

**MS Word Export To Multiple PDF Files Software - Please purchase license.PLANNING AND DEVELOPMENT SERVICES REPORT  
AS APPROVED BY THE ZONING ADMINISTRATOR**

**DATE:** October 26, 2000

**TO:** County of Orange Zoning Administrator

**FROM:** County of Orange/P&DSD/Current Planning Services Division

**SUBJECT:** Public Hearing of Planning Application PA00-0076 Coastal Development Permit/Site Plan/ and Use Permit

**PROPOSAL:** The applicant requests a Coastal Development Permit/Site Plan/Use Permit to permit the construction of a new single family dwelling. A Coastal Development Permit is required because the project site is located in the Coastal Zone. The Site Plan aspect of the application includes grading in excess of 500 cubic yards on slopes greater than 15%. The Use Permit aspect includes a request to construct accessory wall structures and associated support columns in the front setback area that exceed the 3 ½' height restriction for accessory structures within a front setback area. In addition, the Use Permit aspect includes an off-street parking modification request to permit an obstruction in the minimum 10' driveway width requirement.

**LOCATION:** In the community of Emerald Bay at 101 Emerald Bay, Laguna Beach. Fifth Supervisorial District

**APPLICANT:** Carl Renezeder, Applicant

**SYNOPSIS:** P&DSD/Current Planning Services recommends Planning Agency approval subject to the attached findings and conditions.

**STAFF PLANNER/CONTACT:** Joshua J. McDonnell/Bill Melton, Project Managers  
Phone: (714) 834-2083 or (714) 834-2541  
FAX: (714) 834-5413

**BACKGROUND:**

The project site is roughly rectangular in shape and presently lies vacant. The applicant proposes to construct a three-story, single-family dwelling with 6,106 square feet of living area and approximately 1,476 square feet of garage area.

The proposed project constitutes a development project under the Coastal Act. In addition, the property is located between the ocean and the first public road paralleling

the sea (Pacific Coast Highway). Therefore, the project is not exempt from the provisions of the Coastal Act, and a Coastal Development Permit is required in addition to the requested site development permit and use permit. The applicant's letter of justification and project description is attached to this report.

As previously mentioned, project requires approval of a use permit for over-height walls located within the front setback area as well as an off-street parking modification to permit an obstruction in the minimum 10' driveway width requirement. Additionally, a site development permit is required because greater than 500 cubic yards of earth are being graded on slopes greater than 15% on the project site.

### **SITE ZONING AND SURROUNDING LAND USE:**

The site, and all surrounding sites, are zoned R1 "Single Family Residential". The project is located in the Coastal Zone, between Pacific Coast Highway and the Pacific Ocean and is therefore an "appealable" development to the Coastal Commission.

### **CEQA COMPLIANCE:**

Negative Declaration No. PA000076 has been prepared and was posted for public review on 8/24/00. It is attached for your consideration and must be approved prior to project approval with a finding that it is adequate to satisfy the requirements of CEQA.

### **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 on site 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 four County sections, the Orange County Fire Authority (OCFA), and the Emerald Bay Homeowners Association. The Emerald Bay Homeowners Association recommended conditional approval of the proposed project. As of completion of the staff report, comments had not been received by the OCFA. Therefore, a condition of approval has been included which requires the applicant to submit a complete set of plans to OCFA for review and approval prior to the issuance of any permits.

### **REVIEW AND ANALYSIS:**

The proposed project site is currently vacant. Single family residences surround the project site with the exception of Pacific Coast Highway, which lies directly to the north.

The project site is very steep topographically. The northerly boundary of the site faces Pacific Coast Highway and is approximately 90' above sea level. The southerly boundary of the site faces Bay Crest Drive and drops to as much as 65' below sea level in the southwesterly corner. Given the change in elevation, the applicant must utilize 748

cubic yards of cut and 356 cubic yards of fill. The majority of the cut will be taken to locate the basement level in its current location.

The applicant further requests a use permit to construct retaining walls within the required front yard setback. The applicant maintains that the proposed house generally steps back in plan with the southeast corner of the house aligning with the neighboring residence to the east while the southwest corner of the house aligns with the neighboring residence to the west. The applicant further maintains that the siting of the walls in their proposed fashion will help to preserve neighbor's views as well as maintain the open feeling of an existing promontory to the west. Three walls are proposed within the setback area.

A use permit is also requested for an off-street parking modification. A retaining wall that begins in the southwest portion of the project site continues along the face of the front elevation, ending in a line with the structure in the southeast corner of the site. The wall spans above the driveway approach to the garage. A supporting column is proposed in the middle of the 21' wide driveway, approximately 11' in from back of the curb. The column splits the driveway for 4', making each of the two pieces approximately 9' in width for these 4'. The Zoning Code requires the minimum width of a driveway to remain 10', necessitating the use permit request. The traffic engineering section reviewed the site plan and offered no comment on the split in the driveway. Given traffic engineering's apparent satisfaction with the site design and given the relatively short distance (4') of the split in the driveway site planning staff does not oppose the request. A Condition of Approval does require sight distance to be reviewed by the Manager, Subdivision and Grading Services prior to issuance of a grading permit. A further Condition of Approval requires the applicant to provide evidence of the driveway measuring a minimum of 18' in length to the curb line prior to the issuance of a grading permit.

### **RECOMMENDATION**

Current Planning Services Division recommends the Planning Agency:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve Planning Application PA00-0076 subject to the attached Findings and Conditions of Approval.

Respectfully submitted,

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C.M. Shoemaker, Chief  
Site Planning and Consistency Management

## **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 \$245.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

### **Attachments:**

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

Exhibits: (Zoning Administrator package only)

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