

MS Word Export To Multiple PDF Files Software - Please purchase license.

**PLANNING AND DEVELOPMENT SERVICES REPORT
AS APPROVED BY THE ZONING ADMINISTRATOR**

DATE: March 30, 2000

TO: Orange County Zoning Administrator

FROM: P&DSD/Current Planning Services Division

SUBJECT: Public Hearing of Planning Application PA00-0019 for Site Development Permit

PROPOSAL: Site Development Permit 7 guesthouses to be constructed in conjunction with the development of 28 single family dwelling units in Tentative Tract 15907. An off-street parking modification is requested to utilize on-street parking to meet the requirements of guesthouses per Zoning Code Section 7-9-146.5.

LOCATION: Tentative Tract 15907, Planning Area 2, Ladera Ranch Planned Community, Fifth Supervisorial District

APPLICANT: William Lyon Homes, Applicant

SYNOPSIS: Site Planning Section recommends Zoning Administrator approval subject to the attached findings and conditions.

STAFF PLANNER/CONTACT: Joshua McDonnell, Project Manager
Phone: (714) 834-2083, FAX: (714) 834-5413

BACKGROUND:

Planning Application PA00-0019 comprises a Site Development Permit for 7 guesthouses to be constructed on specified lots. Tract 15907 is located in the northerly portion of Planning Area 2 of the Ladera Ranch Planned Community, south of Crown Valley Parkway and east of Antonio Parkway.

SITE ZONING AND SURROUNDING LAND USE:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
Project Site	Vacant	P.A. 2-Residential
North	Vacant	P.A. 2-Residential
South	Vacant	P.A. 3-Residential
East	Vacant	P.A. 2-School/Park site
West	Vacant	P.A. 2-Residential

CEQA COMPLIANCE:

The proposed project is Categorical Exempt (Class 1) from CEQA per Section 15301 of the CEQA guidelines.

PUBLIC NOTICES AND COMMENTS RECEIVED:

A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site. Additionally, a notice was posted at site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to the Traffic Engineering Section and the Orange County Fire Authority.

REVIEW AND ANALYSIS:

The applicant proposes the construction of detached structures on lots 7, 8, 13, 17, 18, 19 and 22 of the tract. The detached structures consist of a single room, closet, and ¾ bathroom. The applicant cites a number of intended uses for the detached structures. Such uses include an additional bedroom for guests or older children, an entertainment room with pool table, game equipment, etc., a pool cabana building, or an office for a home based business. The proposed use of the structure as an additional bedroom combined with the design of the structure qualifies the structure as a guesthouse. Guesthouses are combined with second residential units in Section 7-9-146.5 of the Orange County Zoning Code, which requires a use permit by the Zoning Administrator. Section III.D.3 of the Ladera Planned Community text allows second residential units subject to area plan and site development permit approval.

Section 7-9-146.5 of the Zoning Code also requires that an additional uncovered parking stall be required on any lot with a guesthouse or second residential unit. Although Section III.D.3 of the Ladera Ranch Planned Community Text allows second residential units subject to site development permit, no discussion is made of parking requirements for the second unit. Therefore, the issue reverts back to the Zoning Code, which requires the additional uncovered stall. The applicant has not provided extra stalls on any lots, requiring an off-street parking modification. However, the applicant has provided site plans and a chart (See plot plan and applicant's letter of justification) depicting that there are enough on-street parking stalls to meet the demand of both the single family detached structure and guesthouse/second residential unit parking requirements of the tract. In all cases, at least one on-street parking stall is located within 200 feet of each unit containing a guesthouse. Per Section III.H.1.f(6) of the Ladera Ranch Planned Community Text, all six (6) of the proposed detached structures conform to the main building setback regulations.

A Condition of Approval requires that a deed restriction be placed on the six units with guesthouses proposed. The deed restriction would restrict the use of the detached structures as second residential units. The owner of the home would not be allowed to rent out the guesthouse for financial gain. Such a Condition would alleviate a potential parking deficiency by not

allowing two full time residential units on a single lot. Staff has included the following findings in Appendix A.

- Applicable off-street parking requirements are inappropriate due to the nature of the specific use involved or because of special circumstances applicable to the property
- The proposed off-street parking facilities comply with the intent of these regulations as specified by section 7-9-145.1

RECOMMENDATION

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve Planning Application PA00-0019 subject to the attached Findings and Conditions of Approval.

Respectfully submitted,

C.M. Shoemaker, Chief
CPSD/Site Planning Section

APPEAL PROCEDURE

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

Appendices:

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

Exhibits: (Zoning Administrator package only)

1. Applicant's Letter of Explanation
2. Site Plans