

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT
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DATE: June 13, 2002

TO: Orange County Zoning Administrator

FROM: P&DSD/Current Planning Services Division

SUBJECT: Public Hearing for Planning Application PA020055 for Use Permit

PROPOSAL: Use Permit request to extend the height of existing fencing in the vicinity of the driving range for the Yorba Linda Country Club from 65 feet to 75 feet.

LOCATION: In the Yorba Linda area at 19400 Mountain View, Third Supervisorial District.

APPLICANT: Yorba Linda Country Club

SYNOPSIS: Current Planning Division recommends Zoning Administrator approval subject to findings and conditions.

STAFF PLANNER/CONTACT: Jim Swanek, Project Manager
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BACKGROUND:

The proposal involves structures accessory to the principal permitted use of a country club and golf course. The addition to the fence/wall over the District height limitation of 28' would be permitted subject to approval of a Use Permit heard by the Zoning Administrator per Section 7-9-137.5(f) of the County Zoning Code.

SITE ZONING AND SURROUNDING LAND USE:

The site is located in the vicinity of the driving range for the Yorba Linda Country Club in the Yorba Linda area. The country club is zoned Open Space, while the areas to the north and west are zoned E4 "Small Estates". To the south and east is single family detached development in the City of Yorba Linda. The County General Plan shows a land use designation for both the golf course and the homes in the unincorporated area as "Suburban Residential".

CEQA COMPLIANCE:

A Negative Declaration ("ND") for the project was prepared and was posted for public notice on May 23, 2002. It becomes final on June 12, 2002. One mitigation measure was incorporated for controlling construction-period noise, which will be met by the County's issuance of a building permit referencing

such requirements. Prior to project approval, the decision-maker must make a finding as to the adequacy of the ND (recommended in Attachment A) to meet the requirements of CEQA for the proposed project.

PUBLIC NOTICES, DISTRIBUTION FOR REVIEW, 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 the 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 previously distributed for review and comment to the City of Yorba Linda and County of Orange Building Plan Check. The City of Yorba Linda indicated on 5/16/02 that they had no comment. The involvement of County Plan Check will be addressed under the analysis section below. No comments arising from posting or mailing of the public notice have been received to date.

REVIEW AND ANALYSIS:

The principal use of the country club and golf course may have been established in 1957 under a “Certificate of Use and Occupancy”, a form of approval once-used for commercial recreation and similar activities in the A1 “General Agriculture” District. At the time, it seems to have been addressed off Country Club Lane, which no longer extends into this area. In 1962, the property was rezoned to “Yorba Linda Country Club Planned Community”, with the course labeled on the development plan as existing. Permits were also issued at that time to the Club for additional restroom buildings. In 1973, Conditional Permit 1499 added a tennis club. The current zoning of “Open Space” went into effect in 1976.

The proposal is to extend the height of accessory existing fencing around a portion of the Country Club driving range, specifically against those homes on the south side of Trino Circle from a current 65’ to 75’. This would allow netting to be installed that would better catch errant driven golf balls from the practice driving range and prevent damages off site and possible injury. The applicant states the existing 65’ tall tapered wood pole fencing around the driving range was installed 20-25 years ago. However, the County has no records of a building permit for said existing fencing, nor a discretionary permit that would have allowed a building permit to be issued. The County did issue a building permit in 1968 under the aegis of the then-governing Yorba Linda Country Club Planned Community for 40’ tall fencing. Because there are no building permit records for the existing fencing, the unusual step was taken of asking the applicant to apply for building permits before the planning application, so it would become clear whether modifying a structure itself with no permits would be allowed. County Building Plan Check has since reviewed and preliminarily approved the building permit application, accompanying plans and structural engineering. Building permits cannot be obtained until after action on this Use Permit becomes final.

Staff has reviewed a large number of discretionary permits that have affected this property over the years. The concerns have almost always focused on whether additional operations or additional lighting or traffic for said operations would be compatible with the surrounding quality single family detached neighborhood. Few other issues have been raised. It is thus important to note a petition of homeowners perhaps most affected by the proposal and in favor of the application has been included for the Zoning Administrator’s consideration.

RECOMMENDATION

Current Planning Services Division recommends the Zoning Administrator:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve Application PA 02-0055 subject to the attached Findings and Conditions of Approval.

Respectfully submitted,

Chad Brown, Chief
CPSD/Site Planning Section

APPEAL PROCEDURE

Any interested person may appeal a 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 fee of \$760.00 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
- 3. Negative Declaration
- 4. Petition of Homeowners in Support of Application