

## 13. Administration

The Esperanza Hills Specific Plan (SP) has been prepared in accordance with the *California Government Code* §65450, et seq., the California Environmental Quality Act (CEQA), the County of Orange General Plan, and all other applicable codes and ordinances.

### 13.1 Interpretation

If any issue, condition, or situation arises or occurs that is not sufficiently covered or provided for in these regulations so as to be clearly understandable, the Planning Director shall resolve the issues, conditions, or situations in a manner that is consistent with the SP and applicable provisions of the Orange County Zoning Code. This provision shall not be used to permit uses not authorized by the regulations contained herein. The intent is to resolve ambiguity in the regulations and ensure their consistent application.

### 13.2 Amendments to the Specific Plan

This SP shall be amended by the same procedure as the plan was adopted and in compliance with applicable law and the Orange County Zoning Code, as applicable.

### 13.3 Implementation of Access Configuration

For the initial tentative map(s) that establish the public access roadway configurations to the residential area of the project, an alternate procedure for approval to that established by the Orange County Subdivision Code, Orange County Codified Ordinances sections 7-9-251 shall apply.

For tentative tract map(s) that establish the public access roadway configurations, once an application for such tentative tract map(s) has been deemed complete by the Planning Director within the time frames established by the Permit Streamlining Act (*California Government Code* §§65920-65964), ~~unless those time frames are waived, the Subdivision Committee shall make a written report to the Board containing its recommendations concerning findings (including those outlined in Orange County Subdivision Code section 7-9-255 and 7-9-256), and for approval, conditional approval, or disapproval of the map. This written report shall be made within the time frame established by California Government Code §66452.1(c), unless otherwise waived. If the Subdivision Committee recommends denial of the tentative map, the project developer may request that Board consideration be delayed until issues are resolved. Following any developer requested delay, the Subdivision Committee shall within 30 days submit an amended report to the Board detailing whether the issues have been resolved and outlining its recommendations.~~

~~The Board shall schedule a hearing on the map within 30 days after its next regular meeting (following receipt of the written report) and must approve, conditionally approve, or disapprove the map within that 30-day period pursuant to California Government Code §66452.2(a), unless the time period is waived.~~ [consider the map at its next regular meeting](#). There shall be no further administrative appeals of the tentative map under this alternate procedure; the Board's decision

shall be final. Orange County Subdivision Code sections 7-9-259 and 7-9-260 are inapplicable to the Board's decision to approve, conditionally approve, or disapprove the initial tentative tract map(s) that establish public roadway access configurations.

Tentative tract map approval or conditional approval may be made by the Board of Supervisors subject to the following findings or conditions [in addition to those findings required by the Government Code](#) ~~in addition to those recommended by the Subdivision Committee:~~

1. Permission to gain access across land area not owned by the Project Applicant has been secured or it is reasonably assured that access rights will be secured
2. Permission to allow for off-site grading has been secured or it is reasonably assured that permission will be secured
3. Finding of consistency with Final Environmental Impact Report No. 616
4. Finding of consistency with Final Environmental Impact Report No. 616 Mitigation Monitoring and Reporting Program
5. Findings of consistency with this Specific Plan, the Orange County Zoning Code, the Orange County Subdivisions Code, and applicable laws and regulations

Board approval of tentative tract map(s) shall only be required for the initial tentative tract map(s) that would establish the public access roadway configurations. Modifications to the initial tentative tract map(s) that establish the public access roadway configurations shall be subject to the procedures specified in Orange County Subdivision Code section 7-9-257 for the modification of approved tentative maps, unless the modification involves a change in the public roadway access configuration approved by the Board. Such a modification request shall be heard by the Board in compliance with the procedures outlined above.

Subsequent subdivision map actions shall be made by the Subdivision Committee in accordance with the procedures outlined by the Orange County Subdivision Code with a finding that such actions are consistent with previous Board actions.

### **13.4 Minor Modifications**

As tentative tract maps are prepared to implement the SP, minor adjustments to the Planning Area boundaries and the development standards contained in Section [10.6](#), Permitted Uses (page [48](#)) may be necessary. Other adjustments may include, but are not limited to, transfer of dwelling units from one Planning Area to another, street alignments/connections, and trail connections. Minor adjustments may be approved administratively by the Planning Director, consistent with Orange County Zoning Code §7-9-150.3(h) Changed Plans, if the adjustments are in substantial conformance with the SP and further provided that the following requirements are met:

- The minor adjustment does not increase the maximum number of dwelling units that can be constructed within the Project,
- The minor adjustment does not result in a decrease of more than 10% of the park area or the total number of parks within the Project,