

PLANNING COMMISSION MEETING AGENDA

Wednesday, July 23, 2025, 6:30 p.m. Council Chambers 4845 Casa Loma Avenue

1. CALL TO ORDER

The Yorba Linda Planning Commission will convene at 6:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda, California.

Note: No new items will be considered after 11:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Planning Commissioners: Behura, Bernstein, Goldfarb, Chavez Marquez, Masterson

4. APPROVAL OF THE MINUTES

4.1 APPROVAL OF THE MAY 28, 2025 PLANNING COMMISSION MEETING MINUTES

Recommendation:

It is recommended that the Planning Commission approve the May 28, 2025 Planning Commission meeting minutes as mailed.

4.2 APPROVAL OF THE JUNE 11, 2025 PLANNING COMMISSION MEETING MINUTES

Recommendation:

It is recommended that the Planning Commission approve the June 11, 2025 Planning Commission meeting minutes as mailed.

5. PUBLIC COMMENTS

There is a five (5) minute maximum time limit for everyone addressing the Planning Commission during Public Comments and on all other items listed on the Agenda. Public Comment is the time reserved on each regular meeting Agenda to provide an opportunity for members of the public to directly address the Planning Commission on matters of interest that are not already scheduled for consideration on this Agenda. Although the Planning Commission values 4

Pages

your comments, pursuant to the Brown Act, the Planning Commission cannot take any action on items not listed on the posted Agenda but may refer the matter to staff or a subsequent meeting.

All remarks shall be addressed to the Planning Commission as a body through the presiding officer and not directly to any member thereof. The Planning Commission desires its meeting s to be conducted in a professional manner respectful of all participants. Therefore, the Chairman may ask that speakers refrain from engaging in personal attacks, and name-calling, during their allotted time.

However, public criticism of the policies, procedures, programs or services of the City, or of the acts or omissions of the Planning Commission as a body shall not be prohibited.

The Chair may use his or her discretion to select the order of speakers in a manner that ensures that a variety of issues and concerns can be presented during the initial time and he or she may allow for additional comments to be made past the time allotted. As a result, in situations where there are multiple speakers wishing to speak on a single topic not on the agenda, the Chair may ask that one speaker generally describe the issue or matter and then will provide additional speakers the opportunity to speak later on this topic.

6. WAIVE READING IN FULL OF ALL RESOLUTIONS ON THE AGENDA

Approval of reading by title all resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

Recommendation:

To approve waiving readings in full of all resolutions.

7. PUBLIC HEARINGS

7.1 CONDITIONAL USE PERMIT 2025-14 - ST. FRANCIS OF ASSISI CATHOLIC SCHOOL

A request to establish four 953 square-foot accessory modular buildings on the existing St. Francis of Assisi Catholic School campus, located west of Hidden Hills Drive and north of Esperanza Road, for a period of six years, for the property located at 5330 Eastside Circle, in the Green Hills Planned Development zone (APN: 351-751-12).

CEQA STATUS: Categorical Exemptions (Class 3 New Construction or Conversion of Small Structures)

MEASURE B APPLICABILITY: a) Vote - No; b) Public Notice - No

TRAFFIC COMMISSION REVIEW: No

Recommendation:

It is recommended that the Planning Commission adopt a resolution approving Conditional Use Permit 2025-14 – St. Francis of Assisi Catholic School, subject to the attached conditions of approval.

8. NEW BUSINESS

8.1 LOT LINE ADJUSTMENT 2024-03 - DOWNING

A request to reconfigure the common property line(s) between two adjacent parcels, thereby modifying their sizes, for the properties located at 18351 and 18361 Buena Vista Avenue, in the RE (Residential Estate) zone. (APN: 343-611-18 & 19).

CEQA STATUS: Categorical Exemptions (Class 5, Minor Alterations in Land Use Limitations)

MEASURE B APPLICABILITY: a) Vote - No; b) Public Notice - No

TRAFFIC COMMISSION REVIEW: No

Recommendation:

It is recommended that the Planning Commission adopt the attached resolution approving Lot Line Adjustment 2024-03 – Downing.

- 9. OLD BUSINESS
- 10. DIRECTOR'S REPORT

11. COMMISSIONER COMMENTS

12. CORRESPONDENCE RECEIVED

13. ADJOURNMENT

The next Planning Commission meeting is scheduled for August 27, 2025, beginning at 6:30 p.m.

NOTE: ALL STAFF REPORTS AND RELATED ATTACHMENTS FOR ITEMS ON THIS AGENDA ARE ON FILE IN THE PLANNING DIVISION. AS AN ADDITIONAL SERVICE, THE CITY NOW PROVIDES THE STAFF REPORTS AND RELATED ATTACHMENTS ON THE CITY'S WEBSITE. PLEASE NOTE THAT IT IS NOT ALWAYS POSSIBLE TO EMBED ALL ATTACHMENTS AND MAPS. THUS, IF YOU REQUIRE A FULL AND COMPLETE COPY OF THE AGENDA PACKET, YOU SHOULD NOT RELY UPON THE WEBSITE MATERIALS ALONE.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), THE CITY WILL MAKE EVERY REASONABLE ATTEMPT TO ACCOMMODATE ANY ATTENDEE OR PARTICIPANT AT THIS MEETING NEEDING SPECIAL ASSISTANCE BEYOND WHAT IS NORMALLY PROVIDED. PLEASE CONTACT THE PLANNING DIVISION AT (714) 961-7130 AT LEAST 48 HOURS PRIOR TO THIS MEETING TO INFORM US OF YOUR PARTICULAR NEEDS AND TO DETERMINE IF ACCOMMODATION IS FEASIBLE. PLEASE ADVISE US AT THE TIME YOU CALL IF SPECIAL ASSISTANCE IS REQUIRED TO ATTEND OR PARTICIPATE IN MEETINGS ON A REGULAR BASIS.



PLANNING COMMISSION MEETING

MINUTES

May 28, 2025, 6:30 p.m. Council Chambers 4845 Casa Loma Avenue

Commissioners Present:Bernstein, Goldfarb, Chavez Marquez, MastersonCommissioners Absent:BehuraStaff Present:Diaz, Dominguez, Farnsworth, Garcia, Valdez

1. CALL TO ORDER

The Yorba Linda Planning Commission convened at 6:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda, California.

Note: No new items will be considered after 11:00 p.m.

2. <u>PLEDGE OF ALLEGIANCE</u>

Led by Commissioner Chavez Marquez

3. <u>ROLL CALL</u>

4. <u>APPROVAL OF THE MINUTES</u>

4.1 APPROVAL OF THE MAY 14, 2025 PLANNING COMMISSION MEETING MINUTES

Moved by Goldfarb Seconded by Chavez Marquez

The Planning Commission approved the May 14, 2025 Planning Commission meeting minutes as mailed.

AYES (3): Bernstein, Goldfarb, and Chavez Marquez

ABSTAINED (1): Masterson

ABSENT (1): Behura

CARRIED (3 to 0)

5. <u>PUBLIC COMMENTS</u>

6. WAIVE READING IN FULL OF ALL RESOLUTIONS ON THE AGENDA

Approval of reading by title all resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

Moved by Masterson Seconded by Chavez Marquez

Approved waiving readings in full of all resolutions.

AYES (4): Bernstein, Goldfarb, Chavez Marquez, and Masterson

ABSENT (1): Behura

CARRIED (4 to 0)

7. PUBLIC HEARINGS

7.1 TIME EXTENSION FOR CONDITIONAL USE PERMIT 2024-02 & DESIGN REVIEW 2023-06 NORTH COUNTY CHABAD

Commissioner Chavez Marquez owns property within the 500 radius of the subject property; therefore, he so recused himself from this item.

Alexis Garcia, Assistant Planner explained the applicant is requesting a one-year time extension for the entitlements that was previously approved for use and design of two separate parsonage homes and a parsonage accessory dwelling unit. The commission's prior approval was set to expire within one year of the approval date; however, the applicant has had organizational budget issues and is requesting for additional time. Staff recommends approval by the Planning Commission.

Chair Bernstein invited the applicant to step forward and asked if they continue to be in agreement with the prior conditions

Daniel Dascanio, architect approached and explained it is a request for religious facilities into residential which is allowed by the code. They are still in agreement with all the prior conditions of approval.

Moved by Goldfarb Seconded by Masterson

The Planning Commission adopted **Resolution No. 5638** approving a oneyear time extension for Conditional Use Permit 2024-02 & Design Review 2024-06 – North County Chabad, subject to the attached conditions of approval.

AYES (3): Bernstein, Goldfarb, and Masterson

Conflict (1): Chavez Marquez

ABSENT (1): Behura

CARRIED (3 to 0)

7.2 CONDITIONAL USE PERMIT 2025-01 - AHMAD

Behura arrived at 6:40 p.m.

Alexis Garcia, Assistant Planner provided a visual presentation and explained the request to exceed the maximum 3-foot height limitation within the front yard setback to allow a combination retaining wall varying from 4 feet to 5 feet 6 inches. The applicant's intent is to maximize the yard space to allow their children and family to utilize the yard.

The retaining wall varies in height and includes glass panels which intends to satisfy the fall safety barrier requirements of the California Building Code. Due to the fact that the property is on a cul-de-sac it will not be visible to Manzanita Avenue. The Ficus Evergreen tree will remain in order to satisfy the visual barrier that is required. The only area which exceeds the threefoot height limitation runs parallel to Manzanita Avenue and is treated as a front yard even though it is technically a side yard. Staff recommends that the Planning Commission approved the request subject to the conditions of approval. Commissioner Chavez Marquez asked why they are using glass if they are going to have a Ficus hedge.

Mr. Garcia stated the California Building Code requires a fall safety barrier and the glass panels function as a barrier, and from the planning standpoint, it creates the least visual impact.

Chair Bernstein disclosed he visited the property that day and had a tour of the property. He invited the applicant to step forward and asked if he agreed with all the conditions of approval.

Mr. Ahmad approached and stated he agreed with all the conditions.

Commissioner Chavez Marquez and Mr. Ahmad discussed the purpose and location of the gardeners gate and necessity of the glass.

Director Farnsworth stated typically there is just a retaining wall and the purpose of the glass is to create a fall protection barrier due to the height. The question is how much of a drop is there from the retaining wall down to the slope.

Mr. Ahmad explained there is only a 12-inch drop and the gate in the glass also acts as a sound barrier for the noise. Having the gate allows the gardener to move freely without having to jump over the fence.

Mr. Garcia explained the plans were routed to the building official who provided standard conditions. The plans still need to proceed with the formal building plan check submittal process.

Chair Bernstein added the gate will be locked and is a safety factor for the children, not necessarily the gardener.

Commissioner Goldfarb asked if there would be an automatic closing gate.

Mr. Ahmad stated he owns a CCTV company and they do access control; the mechanism on the gate will be self-closing.

Chair Bernstein opened the public hearing.

Daniel Dascanio stated the sprinklers will leave water spots on the glass. Wrought iron is less expensive even though it does not provide acoustic buffering, but the Ficus will provide that buffer. The issue of the maximum height is moot if the trees can grow to whatever height they want.

Moved by Masterson Seconded by Behura The Planning Commission adopted **Resolution No. 5639** approving Conditional Use Permit 2025-01- Ahmad, subject to the attached conditions of approval.

AYES (5): Behura, Bernstein, Goldfarb, Chavez Marquez, and Masterson

CARRIED (5 to 0)

7.3 CONDITIONAL USE PERMIT 2025-09 - DUNN

Alexis Garcia, Assistant Planner explained the request is for a 60 square foot bedroom expansion and a new 549-foot second-story deck. The expansion will retain similar viewsheds and match the existing design. Staff does not anticipate any privacy impacts from the addition based on the location, there are two existing second story windows and a set of mature trees that are along the property line. Staff recommends approval of the request.

Chair Bernstein invited the applicant to step forward and asked if they approve with the conditions of approval.

Nicholas Dunn approached and stated he agreed with all the conditions of approval.

Chair Bernstein opened the public hearing; seeing no one approach, the public hearing was closed.

Moved by Masterson Seconded by Behura

The Planning Commission adopted **Resolution No. 5640** approving Conditional Use Permit 2025-09 - Dunn, subject to the attached conditions of approval.

AYES (5): Behura, Bernstein, Goldfarb, Chavez Marquez, and Masterson

CARRIED (5 to 0)

7.4 CONDITIONAL USE PERMIT 2025-15 - OCHOA

Gabe Diaz, Associate Planner explained this is a request to expand the existing family room on the first floor by 839 square feet and add a new bed and bathroom to accommodate the applicant's mobility issues. The project is 30 feet from the neighbor to the south which has been reviewed for privacy and adherence to the property development standards. There are

4 new second story windows and one entry door, as well as a new balcony located on the rear of the second story. Two new windows are proposed on the north elevation next to existing windows with the same height and similar views. The neighbor to the north provided a letter of support; therefore, staff does not recommend any additional mitigation measures at that property line.

Staff does not have any privacy concerns on the rear elevation due to an 8foot pad elevation increase to the properties to the east and a six-foot privacy wall that intervenes that view. All property owners within 300 feet of the property have been notified and staff has not received any comments or concerns. Staff recommended approval of the request.

Chair Bernstein invited the applicant to step forward and asked If they agreed with all the conditions of approval.

Russell Proo, designer, approached and stated they agreed with all the conditions.

Chair Bernstein opened the public hearing; seeing no one approach, the public hearing was closed.

Moved by Masterson Seconded by Goldfarb

The Planning Commission adopted **Resolution No. 5641** approving Conditional Use Permit 2025-15 – Ochoa, subject to the attached conditions of approval.

AYES (5): Behura, Bernstein, Goldfarb, Chavez Marquez, and Masterson

CARRIED (5 to 0)

8. <u>NEW BUSINESS</u>

9. OLD BUSINESS

10. DIRECTOR'S REPORT

Mr. Farnsworth stated the first meeting in August will tentatively go dark.

11. COMMISSIONER COMMENTS

Commissioner Behura suggested a system to allow the residents to interact with the technology at the meetings.

Chair Pro Tem Masterson stated it would be helpful to have more renderings when reviewing a project.

Chair Bernstein added he would like to see working drawings.

Mr. Farnsworth stated a high scale version is available on the website in the electronic packet which will allow them to zoom in.

12. <u>CORRESPONDENCE RECEIVED</u>

Letter of support for the Ochoa project.

13. ADJOURNMENT

7:19 p.m.

The next Planning Commission meeting is scheduled for June 11, 2025 beginning at 6:30 p.m.

NATE FARNSWORTH DIRECTOR OF COMMUNITY DEVELOPMENT



PLANNING COMMISSION MEETING

MINUTES

June 11, 2025, 6:30 p.m. Council Chambers 4845 Casa Loma Avenue

Commissioners Present: Bernstein, Goldfarb, Chavez Marquez, Masterson

Commissioners Absent: Behura

Staff Present: Choi, Diaz, Dominguez, Farnsworth, Valdez

1. CALL TO ORDER

The Yorba Linda Planning Commission convened at 6:30 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda, California.

Note: No new items will be considered after 11:00 p.m.

2. <u>PLEDGE OF ALLEGIANCE</u>

Led by Chair Pro Tem Masterson

- 3. <u>ROLL CALL</u>
- 4. <u>APPROVAL OF THE MINUTES</u>
- 5. PUBLIC COMMENTS
- 6. WAIVE READING IN FULL OF ALL RESOLUTIONS ON THE AGENDA

Approval of reading by title all resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

Moved by Masterson Seconded by Goldfarb

Approved waiving readings in full of all resolutions.

AYES (4): Bernstein, Goldfarb, Chavez Marquez, and Masterson

ABSENT (1): Behura

CARRIED (4 to 0)

7. PUBLIC HEARINGS

7.1 CONDITIONAL USE PERMIT 2025-02 AND ADMINISTRATIVE ADJUSTMENT 2025-04 WEISSENBACH

Gabe Diaz, Associate Planner provided a visual presentation and explained that the applicant is requesting to construct a new 4,540 square foot twostory single-family residence and a 937 square foot attached garage on a vacant lot. The prior home was demolished in 2015 as part of a plan to build a new home on the property that was never pursued to completion. The proposed home is approximately 70 feet from the closest home on the east, therefore requires a conditional use permit. The applicant is also asking for An administrative adjustment to allow a reduction in the front yard setback from 30 feet to 25 feet 6 inches to facilitate the construction of the first-floor laundry room and attached garage.

Existing single-family residences are situated on each side and there is an existing private road easement on the south. The proposal meets all of the property development standards and architectural compatibility with the neighborhood.

There is a total of 10 second-story windows with two dormers that are only for decorative purposes and do not provide views into the neighbors. Staff has no privacy impact concerns due to ample distances of the neighboring homes and filtered views or angle of the property. Staff is able to implement mitigation measures should any privacy impacts arise during public comment. All neighbors within a 300-foot radius were noticed and staff did not receive any comments or concerns from any of them. Staff is supportive of the administrative adjustment request to reduce the required front yard setback from 30 feet to 25 feet 6 inches due to the unique shape of the lot and composition. A significant portion of the lot contains the private street easement (Vallecito Drive) and it reduces their usable lot frontage. In addition, there is a sewer easement along the western property line which shifts the structure to the east which prohibits them from building in that area due to the restrictions.

Staff is recommending that the Planning Commission adopt the resolution approving the conditional use permit and the administrative adjustment subject to the attached conditions of approval.

Chair Bernstein invited the applicant to step forward and asked if they agreed with all the conditions of approval.

Katelyn and Jared Weissenbach approached and stated they agreed with all the conditions of approval.

Chair Bernstein opened the public hearing.

Richard Kovich resides on Vallecito Drive and stated in 2004 he had completed construction and at that time the front setback was 50 feet from the property line; why is it now 30 feet? This property has been owned by several people in the last 10 years, and the previous applicants had agreed to pave the street after construction and asked if the current owners would agree to that as well.

Mr. Diaz explained the 50-foot setback is in reference to the distance from the property line to the street center line. This is comprised of 20 feet from the edge of the street easement and there is an additional 30 feet from there. Staff will monitor the project and send out inspectors for noise, standard construction hours, and dust. If neighbors have any concerns, they can reach out to code enforcement or the building division to address any concerns that arise.

Chair Bernstein asked about damage to the private street due to construction.

Director Farnsworth explained that a condition can be added whereby photos are taken of the street condition before and after construction. If it is determined that there is significant damage to the street as a result of the construction, then the property owner could be held responsible for repairing that damage. Chair Bernstein asked if the current owners are held to the agreement that the prior owners made with their neighbors regarding the street.

Mr. Farnsworth stated they would not be held to the same conditions as the previous owner; staff is not aware of the prior agreement that was made with the neighbors.

Steve Knapp approached and stated he resides on Vallecito Drive. Approximately 5 or 6 years ago he attempted to get the street repaved because the street slopes down to the bottom and there is a large drain where their house is situated, therefore all the road is rubble. He was willing to put a coating on it, but was told it would have to be replaced. The upper portion of the street it's still good but needs a paving coat and they don't know what will happen after the construction vehicles ride over it.

Vince Sato approached and stated he would like to reflect in the record that in 2017 the Planning Commission denied the permit and they required the previous applicant to repave the road once the construction was completed; it was not an agreement that was made by the applicant but it was a finding made by the Planning Commission. He doesn't feel it is their place to ask the applicant to do anything other than what is in the private road agreement in the grant deed. He added he spoke with the neighbor who would be impacted by the 15-foot tall motorhome garage and the administrative adjustment who could not be here this evening due to his age. He does not have any objections to the height of the motorhome garage because there is a wall that will filter the view, nor does he have any objection to the administrative adjustment.

Chair Bernstein closed the public hearing and brought it back to the Commission for a motion.

Chair Pro Tem Masterson stated he does not have any concerns with the administrative adjustment and feels it is fair for the Planning Commission to impose a condition for any damage to the road; however, he is not supportive of having the new owners paved the entire road. With private streets, neighbors often disagree with who should pay for pavement of the streets.

Commissioner Goldfarb agreed with Commissioner Masterson.

Commissioner Chavez Marquez stated the repaving responsibility falls on everyone, therefore the project works as -is.

Director Farnsworth stated private streets functions similarly to CC & R's where it's a third-party private agreement amongst those homeowners that take access off those streets. He is not sure if there is a written agreement that was put in place at the time the area was developed; it should be on the title but it is not something the city places as a condition of approval.

Chair Bernstein stated if their street needed to be repaved in 2017, it still needs to be repaved and he is reticent to place it on the new owner and it is a shared responsibility in the first place. For the record, he drove to the property and did not notice that the street was undrivable.

Chair Bernstein asked Chair Pro Tem Masterson if that included a condition for the street. Commissioner Masterson stated no because if the street is already damaged, and may be further damage, it will continue to deteriorate.

Commissioner Goldfarb stated he is not in favor of any additional conditions because he doesn't think it is fair to require the new owners to repair and already damaged street, also, the Commission has always treated CC&R's as private matters for the people to resolve.

Chair Bernstein asked for a vote; motion passed 4 to 0. Behura is absent.

Director Farnsworth stated this application is approved unless appealed to the City Council within 10 days.

Moved by Masterson Seconded by Goldfarb

The Planning Commission adopted **Resolution No. 5642** approving Conditional Use Permit 2025-02 – Weissenbach, subject to the attached conditions of approval.

The Planning Commission approved, by minute motion, Administrative Adjustment 2025-04 – Weissenbach, with findings.

AYES (4): Bernstein, Goldfarb, Chavez Marquez, and Masterson

ABSENT (1): Behura

CARRIED (4 to 0)

7.2 CONDITIONAL USE PERMIT 2025-13 AND ADMINISTRATIVE ADJUSTMENT 2025-06 - MOSELEY

Eva Choi, Senior Planner explained that the request is for an 800 squarefoot second-story addition above the garage to an existing 2,222 squarefoot single-story residence within seventy feet of another single-family residence, and a request to reduce the side yard setback from ten feet to eight feet six inches.

Staff does not anticipate any privacy impacts as there are no direct sight lines into adjacent buildings; however, if there are concerns post constructions, the owner will need to provide opaque treatments on the windows. The project is architecturally compatible with the neighborhood; however, there is a condition requesting that the homeowner provide siding material to wrap around the corner of the building to provide architectural continuity.

The request for the administrative adjustment is to allow the property owner to provide a second story addition that aligns with the first floor. The applicant is asking for an 8'6" side yard setback which is similar to a prior approval that was granted to this property in 2017 for the first-floor addition. The property has a nonconforming lot width; therefore, staff feels the reduced setback is warranted.

Staff recommends approval of the project subject to the conditions of approval.

Chair Bernstein asked about the condition that was applied regarding the windows.

Miss Choi stated it allows the neighbors to raise their concerns and allow the homeowner to change out the glass or place a material on top of the window to create an opaque buffer. Staff does not expect the homeowner to replace the windows altogether.

Chair Goldfarb asked who would make that decision?

Miss Choi stated the opaqueness will be provided to the satisfaction of the Community Development Director.

Director Farnsworth stated it would be to the discretion of the director and as usual any decision is appealable. He asked Ms. Choi to make sure there is a timeline in the condition stating that it be prior to the final sign off of the building permit.

Ms. Choi's stated condition 26 will be amended to include that if the neighbor submits a privacy concern to the city post construction, the

applicant shall install opaque treatments on all second story windows facing that property to the satisfaction of the Community Development Director.

Chair Pro Tem Masterson stated there should be a timeline included.

Ms. Choi stated it can be revised to at time of final building inspection and prior to release of occupancy.

Director Farnsworth stated that is an appropriate period of time and by that time the adjacent neighbor should be able to have a clear line of sight of what is being designed and give them an opportunity to raise their concerns.

Chair Bernstein invited the applicant to step forward and asked if they approved with all the conditions of approval.

Cheryl and Pete Moseley stated they agree with all the conditions of approval. They have also spoken to the neighbors who are agreeable with the proposal. They do not anticipate the window placement will be a privacy problem for the neighbors.

Chair Bernstein ask if the neighbors are aware of where the windows would be.

Mrs. Mosley responded that the neighbors do not know where the windows are, the neighbor was supposed get back to Mrs. Moseley, but she has not done so. Mr. Moseley also Informed the neighbor that they were adding a second floor to the home and the neighbor responded that was good and great and the Moseley's have not heard from them since.

Chair Bernstein opened the public hearing; seeing no one approach, the public hearing was closed.

Commissioner Goldfarb **<u>CONVERSATION ILLEGIBLE</u>**. He stated he is against adding the condition and doesn't feel it is right for it to be decided by a neighbor.

Commissioner Chavez Marquez added that he is in agreement with the condition as written in the resolution; it clarifies that the windows will be treated with some kind of opaque treatment to preserve the privacy. He asked staff what continues to make it nonconforming?

Director Farnsworth explained that in certain situations, staff allows the nonconformity that was created to be further extended beyond where it exists. Expanding 8 feet 6 inches is not considered to be further increasing the nonconformity.

In reference to Commissioner Chavez-Marquez' comment, part of the reason condition 26 was added is because it essentially requires that the windows be frosted or have opaque treatment to preserve privacy. The applicant is requesting to not necessarily have to have opaque windows to allow for more light. The condition was written in such a way because there could be a misunderstanding by an adjacent neighbor if they reviewed the application and conditions. It could appear that the applicant does not want non-treated windows; however, the applicant's intention is to omit treatment, but if needed, they are willing to do so. He suggested rewriting the condition and staff can allow for the appeal period to serve as a time frame for the neighbor if they have privacy issues. They could appeal the application and reach out to staff with their concerns. Staff can revise the condition in such a way that it grants the ability to obtain approval for the windows before issuance of a building permit.

Chair Pro Tem Masterson opined that many people look at plans but don't fully understand them and they don't realize there is an issue until it has been constructed. He is satisfied with the way it is written, but he wants to provide credence to the neighbor and place a time period on final inspection. The neighbors have already been notified and they have chosen not to comment.

Chair Bernstein agreed with Chair Pro Tem Masterson that the neighbors have been properly noticed and the applicant has attempted to speak to the neighbors, therefore he prefers to entirely strike the condition. However, if the Commission chooses to keep the condition, it should be prior to construction.

Commissioners Chavez Marquez and Goldfarb stated they prefer to strike out the condition.

Moved by Chavez Marquez Seconded by Goldfarb

The Planning Commission adopted **Resolution No. 5643** approving Conditional Use Permit 2025-13 - Moseley, subject to the attached conditions of approval removing condition no. 26.

The Planning Commission approved, by minute motion, Administrative Adjustment 2025-06 – Moseley, with findings.

AYES (4): Bernstein, Goldfarb, Chavez Marquez, and Masterson

ABSENT (1): Behura

8. <u>NEW BUSINESS</u>

9. OLD BUSINESS

10. DIRECTOR'S REPORT

Director Farnsworth ask the Commissioners to reach out to Kelly with the Parks Department if they would like a parking pass for the 4th of July.

The June 25th Planning Commission will be cancelled due to a lack of items.

He reminded the Commissioners to contact staff if they want the tour of Main Street.

11. COMMISSIONER COMMENTS

Chair Pro Tem Masterson asked if there are any large projects coming to the city in the next 12 months.

Director Farnsworth stated staff has received an application from the Olsen Company for the development of 40 housing units at the Messiah Lutheran site off of Yorba Linda Boulevard and an application for a 60-unit development next to the Kabat Center off of Yorba Linda Boulevard. Friends Church has submitted for a new recreation center.

12. CORRESPONDENCE RECEIVED

13. ADJOURNMENT

7:42 p.m.

The next Planning Commission meeting is scheduled for July 9, 2025, beginning at 6:30 p.m.

NATE FARNSWORTH DIRECTOR OF COMMUNITY DEVELOPMENT



COMMUNITY DEVELOPMENT DEPARTMENT

- DATE: JULY 23, 2025
- TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
- FROM: COMMUNITY DEVELOPMENT DEPARTMENT
- BY: EVA CHOI, SENIOR PLANNER

SUBJECT: CONDITIONAL USE PERMIT 2025-14 – ST. FRANCIS OF ASSISI CATHOLIC SCHOOL

- APPLICANT: ST. FRANCIS OF ASSISI CATHOLIC SCHOOL JENNIFER NIETO 5330 Eastside Circle Yorba Linda, California 92887
- CEQA STATUS: Categorical Exemption Class 3 (New Construction), Class 11 (Accessory Structures), and Class 14 (Minor Additions to Schools)
- RELATED Tentative Parcel Map 95-111 ITEMS: Conditional Use Permit 97-10 Design Review 97-03 Design Review 99-21
- LOCATION: 5330 Eastside Circle
- REQUEST: To construct four 953 square-foot accessory modular buildings on the existing St. Francis of Assisi Catholic School campus, located west of Hidden Hills Drive and north of Esperanza Road, for a period of six years.

PROJECT DATA

APN:	351-751-12
LOCATION:	5330 Eastside Circle
General Plan:	Low Density Residential
Zoning:	Green Hills Planned Development

(YLMC 18.10.120 Large Accessory Structures)				
	Required	Proposed		
Front setback	25 feet	80 feet 10 inches		
Rear Setback	5 feet	79 feet 10 inches		
East Side Setback	5 feet	205 feet		
West Side Setback	5 feet	110 feet		
Building Height	15 feet (max.)	14 feet		

Property Development Standards:

BACKGROUND

The St. Francis of Assisi Catholic School campus occupies one of three parcels created through a three-lot subdivision under Tentative Parcel Map 95-111. The campus was established with approval of Conditional Use Permit 97-10 and Design Review 97-03 in March of 1997, allowing for preschool through eighth grade instruction. The approved master plan envisioned development in two phases, totaling 60,200 square feet of building area. Phase I, completed in January 1998, included three classroom buildings, an administration building, a multi-purpose building, and a pre-kindergarten building. An additional classroom building was later approved under Design Review 99-21 and completed in September 2000. Phase II includes a proposed gymnasium and ancillary facilities totaling approximately 18,000 square feet; at this time the school has not pursued these improvements.

DISCUSSION

The applicant is requesting approval to install four temporary modular buildings near the center of the school campus in replacement of an existing playground. The temporary facilities will remain in place for up to six years while the applicant evaluates long-term campus needs and the potential development of additional permanent facilities. Section 18.20.020.1 of the Yorba Linda Municipal Code permits the temporary use of modular buildings and other temporary buildings for periods exceeding ninety (90) days with the approval of a Conditional Use Permit by the Planning Commission.

As shown by the blue hatch lines on the aerial view below, the proposed modular buildings are centrally sited within the campus, directly east of the existing parking lot, surrounded by existing buildings and canopy structures. Each unit measures approximately 24 feet wide by 40 feet long, with a height of 14 feet, offering a compact and efficient footprint that integrates well within the existing campus layout. The exterior design reflects standard modular construction, featuring a standing seam steel roof, and vertical composite siding in a light beige color consistent with existing classroom buildings on the campus. Each unit includes a large open floor plan, a primary entry door, and glass windows to provide natural light. Accessible metal wheelchair ramps and railings are provided for the buildings.

Planning Commission Staff Report CUP 2025-14 – St. Francis of Assisi Catholic School July 23, 2025 P a g e | 3





BUILDING ELEVATION - 'A'

BUILDING ELEVATION - 'B'

According to the applicant's narrative (Attachment 3), the modular buildings will provide dedicated space for administrative offices and enrichment programs, including library services, student support, music, and language instruction. The modular buildings are intended to address current operational needs associated with an enrollment of approximately 600 students, 27 teaching faculty, and 85 support staff. The modular buildings are not proposed to accommodate future enrollment growth; the applicant does not anticipate an increase in student enrollment at this time. Regarding parking, Section 18.22.030 of the Yorba Linda Municipal Code requires two parking spaces for each teaching station (i.e., classroom) whereas the school provides 83 on-site parking spaces for 27 teaching stations, which results in a surplus of 29 spaces. Additionally, the modular buildings will be placed in an existing playground area, which allows the school to keep its current pick-up and drop-off routines and continue using the parking lot for queuing. For these reasons, staff does not anticipate on-site parking demand or circulation issues resulting from the addition of these modular buildings on campus.

Planning Commission Staff Report CUP 2025-14 – St. Francis of Assisi Catholic School July 23, 2025 P a g e | 4

Staff also finds no significant visual impacts based on the modular buildings' location and surrounding conditions. The structures will be centrally located on the school campus, immediately east of the existing parking lot and approximately 80 feet from the front lot line (Eastside Circle). Although visible from within the campus, the site is situated near the end of Eastside Circle, with limited public exposure primarily from visitors accessing Eastside Community Park. Mature trees along the north property line further reduce views of the modular buildings from the public right-of-way.

The nearest residential properties are located approximately 400 feet to the south with a 60-foot downslope condition across Hidden Hills Road, minimizing any potential visual impacts to nearby homes. Given the temporary nature, screened placement of the buildings and the site topography relative to nearby residential uses, staff supports the request and finds no adverse aesthetic impacts to surrounding uses.

In conclusion, staff believes the current request is temporary in nature and affords the applicant an opportunity to strategically evaluate the school's long-term needs. The site's location, substantial setbacks, and topography limit visibility from surrounding properties. With recommended conditions to ensure modular buildings' temporary use and timely removal, staff finds the request to be reasonable and supports approval.

CEQA DETERMINATION

The project constitutes a Class 3 (New Construction), a Class 11 (Accessory Structure) and a Class 14 (Minor Additions to Schools) Categorical Exemptions and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Sections 15303, 15311 and 15314.

PUBLIC NOTIFICATION

In accordance with YLZC Chapter 18.36, property owners within a 300-foot radius of the subject property were sent a public hearing notice for the project. As of this writing, staff has not received any correspondence related to the proposed project.

RECOMMENDATION

It is recommended that the Planning Commission adopt a resolution approving Conditional Use Permit 2025-14 – St. Francis of Assisi Catholic School, subject to the attached conditions of approval.

ATTACHMENTS

- 1) Plans
- 2) Locator Map
- 3) Applicants' Letter of Justification
- 4) Resolution for approving Conditional Use Permit 2025-14, with conditions







LEGEND

	BUILDING STRUCTURES
* * * * * * *	LANDSCAPE
	HARDSCAPE/ CONC./ ASPHALT
Ø	FIRE HYDRANT
CB	CATCH BASIN
	DRAINAGE ARROW



EXISTING SITE PLAN

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SUBMISSION CUP SCALE -DRAWN BY -2 FILE NAME DRAWING TITLE EXISTING SITE PLAN CUP - 1.1 ÉDISCIPLINE SHEET NUMBER

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SUBMISSION DATE 06/23/2025

SHEET SIZE 24" X 36"

CHECKED BY RM



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LEGEND

BUILDING STRUCTURES

HARDSCAPE/ CONC./ ASPHALT

CATCH BASIN

DOOR

WINDOR

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LEGEND - FINISH / COLOR:

- 1 VERTICAL SIDING MATERIAL ROSEBURG DURATEMP SIDING COLOR MATCH (E) SCHOOL BLDG'S
- ROOF COVERING (MONO-SLOPE) MATERIAL GALV. STEEL INTERLOCKING STANDING SEAM DECKING
- 3 ROOF GUTTER MATERIAL GALV. STEEL
- DOWNSPOUT 4
- MATERIAL GALV. STEEL PIPE (RECTANGULAR) 5 SOFFIT
- MATERIAL ROSEBURG DURATEMP SIDING COLOR MATCH (E) SCHOOL BLDG'S SOFFIT VENTS W/ WIRE MESH EXTERIOR DOOR 6
- MATERIAL WOOD W/ STEEL FRAME COLOR MATCH (E) SCHOOL DOORS EXTERIOR WALL MOUNT HVAC UNIT
- MATERIAL STEEL COLOR MATCH VERTICAL SIDING





(MATCH EXIST. BUILDING EXTERIOR DOORS)

CLASSROOM TYPE 'A'

SCALE: 1/8"= 1'-0"

LEGEND - FINISH / COLOR:

- VERTICAL SIDING MATERIAL ROSEBURG DURATEMP SIDING COLOR MATCH (E) SCHOOL BLDG'S
- ROOF COVERING (MONO-SLOPE) 2 MATERIAL GALV. STEEL INTERLOCKING STANDING SEAM DECKING
- ROOF GUTTER MATERIAL GALV. STEEL
- DOWNSPOUT 4
- MATERIAL GALV. STEEL PIPE (RECTANGULAR) SOFFIT 5
- MATERIAL ROSEBURG DURATEMP SIDING COLOR MATCH (E) SCHOOL BLDG'S SOFFIT VENTS W/ WIRE MESH
- EXTERIOR DOOR 6
- MATERIAL WOOD W/ STEEL FRAME COLOR MATCH (E) SCHOOL DOORS EXTERIOR WALL MOUNT HVAC UNIT
- MATERIAL STEEL COLOR MATCH VERTICAL SIDING



COLOR EXTERIOR DOOR (MATCH EXIST. BUILDING EXTERIOR DOORS)



SCALE: 1/8"= 1'-0"

SUBMISSION DATE 06/23/2025 SUBMISSION CUP SCALE -SHEET SIZE 24" X 36" DRAWN BY -CHECKED BY RM FILE NAME DRAWING TITLE CLASSROOM TYPE 'A' & 'B' CUP -3.0 ĕDISCIPLINE SHEET NUMBER



March 13, 2025

Planning Department City of Yorba Linda 4845 Casa Loma Yorba Linda, CA 92886

Subject: Conditional Use Permit Application for Four Temporary Portable Structures

Dear Planning and Zoning Department:

On behalf of St. Francis of Assisi Catholic School, I am writing to request a Conditional Use Permit for the placement of four temporary portable structures on the property located at 5330 Eastside Circle; Yorba Linda, CA 92887.

Project Description:

Temporary Portable Structures:

We are seeking approval to place four portable structures on the property for temporary use. These units will function as auxiliary classrooms to support existing programs—including music, Spanish, library, and Student Support—as well as provide needed administrative space.

Over the 25-year history of our school, we have expanded our enrichment and auxiliary course offerings. While these additions have greatly benefited our students, they have also created ongoing challenges in providing adequate space to accommodate classes of up to 30 students.

The proposed portable structures are intended to support our operational needs for a period of six years while we assess and plan for long-term space solutions. At the conclusion of this period, we will evaluate whether a more permanent building project is necessary.

Each structure will be properly maintained and will fully comply with all required safety and accessibility codes. The portables will be removed once our temporary space needs have been resolved.

Project Purpose:

The addition of temporary portable structures is intended to address our current operational challenges due to limited permanent space. This solution will allow us to maintain effective and safe operations while continuing to offer essential services to our school community. While we have been providing programs such as music, Spanish, and counseling, we have not been able to offer these staff members dedicated workspaces. These portables will not be used to

increase the school's maximum enrollment of 600 students or expand the current staffing level of 85 employees.

Duration of Use:

We are requesting a conditional use period of 6 years for the temporary portables. We intend to assess long-term needs during this period and will coordinate any future requirements with your office as necessary.

Environmental and Community Impact:

We understand the importance of minimizing disruption and maintaining the quality of the surrounding area. We are committed to complying with all regulations regarding noise, waste management, and traffic flow. The portables will be positioned to avoid interference with neighboring properties and blend with the aesthetics of the surrounding area.

Compliance and Coordination:

We are prepared to submit all required documentation and meet any additional conditions or requirements set forth by the Planning and Zoning Department. We will coordinate inspections as necessary to ensure compliance with all local and state codes.

Thank you for considering our request. We believe this project will enhance the functionality of our property while meeting temporary needs. We are available to discuss this application further or to provide any additional information upon request.

Sincerely,

Jennifer Nieto Dean of Students St. Francis of Assisi Catholic School (714) 695-3700 x103: jnieto@sfayl.org

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YORBA LINDA APPROVING CONDITIONAL USE PERMIT 2025-14 – SAINT FRANCIS OF ASSISI CATHOLIC SCHOOL AT 5330 EASTSIDE CIRCLE, IN YORBA LINDA, WITH CONDITIONS

WHEREAS, an application for Conditional Use Permit 2025-14 was made by Jennifer Nieto on behalf of Saint Francis of Assisi Catholic School, 5330 Eastside Circle, California 92887, to construct four 953 square-foot accessory modular buildings on the existing St. Francis of Assisi Catholic School campus, located west of Hidden Hills Drive and north of Esperanza Road, for a period of six years, and,

WHEREAS, notice of a public hearing of the Planning Commission of the City of Yorba Linda concerning Conditional Use Permit 2025-14 was given in accordance with applicable law; and,

WHEREAS, on July 23, 2025, a public hearing concerning Conditional Use Permit 2025-14 was held by the Planning Commission; and,

WHEREAS, after consideration of the staff report and all of the information, testimony, and evidence presented at the public hearing, the Yorba Linda Planning Commission does hereby find that with incorporation of the conditions attached hereto as Exhibit "A":

- A. The proposed location of the conditional use is in accord with the objectives of the Zoning Code and the purpose of the zone in which the site is located, in that Section 18.20.020.I of the Yorba Linda Zoning Code allows for the construction of temporary modular buildings for classrooms, offices, storage use for periods exceeding ninety (90) days with the approval of a Conditional Use Permit by the Planning Commission.
- B. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, in that the proposed modular buildings are sited in a manner that minimizes visibility from off-site properties and public rights-of-way. The proposed temporary modular buildings will not cause an increase in student enrollment and will not generate additional on-site parking demand or circulation concerns on the campus or adversely impact the surrounding properties with respect to parking, traffic, or building aesthetics with the adoption of the conditions of approval for the project.

- C. The proposed conditional use will comply with each of the applicable provisions of the Zoning Code of the City of Yorba Linda.
- D. The project constitutes a Categorical Exemption under Class 3 as New Construction, Class 11 for Accessory Structures, and Class 14 for Minor Additions to Schools, and is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Sections 15303, 15311, and 15314.
- E. As this project involves no repeal, amendment, or adoption of all or any part of the land use planning policy documents as specified in Section 18.01.020 of the Yorba Linda Municipal Code, this project is exempt from the provisions of Chapter 18.01 of the Yorba Linda Municipal Code, also known as the "Yorba Linda Right-to-Vote Amendment".

NOW THEREFORE BE IT RESOLVED that the Yorba Linda Planning Commission does hereby approve Conditional Use Permit 2025-14 subject to the conditions of approval shown on Exhibit "A" attached to this Resolution and by this reference incorporated herein.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Yorba Linda on July 23, 2025.

DON BERNSTEIN CHAIRMAN

TO WIT:

I HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the Yorba Linda Planning Commission on July 23, 2025, and carried by the following roll call vote:

AYES:	0	COMMISSIONERS:
NOES:	0	COMMISSIONERS:
ABSENT:	0	COMMISSIONERS:

NATE FARNSWORTH, AICP SECRETARY TO THE PLANNING COMMISSION

EXHIBIT "A" FOR RESOLUTION NO. <u>APPROVING CONDITIONAL USE PERMIT 2025-14 –</u> ST. FRANCIS OF ASSISI CATHOLIC SCHOOL

A. Standard Conditions:

- Eng. 1. The applicant shall obtain an encroachment permit for all work within the City right of way.
 - 2. Best Management Practices (BMPs) shall be used during construction in accordance with the Construction Runoff Guidance Manual for Contractors, Project Owners, and Developers to prevent pollutants, construction materials, and soil from entering the storm drain.
 - 3. **Prior to grading permit/building permit**, the proposed improvements shall comply with the California Building Code latest edition. Drainage and structural setbacks to slopes shall comply with the minimum requirements.
 - 4. **Prior to grading approval**, a soil report shall be prepared by a qualified engineer to the satisfaction of the City Engineer.
 - 5. **Prior to grading approval**, an Emergency overflow is required at all sump locations. Slopes shall be armored or a drainage conveyance facility shall be designed where emergency overflow is proposed.
 - 6. **Prior to grading permit/building permit**, the applicant shall apply for and obtain a transportation permit that identifies the disposition of all imported or exported soil and a haul route. The applicant shall demonstrate that the imported soil is clean and suitable for the intended use and that exported soil complies OCFA and OC Environment Health Department. A geotechnical analysis may be required.
 - 7. **Prior to grading approval**, applicant shall submit sewer and water plans to the Yorba Linda Water District for determination of the Terms and Conditions for Water and/or Sewer Service.
 - 8. **Prior to grading approval,** drainage facilities that discharge onto adjacent properties shall be designed in such a manner as to convey storm surface water as it historically crosses said property line in its natural state or a drainage acceptance instrument may be obtained from the downstream property owner if the historic drainage flow is affected in an adverse manner.
 - 9. **Prior to grading approval**, an erosion and sediment control plan shall be submitted at the time of Grading/Drainage Plan review and be accepted by the City Engineer.

- 10. **Prior to grading approval**, grading of the subject property shall be in compliance with the Grading Ordinance and to the satisfaction of the City Engineer.
- 11. **Prior to grading approval**, a grading plan shall be submitted for review and approval. Grading shall be in significant conformance to the proposed grading as approved by the Planning Commission. Provide cross sections through site in both directions.
- 12. **Prior to grading approval**, a Non-Priority Water Quality Management Plan (WQMP) shall be submitted with the grading/drainage site plan for review and accepted by the City Engineer. All costs associated with the review, installation and/or maintenance of the plan and project related BMPs shall be the responsibility of the applicant.
- 13. **Prior to grading approval**, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit from the California Regional Water Quality Control Board (Santa Ana Region).
- 14. **Prior to grading approval**, the applicant shall file any required documents, including but not necessarily limited to the notice of intent, and comply with permits from the California Regional Water Quality Control Board.
- 15. **Prior to building permit**, a rough grade certificate, final rough grade report, and individual lot compaction tests shall be provided by a licensed Civil Engineer and Geotechnical Engineer.
- 16. **Prior to building permit**, all proposed utilities within the project shall be installed underground in accordance with current utility engineering practices. Existing aerial utilities shall be removed and/or placed underground.
- 17. **Prior to occupancy**, a final grade certificate and final grade soils report or letter shall be provided by a licensed Civil Engineer and Geotechnical Engineer.
- 18. Prior to occupancy, applicant hall show path of access to and from trash enclosure to pick-up location. Any public improvements that are damaged or need modifications to accommodate access shall be replaced to the satisfaction of the City Engineer. Ensure that trash enclosure shall accommodate a 3-container system adhering to state mandates, including SB 1383 Organics which built on and expanded AB 1826 Commercial Organics, and AB 341 Commercial Recycling.

- Bldg. 19. All Construction and Development shall comply with the latest adopted California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, The California Electrical Code, California Green Building Standards Code, State Building Standards Title 24, and all other applicable codes.
 - 20. Plans shall be rendered legible and usable. Separate sheets shall be provided for distinctly different aspects of the proposed project. Plan sheets shall be clearly labeled with sheet numbers on the bottom right-hand corner and each sheet included in the set shall be included in a sheet index provided on the cover sheet.
 - 21. Refer to the City of Yorba Linda's Geographic Information System (GIS) to see if the property in question falls within a specific boundary which may change the plan check requirements.
 - High Fire/Fuel Modification
 - OCFA Development Area
 - 22. The project shall comply with all applicable disabled access requirements.
 - 23. Deferred Submittal submittals shall be reviewed and approved by the design professional prior to being submitted to the city.
 - 24. Plans must indicate if the existing building is protected by an automatic sprinkler system. Projects that require a new Fire Sprinkler System to be installed shall have the cover sheet notated "FIRE SPRINKLERS REQUIRED" and the proposed fire sprinklers shall be listed as a deferred submittal.
 - 25. New buildings located in any adopted Fire Hazard Severity Zone, or any or any Wildland-Urban Interface (WUI) Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of R337/7A.
 - 26. These provisions shall also apply to all structures located within 100 feet of a Fuel Modification Zone, Vegetation Management Area, or similar area containing hazardous combustible vegetation, regardless of whether the property is currently located in an adopted Fire Hazard Severity Zone or Wildland-Urban Interface Area, when materials and/or construction methods for exterior wildfire exposure were previously required at the property by the Building or Fire Code Official.
 - 27. Applicant shall satisfy all requirements of the Orange County Fire Authority (OCFA) prior to issuance of building permits and final inspection. Contact Orange County Fire Authority at (714) 573-6100 for requirements. Fire Sprinkler installations requirements are part of this requirement.

- 28. Applicant shall satisfy all conditions of approval and any other department or agency requirements prior to the building permit's final inspection.
- Plng. 29. Conditional Use Permit 2025-14 is granted for a period of one year and shall become void as of July 23, 2026, unless a certificate of occupancy has been issued for building permits, or a time extension is requested in writing prior to that date.
 - 30. The applicant shall agree and consent in writing within 60 days to the conditions of approval as adopted by the Planning Commission.
 - 31. Development shall occur substantially as shown on the plans approved by the Planning Commission and on file in the Community Development Department.
 - 32. Approval of this request shall not excuse compliance with all other applicable City ordinances and development standards in effect at this time.
 - 33. The applicant shall defend, indemnify, and hold harmless the City of Yorba Linda, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney.
 - 34. The modular buildings shall not include any signage. Any graffiti that may appear on the structures shall be removed by the applicant immediately.
 - 35. The temporary modular buildings shall be finished in a color that blends into the greatest extent possible with existing classroom buildings to the satisfaction of the Community Development Director. The proposed exterior color scheme shall be as shown on approved plans.
 - 36. No exterior lighting is approved for the proposed temporary modular buildings.
 - 37. Conditional Use Permit 2025-14 is for the temporary establishment of four (4) modular buildings for a period of up to six (6) years, commencing from the date of this approval, until July 23, 2031. On or prior to July 23, 2031, all four (4) temporary modular buildings shall be permanently removed from the property.
OCFA 38. Plan Submittal: The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to approval of a tentative map or issuance of precise grading permit, whichever comes first; or, at the discretion of the planning department, prior to approval at public hearing if this precedes map approval or grading permit issuance:

 Conceptual fuel modification plan (service code PR120); the applicant may opt to skip submittal of a conceptual fuel modification plan and proceed directly to submittal of a precise fuel modification plan (service code PR124) at this time instead.

Prior to OCFA clearance of a final map or issuance of a precise grading permit or a building permit, if a grading permit is not required:

• Fire master plan (service code PR145) <u>Building shall comply with CBC</u> <u>Chapter 7A.</u>

Prior to issuance of a precise grading permit or a building permit, if a grading permit is not required:

• Precise fuel modification (service code PR124)

Prior to issuance of a building permit:

- Architectural Group E Occupancy (service codes PR212)
- Underground piping for private hydrants and fire sprinkler systems (service codes PR470-PR475)

Prior to concealing interior construction:

- Fire alarm system (service codes PR500-PR520)
- Fire sprinkler system (service codes PR430-PR455)
- 39. **Fuel Modification Inspection for Occupancy:** Prior to the issuance of temporary or final certificate of occupancy, the fuel modification zones adjacent to structures must be installed, irrigated, and inspected. This includes physical installation of features identified in the approved precise fuel medication plan (including, but not limited to, plant establishment, thinning, irrigation zone markers, access easements, etc.).

- 40. **Fuel Modification Maintenance:** The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approval fuel modification plans and recorded covenant. The property owners shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.
- 41. **Lumber-drop Inspection:** After installation of required fire access roadways and hydrants, the applicant shall receive clearance from the OCFA prior to bringing combustible building materials on-site. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fire master plan at least five days in advance to schedule the lumber drop inspection.
- 42. **Vegetation Clearance Inspection/Release:** The developer/builder shall implement those portions of the approved fuel modification plan determined to be necessary by the OCFA and a confirmation of proper vegetation clearance shall be issued by the OCFA to the local Building Department prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever comes first. Removal of undesirable species may meet this requirement or a separation of the structure and lumber stock-pile may be acceptable. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fuel modification plan at least five days in advance to schedule the vegetation clearance inspection.

- The End -



COMMUNITY DEVELOPMENT DEPARTMENT

- DATE: JULY 23, 2025
- TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
- FROM: COMMUNITY DEVELOPMENT DEPARTMENT
- BY: EVA CHOI, SENIOR PLANNER

SUBJECT: LOT LINE ADJUSTMENT 2024-03 - DOWNING

- APPLICANT: Monte Downing 18351 Buena Vista Avenue Yorba Linda, CA 92886
- CEQA STATUS: Categorical Exemption (Class 5, Minor Alterations in Land Use Limitations)

RELATED ITEMS: N/A

REQUEST: A request to reconfigure the common property line(s) between two existing parcels, thereby modifying their sizes, for the properties located on the north side of Buena Vista Avenue and east of Lakeview Avenue. (APN: 343-611-18 & 19).

PROJECT DATA

Project Address:	18351 Buena Vista Avenue & 18361 Buena Vista Avenue
APN:	343-611-18 & 19
General Plan:	Residential Medium Low (R-ML)
Zoning:	Residential Estate (RE)

BACKGROUND & DISCUSSION

The subject properties are interior lots located on the north side of Buena Vista Avenue between Imperial Highway and Lakeview Avenue. The applicant is requesting Planning Commission approval of a lot line adjustment to modify the common interior property lines to enlarge the 18351 Buena Vista Avenue parcel (depicted as "Parcel A") and reduce the size of the 18361 Buena Vista Avenue parcel (depicted as "Parcel B") to generally be limited to a sloped area of approximately 932 square feet. The proposed lot line adjustment allows the Parcel A owner to maintain the upward sloped landscape area that is currently between the two parcels.

Planning Commission Staff Report Lot Line Adjustment 2024-03 – Downing July 23, 2025 P a g e | 2



Figure 1: Exhibit depicting proposed area in red to be dedicated to Parcel A (18351 Buena Vista Avenue).

Per Section 66412(d) of the Subdivision Map Act, a lot line adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a created number of parcels than what originally existed is not thereby created, provided the lot line adjustment is approved by the Planning Commission, shall not be subject to the requirements of the Subdivision Map Act.

The proposed lot line adjustment is intended to facilitate ongoing maintenance access to a sloped landscaped area along the shared property line. The adjustment would result in an increase of 932 square feet to Parcel A and a corresponding decrease to Parcel B. Upon review, staff has not identified any concerns with the proposal. Furthermore, the resulting parcel sizes are consistent with the development standards of the Residential Estate zone, including minimum lot size and required building setbacks; therefore, staff is supportive of the applicant's request.

Planning Commission Staff Report Lot Line Adjustment 2024-03 – Downing July 23, 2025 P a g e | 3

CEQA COMPLIANCE

The project constitutes a Class 5 (Minor Alterations in Land Use Limitations) Categorical Exemption and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Section 15305.

RECOMMENDATION

It is recommended that the Planning Commission adopt the attached resolution approving Lot Line Adjustment 2024-03 – Downing.

ATTACHMENTS

- 1. Locator Map
- 2. Exhibit "A" Existing and Proposed Legal Descriptions
- 3. Exhibit "B" Lot Line Adjustment Map
- 4. Exhibit "C" Lot Line Adjustment Site Plan
- 5. Resolution



EXHIBIT "A" - EXISTING LEGAL DESCRIPTIONS LOT LINE ADJUSTMENT NO. LLA 2024-03

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A: (EXISTING)

A PORTION OF LOT 9, BLOCK 21, OF THE YORBA LINDA TRACT, AS SHOWN ON A MAP RECORDED IN BOOK 5, PAGES 17 AND 18 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID LOT 9, SAID POINT BEING IN THE CENTER LINE OF BUENA VISTA AVENUE (50.00 FEET WIDE), SAID POINT ALSO BEING DISTANT SOUTH 89°18'20" WEST 428.30 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 9; THENCE FROM SAID POINT OF BEGINNING, SOUTH 89°18'20" WEST, ALONG SAID CENTER LINE, 107.29 FEET TO A POINT; THENCE NORTH 14°50'06" EAST 444.30 FEET TO A POINT IN THE NORTHEASTERLY LINE OF SAID LOT 9; THENCE SOUTH 65°46'20" EAST ALONG SAID NORTHEASTERLY LINE, 104.78 FEET TO A POINT; THENCE SOUTH 14°50'06" WEST 398.47 FEET TO THE POINT OF BEGINNING, RESERVING THE SOUTH 25.00 FEET FOR BUENA VISTA AVENUE, CONTAINING 1.00 ACRE OF LAND, MORE OR LESS.

APN: 343-611-18

PARCEL B: (EXISTING)

THAT PORTION OF LOT 9 IN BLOCK 21 OF THE YORBA LINDA TRACT, IN THE CITY OF YORBA LINDA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 5 PAGES 17 AND 18 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID LOT 9, SAID POINT BEING IN THE CENTER LINE OF BUENA VISTA AVE., 50.00 FEET WIDE SAID POINT ALSO BEING DISTANT SOUTH 89 DEGREES 18 MINUTES 20 SECONDS WEST 306.95 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 9; THENCE FROM SAID POINT OF BEGINNING SOUTH 89 DEGREES 18 MINUTES 20 SECONDS WEST ALONG SAID CENTER LINE, 121.35 FEET TO A POINT, THENCE NORTH 14 DEGREES 50 MINUTES 06 SECONDS EAST 398.47 FEET TO A POINT, IN THE NORTHEASTERLY LINE OF SAID LOT 9; THENCE SOUTH 65 DEGREES 46 MINUTES 20 SECONDS EAST ALONG SAID NORTHEASTERLY LINE, 118.51 FEET TO A POINT; THENCE SOUTH 14 DEGREES 50 MINUTES 06 SECONDS FEET WEST 346.64 FEET TO THE POINT OF BEGINNING.

APN: 343-611-19

LAND No. 7703 Exp. 12/31/24 S ATE OF CALIFO

ASSESSOR'S PARCEL NUMBERS: 343-611-18 & 343-611-19 DATE EXHIBIT PREPARED: 11/15/2023 Page 43 of 48

SHEET 1 OF 4

EXHIBIT "A" - NEW LEGAL DESCRIPTIONS LOT LINE ADJUSTMENT NO. LLA 2024-03

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A: (NEW)

A PORTION OF LOT 9, BLOCK 21, OF THE YORBA LINDA TRACT, AS SHOWN ON A MAP RECORDED IN BOOK 5, PAGES 17 AND 18 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF SAID LOT 9, SAID POINT BEING IN THE CENTER LINE OF BUENA VISTA AVENUE (50.00 FEET WIDE), SAID POINT ALSO BEING DISTANT SOUTH 89°18' 20" WEST 428.30 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 9 TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, SOUTH 89°18' 20" WEST, ALONG SAID CENTER LINE, 107.39 FEET TO A POINT; THENCE NORTH 14°50' 06" EAST 444.30 FEET; THENCE SOUTH 65°46' 20" EAST 104.78 FEET; THENCE SOUTH 12°57' 49" WEST 238.87; THENCE NORTH 76°50' 23" WEST 7.81 FEET; THENCE SOUTH 14°50' 06" WEST 159.50 FEET TO THE POINT OF BEGINNING, RESERVING THE SOUTH 25.00 FEET FOR BUENA VISTA AVENUE.

CONTAINING 0.960 ACRE OF LAND, MORE OR LESS.

APN: 343-611-18

PARCEL B: (NEW)

THAT PORTION OF LOT 9 IN BLOCK 21 OF THE YORBA LINDA TRACT, IN THE CITY OF YORBA LINDA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 5 PAGES 17 AND 18 OF MISCELLANEOUS MAPS, RECORDS OF SAID ORANGE COUNTY.

COMMENCING AT A POINT IN THE SOUTH LINE OF SAID LOT 9, SAID POINT BEING IN THE CENTER LINE OF BUENA VISTA AVE., 50.00 FEET WIDE SAID POINT ALSO BEING DISTANT SOUTH 89'18'20" WEST 306.95 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 9; THENCE FROM SAID POINT OF BEGINNING NORTH 14'50'06" EAST 159.50 FEET: THENCE SOUTH 76'50'23" EAST 7.81 FEET; THENCE NORTH 12'57'49" EAST 238.87 FEET TO A POINT, IN THE NORTHEASTERLY LINE OF SAID LOT 9; THENCE SOUTH 65'46'20" EAST ALONG SAID NORTHEASTERLY LINE, 118.51 FEET TO A POINT; THENCE SOUTH 14'50'17" WEST 346.64 FEET TO A POINT ON THE CENTERLINE OF BUENA VISTA AVENUE; THENCE NORTH 89'18'20" WEST 121.33 FEET TO THE POINT OF BEGINNING, RESERVING THE SOUTH 25.00 FEET FOR BUENA VISTA AVENUE.

CONTAINING 0.908 ACRE OF LAND, MORE OR LESS

APN: 343-611-19



ASSESSOR'S PARCEL NUMBERS: 343-611-18 & 343-611-19 DATE EXHIBIT PREPARED: 11/15/2023 Page 44 of 48

SHEET 2 OF 4





RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YORBA LINDA APPROVING LOT LINE ADJUSTMENT 2024-03 - DOWNING

WHEREAS, an application for Lot Line Adjustment 2024-03 was made by Mr. Monte Downing, 18351 Buena Vista Avenue, Yorba Linda, California 92886, which is more specifically described on Exhibits "A" and "B" attached hereto, for approval of a lot line adjustment to adjust the common property line between Parcel A (18351 Buena Vista Avenue) and Parcel B (18361 Buena Vista Avenue), as described on Exhibits "A" and "B" attached hereto; and,

WHEREAS, the lot line adjustment will not create a greater number of parcels of property than currently exists; and,

WHEREAS, the lot line adjustment is a minor revision to the common property lines between two existing parcels; and,

WHEREAS, under Government Code Section 66412(d), the Subdivision Map Act is inapplicable to such a lot line adjustment if it is approved by resolution of the Yorba Linda Planning Commission; and,

WHEREAS, this project constitutes a Class 5 (Minor Alteration of Land Use Limitations) Categorical Exemption, and is, therefore, exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Section 15305.

NOW, THEREFORE, BE IT RESOLVED that the Yorba Linda Planning Commission does hereby approve the lot line adjustment as shown on Exhibits "A," "B," and "C" attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED that the City Engineer shall cause the lot line adjustment application, Exhibit "A" - proposed legal description, and Exhibit "B" - lot line adjustment map, and Exhibit "C" – lot line adjustment site plan pertaining thereto, to be recorded in the office of the Orange County Recorder and same shall thereby become effective.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Yorba Linda on July 23, 2025.

DON BERSTEIN CHAIRMAN TOWIT:

I HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the Yorba Linda Planning Commission on July 23, 2025, and carried by the following roll call vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

NATE FARNSWORTH, AICP SECRETARY TO THE PLANNING COMMISSION