

ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

HEARING DATE: OCTOBER 23, 2013

II. Roll Call

All commissioners were present, with the exception of an absence by Commissioner Hall.

III. Consent Item(s) – Minutes of September 11, 2013

The minutes of September 11, 2013 were moved for approval by Commissioner Adams and seconded by Commissioner Secor as submitted, and approved by a unanimous vote.

IV. Discussion Item(s)

ITEM #1 PUBLIC HEARING – GENERAL PLAN AMENDMENT – GPA 12-01 (GROWTH MANAGEMENT, HOUSING, LAND USE, RESOURCES, AND SAFETY ELEMENTS) – APPLICANT, OC PLANNING SERVICES – LOCATION, UNINCORPORATED AREAS OF ORANGE COUNTY – ALL DISTRICTS.

Staff is seeking approval and recommendation for Board of Supervisors adoption of General Plan Amendment GPA 12-01 which includes the following proposed revisions:

Housing Element Update – The Housing Element is being updated to include the policies, strategies, and actions the County will undertake to facilitate the construction of new housing and preservation of existing housing to meet the needs of the population during the planning period (2014-2021) in all economic segments of the community.

Watershed Protection Policies – In compliance with the current Municipal Separate Storm Sewer Systems (MS4) (stormwater) permit issued by the Santa Ana Regional Water Quality Control Board, the Land Use, Resources, and Growth Management Elements is being updated to ensure that watershed protection principles and policies, including low impact development, are properly addressed.

Flood Risk Management – Pursuant to recent changes in State flood and land use management laws, updates to the Land Use, Resources, and Safety Elements will be made to ensure continued compliance.

Disadvantaged Unincorporated Communities – In compliance with State law, the Land Use Element is being updated to include a review and discussion regarding the municipal services and infrastructure needs of “disadvantaged unincorporated communities” within the County’s jurisdiction.

Recommended Action:

1. Receive staff report and public testimony as appropriate;

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- 2. Find that, in accordance with Section 21080(c) of the Public Resources Code and CEQA Guidelines, Section 15074, Negative Declaration IP 13-251, which reflects the independent judgment of the County of Orange as lead agency, satisfies the requirements of CEQA for the General Plan Amendment GPA 12-01 project, and;
- 3. Approve and recommend adoption of General Plan Amendment GPA 12-01 (Growth Management, Housing, Land Use, Resources, and Safety Elements) by the Board of Supervisors.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #1 was made by Commissioner Adams and seconded by Commissioner Secor to find that, in accordance with Section 21080(c) of the Public Resources Code and CEQA Guidelines, Section 15074, Negative Declaration IP 13-251, which reflects the independent judgment of the County of Orange as lead agency, satisfies the requirements of CEQA for the General Plan Amendment GPA 12-01 project, and; approve and recommend adoption of General Plan Amendment GPA 12-01 (Growth Management, Housing, Land Use, Resources, and Safety Elements) by the Board of Supervisors.

APPROVE

OTHER

DELETED

Unanimous (1) Nguyen: Y (2) Adams: Y (3) Secor: Y (4) Irons: Y (5) Hall: X

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: Ruby Maldonado, Manager of Advance Planning and Sustainable Development with the County of Orange, presented the staff report and answered questions from the Commission. Additional information was provided to the Commission regarding comments provided by the Airport Land Use Commission (ALUC), which became available after the agenda was posted. There were no public speakers.

ITEM #2 PUBLIC HEARING – APPEAL OF ZONING ADMINISTRATOR’S APPROVAL OF PLANNING APPLICATION PA130022 – OWNER/APPLICANT, JASON & MIRKA MIELE – APPELLANT, DAVID SUDER – LOCATION, 12791 PANORAMA CREST, SANTA ANA – THIRD DISTRICT

The appellant requests the Planning Commission overturn the Zoning Administrator’s approval of Planning Application PA130022 for a Variance to reduce the front setback to 15 feet instead of the required 30 feet.

Recommended Action:

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1. Receive staff report and public testimony as appropriate;
2. Find that the project is Categorical Exempt (Class 3 New Construction and Conversion of Small Structures) from the provisions of CEQA pursuant to Section 15303 of the CEQA Guidelines; and,
3. Deny the appeal and uphold the Orange County Zoning Administrator's approval of Planning Application PA130022.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #2 was made by Commissioner Adams and seconded by Commissioner Irons to find that the project is Categorical Exempt (Class 3 New Construction and Conversion of Small Structures) from the provisions of CEQA pursuant to Section 15303 of the CEQA Guidelines; and, deny the appeal and uphold the Orange County Zoning Administrator's approval of Planning Application PA130022.

APPROVE OTHER

DELETED

Unanimous (1) Nguyen: N (2) Adams: Y (3) Secor: A (4) Irons: Y (5) Hall: X

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: Richard Vuong, Staff Planner with the County of Orange, presented the staff report and answered questions from the Commission. Commissioner Secor recused himself from this item. There were a total of nine speakers from the public.

V. Reports from OC Planning

a) Upcoming Agenda Items

November 13, 2013

No items scheduled.

The Cielo Vista project may potentially be on the agenda in late November or early December.

b) Reports on Recent Actions of the Board of Supervisors

1. On October 22nd, the Board approved final tract map 17559 for Planning Area 1, Subarea 1.4 of the Ranch Plan development.

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2. On October 8th and October 22nd, the Zoning Code Amendment was expected to be heard by the Board, but the Board has requested that the County conduct additional public outreach to the affected cities. The item has been rescheduled for the November 5th meeting date.
- c) Major Decisions and Proposals of Staff
1. Due to a fire at a green waste facility in Baker Canyon, OC Planning is working with the OCFA, OC Parks, Health Care Agency, and the property owner to ensure that all the uses and structures of this facility are properly permitted. A Use Permit may be required, which may come before the Planning Commission.
 2. OC Planning has brought on two new staff members – an engineering technician and a geologist.
 3. Shane Silsby has been named as the new OC Public Works director.
- d) Previous Commission or Commissioner Requests
- None
- e) Litigation
1. There was a hearing on the Musick Jail CEQA challenge by the City of Irvine – the County is currently waiting to hear the final ruling.
 2. The Tustin Senior Living Facility appeal will be going to the Court of Appeals on October 24th. The County is not participating in this appeal, but will be bound by its ruling.

Planning Commission Hearing adjourned at 3:05 p.m.