

PLANNING & DEVELOPMENT SERVICES DEPARTMENT REPORT

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DATE: November 20, 2002

TO: Orange County Planning Commission

FROM: Planning & Development Services Department/Current Planning Services Division

SUBJECT: Public Hearing on Planning Application PA02-0103 for Sand and Gravel (SG) Site Permit

PROPOSAL: The applicant proposes to establish a Christmas tree farm with seasonal sales on 13 acres of a 20 acre site zoned SG "Sand and Gravel Extraction" District.

LOCATION: The site is located in the Silverado/Modjeska area, at the intersections of Santiago Canyon Road, Silverado Canyon Road and Blackstar Canyon Road. Third Supervisorial District.

APPLICANT: Peltzer Ranch Inc., project developer
The Irvine Company, property owner

STAFF CONTACT: William V. Melton, Project Manager
Phone: (714) 834-2541 FAX: (714) 667-8344

SYNOPSIS: Current Planning Services Division review of the project determined that the proposal would conform to the applicable zoning and land use regulations and recommends Planning Commission approval of PA02-0103 for SG Site Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND:

The applicant, Peltzer Ranch Inc. proposes to plant and manage a Christmas tree farm in the unincorporated area of Orange County at the intersection of Santiago Canyon, Silverado Canyon and Blackstar Canyon Roads. The subject property is approximately 20 acres in size, 13± of which will be planted with Christmas trees. The property is identified on the General Plan as 5.0 "Open Space" and zoned SG "Sand and Gravel Extraction" District with an SR "Sign Restriction" District overlay. The property is also in the Silverado-Modjeska Specific Plan and has a land use designation R "Recreation".

Historically, the property was used by the County of Orange as an open-trench burn site and small community landfill. Thereafter the site was used as a sand and gravel processing plant. As a result of the SG operation, 10-20 feet of silt and rock washings were deposited on the site and graded, creating a dome shaped configuration that exists today.

The land is sparsely vegetated as shown in the photographs in Exhibit 2, Attachment 2 of the applicant's site plan submittal package. The site is fenced along most of its southern and eastern boundaries by a

chain link fence. Old mining posts and a natural cliff demarcate the northern and western boundaries, respectively. The terrain, elevation differential, and habitat make the rear of the site nearly impossible to access. There are no structures built on the land, or immediately adjacent thereto. The closest structure to the site is the Silverado County Water District Headquarters located across Silverado Canyon Road. There are no residential developments near the property. The “Lazy D Ranch” campground is located off Blackstar Canyon Road about 1 mile away. The property is currently served by Santiago County Water District and the applicant has received approval from the district to serve the proposed use. A water hydrant is located at the entrance to the property.

The proposed Christmas tree farm growing area will be divided into quarters separated by 30 feet wide compacted crushed asphalt access ways. Christmas tree seedlings will be planted on only one quarter of the farm on an annual rotating basis, which take approximately 4 years to mature. The trees will be planted in rows and irrigated with a drip irrigation system. There will be an overhead sprinkler system to initially nurture the seedlings, and provide for dust control, seasonal cleaning of the trees and fire protection. There will be no residences or permanent structures built on the land. The Christmas tree sales season last approximately 5 weeks, from the weekend before thanksgiving through December 22. During this period, customers will select a live tree that will be cut by employees and delivered to the customer’s car. The hours of operation will be 9 a.m. to 5 p.m. weekends and 11:30 a.m. to 5 p.m. weekdays. Christmas tree sales will be closed at sundown and therefore no night lighting in the growing area is proposed. Included with the proposal are two storage trailers, an office/sales trailer (that will have security lighting), business signs and an unpaved and unstriped parking area for up to 100 cars.

The applicant’s family has been farming in Orange County for three generations. The applicant planted the first Peltzer Pines Christmas tree farm almost 40 years ago, in 1963. The first farm was located in East Anaheim. At one point, the applicant had 8 farms in Irvine, Garden Grove, Yorba Linda, Orange and Anaheim. According to the applicant, the lack of available farm space in Orange County is of growing concern. Accordingly, the majority of the applicant’s farms have been replaced by the development needs of the County. Currently, only three leased farms are remaining in Orange, Brea and Irvine, all of which will likely be closed due to development in the next few years. For example, the farm in Orange is being considered for school buildings by Rancho Santiago College.

CEQA COMPLIANCE:

Negative Declaration No. PA020103 (Exhibit 1) has been prepared for this proposal. It was posted for public review on October 7, 2002 and ended the review period on October 27, 2002. Prior to project approval, this ND must be found adequate to satisfy the requirements of CEQA by the Planning Commission. Appendix A contains the required CEQA Finding.

REFERRAL FOR COMMENT AND PUBLIC NOTICE:

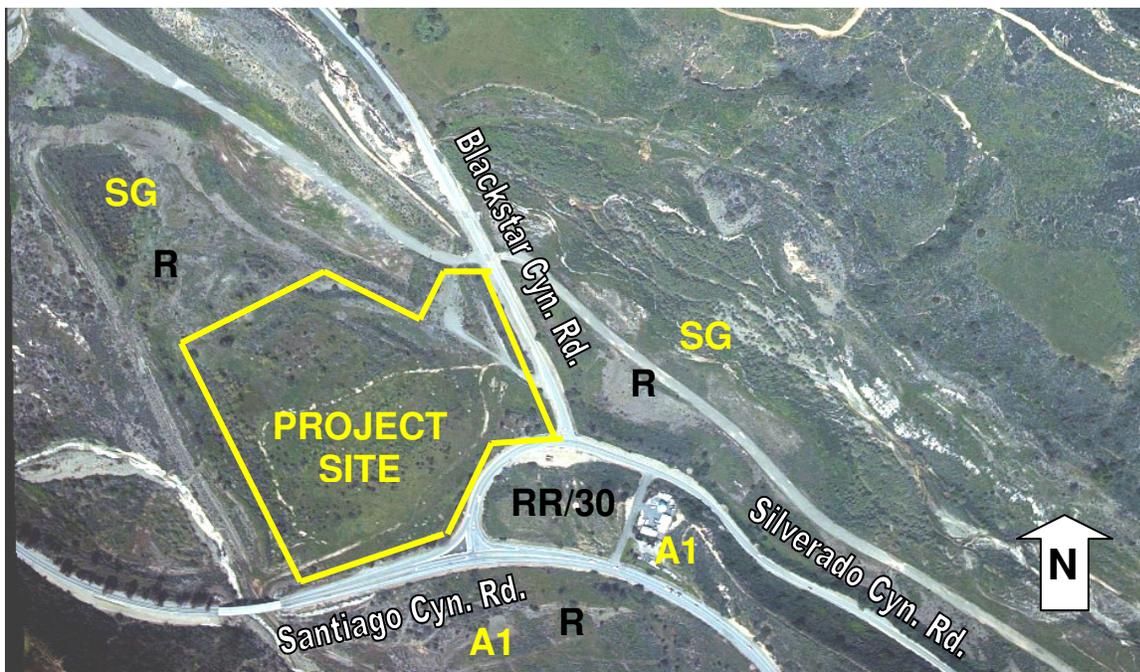
A Notice of Hearing was mailed to all owners of record within 300 feet of the subject site and was emailed to all persons sending an email to staff commenting on the proposal. Additionally, a notice was posted at the site, at the 300 N. Flower Building and as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to 12 County Divisions, State Regional Quality Board, Inter Canyon League and the Rural Canyons Conservation Fund. As of the writing of this staff report, no comments raising issues with

the project that could not be addressed through the Conditions of Approval have been received from other County divisions. Staff notes that numerous emails have been received in support of the proposal.

SURROUNDING LAND USE:

Direction	Zoning * Sil-Mod Land Use Designation	Existing Land Use
Project Site	SG “Sand and Gravel Extraction” R “Recreation”	Vacant
North	SG “Sand and Gravel Extraction” and A1 “General Agricultural” R “Recreation”	Vacant
South	A1 “General Agricultural” R “Recreation”	Open space, Limestone Canyon Regional Park
East	SG “Sand and Gravel Extraction” and A1 “General Agricultural” Rural Residential/30 acre minimum lot size	Vacant
West	SG “Sand and Gravel Extraction” R “Recreation”	Vacant

* In addition, a SR “Sign Restriction” District extends 3,000 feet from both side of Santiago Canyon Road.



DISCUSSION/ANALYSIS:

The proposed Peltzer Christmas tree farm is proposed to be located in an area of Orange County that is subject to the several County of Orange zoning and Specific Plan regulations. Below is a list of those major land use elements followed by a discussion indicating how the proposal conforms to each of the elements.

- Zoning Code Section 7-9-104 – SG “Sand and Gravel Extraction” District
- Zoning Code Section 7-9-111 – SR “Sign Restriction” District
- Zoning Code Section 7-9-136.8 – Christmas tree sales facility
- Zoning Code Section 7-9-145 “Off-Street Paring Regulations” District
- Zoning Code Section 7-9-150.3 “Processing Procedures”
- Silverado Modjeska Specific Plan – R “Recreation”

Zoning Code Section 7-9-104 – SG “Sand and Gravel Extraction” District

The SG district is more commonly associated with removal of sand and gravel, concrete and asphalt batching plants and rock crushing. However, “agricultural and other open space uses” are also permitted subject to the approval of an SG site permit. Since the proposed tree farm is an agricultural use, the proposed project is a permitted use in the SG District.

Zoning Code Section 7-9-111 – SR “Sign Restriction” District

The SR District sign regulations are in addition to the sign regulation of Zoning Code Section 7-9-144 “Signs” District. The SR District regulations are to establish standards for the control of signs in area of the County which require protection of vistas of the natural landscape, scenic corridors and highways, recreation facilities and routes used for access to recreational areas and facilities. In general, the SR District limits signs that otherwise are permitted under Section 7-9-144.

For this proposal, the SR regulations permit outright the installation of three (3) business or identification monument signs (one for each of the three road frontages) not exceeding 4 feet in height and measuring not more than 50 square feet in area; and, one business or identification wall sign not exceeding 150 square feet. With Site Development Permit approval, a business or identification sign not exceeding 4 feet in height and measuring not more that 50 square feet in area could also be installed.

The applicant is requesting approval to install two freestanding business signs; one at the parking area entrance at Blackstar Canyon Road, and one along Santiago Canyon Road. Both proposed signs measure 4 feet high by 8 feet in width and non-illuminated. The sign along Santiago Canyon Road is proposed to be mounted on an existing chain link fence adjacent to the projects perimeter road. The sign at the project entrance is classified as a pole sign and under the SR regulations requires a Use Permit approved by the Zoning Administrator at a public hearing. Zoning Code Section 7-9-150.3 “Processing Procedures” permits the Planning Commission to approve any signage under this SG Site Permit application that could be approved by the Zoning Administrator at a public hearing.

The SR District permits outright site signage at a total of 300 square feet (three 50 square foot monument signs and one 150 square foot wall sign). The applicant is requesting signage totaling 64 square feet. While the two proposed signs conform to the size for each sign, they do not conform to the 4 feet height standard. The top of the sign on the fence would be approximately 6 feet above the ground, and the sign at the entrance would be approximately 7 feet above the ground.

Regarding the sign on the fence, because this site is in a SR District, is located close to Santiago Canyon Road and across the road from Limestone Regional Park, staff is of the opinion that for aesthetic reasons the sign should be the monument type no more than 5 feet above finished grade and not attached to the fence as proposed. As for the entrance sign, staff is of the opinion that this sign should also be a monument sign but be permitted a height of 6 feet above the ground, which includes a 4 feet high sign and a two feet tall base. Condition of Approval No. 13 requires the applicant to submit revised sign plan reflecting the afore mentioned signs.

Zoning Code Section 7-9-136.8 – Christmas tree sales facility

Christmas tree sales are a permitted use on this site because this proposal is not located in a residential district or area. The applicant conforms to the intent of this section with one modification. The applicant proposes one change to the standards that would allow the sales of Christmas trees to take place starting the Saturday before Thanksgiving when the standard is to open the day after thanksgiving. Condition of Approval No. 12 addresses this proposed modification. The applicant's Letter of Explanation (Exhibit 2, Attachment 1) provides additional discussion on this modification.

Zoning Code Section 7-9-145 “Off-Street Paring Regulations” District

The parking for this proposal is classified as temporary since customers will use it only 5 weeks out of the year. As a temporary parking area, Section 7-9-145 allows for decomposed granite or other stable, all-weather surfacing in lieu of paving. Condition of Approval No. 17 requires the parking area to have an all-weather surface. As for striping, which is normally required, staff is not requiring the parking area to be striped since this is a temporary parking area and is not paved with asphalt or concrete.

Silverado Modjeska Specific Plan – R “Recreation”

In addition to the site's SG zone the property is also subject to the Silverado Modjeska Specific Plan and the R land use designation. This land use designation is to provide for out-door recreation activities including riding and hiking trails, camping, picnicking, RV parks, equestrian centers, etc. The Sil-Mod Plan is an overlay policy document to the underlying SG zoning. Provided the proposed project does not preclude any potential future recreation uses on the site, the project would be in conformance with the guidelines established in the Sil-Mod Plan. Staff notes that there are no permanent structures proposed on the site that would limit any future uses. Additionally, staff is recommending Condition of Approval No. 7 that requires periodic reviews of the project by the Planning Commission to assess the project and any changes in the surrounding land use that may have taken place. Provided the project is still compatible with surrounding land use, the Planning Commission would extend the SG Site Permit for the tree farm for an additional period of time.

Other Elements

Other elements including, grading, drainage, water quality, watering, Fire Authority, Best Management Practices and Biological Resources are addressed in the applicant's letter of explanation submitted in Exhibit 2, Attachment A. Please refer to that exhibit for a detailed description of each of these elements of the project. Staff has reviewed the applicant's letter of explanation and determined that the information is accurate. Recommended Conditions of Approval addressing drainage, signage, security lighting, water quality and Christmas tree sales will make the proposal compatible with site zoning and surrounding land uses.

CONCLUSION:

The project as submitted with the inclusion of the recommended Conditions of Approval appears to be a good project for the site. The project will be able to conform to all applicable site development standard required by the Zoning Code. The project's Conditions of Approval will also insure that the policies and goals of the Silverado-Modjeska Specific Plan are maintained. Staff supports the project as proposed and recommends approval as follows:

RECOMMENDED ACTION:

Planning and Development Services Department/Current Planning Services Division recommends the Planning Commission:

- a. Receive staff presentation and public testimony as appropriate; and,
- b. Approve PA02-0103 for SG Site Permit subject to the attached findings and conditions of approval.

Respectfully submitted

George Britton, Manager
Current Planning Services Division

WVM

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APPENDICES:

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

EXHIBITS:

1. Negative Declaration
2. SG Site Permit submittal package including:

Attachment 1 – Letter of Explanation

Attachment 2 – Site Plan

Attachment 3 – Parking Lot Plan

Attachment 4 – Proposed signage

Attachment 5 – Biological Resources Assessment prepared by Glenn Lukos Associates

Attachment 6 – Letter from California Regional Water Quality Control Board

Attachment 7 – Letter from Agro Bionomics discussing proposed irrigation systems.

APPEAL PROCEDURE:

Any interested person may appeal the decision of the Orange County Planning Commission on this permit to the Board of Supervisors 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. 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 the Planning and Development Services Dept.