

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF YORBA LINDA APPROVING CONDITIONAL USE
PERMIT 2025-04– LUMLEY, WITH CONDITIONS

WHEREAS, an application for Conditional Use Permit 2025-04 was made by Millicent Lumley, 6092 Country View Drive, Yorba Linda, CA 92886, to construct a 201 square foot second-story addition to the existing 2,807 square foot two-story single-family residence, the area of second story construction within seventy feet (70') of another single-family residence, on property addressed as 6092 Country View Drive, Yorba Linda, CA 92886 located in the PD (Planned Development) zone; and,

WHEREAS, Section 18.10.100.B of the Yorba Linda Zoning Code requires that a Conditional Use Permit be granted by the Planning Commission for any proposed second-story construction within seventy feet (70') of an adjacent dwelling; and,

WHEREAS, this matter requires a public hearing in conformance with applicable law; and,

WHEREAS, notice of a public hearing of the Planning Commission of the City of Yorba Linda concerning Conditional Use Permit 2025-04 was given in accordance with applicable law; and,

WHEREAS, on April 9, 2025, a public hearing on Conditional Use Permit 2025-04 was held by the Planning Commission; and,

WHEREAS, the Planning Commission of the City of Yorba Linda does hereby find that the proposed second-story addition complies with mandatory findings included in Section 18.10.100.B of the Yorba Linda Zoning Code as follows:

- A. That the two-story construction does not result in any significant loss of privacy for adjacent residences in a manner that would compromise the neighbors' ability to obtain reasonable and enjoyable use of their own property in that proposed new windows continue to offer a similar viewshed as the existing second story windows located on the side and rear elevations and do not exacerbate view impacts to the neighboring properties;
- B. For a building addition, that the design of the two-story construction be architecturally integrated with that of the existing house as to be made to appear as part of the original construction, in that the proposed addition is compatible with the proposed architectural style with colors, materials, and finishes that are consistent throughout;
- C. That the design of the addition is sensitive to its environment such that it is architecturally compatible with its neighborhood, in that the proposed addition

integrates elements of the existing architecture while updating the design in a manner that is compatible with the surrounding neighborhood in terms of size, bulk, and scale;

- D. For any second story addition to any attached single-family structure, the Planning Commission shall encourage construction which has the least impact on the neighboring attached dwelling units and which is most structurally sound, in that the proposed residence is a detached single-family structure that will not impose privacy impacts to neighbors and will be constructed according to all California Building Code requirements to ensure structural stability.

WHEREAS, after consideration of the staff report and all 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 18.10.100.B and of the Yorba Linda Zoning Code allow the construction of a second-story room addition within seventy feet of another single-family residence with approval of a Conditional Use Permit by the Planning Commission.
- B. The location of the conditional use and the condition under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity in that the proposed second-story addition will not unduly violate the privacy of adjacent property owners due to the presence of intervening landscaping, grade differences, and the orientation, location, and existing distance from neighboring structures. In addition, the proposed views will not directly impact the surrounding neighborhood given that the existing views from the second story home already offer the same viewshed. Furthermore, the design of the addition integrates within the design of the existing house and is architecturally compatible with the homes in the surrounding neighborhood.
- 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 pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA), and is therefore, exempt from the requirements of CEQA.
- 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 2025-04, 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 April 9, 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 April 9, 2025, and carried by the following roll call vote:

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

NATE FARNSWORTH, AICP
SECRETARY TO THE PLANNING COMMISSION

EXHIBIT “A”
FOR RESOLUTION NO.
APPROVING CONDITIONAL USE PERMIT 2025-04 – LUMLEY

A. Standard Conditions:

- Eng. 1. 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.
2. **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.
3. **Prior to grading permit/building permit**, individual lot drainage shall be designed to convey flows to an acceptable drainage system or outlet to the street or by other lot drainage design to the
4. **Prior to grading permit/building permit**, a soils report shall be prepared by a qualified engineer to the satisfaction of the City Engineer.
5. **Prior to grading permit/building permit**, an erosion and sediment control plan shall be submitted at the time of building permit review and be accepted by the City Engineer.
6. **Prior to grading permit/building permit**, grading of the subject property shall be in compliance with the Grading Ordinance and to the satisfaction of the City Engineer.
- Bldg. 7. 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.
8. Separate permits are required for grading, photovoltaic systems, fire sprinklers, as-built structures, retaining walls, swimming pools, demolition, detached accessory structures, outdoor cooking facilities/BBQ's, etc. Clearly note this on the site plan.
9. Deferred submittals shall be reviewed and approved by the design professional prior to being submitted to the city.
10. All structures shall be designed in accordance with Section 1609 for the wind design and Section 1613 seismic design of the 2022 California Building Code. The design shall be site specific and include the

necessary data to justify proposed design. The wind loading in Yorba Linda is 110 mph, using Basic Wind Speed and Exposure C.

11. Plans submitted shall comply with the Residential Water Meter & Supply Worksheet.
12. All new roofs shall be CLASS A fire rated roofing materials. . In addition, all roofing material must be installed to meet high wind velocity (110 mph), per table 1609.3.1, Basic Wind Speed, of the 2019 California Building Code and exposure "C" standards.
13. Applicant shall satisfy all requirements of the Orange County Fire Authority prior to issuance of building permits and the final building inspection. Please contact the Orange County Fire Authority at (714) 573-6100 regarding requirements. Fire Sprinkler installations requirements are part of this requirement.
14. When fire sprinklers are installed, or modified, please contact the Yorba Linda Water District (YLWD) to ensure the correct backflow prevention device is noted on the plans and approved by the district. The City shall require a signed and dated letter from YLWD that is emailed to the City summarizing their requirements and approval for permit issuance.

Yorba Linda Water District
1717 East Miraloma Ave
Placentia CA 92870
714-701-3000

- Plng.
15. The cover sheet of the building construction drawings shall include a blue line print of the City's conditions of approval and shall be attached to each set of plans submitted for City approval.
 16. Approval of this request shall not excuse compliance with all other applicable City ordinances and development standards in effect at this time.
 17. Within 60 days of approval of this request the applicant shall agree and consent in writing to the conditions of approval, as adopted by the Planning Commission.
 18. 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.

19. Development shall occur substantially as shown on the plans approved by the Planning Commission and on file in the Community Development Department.
20. Conditional Use Permit 2025-04 shall lapse and become void as of April 9, 2026, unless building permits have been issued and construction is commenced and diligently pursued toward completion on the structure that is the subject of Conditional Use Permit 2025-04, or a time extension is requested in writing prior to that date.
21. Applicant shall provide to the Planning Division, **prior to issuance of building permits**, an electronic copy of the final plans approved by the Planning Commission. The copy shall be provided on a USB drive in “.pdf” format.

B. Special Conditions:

- Plng.
22. Any modification to window/door design and/or placement shall be subject to the review and approval of the Community Development Director, **prior to the issuance of building permits**.
 23. All exterior wall cladding, roofing material, railings, and windows shall be consistent throughout the residence.

- The End -