



DATE: June 18, 2007
TO: File/Record/Applicant

FROM: Tim S. Neely, Director, Planning and Development Services

SUBJECT: Planning Application PA06-0095 is a privately-initiated Site Development Permit request to establish a church in a Commercial Center on second floor suites 11936 thru 11938 and suite 11934 (for purposes of storage only).

The site is located at 11922 S. Earlham Street, Orange.

(Third Supervisorial District).

APPLICANT: Ada Garcia.

PROPERTY OWNER: Ray Lozano

I. PROJECT HISTORY/NATURE OF PROJECT

The proposed project will consist of utilizing the existing commercial building noted above for purposes of establishing a church. The applicant will be using the building as is and will not be making any structural changes. The area to be used for the church services will utilize suites 11936 through 11938, located on the second floor of the building. An additional suite (11934) will be used for purposes of storage only (chairs and other church facility items).

The owner of the commercial building (Reynaldo Lozano) also owns the parking lot across the street. The church will utilize the 23 parking stalls (including one handicapped) associated with the commercial building and the additional 21 parking stalls located across the street. A copy of the Grant Deed, showing ownership of the additional parking stalls, is included in the project file.

The property is located in the C1 "Local Business" District. Principal uses permitted subject to a site development permit for this district include churches and other places of worship.

II. REFERENCE: Authority for Administrative action is given by the County of Orange Zoning Code, Section 7-9-150.3 (d) for site development permits.

III. ENVIRONMENTAL DOCUMENTATION:

The proposed project is Categorically Exempt (Class 1, Section 15301) from the provisions of CEQA. Class 1 provides for the exemption of projects involving the permitting and leasing of public or private structures with negligible or no expansion of use beyond what already exists.

IV. CERTIFICATION:

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

Tim S. Neely, Director
Planning and Development Services Department

By: _____
Ron Tippets, Chief
Current/Environmental Planning Services

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

ATTACHMENTS:

Appendix A - Findings
Appendix B - Conditions of Approval



APPENDIX A
Ada Garcia, PA060095
11922 S. EARLHAM STREET, ORANGE
Findings

1. [AA01] General Plan

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.

2. [AA02] Zoning

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.

3. [AA03] Compatibility

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.

4. [AA04] General Welfare

That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

5. Categorical Exemption (Custom)

That the proposed project is Categorically Exempt (Class 1, Section 15301) from the provisions of CEQA. Class 1 provides for the exemption of projects involving the permitting and leasing of public or private structures with negligible or no expansion of use beyond what already exists.



APPENDIX B
Ada Garcia, PA060095
11922 S. EARLHAM STREET, ORANGE

Conditions of Approval

1. [Z01] BASIC/ZONING REG

Approval: CP CP NA

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.

2. [Z02] BASIC/TIME LIMIT

Approval: CP CP NA

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.

3. [Z03] BASIC/PRECISE PLAN

Approval: CP CP NA

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.

4. [Z04] BASIC/COMPLIANCE

Approval: CP CP NA

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 Zoning Administrator.

5. [Z05] BASIC/OBLIGATIONS

Approval: CP CP NA

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.

6. [Z06] BASIC/APPEAL EXACTIONS

Approval: CP CP NA

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.