

RESOLUTION NO. 2026-10
RESOLUTION OF THE ZONING ADMINISTRATOR OF
ORANGE COUNTY, CALIFORNIA
AUGUST 6, 2026

By action of the Zoning Administrator, the following Resolution was adopted:

WHEREAS, Planning Application PA25-0066 was submitted by the property owner Kaylen Steele, requesting approval of a Use Permit to request for an alternative parking design to allow one covered parking space within a carport located beneath a deck and one uncovered tandem off-street parking space to satisfy the required two covered off-street parking spaces for a new single-family residence;

WHEREAS, the project is consistent with the Orange County General Plan, Rural Residential (1A) Land Use designation and Land Use Element Goal 7 – New Development Compatibility because it consists of the construction of a new single-family residence and an associated alternative parking design that is compatible with surrounding residential development, the character of the area, and the physical constraints of the site;

WHEREAS, the proposed project is consistent with the Orange County Zoning Code and the Silverado-Modjeska Specific Plan because it consists construction of a new single-family residence subject to the specified conditions of approval, are consistent with the provisions of the County of Orange Zoning Code and the Silverado-Modjeska Specific Plan Rural Residential District because proposed residence complies with the permitted residential density of one dwelling unit per four acres and all applicable development standards. The proposed alternative parking configuration accommodates the site's irregular shape and steep topography while continuing to provide the required off-street parking for the residence and is consistent with the intent and purpose of the Orange County Zoning Code and the Silverado-Modjeska Specific Plan;

WHEREAS, The proposed project is Categorically Exempt (Class 3) from the provisions of CEQA pursuant to CEQA Guidelines Section 15303, because it provides for the construction of new accessory (appurtenant) structures.

WHEREAS, a duly noticed public hearing was held on August 6, 2026, before the Orange County Zoning Administrator, at which time all interested persons were given the opportunity to be heard, and the Zoning Administrator reviewed and considered all evidence presented, including the staff report and public testimony;

WHEREAS, the Zoning Administrator reviewed and fully considered the proposed Use Permit PA25-0066 and has heard and considered any public comments received on this request and determined after review and consideration to approve Use Permit PA26-0066.

NOW, THEREFORE, BE IT RESOLVED THAT the Orange County Zoning Administrator adopts this resolution to:

1. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA), Class 3 (New Construction or Conversion of Small Structure) pursuant to CEQA Guidelines section 15303.
2. Approve Use Permit PA25-00066 for a Use Permit to request for an alternative parking design to allow one covered parking space within a carport located beneath a deck and one uncovered tandem parking space to satisfy the required two covered off-street parking spaces for a new single-family residence located at 28982 Hill Top Drive., subject to the Findings and Conditions of Approval contained within the Resolution.

Recommended Findings:

1. General Plan
 - a. The proposed project is consistent with the Orange County General Plan Land Use (1A) Rural Residential because it consists of the construction of a new single-family residence and an associated alternative parking design that is compatible with surrounding residential development, the character of the area, and the physical constraints of the site.

The project is also consistent with Goal 7 (New Development Compatibility) of the Orange County General Plan Land Use Element, which seeks to ensure that new development is compatible with adjacent areas and the character of local streets. The proposed project introduces a residential use that is consistent with surrounding development and compatible with adjacent residential and vacant properties. The tandem parking configuration will be located on-site and will maintain the residential character of the neighborhood while minimizing grading and disturbance to the natural terrain. As such, the project is compatible with surrounding residential development and the physical characteristics of the site and will not adversely affect adjacent properties.
2. Zoning Code
 - a. The consists of the construction of a new single-family residence subject to the specified conditions of approval, are consistent with the provisions of the County of Orange Zoning Code and the Silverado-Modjeska Specific Plan Rural Residential District because proposed residence complies with the permitted

residential density of one dwelling unit per four acres and all applicable development standards. The proposed alternative parking configuration accommodates the site's irregular shape and steep topography while continuing to provide the required off-street parking for the residence and is consistent with the intent and purpose of the Orange County Zoning Code and the Silverado-Modjeska Specific Plan

3. California Environmental Quality Act (CEQA)

- a. The proposed project is categorically exempt (Class 3) from the provisions of CEQA pursuant to CEQA Guidelines Section 15303, because it provides for the construction of new accessory (appurtenant) structures.

4. Compatibility

- a. 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, because the project consists of a new single-family residence compatible with the surrounding rural residential development, and the proposed alternative parking design accommodates the site's irregular shape and steep topography while continuing to provide the required off-street parking

5. General Welfare

- a. That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare, because the proposed alternative parking design will provide the required off-street parking for the new single-family residence and the project has been reviewed by the Orange County Fire Authority and other appropriate County agencies. The project will be developed in compliance with the Conditions of Approval and all applicable County regulations, ensuring that adequate access and public safety requirements are maintained.

6. Public Facilities

- a. The approval of the permit application complies with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.) because the proposed project would be required to pay into development impact fees prior to the issuance of building permits.

Recommended Conditions of Approval:

1. Basic/Zoning Regulations

- a. 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 or approval of the project regarding any other applicable ordinance, regulation or requirement.

2. Basic/Time Limit

- a. This approval constitutes approval of the 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, unless a valid extension is approved.

3. Basic/Plan

- a. 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, OC Planning, for approval. If the Director, OC Planning, determines that the proposed change complies with the provisions and the spirit and intent of the original 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. Basic/Compliance

- a. 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. Indemnification

- a. Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Zoning Administrator, Director of OC Public Works, or Deputy Director of OC Development Services concerning this application. The County may, at its sole discretion, participate in the defense of any action, at the applicant's expense, but such participation shall not relieve applicant of his/her obligations under this condition. The County may, at its sole discretion, require the Applicant to post a bond, enter into an escrow agreement, obtain an irrevocable letter of credit from a qualified financial institution, or provide other security, to the satisfaction of the County, in anticipation of litigation and possible attorney's fee awards. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

6. Basic/Appeal Exactions

- a. 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.

7. California Building Code Compliance

- a. Prior to the issuance of any building permits and throughout all phases of construction, the project shall comply with all applicable requirements of the current California Building Code (CBC), as adopted and amended by the local jurisdiction. Compliance shall be demonstrated to the satisfaction of the Building Official.

8. Orange County Fire Authority (OCFA)

- a. Proposed structure(s) and vegetation shall meet the requirements of County Ordinance No. 25-022 and OCFA Guideline C-05.

9. Construction Noise

- a. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building and Safety Division, that:
 - i. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers.
 - ii. All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).
 - iii. Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.
- b. Notations in the above format appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

10. Geology Report

- a. Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Building and Safety Division, for approval. The report shall include the information and be in the form as required by the Grading and Excavation Code and Grading Manual.

11. Erosion and Sediment Control Plan

- a. Prior to the issuance of any grading or building permit, the applicant shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building and Safety Division, to demonstrate compliance with the

County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. The ESCP shall be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP shall be kept at the project site and be available for County review on request.

12. Drainage Study

- a. If determined necessary, prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Manager, Permit Services
 - i. A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; and
 - ii. When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and
 - iii. Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood

I HEREBY CERTIFY that the foregoing Resolution No. 2026-10 was adopted on August 6, 2026 by the Orange County Zoning Administrator.

By: Justin Kirk, Deputy Director OC Public Works
ORANGE COUNTY ZONING ADMINISTRATOR