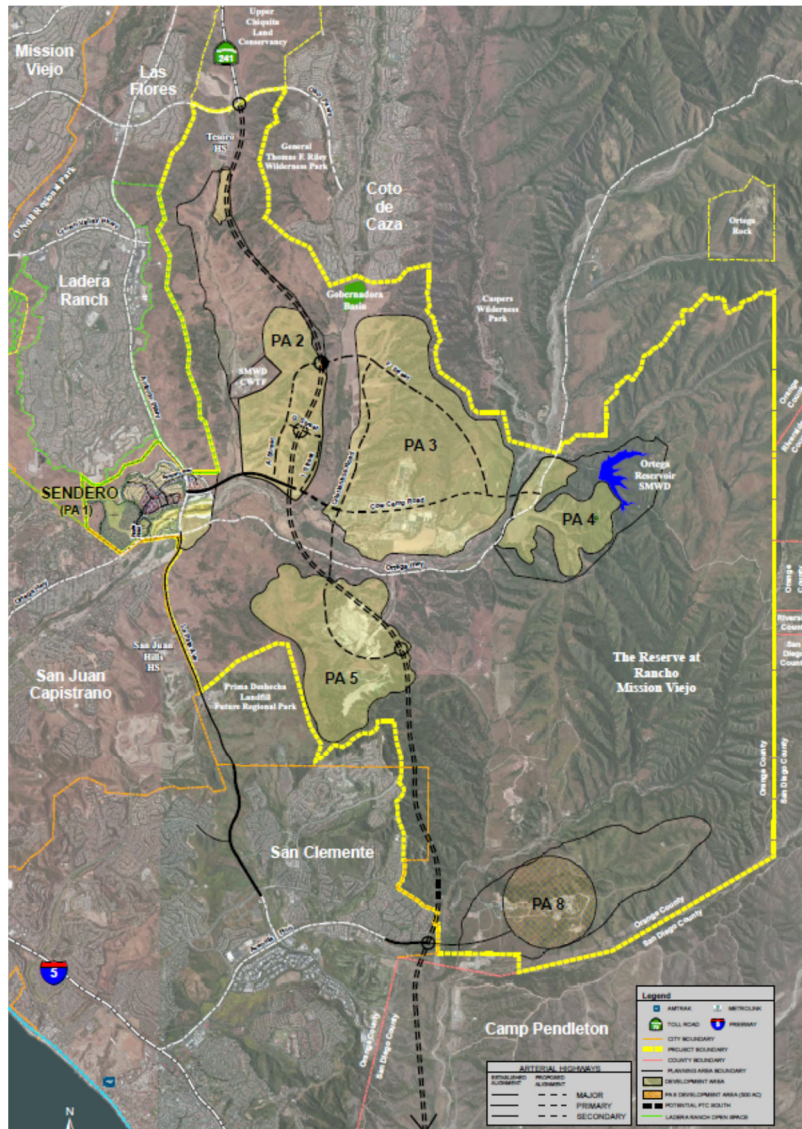
D-15. **“Off-Site” Garages for Single-Family Detached Homes** - Revises the current ADS to reference the 2002 OC ZC sections instead of the 2020 ZC.

Further discussion regarding the revised ADS is provided under Discussion/Analysis.

**SURROUNDING LAND USE:**

The 22,683-acre Ranch Plan Planned Community is surrounded on the west by the planned community of Ladera Ranch and the cities of Mission Viejo, San Juan Capistrano and San Clemente. The northern edge of the Ranch Plan Area is bounded by the City of Rancho Santa Margarita and the Las Flores Planned Community; and the southern edge is bounded by Camp Pendleton in San Diego County. Caspers Wilderness Park and the Cleveland National Forest bound the property on its eastern edge. Interstate 5 is located approximately two miles west of the project area.

Below is the Ranch Plan Planned Community Development Map:



## REFERRAL FOR COMMENT

A copy of the submittal package was distributed for review and comment to County staff and consultants, including Land Development, Inspection Services, Building & Safety, Development Support, Operations and Maintenance, and the Orange County Fire Authority. Through focused coordination meetings and a collaborative effort with County staff, the applicant adequately addressed all comments.

A Notice of Public Hearing was mailed to all property owners of record within 300 feet of the subject site on May 9, 2024. Additionally, notices were posted at the project site, at the County Administration North (CAN) Building, at the Tustin Library and on the Orange County Public Works website as required by established public meeting posting procedures. No public comments have been received to date.

## CEQA COMPLIANCE:

The proposed project is a necessarily included element of previously approved CEQA documentation, which includes Final Program EIR 589, certified on November 8, 2004; Addendum 1.0, certified on July 26, 2006; Addendum 1.1, certified on February 24, 2011; Planning Area 2 Addendum, certified on March 27, 2013, and Addendum 3.1, certified on February 25, 2015. The proposed project remains consistent with the CEQA determinations for those prior documents, there have been no substantial changes from the project considered in those prior CEQA documents, there have been no substantial changes in the project's circumstances and no new information that could not have been known at the time those prior documents were considered and adopted has become known. This finding is appropriate and complies with the intent of CEQA, pursuant to the Orange County Local CEQA Procedures Manual, Section 13.1 for projects where a previous environmental document (i.e., Program EIR 589) is already in place. Because the proposed project does not reach the threshold for further environmental review, pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, no further environmental review is required for Site Development Permit PA23-0032.

## DISCUSSION/ANALYSIS:

### Comparison Development Standards Table

The table below compares the changes between the existing Alternative Development Standard to the proposed revised Alternative Development Standard.

STANDARD	EXISTING	PROPOSED
D-3. Reduced Age Qualified Parking	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-70.3;</li> <li>•County of Orange ZC Table 7-9-70.3 for Attached or detached single-family dwellings;</li> <li>•ZC 7-9-70.3(a)(1);</li> <li>•ZC Section 7-9-70.5(a)</li> </ul>	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-145.3.</li> <li>•County of Orange ZC Section 7-9-145.3(d)(1);</li> <li>•ZC 7-9-145.3(a)(1);</li> <li>•ZC Section 7-9-145.5</li> </ul>

STANDARD	EXISTING	PROPOSED
D-9. Planned Concept Detached Dwellings Parking (Bedroom Count):	References to: <ul style="list-style-type: none"> <li>•ZC Table 7-9-70.3: Off-Street Parking Requirements for Residential Uses - Two (2) or more dwelling units on one (1) building site (Multifamily).</li> <li>•ZC Section 7-9-70 (Off-street parking and loading regulations).</li> </ul>	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-145.3(d)(2 and 3);</li> <li>•ZC Section 7-9-145 (Off-Street Parking).</li> </ul>
D-10. Bedroom Definition to Determine Parking Requirements	References to: <ul style="list-style-type: none"> <li>•ZC Table 7-9-70.3 for Two (2) or more dwelling units on one (1) building site (Multifamily)</li> <li>•ZC Table 7-9-70.3 for Two (2) or more dwelling units on one (1) building site (Multifamily),</li> <li>•ZC 7-9-135</li> </ul>	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-145.3(d)(2);</li> <li>•ZC Section 7-9-145.3(d)(2),</li> <li>•ZC 7-9-23(B)</li> </ul>
D-11. Residential Guest Parking	References to: <ul style="list-style-type: none"> <li>•ZC Table 7-9-70.3</li> </ul>	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-145.3(d)(4)</li> </ul>
D-12. Single-Car Garages for Single-Family Detached Homes	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-70.3</li> <li>•ZC Section 7-9-70.3</li> </ul>	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-145.3</li> <li>•ZC Section 7-9-145.3</li> </ul>
D-13. Tandem Parking	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-70</li> <li>•ZC Section 7-9-70</li> </ul>	References to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-145</li> <li>•ZC Section 7-9-145</li> </ul>
D-15. "Off-Site" Garages for Single-Family Detached Homes	Reference to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-70</li> </ul>	Reference to: <ul style="list-style-type: none"> <li>•ZC Section 7-9-145</li> </ul>

The following sections discuss OC Development Services staff analysis of each revised Alternative Development Standard (ADS). Except for the clarification language added to ADS D-9, the proposed revisions are only to replace references to 2020 ZC Section 7-9-70 with 2002 ZC Section 7-9-145. These revisions to the ADS are necessary in order to remove all references to the 2020 ZC Section (7-9-70) that will not be applicable to the Ranch Plan Planned Community. The ADS listed in the table above represent the only ADS affected by the replacement of 2020 ZC Section 7-9-70. The proposed revisions are shown in ~~strikeout~~ / underline in Attachment 3:

*Analysis of revised ADS D-3 - Reduced Age Qualified Parking:*

Ranch Plan ADS D-3 allows modifications to ZC Section 7-9-145.3 regarding parking requirements for Senior Citizen (55+) (also called age qualified) housing with dedicated garages, both for attached and detached dwellings. ADS D-3 was originally approved by the Orange County Planning Commission on December 14, 2011 and last updated by the Planning Commission on December 14, 2022. The proposed revisions to this ADS will only replace the ZC section references in the text from the excepted 2020 ZC Section 7-9-70 with the 2002 ZC Section 7-9-145. The text will be revised in four locations, and the revisions will not change the interpretation or usage of this ADS. See Attachment 3 for redline changes.

*Analysis of revised ADS D-9 - Planned Concept Detached Dwellings Parking (Bedroom Count):*

Ranch Plan ADS D-9 allows parking requirements for Planned-Concept Detached Dwellings to be calculated per the bedroom-count parking generation method. ADS D-9 was originally approved by the Orange County Planning Commission on July 24, 2013 and last updated by the Planning Commission on December 14, 2022. The proposed revisions to this ADS will only replace the ZC section references in the text from the excepted 2020 ZC Section 7-9-70 to 2002 ZC Section 7-9-145. The text will be revised in two locations, and the revisions will not change the interpretation or usage of this ADS. Additionally, the proposed revisions include an update to the performance standards to clarify permitted percentages of on-street parking on private and public streets. The proposed revisions are shown in Attachment 3 in redline.

*Analysis of revised ADS D-10 – Bedroom Definition to Determine Parking Requirements:*

Ranch Plan ADS D-10 clarifies what is classified as a bedroom for determining parking requirements. ADS D-10 was originally approved by the Orange County Planning Commission on July 24, 2013 and last updated by the Planning Commission on December 14, 2022. The proposed revisions to this ADS will only replace the ZC section references in the text from the excepted 2020 ZC Section 7-9-70 to 2002 ZC Section 7-9-145. The text will be revised in three locations, and the revisions will not change the interpretation or usage of this ADS. Additionally, the proposed revisions include updates to the notes and performance standards to clarify what defines a bedroom. The proposed revisions are shown in Attachment 3 in redline.

*Analysis of revised ADS D-11 – Residential Guest Parking*

Ranch Plan ADS D-11 allows guest parking for Conventional Single-Family Detached Dwellings and Planned Concept Detached Dwellings to be provided on public and private streets. ADS D-11 was originally approved by the Orange County Planning Commission on July 24, 2013 and last updated by the Planning Commission on December 14, 2022. The proposed revisions to this ADS will only replace the ZC section references in the text from the excepted 2020 ZC Section 7-9-70 to 2002 ZC Section 7-9-145. The text will be revised in one location, and the revision will not change the interpretation or usage of this ADS.

*Analysis of revised ADS D-12 – Single-Car Garages for Single-Family Detached Homes:*

Ranch Plan ADS D-12 allows single-car garages to serve Planned Concept, Conventional Single-Family Detached, or Duplex Dwellings less than 1,300 square feet in size. ADS D-12 was originally approved by the Orange County Planning Commission on July 24, 2013, modified by the Planning Commission on May 27, 2015, and last updated by the Planning Commission on December 14, 2022. The proposed revisions to this ADS will only replace the ZC section references in the text from the excepted 2020 ZC Section 7-9-70 to 2002 ZC Section 7-9-145. The text will be revised in two locations, and the revisions will not change the interpretation or usage of this ADS. The proposed revisions are shown in Attachment 3 in redline.

*Analysis of revised ADS D-13 – Tandem Parking:*

Ranch Plan ADS D-13 allows full parking credit for tandem garage spaces in certain circumstances. ADS D-13 was originally approved by the Orange County Planning Commission on July 24, 2013, modified by the Planning Commission of May 27, 2015, and last updated by the Planning Commission on December 14, 2022. The proposed revisions to this ADS will only replace the ZC section references in the text from the excepted 2020 ZC Section 7-9-70 to 2002 ZC Section 7-9-145. The text will be revised in two locations, and the revisions will not change the interpretation or usage of this ADS. The proposed revisions are shown in Attachment 3 in redline.

*Analysis of revised ADS D-15 – “Off-Site” Garages for Single-Family Detached Homes*

Ranch Plan ADS D-15 allows for required covered parking spaces for Conventional Single-Family Detached Dwellings and Planned Concept Detached Dwellings to be located on a separate building site in certain circumstances. ADS D-15 was originally approved by the Orange County Planning Commission on July 24, 2013 and last updated by the Planning Commission on December 14, 2022. The proposed revisions to this ADS will only replace the ZC section references in the text from the excepted 2020 ZC Section 7-9-70 to 2002 ZC Section 7-9-145. The text will be revised in one location, and the revision will not change the interpretation or usage of this ADS. See Attachment 3 for redline changes.

Findings for Alternative Development Standards (ADS)

The Planning Commission is to consider the criteria and make the findings related to consistency with the General Plan, ZC, CEQA, Compatibility, General Welfare of the community, and impacts and public benefits of the proposal prior to final action on the alternative development standards. Per General Regulation #25 of the Ranch Plan Planned Community Program Text, Section I.B, Page 6. The specific findings required of Planning Commission are as follows:

- a. The use or project proposed is consistent with the General Plan.
- b. The use, activity or improvement(s) is consistent with the provisions of the ZC.
- c. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act.
- d. The location, size, design and operating characteristics of the proposed use will not create significant noise, traffic, or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.
- e. The application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
- f. The alternative development standard(s) will result in an equivalent or better project in terms of adverse impacts and public benefits to the immediate and surrounding community.

**CONCLUSION:**

Upon review of the subject submittal, staff has determined that the proposed revised Alternative Development Standards are in compliance with Ranch Plan Planned Community Program, including the findings required by General Regulation #25. Additionally, the applicant has worked in close cooperation with County staff to ensure that the revised alternative development standards design and characteristics are consistent with the County and Ranch Plan Planned Community development standards. The



proposed revised ADS will result in an equivalent or better project in terms of minimizing adverse impacts and the enhancement of public benefits to the immediate and surrounding community.


In conclusion, staff recommends approval of the proposed revisions to Alternative Development Standards (ADS) D-3, D-9, D-10, D-11, D-12, D-13, and D-15, of the Ranch Plan Planned Community-Wide Alternative Development Standards (ADS), subject to the attached recommended Findings and Conditions of Approval, and makes a recommendation as follows:

**RECOMMENDED ACTION:**


OC Development Services / Land Development Division recommends that the Planning Commission:

- 1) Receive staff report and public testimony as appropriate;
- 2) Find that proposed project (PA23-0032) is a necessarily included element of Final EIR No. 589, certified on November 8, 2004, Addendum 1.0, certified July 26, 2006, Addendum 1.1, certified February 23, 2011, PA2 Addendum, certified on March 27, 2013, and Addendum 3.1 certified February 25, 2015, which collectively satisfy the requirements of CEQA, and pursuant to CEQA section 21166, none of the thresholds are met for further CEQA review;
- 3) Approve revisions to Alternative Development Standard (ADS) D-3, D-9, D-10, D-11, D-12, D-13, and D-15 for community-wide application within the Ranch Plan Planned Community subject to the attached Findings and Conditions of Approval.

Submitted By:

DocuSigned by:  
  
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Bea Bea Jiménez, Division Manager  
Land Development Division

Concurred By:

DocuSigned by:  
  
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Justin Kirk, Deputy Director  
OC Development Services

**APPENDICES:**

- A. Recommended Findings
- B. Recommended Conditions of Approval

**ATTACHMENTS:**

1. Applicant's Letter of Project Proposal
2. Protocol for Addressing New or Modified Land Use Regulations
3. Applicant's Acceptance of 2020 Orange County ZC Letter
4. Alternative Development Standards (Redlines) D-3, D-9, D-10, D-11, D-12, D-13, and D-15
5. Alternative Development Standards (Clean) D-3, D-9, D-10, D-11, D-12, D-13, and D-15

**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 \$500.00 filed at the County Administration South (CAS) Building, 601 North 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.

# APPENDIX A



## Appendix A Findings PA23-0032

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<b>1</b>	<b>GENERAL PLAN</b>	<b>PA23-0032</b>
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That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.

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<b>2</b>	<b>ZONING</b>	<b>PA23-0032</b>
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That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.

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<b>3</b>	<b>COMPATIBILITY</b>	<b>PA23-0032</b>
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That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.

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<b>4</b>	<b>GENERAL WELFARE</b>	<b>PA23-0032</b>
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That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

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<b>5</b>	<b>PUBLIC FACILITIES</b>	<b>PA23-0032</b>
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That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).

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<b>6</b>	<b>PREVIOUS PROJECT LEVEL EIR</b>	<b>PA23-0032 (Custom)</b>
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That Final Program EIR 589, previously certified on November 8, 2004, Addendum 1.0, certified on July 26, 2006, Addendum 1.1, certified on February 24, 2011, Planning Area 2 Addendum, certified on March 27, 2013, and Addendum 3.1, certified on February 25, 2015, satisfies the requirements of CEQA for the proposed project is approved based on the following findings:

A. The County of Orange, as Lead Agency, has reviewed and considered the information in the EIR and

1. The general environmental setting of the proposed project is adequately described in the EIR.
2. There are no new significant environmental effects beyond those disclosed in the EIR;
3. There are no substantial changes in circumstances that would result in new significant environmental effects;

4. The EIR adequately describes alternatives and mitigation measures related to each significant effect identified;

5. There is no new information of substantial importance that was not known or could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified that shows any of the following:

a. The project will have one or more significant effects not discussed in the previous EIR;

b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c. Mitigation measures or alternatives previously found not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them; and,

d. Mitigation Measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them.

B. The approval of the previously certified Final EIR for the proposed project reflects the independent judgment of the lead agency.

# **APPENDIX B**



## Appendix B Conditions of Approval PA23-0032

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**1 BASIC/ZONING REGULATIONS PA23-0032**

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirement.

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**2 BASIC/PRECISE PLAN PA23-0032**

Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, OC Planning, for approval. If the Director, OC Development Services, determines that the proposed change complies with the provisions and the spirit and intent of the original approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

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**3 BASIC/COMPLIANCE PA23-0032**

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

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**4 INDEMNIFICATION PA23-0032**

Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Zoning Administrator, Director of OC Public Works, or Director of Planning concerning this application. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

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**5 BASIC/APPEAL EXACTIONS PA23-0032**

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

# **ATTACHMENT 1**



February 22, 2023

Bea Bea Jiménez  
Division Manager, Land Development  
OC Public Works / OC Development Services  
601 Ross Street  
Santa Ana, CA 92701

Subject: **PA23-0032** New/Modified Alternative Development Standards

Ms. Jiménez,

On behalf of Rancho Mission Viejo (RMV), we hereby request approval of the following update to the December 14, 2022 OC Planning Commission approved Alternative Development Standards (PA21-0165) per RMV's subsequent concurrent **April 25, 2023** letter requesting specific exceptions to our otherwise comprehensive acceptance of the July 28, 2020, Zoning Code.

Per the Ranch Plan Development Agreement No. 04-01 (DA) Section 1.2.25, the August 9, 2018 adopted DA Protocol, and as agreed to by County Counsel, OC Development Services and RMV at the December 14, 2022 Planning Commission hearing where PA21-0165 was approved, RMV is requesting specific exceptions of Sections 7-9-145 and 7-9-136.11 to our otherwise comprehensive acceptance of the July 28, 2020, Zoning Code, as detailed more completely in the above referenced **April 25, 2023** exception letter.

However, because all references to 2002 Zoning Code section 7-9-145 were updated by Planning Commission action to incorporate the entirety of the 2020 Zoning Code, RMV understands that it is now necessary to adopt one more set of minor ADS updates to approved ADS D-3, D-9, D-10, D-11, D-12, and D-15 to revert back to references to 2002 Zoning Code Section 7-9-145.

**LOCATION:** The project site, the Ranch Plan Planned Community, is located in the southeastern portion of unincorporated Orange County.

**BACKGROUND AND EXISTING CONDITIONS:** In November 2004, the County of Orange approved the Ranch Plan Planned Community Program Text (PC Text), and the most recent version of the administratively approved PC Text Guidance Document is dated February 6, 2014. General Regulation No. 25 of the PC Text (Section I.B) allows Planned Community-wide Alternative Development Standards. In March 2007 the OC Planning Commission approved the first Ranch Plan Alternative Development Standards, and the most recently amended version is dated December 14, 2022.

**PROPOSED NEW ADS:** As allowed by General Regulation #25 of the Ranch Plan Planned Community Program Text (PC Program Text, Section I.B, Page 6), "Planned Community-wide Alternative Development Standards (ADS) document may be adopted by the appropriate governing body or bodies". For the following community-wide site development standards, the Planning Commission is the appropriate approving authority. The proposed revised Alternative Development Standards (ADS) are briefly summarized as follows, and detailed on the attached draft ADS exhibits (clean and redline summarizing revisions):



<b>STANDARD</b>	<b>Proposed Reversion to Previously Approved ADS per PA23-0032</b>	<b>ADS as Approved 12/14/22 by OC Planning Commission per PA21-0165</b>
D-3. Reduced Age Qualified Parking	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-145.3;</li> <li>• County of Orange Zoning Code (Section 7-9-145.3(d)(1));</li> <li>• ZC 7-9-145.2(a)(1);</li> <li>• Zoning Code Section 7-9-145.5</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-70.3;</li> <li>• County of Orange Zoning Code Table 7-9-70.3 for Attached or detached single-family dwellings;</li> <li>• ZC 7-9-70.3(a)(1);</li> <li>• Zoning Code Section 7-9-70.5(a)</li> </ul>
D-9. Planned Concept Detached Dwellings Parking (Bedroom Count):	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-145.3(d)(2 and 3);</li> <li>• Zoning Code Section 7-9-145 (Off-Street Parking).</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning Code Table 7-9-70.3: Off-Street Parking Requirements for Residential Uses - Two (2) or more dwelling units on one (1) building site (Multifamily).</li> <li>• Zoning Code Section 7-9-70 (Off-street parking and loading regulations).</li> </ul>
D-10. Bedroom Definition to Determine Parking Requirements	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-145.3(d)(2);</li> <li>• Zoning Code Section 7-9-145.3(d)(2),</li> <li>• Zoning Code 7-9-23(B)</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning Code Table 7-9-70.3 for Two (2) or more dwelling units on one (1) building site (Multifamily)</li> <li>• Zoning Code Table 7-9-70.3 for Two (2) or more dwelling units on one (1) building site (Multifamily),</li> <li>• Zoning Code 7-9-135</li> </ul>
D-11.	<ul style="list-style-type: none"> <li>• Name of ADS currently “Single Family Detached On-Street Parking”</li> <li>• Guest parking for Conventional Single-Family Detached Dwellings and Planned Concept Detached Dwellings may be provided on public and private streets, modifying OC Zoning Code Section 7-9-145.3.(d)(4) within the Ranch Plan planned community.</li> </ul>	<ul style="list-style-type: none"> <li>• Name change requested to “Residential Guest Parking”</li> <li>• Multi-Family Residential guest parking, in addition to single-family residential guest parking, may be provided on adjacent private streets, in addition to being provided off-street, and may be up to 300’ walking distance from the unit the guest parking space serves in certain circumstances, modifying OC Zoning Code Section 7-9-70.3.</li> </ul>

STANDARD	Proposed Reversion to Previously Approved ADS per PA23-0032	ADS as Approved 12/14/22 by OC Planning Commission per PA21-0165
D-12. Single-Car Garages for Single-Family Detached Homes	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-145.3</li> <li>• Zoning Code Section 7-9-145</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-70.3</li> <li>• Zoning Code Section 7-9-70.3</li> </ul>
D-13. Tandem Parking	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-145</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-70.3</li> </ul>
D-15. "Off-Site" Garages for Single-Family Detached Homes	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-145</li> </ul>	<ul style="list-style-type: none"> <li>• Zoning Code Section 7-9-70.3</li> </ul>

**CEQA COMPLIANCE:** The proposed project is covered by previous CEQA documentation, which includes Final Program EIR 589, which was certified on November 8, 2004; Addendum 1.0, certified on July 26, 2006; Addendum 1.1, certified on February 24, 2011; Planning Area 2 Addendum certified on March 27, 2013, and Addendum 3.1, certified on February 25, 2015.

**FINDINGS FOR ADS:** Per General Regulation #25 of the Ranch Plan Planned Community Program Text, Section I.B, Page 6, the Planning Commission and other decision makers are to consider the following criteria and make the findings related to consistency with the General Plan, Zoning Code, CEQA, Compatibility, General Welfare of the community, and impacts and public benefits of the proposal prior to final action on the alternative development standards:

- a. The use or project proposed is consistent with the General Plan.
- b. The use, activity or improvement(s) is consistent with the provisions of the Zoning Code.
- c. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act.
- d. The location, size, design, and operating characteristics of the proposed use will not create significant noise, traffic, or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.
- e. The application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
- f. The alternative development standard(s) will result in an equivalent or better project in terms of adverse impacts and public benefits to the immediate and surrounding community.

Please contact me with any questions if you, or your staff, need any further information.

Sincerely,



Jay Bullock  
 Vice President, Planning and Entitlement  
 Rancho Mission Viejo

Attachments:

1. Proposed Updated Alternative Development Standards Document (clean)
2. Proposed Redline Changes to Approved ADS D-3, D-9, D-10, D-11, D-12, and D-15

# **ATTACHMENT 2**

**Protocol for Addressing New or Modified Land Use Regulations /  
Development Review Practices That May Affect the Ranch Plan**

**Introduction:** Development Agreement No. DA 04-01 (the “DA”) provides assurances to the owners of the Rancho Mission Viejo (collectively, “RMV”) in relation to the development of the Ranch Plan and assures RMV the right to develop the Ranch Plan in accordance with the rules, regulations, policies, *etc.* of County in effect on December 8, 2004 (collectively, the “Land Use Regulations,” as more particularly defined by DA Section 1.2.25<sup>1</sup>) and that the development will not be affected by new or conflicting ordinances, policies, *etc.* adopted after the effective date of the Ranch Plan DA (*i.e.*, August 17, 2005).

The DA contemplates that circumstances may arise where changes to the Land Use Regulations vested by the DA may be implemented; notably:

- A change in response to state/federal law or regulation. [DA §§4.3.b and 4.4.c(ii)]
- A change in response to public health and safety concerns. [DA §4.3.c]
- A change related to building and improvement standards. [DA §4.3.d]

However, the DA is clear that any changes to the Land Use Regulations, which are intended to apply to the Ranch Plan, are not to be undertaken lightly, as the imposition or application of a change in the Land Use Regulations could significantly affect the rights and benefits specifically bargained for by RMV in the DA.

In order to minimize conflicts, the County and RMV have jointly developed the following protocol as a quick reference guide to address changes to the Land Use Regulations that, following implementation, are intended to apply to the Ranch Plan and could affect the DA. The protocol is divided into two (2) parts:

- Part One: New or Modified Land Use Regulations
- Part Two: Development Review Practices for the Ranch Plan

A fundamental precept of the DA is “communication between the parties.” This principle is carried forward in each part of the protocol, with the express understanding that the best way to minimize conflicts between the rights guaranteed by the DA and potential changes in the Land Use Regulations applicable to the Ranch Plan is to encourage early and open dialogue between the County and RMV.

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<sup>1</sup> Per DA Section 1.2.25: “Land Use Regulations’ means Regulations of County which govern the permitted uses of land, the density and intensity of use, and the design, improvement, and construction standards and specifications applicable to the Development of the Property, including but not limited to, mitigation measures required in order to lessen or compensate for the adverse impacts of the project on the environment and other public interests and concerns. Land Use Regulations include, but are not limited to, Land Use Ordinances, Development Approvals and Exactions. The term Land Use Regulations does not include, however, Regulations relating to the conduct of business, professions and occupations generally; taxes and assessments other than Development Exactions; Regulations for the control and abatement of nuisances; encroachment and other permits and the conveyances of rights and interests which provide for the use of or entry upon public property; and any exercise of the power of eminent domain.”

Note, also, that DA Section 1.2.42 defines the term “Regulations” as follows: “[L]aws, statutes, ordinances, and codes (including the Building and Improvements Standards), resolutions, rules, regulations and orders; approvals, denials and conditional approvals in connection with tentative, vesting tentative and final subdivision maps, parcel maps, conditional and special use permits and other permits of every kind and character; programs; and official policies and actions of County; together with amendments to all of the foregoing.”

**Protocol Part One:**

**New or Modified Land Use Regulations**

**Scenario:** The County is desirous of adopting (or is legally compelled to adopt) a new or modified Land Use Regulation that is intended to (or could) affect the implementation of the Ranch Plan. For Land Use Regulations that will not apply to or affect the Ranch Plan, this protocol does not apply.

**Protocol**

A. **Review of Land Use Regulation at County/RMV Coordination Meeting.**

Representatives of RMV and OC Public Works (collectively, the “Coordination Committee”) participate in regularly scheduled meetings – generally held on a monthly basis -- to address issues relative to the Ranch Plan (the “Coordination Meetings”). Prior to adopting or modifying any Land Use Regulation that applies, or is intended to apply, to the Ranch Plan, County shall identify and schedule the new or modified Land Use Regulation as a discussion item for the earliest possible Coordination Meeting.

1. **Issues to Consider Relative to Land Use Regulation.** During the Coordination Meeting, the Coordination Committee shall consider the following questions and issues:

a. ***What is the Basis or Need for the New or Modified Land Use Regulation?*** Is the new or modified Land Use Regulation in response to (i) County preference or desire [DA §4.3.a], (ii) state/federal law or mandate [DA §4.3.b], (iii) public health and safety [DA §4.3.c] or (iv) building and improvement standards [DA §4.3.d]? Were the concerns which are the subject of the new or modified Land Use Regulation already considered and/or provided for in either the DA or those Land Use Regulations in effect as of August 2005 [DA §4.4.c(ii)(B)]?

b. ***What are the Potential Impacts/Burdens of the New or Modified Land Use Regulation?***  
Will the new or modified regulation:

- Pose a conflict with the DA [DA §4.3.a]?
- Prevent or preclude compliance with one or more provisions of the DA [DA §4.3.b]?
- Substantially impair the rights of RMV, unreasonably burden RMV or adversely affect the reasonable economic expectations of RMV [DA §§4.3.c and 4.4.c(ii)]?
- Significantly reduce the amount of developable land within the Ranch Plan project area (or significantly increase the amount of open space within said area) [DA §4.3.d]?

c. ***What is the Scope of the New or Modified Land Use Regulation?*** In order to minimize conflicts with the DA / Ranch Plan, can County develop the new or modified Land Use Regulation using two (2) versions – one version that applies specifically to the Ranch Plan and its unique circumstances, and another version that applies generally to non-Ranch Plan properties?

B. **Response to Land Use Regulation Following Coordination Meeting.**

Following the Coordination Committee’s evaluation of the new or modified Land Use Regulation, RMV shall advise County as to whether it has determined (following review of all relevant information) that the new or modified Land Use Regulation will - or will not - materially affect the DA and/or implementation of the Ranch Plan. RMV’s response shall align with one of the following:

1. ***If RMV Advises that the New or Modified Land Use Regulation Will Not Materially Affect the DA or the Ranch Plan, Then . . .***
  - a. RMV shall signify such determination in writing, and County may proceed to adopt and apply the new or modified Land Use Regulation in accordance with relevant procedures.
2. ***If RMV Advises that It Has Determined that the New or Modified Land Use Regulation Will Materially Affect the DA or the Ranch Plan, Then . . .***
  - a. The parties will meet in good faith to determine whether the new or modified Land Use Regulation may be revised in order to address and resolve RMV's concerns (including potential bifurcation of the Land Use Regulation into a "Ranch-specific" version and a "Non-Ranch" version of general application).
  - b. Following the foregoing discussion, if County determines that the new or modified Land Use Regulation either does not materially affect the Ranch Plan or may not be revised in order to address and resolve RMV's concerns (or the parties are unable to achieve agreement regarding revisions to [or bifurcation of] the Land Use Regulation), then County may proceed to adopt the new or modified Land Use Regulation **SO LONG AS**:
    1. RMV has been provided with reasonable prior notice (*i.e.*, not less than 30 days) and an opportunity to be heard regarding the proposed adoption of the new or modified Land Use Regulation – **AND** –
    2. The approving County authority (*e.g.*, Board of Supervisors or Director as appropriate) makes specific findings and determinations as to the basis for applying the new or modified Land Use Regulation to the Ranch Plan [DA §4.4.c(iii)]
  - c. RMV may judicially challenge the decision of the County in adopting and applying a new or modified Land Use Regulation to the Ranch Plan. [DA Sections 4.4.c(i) and 4.4.c(iii)(B).

**Protocol Part Two:**

**Development Review Practices for the Ranch Plan**

**Introduction/Purpose:** It is a mutual goal of RMV and the County to foster an effective and predictable plan check process for all involved. In order to minimize the potential for “policy by plan check” and to avoid situations where issues are resolved under time duress, RMV and the County have developed the following Protocol Part Two to create a process for identifying and acknowledging practices that are to be consistently applied by County in reviewing the Ranch Plan.

**Scenario:** County and/or RMV representatives are desirous of adopting, revising or clarifying a Development Review Practice (defined below) that applies to the implementation of the Ranch Plan. For example: (i) RMV may seek clarification regarding the scope or application of an existing Development Review Practice in relation to the Ranch Plan or (ii) County staff may wish to implement a Development Review Practice that will resolve an issue and provide guidance, which is intended to apply to the Ranch Plan, concerning how to address the issue in the future.

**Definition of “Development Review Practice (Practice)”:** A practice, procedure or unofficial policy adopted or implemented by the County in relation to the review of development projects, and applicable to RMV and/or the Ranch Plan, that provides guidance or instruction concerning, among other items, the permitted uses of land, the density and intensity of use, and the design, improvement, and construction standards and specifications applicable to a development project.

In the context of the Ranch Plan, Development Review Practices are intended to provide RMV a high level of certainty through consistently implemented and standardized processes.

For purposes of clarification, this Protocol Part Two does not apply to “Land Use Regulations,” as defined in the DA and also does not apply to the County’s conduct of business, hiring practices, organizational structure, administrative processes, use of technology, standards for submittals, non-land use plan check comments, including but not limited to the collection of fees and matters of public safety and common sense.

**Protocol:**

A. **Submission of Recommendations for New, Revised or Clarified Practices.**

1. **By County.** The County shall prepare a recommendation concerning a proposed or revised Practice the County intends to implement in relation to RMV (“County Recommendation”) and present it to the Coordination Committee. The Coordination Committee shall discuss the County Recommendation at the earliest possible Coordination Meeting, utilizing the review criteria identified in Section B below.

2. **By RMV.** If RMV believes that (i) an existing Development Review Practice is being interpreted or applied in a manner that conflicts with the implementation of the Ranch Plan or (ii) a new Development Review Practice should be adopted to address a particular issue or circumstance relevant to the Ranch Plan, then RMV may prepare a recommendation seeking clarification, amendment or adoption of a Development Review Practice (“RMV Recommendation”) and present it to the Coordination Committee. The Coordination Committee shall consider the RMV Recommendation at the earliest possible Coordination Meeting, utilizing the review criteria identified in Section B below.

B. Review of Recommendations -- County/RMV Coordination Meeting.

Upon receipt of any County Recommendation or RMV Recommendation, the Coordination Committee shall consider the following questions and issues in relation to the Development Review Practice that is the subject of the recommendation:

1. *What is the Basis or Need for the New, Revised or Clarified Practice?*
2. *What is the Scope of the New, Revised or Clarified Practice? Is the new or changed practice “specific to the Ranch Plan” or “of general application to all projects within the County”?*
3. *Does the New, Revised or Clarified Practice Adequately/Fully Address the Identified Issue?*
4. *What are the Potential Impacts/Burdens of the New, Revised or Clarified Practice on RMV’s Rights/Obligations?*
5. *What are the Potential Impacts/Burdens of the New, Revised or Clarified Practice on County’s Rights/Obligations?*

C. Response to Recommendations Following Coordination Meeting.

Following the Coordination Committee’s evaluation of any new, revised or clarified Practice, RMV and County shall determine whether adoption, revision or clarification of the Practice is necessary and appropriate.

1. *If RMV and County Mutually Agree that Adoption of the New, Revised or Clarified Practice Is Necessary and Appropriate, Then . . .*
  - a. The Practice shall be put into written form.
  - b. RMV shall acknowledge its acceptance of the Practice via written signature.
  - c. The approved and adopted Practice shall be added to the appropriate policy or practice document (e.g., Ranch Plan PC Text Guidance Document) or adopted by the Director of OCPW as an approved RMV Practice. Any amendment to such Practice shall be accomplished pursuant to the process set forth in this Protocol Part Two.
2. *If RMV and County are Not in Agreement Regarding the Necessity and/or Appropriateness of Adopting the New, Revised or Clarified Practice, Then . . .*
  - a. RMV may prepare and deliver to County a written “Notice of Disagreement”. The Notice of Disagreement shall be delivered to each of (i) the manager of the staff level responsible for making the decision regarding adoption of the proposed County Recommendation or rejection of the RMV Recommendation (the “Decision Manager”) and (ii) the Director of OCPW. The Notice of Disagreement shall identify the specific bas(is/es) for RMV’s objections to the decision of the County and shall be accompanied by such documents, plan exhibits, and suggested revisions as RMV deems appropriate to support its Notice of Disagreement.
  - b. Within fifteen (15) days following RMV’s delivery of a Notice of Disagreement, RMV and the Decision Manager shall meet in good faith for purposes of attempting to resolve the matters identified in the Notice of Disagreement. At his/her discretion, the Director of OCPW may participate in the scheduled meeting. If RMV and the Decision Manager are



able to resolve the matters identified by RMV, the resolution shall be duly memorialized by the parties in writing (which may include the preparation and adoption of a revised Practice).

- c. If RMV and the Decision Manager are not able to achieve resolution of the issues addressed in the Notice of Disagreement within thirty (30) days following RMV’s delivery of the Notice of Disagreement, then RMV shall have the right to submit a “Notice of Appeal” to the Director of OCPW. The Notice of Appeal shall be considered and resolved as follows:
  - The Director of OCPW shall schedule a hearing (“Appeal Hearing”) to consider the Notice of Appeal as soon as practicable, but in no event later than thirty (30) days after RMV delivers its Notice of Appeal.
  - The Appeal Hearing shall be an informal proceeding. RMV and County shall be entitled to present all documentation, testimony, *etc.* as each party believes will assist the Director of OCPW in evaluating and resolving the issues addressed in the Notice of Appeal. The Director of OCPW shall have the right to ask questions of RMV and County staff and to request additional information from the parties.
  - Within ten (10) business days following the conclusion of the Appeal Hearing (which Appeal Hearing may be extended or continued upon the agreement of the Director of OCPW and RMV), the Director of OCPW shall issue a written decision concerning the issues addressed in the Notice of Appeal (the “Director’s Decision”). The Director’s Decision shall be accompanied by specific findings and determinations as to the basis for the Director’s Decision.
- d. Until such time as the Director of OCPW has issued the Director’s Decision, the County shall not adopt a proposed Practice over the objection of RMV. The Director’s Decision is the final step in the administrative appeal process and will be accepted as such by the parties barring any action per sub-section e, below.
- e. Notwithstanding any provision herein to the contrary, RMV may exercise all rights of legal challenge in relation to the Director’s Decision. Moreover, RMV’s failure to timely deliver a Notice of Disagreement or a Notice of Appeal shall not be deemed a waiver of RMV’s right to seek judicial review of a County decision.

This “Protocol for Addressing New or Modified Land Use Regulations / Development Review Practices That May Affect the Ranch Plan” (“Protocol”) is approved and adopted by each of RMV and the County as of the individual dates identified below. Any modifications to or amendments of this Protocol must be approved, in writing, by each of the parties to be effective.

For: RANCHO MISSION VIEJO



Richard Broming, Senior Vice President

8-9-18

Date

For: ORANGE COUNTY PUBLIC WORKS



Shane L. Silsby, Director

August 9, 2018

Date

# **ATTACHMENT 3**



## RANCHO MISSION VIEJO

November 22, 2022 Updated November 29, 2022, February 27, and April 25, 2023

Bea Bea Jiménez  
Division Manager  
Land Development  
OC Public Works  
601 North Ross Street  
Santa Ana, CA 92701

Subject: July 28, 2020 OC Zoning Code / Ranch Plan Planned Community

Dear Ms. Jiménez,

Development Agreement No. 04-01 (Ranch Plan DA) provides assurance to Rancho Mission Viejo (RMV) that the Ranch Plan Planned Community may be developed in accordance with the rules, regulations, policies, *etc.* of County in effect on December 8, 2004 (collectively, the “Land Use Regulations,” as more particularly defined by Ranch Plan DA Section 1.2.25) and that development is not to be affected by new or conflicting ordinances, policies, *etc.* adopted after the effective date of the Ranch Plan DA (*i.e.*, August 17, 2005).

On August 9, 2018, RMV and the OC Public Works Director adopted a protocol (Protocol) for addressing, in relevant part, situations where the County proposes to adopt a new or modified Land Use Regulation that could affect the Ranch Plan DA or implementation of the Ranch Plan. Per the terms of the Protocol, RMV has the right to review all new or modified Land Use Regulations proposed by the County and thereafter advise the County as to whether the new or modified Land Use Regulation will – or will not – materially affect the Ranch Plan DA and/or implementation of the Ranch Plan. If RMV determines that the new or modified Land Use Regulation will have a material effect on the Ranch Plan DA and/or Ranch Plan, the Protocol sets forth a procedure for RMV and the County to follow to resolve RMV’s concerns.

On July 28, 2020, the Board of Supervisors adopted an updated version of the Orange County Zoning Code (the Updated Code). As discussed with County representatives prior to and following the Board’s 2020 action, the Updated Code contains modified development standards that, if applied to the Ranch Plan, would materially affect RMV’s rights under the Ranch Plan DA and implementation of the Ranch Plan, particularly regarding parking. Whereupon, and in accordance with the Protocol, representatives of RMV and the County commenced discussions for the purpose of resolving the concerns identified by RMV. Said discussions have led to the following resolution pathways that **have been and** are currently being pursued by the County:

- **December 14, 2022 OC Planning Commission approval of PA21-0165** – establishing new and modified Alternative Design Standards (ADS) that would mitigate certain adverse impacts of the Updated Code upon the Ranch Plan; and
- Adopt PA22-0148 – updating the Ranch Plan Planned Community Text Guidance Document (PC Guidance) to clarify certain items and further mitigate conflicts between the Ranch Plan and the Updated Code
- **Planning Commission approval of PA23-0032, the ADS update modifying PA21-0165 to reflect specific exceptions to the otherwise comprehensive acceptance of the July 28, 2020, Zoning Code**

In short: The Updated Code represents a modified Land Use Regulation that will materially affect RMV's rights under the Ranch Plan DA and its implementation of the Ranch Plan, particularly regarding parking. If the County is desirous of applying the Updated Code to the Ranch Plan, then RMV deems PA21-0165, PA22-0148 and PA23-0032 to be necessary and vital conditions precedent.

As discussed by County Counsel, OC Development Services and RMV at the 12/14/22 Planning Commission hearing where PA21-0165 was approved, the Protocol allows the option of declining to adopt the current zoning code in part or in whole. Therefore, RMV is requesting the following specific exceptions to our otherwise comprehensive acceptance of the July 28, 2020, Zoning Code, with the understanding that additional action of the Planning Commission is required to modify specific Zoning Code references in PA21-0165:

1. 7-9-70 – Off-street parking and loading regulations
  - a. Development within the Ranch Plan Planned Community will continue to be regulated by Section 7-9-145 of the OC Zoning Code in effect August 2005 (DA effective date).
  - b. Among other ramifications, this exception allows the Deputy Director, OC Development Services to continue to approve administrative Site Development Permits per the following procedures that had previously been proposed as ADS D-18:
    - i. Approval of a parking study detailing the generation requirements for proposed public and private recreation and park uses.
    - ii. Approval of on- and off-street parking spaces to serve the parking generation requirements of proposed public and private recreation and park uses.
2. 7-9-117.9 – Special Gatherings
  - a. Applicable gatherings within the Ranch Plan Planned Community will continue to be regulated by Section 7-9-136.11 – Special Outdoor Gatherings of the OC Zoning Code in effect August 2005 (DA effective date).
  - b. Site Development Permits will be required only for gatherings of greater than 500 people at any given time.

Therefore, per Planning Commission approved PA21-0165, when the County completes its approval of PA22-0148 (PC Guidance approval anticipated by early January 2024) and PA23-0032 the County may accept this letter as RMV's signification that the County may proceed to apply the Updated Code (per exceptions listed above) as a modified Land Use Regulation document pertinent to development of the Ranch Plan (per DA Protocol Part One, Section B.1a). However, in the absence of the County's adoption of PA22-0148 and PA23-0032, consistent with DA Section 1.2.25 RMV will not accept the Updated Code as a new or modified Land Use Regulation that is applicable to the Ranch Plan.

Please note that this letter pertains only to the July 28, 2020 Zoning Code Update and the County's required adoption of the above-identified ADS and PC Guidance. This letter may not be construed or applied in any way that would limit, affect or change any other Land Use Regulations that are applicable to the Ranch Plan and guaranteed / vested by the Ranch Plan DA.

Should you and/or your staff have any questions or need any further information, please contact me at your earliest convenience.

Sincerely,



Jay Bullock  
Vice President, Planning and Entitlement  
Rancho Mission Viejo

# **ATTACHMENT 4**

**D-3. Reduced Age Qualified Parking**

Per the approval of the Planning Commission, allow the following modifications to 2002 Zoning Code Section 7-9-145.3 70.3 regarding parking requirements for Ranch Plan Age Qualified (55+) housing. An additional detailed parking analysis would only be required if an applicant requests deviations from the following parking standards.

- a. **Requirements for Age Qualified Dwellings with Dedicated Garages:**
  - i. **Conventional Single-Family Detached Dwellings**
  - ii. **Planned Concept Detached Dwellings**
  - iii. **Multiple-Family Dwellings**

This modification to the Off-Street Parking Regulations of the County of Orange 2002 Zoning Code Section 7-9-145.3(d)(1) 70.3 for Attached or detached single-family dwellings requires a two-car garage (unless expressly allowed otherwise – e.g., ADS D-12) for each single-family Age Qualified detached dwelling unit.

At least 75% of all Age Qualified Dwelling two-car garages must be side-by-side. The remaining 25% may be end-to-end (tandem) garages, with both spaces counted fully towards meeting the two-spaces-per-unit requirement.

Each Age Qualified attached dwelling unit (more than one dwelling per building site) requires two spaces along with an additional 0.2 guest spaces per unit.

Conventional Single Family and Planned Concept Detached Dwelling projects in compliance with this ADS are also to comply be in compliance with County Standard Plan 1107, as modified to allow local streets with residential frontage and driveways on both sides, but parking on one side only:

- 28-foot-wide streets (curb-face to curb-face) with traffic levels of up to 200 average daily trips (ADT).
- 30-foot-wide streets (curb-face to curb-face) with traffic levels of from 200 to 500 average daily trips (ADT).

Performance Standards:

- Age Qualified (55+) dwellings only, as defined by the Ranch Plan PC Program Text Section IV (Senior Citizen Housing).
- Two parking spaces required per dwelling (no driveway space required) to be provided via per one of the following methods:
  - Conventional side-by-side garage, per 2002 ZC 7-9-145.370.3(a)(1)
  - Tandem garage up to a maximum of 25% of dwelling units within each Age Qualified project area as stated above.
  - Single-car garage serving single-family detached dwellings of less than 1,300 square feet, plus a second required parking space that shall be provided either in a driveway (minimum 18 feet in length), or on-street or off-street within 200 feet, as allowed by ADS D-12.
- At the tentative tract map level (and site development permit level for Planned Concept Detached Dwellings and Multiple-Family Dwellings) the applicant must demonstrate to Land Development staff that 0.2 required guest parking spaces per dwelling are provided either in a driveway (at least 18' length behind back-of-sidewalk), or on-street within 200' of the dwelling. This parking tabulation shall be based on 22-foot-long parallel parking space lengths, as required by 2002 Zoning Code Section 7-9-145.5 design requirements, working within the constraints of 16-

foot wide driveway aprons, fire hydrants, corner curb returns, etc.

- ADS D-5 (17-Foot Driveways) may not be used in combination with ADS D-3 due to required driveway length.
- ADS D-13 (Tandem Parking) may not be used in combination with ADS D-3 due to different methods and numbers in calculating tandem parking.

Project Benefits:

- A residential village ambiance with less uninterrupted hardscape.
- Less pavement results in better water quality through percolation (due to less impervious surface) and a more livable micro-climate (less heat gain due to pavement near homes).
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles

b. **Parking Requirements for Age Qualified Multiple-Family Dwellings Without Dedicated Garages:**

- Multiple-Family Dwellings served by Parking in Common**
- Independent Units in Continuing Care Retirement Community (CCRC) Projects**

For all Age Qualified multiple-family dwellings without dedicated garages, this proposed Alternative Development Standard would require 1.25 parking spaces per dwelling unit, which includes guest, visitor and staff parking.

Performance Standards:

- Age Qualified (55+) dwellings only, as defined by the Ranch Plan PC Program Text Section IV (Senior Citizen Housing).



**D-9. Planned Concept Detached Dwellings Parking (Bedroom Count):**

Parking for Planned Concept Detached Dwellings to be provided per the bedroom-count parking generation method (OC 2002 Zoning Code Sections 7-9-~~70.3~~ 145.3(d)(2) and (d)(3); ~~Off-Street Parking Requirements for Residential Uses – Two (2) or more dwelling units on one (1) building site (Multifamily)~~).

Performance Standards:

- Compliance with all other aspects of Ranch Plan PC Program Text Section III.A.2 (Planned Concept Detached Dwellings Site Development Standards), including a density greater than 8.0 dwelling units per acre and lot sizes less than 3,000 square feet (unless modified by ADS D-8).
- ~~Located on a private alley, drive or motor court, not a public residential street.~~
- For public streets, up to 20% of the total required (non-guest) parking is allowed on the street. However, on-street parking (including both required and guest parking) may not exceed 75% of the street's available parking capacity.
- For private streets, up to 25% of the total required (non-guest) parking is allowed on the street. However, on-street parking (including both required and guest parking) may not exceed 90% of the street's available parking capacity.
- The total percentages of private and public on-street parking permitted are cumulative, and not specific to each individual development. In other words, the percentage of on-street parking used by one development shall count against the total percentage of on-street parking allowed for any subsequent development intending to use on-street parking. If adjacent surrounding land uses utilize on-street parking to meet their own parking requirements, that on-street parking capacity may not be utilized by the new development. For example, if an adjacent development utilizes 50% of a private street's available parking capacity, then the new development can only utilize the remaining 40% of that private street's available parking capacity.

Project Benefits:

- Increased housing choices in price range affordable to "first-time" and "move-down" homebuyers.
- Equivalent compliance with all aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-145.3(d)(2 and 3)~~7-9-70.3(Off-Street Parking)~~.
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.



## D-10. Bedroom Definition to Determine Parking Requirements

Clarification of what is classified as a bedroom, for the purposes of determining parking requirements per OC 2002 Zoning Code Section 7-9-~~70.3~~ 145.3(d)(2) ~~for Two (2) or more dwelling units on one (1) building site (Multifamily)~~ to apply to all Ranch Plan housing types as follows:

### Notes:

1. For purposes of determining parking requirements per OC 2002 Zoning Code Section ~~Table 7-9-70.3~~ 145.3(d)(2) ~~for Two (2) or more dwelling units on one (1) building site (Multifamily)~~, any room meeting the parameters as described in the performance standards below shall not be considered a bedroom. ~~rooms such as dens, studies or sewing rooms are not~~ may be exempted from being considered a bedroom per performance standards below.
2. This ADS is not a modification to the 2002 Zoning Code 7-9-~~135~~ 23(-B) definition of bedroom, nor the Ranch Plan PC Program Text Section IV. Definitions (B), but rather clarification for determination of parking requirements for site development standards for Off Street Parking.

### Performance Standards:

- Rooms with less than 70 square feet of interior space shall NOT be classified as a bedroom unless they contain a bathroom or closet.
- Rooms with more than 70 square feet of interior space with no closet and no bathroom provided directly opening into the a room shall NOT be classified as a bedroom.
- Rooms that are not considered a bedroom under this ADS shall be cClearly labeled "Not a Bedroom" on submitted plans.

### Project Benefits:

- Provides clarity for applicants and staff when determining required parking.

**D-11. Residential Guest Parking:**

Residential guest parking may be provided on adjacent public and private streets, in addition to being provided off-street, modifying OC 2002 Zoning Code Section 7-9-70.3 145.3.(d)(4) within the Ranch Plan planned community.

**Performance Standards:**

- For Conventional Single-Family Detached Dwellings, a parking exhibit showing full plotting of parking spaces must be provided as part of the Model Site Development Permit Plans or tentative tract map plans, whichever comes first.
- For Planned Concept Detached Dwellings:
  - Guest parking must be located within 200 feet walking distance of the front door or to an attached garage with direct access to unit, whichever is closer, of each Age Qualified Planned Concept Detached Dwelling.
  - Guest parking must be located within 200 feet walking distance of the front door or to an attached garage with direct access to unit, whichever is closer, of 75% of non-Age Qualified Planned Concept Detached Dwellings.
  - Guest parking may be located within 300 feet walking distance of the front door or to an attached garage with direct access to unit, whichever is closer, of the remaining 25% non-Age Qualified Planned Concept Detached Dwelling units with the following restrictions:
    - Only allowed on sidewalks and/or streets sloped less than 5% for the entire traversable path to facilitate ease of use for pedestrians.
    - The 300-foot walking distance for non-Age Qualified Planned Concept Detached Dwelling units is only allowed in Planning Area 3.
  - All required parking spaces, walking distances and, if applicable, the above-mentioned 25% cap will be determined on a unit by unit, tract by tract basis.
  - All required parking spaces must be shown on a parking exhibit for entire project site as part of the Site Development Permit Plans.
- For Multiple Family Dwellings:
  - For developments greater than 22 dwelling units per net acre, all Guest parking must be located within 200 feet of the front door, the elevator(s) serving the units, or to an attached garage with direct access to unit, whichever is closer, with the exception of Non-Age Qualified Multiple Family Dwellings projects that provide a parking lot centralized to the units being served (see next bullet point below).
  - If a Non-Age Qualified Multiple Family Dwellings project provides a parking lot centralized to the units being served (see examples below – Exhibit D-11), 25% of Guest parking may be located within 300 feet of the front door, the elevator(s) serving the units, or to an attached garage with direct access to the unit, whichever is closer, and the remaining 75% of the Guest parking shall be located within 200 feet of the front door, the elevator(s) serving the units, or attached garage of the remaining units. Guest parking proposed per this performance standard shall not be located on public streets.

**Exhibit D-11**  
**Examples of Centralized Parking Lot**



- If ADS D-12 (Single-Car Garages for Single-Family Detached Homes) is proposed to be used in combination with ADS D-11, all Guest parking for homes served by a single-car garage must be located within 200 feet of the front door of the dwelling or to an attached garage with direct access to unit, whichever is closer.
- If ADS D-13 (Tandem Parking) is proposed to be used in combination with ADS D-11, all Guest parking for homes served by a tandem garage must be located within 200 feet of the front door of the dwelling or to an attached garage with direct access to unit, whichever is closer.

**Project Benefit:**

- Provides clarity for applicants and staff when determining required parking and the location thereof.
- Increased housing choices in price range affordable to “first-time” and “move-down” homebuyers
- Equivalent ease of traffic circulation and traffic safety
- Equivalent access for fire and emergency vehicles

## D-12. Single-Car Garages for Single-Family Detached Homes

Single-car garages (a minimum 10 feet in width and 20 feet in length of unobstructed area) are allowed to serve Planned Concept, Conventional Single-family Detached or Duplex (per ADS D-14) dwellings less than 1,300 square feet, including Age Qualified Housing (55+).

Performance Standards:

- Dwelling units of less than 1,300 square feet must still comply with all other aspects of Ranch Plan PC Program Text Section III.K. (Off-Street Parking) and OC [2002 Zoning Code Section 7-9-70.3 145.3 \(Residential off-street parking requirements\) Parking Requirements for Residential Uses](#)— this ADS simply allows one garage space and one uncovered space rather than two covered parking spaces.
- If the garage is served by a public or private street, alley or motorcourt, parking spaces necessary to meet the parking requirements (on-street or off-street) must be provided within 200 feet of the dwelling.
- One driveway parking space in front of a single car garage or a “staggered” garage, 18-foot in length from edge of alley pavement or from back of sidewalk, may be counted toward the unit’s required parking (see Exhibit D-12).
- All required parking spaces must be shown on a parking exhibit for entire project site as part of the Site Development Permit Plans:
  - Guest parking must be located within 200 feet of each unit.
  - For Conventional Single-Family Detached Dwellings, the parking exhibit must be provided as part of the Model Site Development Permit Plans or tentative tract map plans, whichever comes first.
  - For Planned Concept Detached Dwellings, the parking exhibit must be provided as part of the site-wide Site Development Permit plans.
- If ADS D-11 (Single Family Detached On-Street Parking) is proposed to be used in combination with ADS D-12, all guest parking for homes served by a single-car garage must be located within 200 feet of the dwelling.
- ADS D-5 (17-Foot Driveways) may not be used in combination with ADS D-12 because ADS D-12 requires the driveway to be at least 18 feet in length from the back of the sidewalk.

Project Benefits:

- Increased housing choices in price range affordable to “first-time” and “move-down” homebuyers.
- Equivalent compliance with all aspects of Ranch Plan PC Program Text Section III.K. and OC [2002 Zoning Code Section 7-9-70.3 145.3 \(Off-Street Parking Requirements for Residential Uses\)](#).
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.

### D-13. Tandem Parking

Full parking credit allowed for tandem garage spaces (11' x 40') per performance standards below:

Performance Standards:

- Compliance with all other aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-~~70~~ 145 (Off-Street Parking ~~and loading~~ regulations).
- Garage spaces only; no driveway spaces allowed in front of tandem garages.
- Motorcourts and Alleys: Full parking credit allowed for tandem garage spaces in up to 50% of project-wide residential units located off of motorcourts and alleys
- Private Streets: Full parking credit allowed for tandem garage spaces in up to 50% of project-wide residential units located off of private streets, with curb-separate sidewalks (i.e., with parkways) for sight distance purposes.
- Compliance will be determined on a unit by unit, tract by tract basis per a parking exhibit that must be provided as part of the site-wide Site Development Permit plans or tentative tract map plans, whichever comes first.
- ADS D-3a (Reduced "Age-Qualified" Parking) may not be used in combination with ADS D-13 due to different methods and numbers in calculating tandem parking.

Project Benefits:

- Equivalent compliance with all aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-~~70~~ 145 (Off-Street Parking ~~and loading~~ regulations).
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.

#### D-15. “Off-Site” Garages for Single-Family Detached Homes

Required covered parking spaces (including the provisions of ADS D-9) serving Conventional Single-Family or Planned Concept residential may be located on a separate building site (see exhibit on following page).

Performance Standards:

- Unattached garages shall be located within 200-foot walking distance of each specific dwelling unit being served.
- Compliance with all other aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-~~70~~ 145 (Off-Street Parking ~~and loading regulations~~), including but not limited to maneuverability ~~and accessibility requirements~~. ~~requirements and compliance with California Disabled Access Requirements (ADA).~~
- Prior to builder “B” tentative tract map approval applicant shall clarify ownership of proposed off-site garage area and compliance with appropriate setbacks through appropriate methods to ensure that the garage remains associated with the appropriate unit and is used as parking (e.g., CC&Rs).

Project Benefits:

- Increased housing choices in price range affordable to “first-time” and “movedown” homebuyers.
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.

FRONT  
SIDE  
REAR



**D15 - "Off-Site" Garages Serving Single Family Detached Residential Units**

\* Per Ranch Plan Planned Community Program Text Section III.A.2.d.6)c) and Exhibit D4-5

**Exhibit D15**



# **ATTACHMENT 5**



**D-3. Reduced Age Qualified Parking**

Per the approval of the Planning Commission, allow the following modifications to 2002 Zoning Code Section 7-9-145.3 regarding parking requirements for Ranch Plan Age Qualified (55+) housing. An additional detailed parking analysis would only be required if an applicant requests deviations from the following parking standards.

- a. **Requirements for Age Qualified Dwellings with Dedicated Garages:**
  - i. **Conventional Single-Family Detached Dwellings**
  - ii. **Planned Concept Detached Dwellings**
  - iii. **Multiple-Family Dwellings**

This modification to the Off-Street Parking Regulations of the County of Orange 2002 Zoning Code Section 7-9-145.3(d)(1) for Attached or detached single-family dwellings requires a two-car garage (unless expressly allowed otherwise – e.g., ADS D-12) for each single-family Age Qualified detached dwelling unit.

At least 75% of all Age Qualified Dwelling two-car garages must be side-by-side. The remaining 25% may be end-to-end (tandem) garages, with both spaces counted fully towards meeting the two-spaces-per-unit requirement.

Each Age Qualified attached dwelling unit (more than one dwelling per building site) requires two spaces along with an additional 0.2 guest spaces per unit.

Conventional Single Family and Planned Concept Detached Dwelling projects in compliance with this ADS are also to comply with County Standard Plan 1107, as modified to allow local streets with residential frontage and driveways on both sides, but parking on one side only:

- 28-foot-wide streets (curb-face to curb-face) with traffic levels of up to 200 average daily trips (ADT).
- 30-foot-wide streets (curb-face to curb-face) with traffic levels of from 200 to 500 average daily trips (ADT).

Performance Standards:

- Age Qualified (55+) dwellings only, as defined by the Ranch Plan PC Program Text Section IV (Senior Citizen Housing).
- Two parking spaces required per dwelling (no driveway space required) to be provided via one of the following methods:
  - Conventional side-by-side garage, per 2002 ZC 7-9-145.3(a)(1)
  - Tandem garage up to a maximum of 25% of dwelling units within each Age Qualified project area as stated above.
  - Single-car garage serving single-family detached dwellings of less than 1,300 square feet, plus a second required parking space that shall be provided either in a driveway (minimum 18 feet in length), or on-street or off-street within 200 feet, as allowed by ADS D-12.
- At the tentative tract map level (and site development permit level for Planned Concept Detached Dwellings and Multiple-Family Dwellings) the applicant must demonstrate to Land Development staff that 0.2 required guest parking spaces per dwelling are provided either in a driveway (at least 18' length behind back-of-sidewalk), or on-street within 200' of the dwelling. This parking tabulation shall be based on 22-foot-long parallel parking space lengths, as required by 2002 Zoning Code Section 7-9-145.5 design requirements, working within the constraints of 16-

foot-wide driveway aprons, fire hydrants, corner curb returns, etc.

- ADS D-5 (17-Foot Driveways) may not be used in combination with ADS D-3 due to required driveway length.
- ADS D-13 (Tandem Parking) may not be used in combination with ADS D-3 due to different methods and numbers in calculating tandem parking.

Project Benefits:

- A residential village ambiance with less uninterrupted hardscape.
- Less pavement results in better water quality through percolation (due to less impervious surface) and a more livable micro-climate (less heat gain due to pavement near homes).
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles

b. **Parking Requirements for Age Qualified Multiple-Family Dwellings Without Dedicated Garages:**

- Multiple-Family Dwellings served by Parking in Common**
- Independent Units in Continuing Care Retirement Community (CCRC) Projects**

For all Age Qualified multiple-family dwellings without dedicated garages, this proposed Alternative Development Standard would require 1.25 parking spaces per dwelling unit, which includes guest, visitor and staff parking.

Performance Standards:

- Age Qualified (55+) dwellings only, as defined by the Ranch Plan PC Program Text Section IV (Senior Citizen Housing).

**D-9. Planned Concept Detached Dwellings Parking (Bedroom Count):**

Parking for Planned Concept Detached Dwellings to be provided per the bedroom-count parking generation method (OC 2002 Zoning Code Sections 7-9-145.3(d)(2) and (d)(3):

Performance Standards:

- Compliance with all other aspects of Ranch Plan PC Program Text Section III.A.2 (Planned Concept Detached Dwellings Site Development Standards), including a density greater than 8.0 dwelling units per acre and lot sizes less than 3,000 square feet (unless modified by ADS D-8).
- For public streets, up to 20% of the total required (non-guest) parking is allowed on the street. However, on-street parking (including both required and guest parking) may not exceed 75% of the street's available parking capacity.
- For private streets, up to 25% of the total required (non-guest) parking is allowed on the street. However, on-street parking (including both required and guest parking) may not exceed 90% of the street's available parking capacity.
- The total percentages of private and public on-street parking permitted are cumulative, and not specific to each individual development. In other words, the percentage of on-street parking used by one development shall count against the total percentage of on-street parking allowed for any subsequent development intending to use on-street parking. If adjacent surrounding land uses utilize on-street parking to meet their own parking requirements, that on-street parking capacity may not be utilized by the new development. For example, if an adjacent development utilizes 50% of a private street's available parking capacity, then the new development can only utilize the remaining 40% of that private street's available parking capacity.

Project Benefits:

- Increased housing choices in price range affordable to "first-time" and "move-down" homebuyers.
- Equivalent compliance with all aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-145.3(d)(2 and 3).
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.

## D-10. Bedroom Definition to Determine Parking Requirements

Clarification of what is classified as a bedroom, for the purposes of determining parking requirements per OC 2002 Zoning Code Section 7-9-145.3(d)(2) to apply to all Ranch Plan housing types as follows:

### Notes:

1. For purposes of determining parking requirements per OC 2002 Zoning Code Section 7-9-145.3(d)(2), any room meeting the parameters as described in the performance standards below shall not be considered a bedroom.
2. This ADS is not a modification to the 2002 Zoning Code 7-9-23(B) definition of bedroom, nor the Ranch Plan PC Program Text Section IV. Definitions (B), but rather clarification for determination of parking requirements for site development standards for Off Street Parking.

### Performance Standards:

- Rooms with less than 70 square feet of interior space shall NOT be classified as a bedroom unless they contain a bathroom or closet.
- Rooms with more than 70 square feet of interior space with no closet and no bathroom directly opening into the room shall NOT be classified as a bedroom.
- Rooms that are not considered a bedroom under this ADS shall be clearly labeled "Not a Bedroom" on submitted plans.

### Project Benefits:

- Provides clarity for applicants and staff when determining required parking.

**D-11. Residential Guest Parking:**

Residential guest parking may be provided on adjacent public and private streets, in addition to being provided off-street, modifying OC 2002 Zoning Code Section 7-9-145.3.(d)(4) within the Ranch Plan planned community.

**Performance Standards:**

- For Conventional Single-Family Detached Dwellings, a parking exhibit showing full plotting of parking spaces must be provided as part of the Model Site Development Permit Plans or tentative tract map plans, whichever comes first.
- For Planned Concept Detached Dwellings:
  - Guest parking must be located within 200 feet walking distance of the front door or to an attached garage with direct access to unit, whichever is closer, of each Age Qualified Planned Concept Detached Dwelling.
  - Guest parking must be located within 200 feet walking distance of the front door or to an attached garage with direct access to unit, whichever is closer, of 75% of non-Age Qualified Planned Concept Detached Dwellings.
  - Guest parking may be located within 300 feet walking distance of the front door or to an attached garage with direct access to unit, whichever is closer, of the remaining 25% non-Age Qualified Planned Concept Detached Dwelling units with the following restrictions:
    - Only allowed on sidewalks and/or streets sloped less than 5% for the entire traversable path to facilitate ease of use for pedestrians.
    - The 300-foot walking distance for non-Age Qualified Planned Concept Detached Dwelling units is only allowed in Planning Area 3.
  - All required parking spaces, walking distances and, if applicable, the above-mentioned 25% cap will be determined on a unit by unit, tract by tract basis.
  - All required parking spaces must be shown on a parking exhibit for entire project site as part of the Site Development Permit Plans.
- For Multiple Family Dwellings:
  - For developments greater than 22 dwelling units per net acre, all Guest parking must be located within 200 feet of the front door, the elevator(s) serving the units, or to an attached garage with direct access to unit, whichever is closer, with the exception of Non-Age Qualified Multiple Family Dwelling projects that provide a parking lot centralized to the units being served (see next bullet point below).
  - If a Non-Age Qualified Multiple Family Dwelling project provides a parking lot centralized to the units being served (see examples below – Exhibit D-11), 25% of Guest parking may be located within 300 feet of the front door, the elevator(s) serving the units, or to an attached garage with direct access to the unit, whichever is closer, and the remaining 75% of the Guest parking shall be located within 200 feet of the front door, the elevator(s) serving the units, or attached garage of the remaining units. Guest parking proposed per this performance standard shall not be located on public streets.

**Exhibit D-11**  
**Examples of Centralized Parking Lot**



- If ADS D-12 (Single-Car Garages for Single-Family Detached Homes) is proposed to be used in combination with ADS D-11, all Guest parking for homes served by a single-car garage must be located within 200 feet of the front door of the dwelling or to an attached garage with direct access to unit, whichever is closer.
- If ADS D-13 (Tandem Parking) is proposed to be used in combination with ADS D-11, all Guest parking for homes served by a tandem garage must be located within 200 feet of the front door of the dwelling or to an attached garage with direct access to unit, whichever is closer.

**Project Benefit:**

- Provides clarity for applicants and staff when determining required parking and the location thereof.
- Increased housing choices in price range affordable to “first-time” and “move-down” homebuyers
- Equivalent ease of traffic circulation and traffic safety
- Equivalent access for fire and emergency vehicles

## D-12. **Single-Car Garages for Single-Family Detached Homes**

Single-car garages (a minimum 10 feet in width and 20 feet in length of unobstructed area) are allowed to serve Planned Concept, Conventional Single-family Detached or Duplex (per ADS D-14) dwellings less than 1,300 square feet, including Age Qualified Housing (55+).

Performance Standards:

- Dwelling units of less than 1,300 square feet must still comply with all other aspects of Ranch Plan PC Program Text Section III.K. (Off-Street Parking) and OC 2002 Zoning Code Section 7-9-145.3 (Residential off-street parking requirements). This ADS simply allows one garage space and one uncovered space rather than two covered parking spaces.
- If the garage is served by a public or private street, alley or motorcourt, parking spaces necessary to meet the parking requirements (on-street or off-street) must be provided within 200 feet of the dwelling.
- One driveway parking space in front of a single car garage or a “staggered” garage, 18-foot in length from edge of alley pavement or from back of sidewalk, may be counted toward the unit’s required parking (see Exhibit D-12).
- All required parking spaces must be shown on a parking exhibit for entire project site as part of the Site Development Permit Plans:
  - Guest parking must be located within 200 feet of each unit.
  - For Conventional Single-Family Detached Dwellings, the parking exhibit must be provided as part of the Model Site Development Permit Plans or tentative tract map plans, whichever comes first.
  - For Planned Concept Detached Dwellings, the parking exhibit must be provided as part of the site-wide Site Development Permit plans.
- If ADS D-11 (Single Family Detached On-Street Parking) is proposed to be used in combination with ADS D-12, all guest parking for homes served by a single-car garage must be located within 200 feet of the dwelling.
- ADS D-5 (17-Foot Driveways) may not be used in combination with ADS D-12 because ADS D-12 requires the driveway to be at least 18 feet in length from the back of the sidewalk.

Project Benefits:

- Increased housing choices in price range affordable to “first-time” and “move-down” homebuyers.
- Equivalent compliance with all aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9145.3 (Off-Street Parking).
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.

### D-13. **Tandem Parking**

Full parking credit allowed for tandem garage spaces (11' x 40') per performance standards below:

Performance Standards:

- Compliance with all other aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-145 (Off-Street Parking).
- Garage spaces only; no driveway spaces allowed in front of tandem garages.
- Motorcourts and Alleys: Full parking credit allowed for tandem garage spaces in up to 50% of project-wide residential units located off of motorcourts and alleys
- Private Streets: Full parking credit allowed for tandem garage spaces in up to 50% of project-wide residential units located off of private streets, with curb-separate sidewalks (i.e., with parkways) for sight distance purposes.
- Compliance will be determined on a unit by unit, tract by tract basis per a parking exhibit that must be provided as part of the site-wide Site Development Permit plans or tentative tract map plans, whichever comes first.
- ADS D-3a (Reduced "Age-Qualified" Parking) may not be used in combination with ADS D-13 due to different methods and numbers in calculating tandem parking.

Project Benefits:

- Equivalent compliance with all aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-145 (Off-Street Parking).
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.



**D-15. “Off-Site” Garages for Single-Family Detached Homes**

Required covered parking spaces (including the provisions of ADS D-9) serving Conventional Single-Family or Planned Concept residential may be located on a separate building site (see exhibit on following page).

Performance Standards:

- Unattached garages shall be located within 200-foot walking distance of each specific dwelling unit being served.
- Compliance with all other aspects of Ranch Plan PC Program Text Section III.K. and OC 2002 Zoning Code Section 7-9-145 (Off-Street Parking), including but not limited to maneuverability and accessibility requirements.
- Prior to builder “B” tentative tract map approval applicant shall clarify ownership of proposed off-site garage area and compliance with appropriate setbacks through appropriate methods to ensure that the garage remains associated with the appropriate unit and is used as parking (e.g., CC&Rs).

Project Benefits:

- Increased housing choices in price range affordable to “first-time” and “movedown” homebuyers.
- Equivalent ease of circulation and traffic safety.
- Equivalent access for fire and emergency vehicles.

FRONT  
SIDE  
REAR



**D15 - "Off-Site" Garages Serving Single Family Detached Residential Units**

\* Per Ranch Plan Planned Community Program Text Section III.A.2.d.6)c) and Exhibit D4-5

**Exhibit D15**