

RESOLUTION NO. 18-05
RESOLUTION OF THE PLANNING COMMISSION OF
ORANGE COUNTY, CALIFORNIA
RECOMMENDING CERTIFICATION OF
SECOND FINAL REVISED ENVIRONMENTAL IMPACT REPORT No. 616,
ADOPTION OF GENERAL PLAN AMENDMENT LUE 16-01 AND
ADOPTION OF AN ORDINANCE APPROVING THE
ESPERANZA HILLS SPECIFIC PLAN AND ZONE CHANGE 16-05
FOR THE ESPERANZA HILLS PROJECT (PA120037)

AUGUST 22, 2018

On Motion of Commissioner _____, duly seconded and carried, the following Resolution was adopted:

WHEREAS, Yorba Linda Estates, LLC, OC 33, LLC and the Nicholas/Long Family Trusts (collectively “Applicant”) submitted Planning Application PA 120037 (“PA120037”) requesting approval of a residential development consisting of 340 single-family residential units including the adoption of a General Plan Amendment (Land Use Element) (“GPA LUE 16-01”), Zone Change (“Zone Change 16-05”), adoption of the Esperanza Hills Specific Plan (“Specific Plan”) and certification of Second Revised Final Environmental Impact Report No. 616 (“SRFEIR 616”) (collectively, the “Project”); and

WHEREAS, General Plan Amendment LUE 16-01 (Land Use Element) (Exhibit B) proposes to amend the General Plan Land Use Map to revise the General Plan Land Use designation for the Project area from Open Space (5) to Suburban Residential (1B) to allow for residential development; and

WHEREAS, the County of Orange (County) has prepared the Zone Change 16-05 (Exhibit C) to apply Specific Plan zoning regulations to the Project; and

WHEREAS, in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*) (CEQA) and the State CEQA Guidelines (Title 14, California Code of Regulations Section 15000 *et seq.*) (CEQA Guidelines) and the County’s CEQA Procedures Manual, the County, as Lead Agency, has prepared SRFEIR 616 to evaluate the environmental impacts of the actions and approvals requested in PA 120037; and

WHEREAS, pursuant to California Government Code Section 65000, *et seq.*, the County has an adopted General Plan and Zoning Code that meet all of the requirements of California State law; and

WHEREAS, the Planning Commission recommends that the Board of Supervisors find that SRFEIR 616 is in compliance with CEQA and the CEQA Guidelines and is a Project EIR as defined by CEQA Guidelines Section 15161, and as such addressed the potentially significant environmental impacts associated with the Esperanza Hills Project, not only with regard to the approval of a Specific Plan, a General Plan Amendment, Zone Change, Vesting Tentative Tract Map and related programs and entitlements; and,

WHEREAS, the subsequent actions addressed in SRFEIR 616 include, but are not limited to, County approval of a Vesting Tentative Tract Map and site development permits; and

WHEREAS, based on SRFEIR 616, it has been determined that the development proposed by the Zone Change, Specific Plan and Vesting Tentative Tract Map is within the scope of SRFEIR 616; and

WHEREAS, based on SRFEIR 616, it has been determined that environmental impacts related to the Project have been reduced to less than significant with the incorporation of mitigation measures and conditions of approval with the exception of Greenhouse Gas Emissions, Noise and Traffic impacts; and

WHEREAS, in accordance with CEQA Guidelines Section 15093, the County, as Lead Agency, has prepared a Statement of Findings which includes a Statement of Overriding Considerations listing the Unavoidable Adverse Significant Impacts of the Project (included within Exhibit A); and

WHEREAS, pursuant to Public Resources Code Section 21081.6, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared identifying Mitigation Measures and Standard Conditions (included within Exhibit A), all of which have been identified as measures to reduce potential adverse significant impacts; and

WHEREAS, the Planning Commission has reviewed and fully considered SRFEIR 616, the Zone Change, Specific Plan and General Plan Amendment and has heard and considered the public comments that were presented to it on this Project and has determined after review and consideration to recommend adoption of the General Plan Amendment, Zone Change, Specific Plan and certification of SRFEIR 616.

NOW, THEREFORE, BE IT RESOLVED THAT this Planning Commission recommends that the Board of Supervisors make the following findings:

1. General Plan: The General Plan Amendment (GPA LUE 16-01), Zone Change (ZC16-05) and the Specific Plan are consistent with the objectives, policies and general land uses and programs specified in the General Plan for the Project area, which General Plan was adopted pursuant to the State Planning and Zoning Law.

2. Zoning: The Zone Change and Specific Plan are consistent with the provisions of the Zoning Code applicable to the property.

3. Compatibility: The location, size, design and operating characteristics of the proposed uses allowed by the Zone Change and Specific Plan will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.

4. General Welfare: Implementation of the Zone Change and Specific Plan will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

5. Public Facilities: The Zone Change and Specific Plan are in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (i.e. fire station, library, sheriff, etc.)

6. SRFEIR 616 reflects the independent judgment of the County of Orange as Lead Agency, and satisfies the requirements of CEQA for PA 120037. Further that no significant new information has been added to SRFEIR 616 such that recirculation for additional public review is necessary or required pursuant to CEQA Guidelines Section 15088.5. Adoption of SRFEIR 616 is recommended for the proposed project based upon the findings set forth in the proposed Board Resolution certifying SRFEIR 616 and Findings of Fact and Statement of Overriding Considerations attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the ordinances and resolutions attached hereto as Exhibits A, B and C certifying SRFEIR 616 for the project, adopting General Plan Amendment LUE 16-01, and adopting Zone Change 16-05 and the Specific Plan.

The foregoing resolution was carried by the following vote:

AYES:

NOES:

ABSENT:

I HEREBY CERTIFY that the foregoing Resolution No. 18-05 was adopted on August 22, 2018, by the Orange County Planning Commission.

ORANGE COUNTY PLANNING COMMISSION

By _____