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**FILE:** PA05-0055

**DATE:** February 23, 2006  
**TO:** File/Record/Applicant  
**FROM:** Tim Neely, Director, RDMD/ Planning and Development Services  
**SUBJECT:** Planning Application PA05-0055 for Site Development Permit for Street Improvements (including Walls) to Serve Development in Parcel Map 98-252  
**APPLICANT:** Plantero View, LLC

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**I. NATURE OF PROJECT:**

The applicant requests approval of a Site Development Permit for street improvements (including walls) to serve development in Parcel Map 98-252, in the "Lemon Heights" unincorporated area.

Parcel Map 98-252, zoned 125-E4 (20000) "Small Estates", approved by the Orange County Subdivision Committee on July 24, 2002, involves a 2-lot re-subdivision of a portion of 1920s era Tract 670. Tract 670 was laid out with relatively poor access to any number of lots, including 15 foot wide roads on the sides of slopes. Over the years, with other re-subdivisions, additional right-of-way has been set aside next to the original 15 feet. At this point in the road, an additional 20 feet of private road width has been set-aside alongside the original 15 feet. The Subdivision Committee allowed review of the final design of the needed access improvements to be handled through the current process.

All of the proposed improvements are within the newer 20 foot wide private road and none within the original 15 foot wide private road right-of-way. The applicant was unable to obtain the approval of those others who have rights to the original 15 foot wide private road to incorporate that area into his 20 foot wide improvements. Each lot will remain a net minimum of 20000 square feet in size after this plan of private street improvements is approved.

The applicant's proposal provides adequate fire equipment access to this development and allows flexibility for the possible future addition of an additional travel lane on the original 15 foot wide private road by others, either at the same grade as the 20 foot wide improvement section, or at a grade several feet below.

A series of retaining walls up to 4 feet in height would be placed within the first 20 feet back of the private road. These are permitted under Zoning Code Section 7-9-137.5. The North Tustin Advisory Committee recommended approval on December 19, 2005.

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**II. REFERENCE:** (Authority for Administrative action is given by what ordinance, regulation, etc.)

Orange County Zoning Code Section 7-9-150 "Discretionary Permits and Procedures".

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**III. ENVIRONMENTAL DOCUMENTATION:**

The proposed project is Categorically Exempt (Class 3, construction of limited numbers of new small structures or facilities, specifically street improvements to serve otherwise approved development) from the requirements of CEQA. Appendix A contains the required CEQA Finding.

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**IV. CERTIFICATION:**

I hereby certify that the subject proposal has been Conditionally Approved as noted below.

Tim Neely, Director  
RDMD/Planning and Development Services

By: \_\_\_\_\_

Charles Shoemaker, Chief  
PDS/CAPS/Site Planning Section

**ATTACHMENTS:**

Appendix A - Findings

Appendix B - Conditions of Approval

**APPEAL PROCEDURE**

Any interested person may appeal the decision of the Director 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.