



**DATE:** May 22, 2006  
**TO:** File/Record/Applicant  
**FROM:** Timothy S. Neely, Director, RDMD/Planning and Development Services  
**SUBJECT:** Planning Application PA06-0020 for Site Development Permit  
**APPLICANT:** Jeff Frum, property owner

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**I. NATURE OF PROJECT:**

Owner requests site development permit approval for construction of a swimming pool with spa and associated grading as a “minor homeowner improvement” under the Foothill-Trabuco Specific Plan, at 19292 Leal Trail, in the Foothill-Trabuco unincorporated area.

The property is zoned Foothill-Trabuco Specific Plan “Trabuco Canyon Residential”, and has a General Plan land use designation of “Suburban Residential”. Development of the existing home, detached garage, and grading for same on this 2 acre lot were performed by construction permits issued pursuant to Site Development Permit 84-146 and Changed Plan dated 04/14/87. The parcel was created by Parcel Map 82-129. All previous permitted development occurred prior to adoption of the current Specific Plan. As such, there was no dedication of open space as would now be required for major construction or grading. Such dedication is not required for minor homeowner improvements conducted per Specific Plan Section III.C.14.0.

The Foothill-Trabuco Specific Plan Board of Review examined and recommended approval of this project on May 16, 2006.

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

Orange County Zoning Code Sections 7-9-150 "Discretionary Permits and Procedures"; and Section III.C.14.0 of the Foothill-Trabuco Specific Plan.

**III. ENVIRONMENTAL DOCUMENTATION:**

The project was found Categorical Exempt (Classes 3 and 4), as minor new construction and minor alteration to land, from documentation requirements of CEQA. Appendix A contains the required Finding.

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**IV. CERTIFICATION:**

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

Timothy S. Neely, Director  
RDMD/Planning and Development Services

By: \_\_\_\_\_  
Charles Shoemaker, Chief  
Site Planning, Land Use Services

**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.



## Appendix A Findings PA060020

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- |   |                     |                 |
|---|---------------------|-----------------|
| 1 | <b>GENERAL PLAN</b> | <b>PA060020</b> |
|---|---------------------|-----------------|
- That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.
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- |   |               |                 |
|---|---------------|-----------------|
| 2 | <b>ZONING</b> | <b>PA060020</b> |
|---|---------------|-----------------|
- That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.
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- |   |                      |                 |
|---|----------------------|-----------------|
| 3 | <b>COMPATIBILITY</b> | <b>PA060020</b> |
|---|----------------------|-----------------|
- That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.
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- |   |                        |                 |
|---|------------------------|-----------------|
| 4 | <b>GENERAL WELFARE</b> | <b>PA060020</b> |
|---|------------------------|-----------------|
- That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
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- |   |                          |                 |
|---|--------------------------|-----------------|
| 5 | <b>PUBLIC FACILITIES</b> | <b>PA060020</b> |
|---|--------------------------|-----------------|
- That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).
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- |   |                             |                          |
|---|-----------------------------|--------------------------|
| 6 | <b>CATEGORICALLY EXEMPT</b> | <b>PA060020 (Custom)</b> |
|---|-----------------------------|--------------------------|
- That the proposed project is Categorically Exempt (Classes 3 and 4) from the provisions of CEQA.



## Appendix B Conditions of Approval PA060020

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**1 CP CP NA BASIC/ZONING REG PA060020**

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

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**2 CP CP NA BASIC/TIME LIMIT PA060020**

This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

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**3 CP CP NA BASIC/PRECISE PLAN PA060020**

Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

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**4 CP CP NA BASIC/COMPLIANCE PA060020**

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

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**5 CP CP NA BASIC/OBLIGATIONS PA060020**

Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition.

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**6 CP CP NA BASIC/APPEAL EXACTIONS PA060020**

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

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**7 Z Z Z POOL CHEMICAL MANAGEMENT PA060020 (Custom)**

As an ongoing condition of use, pool and/or spa may be drained for maintenance solely by:

1. Dechlorinating water with a neutralizing chemical or by allowing chlorine to dissipate for a few days; and
2. Slowly discharging dechlorinated water to property owner's own landscaped area(s). Water must be tested prior to discharge to ensure that chlorine is not present.