

**CONDITIONAL USE PERMIT NO. 25-0010  
MINOR SITE PLAN REVIEW NO. 1181**

**RESOLUTION NO. PC 01-26**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE APPROVING CONDITIONAL USE PERMIT NO. 25-0010 AND MINOR SITE PLAN REVIEW NO. 1181, FOR AN 834-SQUARE-FOOT ADDITION, EXTERIOR FAÇADE IMPROVEMENTS, INTERIOR REMODEL, NEW LANDSCAPING, AND A REVISED PARKING LOT LAYOUT AND STRIPING TO ACCOMMODATE A NEW VETERINARY HOSPITAL WITHIN AN EXISTING COMMERCIAL BUILDING, AND TO ESTABLISH AN ALTERNATE PARKING RATE FOR THE EXISTING USES AT THE SITE LOCATED AT 1012-1016 N. TUSTIN STREET**

**APPLICANT: DOMINIC TO, BITA VTERINARY CARE**

**WHEREAS**, the Planning Commission has authority per Orange Municipal Code Sections 17.08.020 to take action to approve or deny Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181, for an 834-square-foot addition, exterior façade improvements, interior remodel, new landscaping, and a revised parking lot layout and striping to accommodate a new veterinary hospital within an existing commercial building, and to establish an alternate parking rate for the existing uses at the site, in the Limited Business (C-1) zoning district; and

**WHEREAS**, Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181 were filed by Dominic To in accordance with the provisions of the City of Orange Municipal Code; and

**WHEREAS**, Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181 allows for an 834-square-foot addition, exterior façade improvements, interior remodel, new landscaping, and a revised parking lot layout and striping to accommodate a new veterinary hospital within an existing commercial building, and to establish an alternate parking rate for the existing uses at the site; and

**WHEREAS**, Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181 were processed in the time and manner prescribed by state and local law; and

**WHEREAS**, Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181 are categorically exempt from the provisions of the California Environmental Quality Act per State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities); and

**WHEREAS**, the Planning Commission conducted one duly advertised public hearing on January 22, 2026, at which time interested persons had an opportunity to testify either in support of, or opposition to, the proposal and for the purpose of considering Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission approves Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181 for an 834-square-foot addition, exterior façade improvements, interior remodel, new landscaping, and a revised parking lot layout and striping to accommodate a new veterinary hospital within an existing commercial building, and to establish an alternate parking rate for the existing uses at the site.

## **SECTION 1 – FINDINGS**

### **General Plan Required Findings:**

- 1. The project must be consistent with the goals and policies stated within the City's General Plan.*

The project is consistent with the goals and policies stated within the City's General Plan in that the project would promote a commercial enterprise and support a revenue generating business, consistent with the Land Use and Economic Development Elements of the General Plan. Furthermore, project approval supports the City's continued efforts to improve the quality of its commercial corridors.

### **Conditional Use Permit Required Findings:**

- 1. A Conditional Use Permit shall be granted upon sound principles of land use and in response to services required by the community (OMC 17.10.030.F.1).*

The request for a Conditional Use Permit to allow an alternate parking rate is based on sound land use principles and supports the provision of a needed community service. The proposed veterinary hospital provides an essential neighborhood-serving use within an established commercial corridor. Due to physical site constraints, the property cannot accommodate the number of parking spaces otherwise required by the Orange Municipal Code; however, the applicant has provided an empirical parking demand study demonstrating that the actual parking demand generated by the proposed veterinary hospital and the existing retail use can be adequately accommodated on-site. Allowing an alternate parking rate enables the adaptive reuse and continued viability of an existing commercial site while ensuring parking demand is met in a manner consistent with real-world operations and community needs.

- 2. A Conditional Use Permit shall not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located (OMC 17.10.030.F.2).*

Approval of the alternate parking rate will not result in deterioration of surrounding land uses or create special problems in the area. The empirical parking analysis demonstrates that the combined parking demand for the veterinary hospital and existing retail uses is adequately accommodated by the 24 on-site parking spaces provided. As a result, the alternate parking rate is not expected to cause parking spillover onto adjacent properties or public streets. Implementation of the proposed parking layout and the proposed conditions of approval, the project will remain compatible with surrounding commercial and residential land uses.

3. *A Conditional Use Permit must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is located (OMC 17.10.030.F.3).*

The requested alternate parking rate is consistent with the General Plan Land Use Element designation of General Commercial, which anticipates a range of commercial and service-oriented uses supported by flexible development standards. Granting an alternate parking rate based on demonstrated demand supports the City's planning goals by encouraging efficient use of existing development, reducing unnecessary paving, and facilitating reinvestment in established commercial areas. The Conditional Use Permit does not increase the intensity of development beyond what is planned for the area and does not conflict with any adopted community or neighborhood plans. Therefore, the alternate parking rate is consistent with the City's long-term land use and transportation objectives for the area.

4. *A Conditional Use Permit, if granted, shall be made subject to those conditions necessary to preserve the general welfare, not the individual welfare of any particular applicant (OMC 17.10.030.F.4).*

The Conditional Use Permit approving an alternate parking rate is subject to conditions of approval that protect the general welfare by ensuring that parking demand is adequately accommodated on-site and that surrounding properties are not adversely affected. These conditions include compliance with the approved parking layout, adherence to the operational characteristics analyzed in the empirical parking study, and implementation of on-site parking signage to discourage unauthorized parking on adjacent properties. The alternate parking rate applies to the use and site configuration analyzed and will run with the land, ensuring that future operators are similarly constrained unless further discretionary approval is obtained. Accordingly, the approval preserves the public interest rather than conferring a special benefit to the applicant

#### **Minor Site Plan Review Findings:**

1. *The project design is compatible with surrounding development and neighborhoods (OMC 17.10.060.H.1).*

The project has been designed to comply with the development standards of the Limited Business (C-1) zoning district and to be compatible with the adjacent surrounding development and uses. The proposed contemporary building design and scale complement

the character of the area and the landscaping provides plant material that soften the building mass and scale. Overall, the proposed Project presents an integrated design that provides a renewed, updated, and improved appearance to the site and to the surrounding commercial district.

Development of the Project would enhance the existing commercial character of the site and surrounding area with new modern building elevations, new landscaping, hardscape, other on-site improvements, and street frontage improvements. A landscape plan which includes a variety of new trees, shrubs, and groundcover has been provided. The Project will incorporate an ample spacing of trees and ornamental landscaping at the site's frontage.

2. *Minor Site Plan approval shall be granted if the project conforms to City development standards and any applicable special design guidelines or specific plan requirements (OMC 17.10.060.H.2).*

The project as proposed conforms to City development standards for the Limited Business (C-1) zoning district. There are no special design guidelines or specific plans affecting the property. The site would provide 24 on-site parking spaces, which exceeds the total parking demand for the use as outlined in the parking analysis for the site.

3. *Minor Site Plan approval shall be granted if the project provides for safe and adequate vehicular and pedestrian circulation, both on- and off-site (OMC 17.10.060.H.3).*

The project provides safe and adequate access and circulation for vehicles and pedestrians from North Tustin Street. The on-site circulation has been designed to accommodate all access needs to parking spaces and for emergency vehicles. Disabled parking and access have been designed to accommodate building code requirements. The site would provide 24 on-site parking spaces, which exceeds the total parking demand for the use as outlined in the parking analysis for the site.

4. *Minor Site Plan approval shall be granted if City services are available and adequate to serve the project (OMC 17.10.060.H.4).*

A review of the project with all City Departments concludes that City services will be available and adequate to serve this site, including water, sewer, police, and fire services.

5. *Minor Site Plan approval shall be granted if the project has been designed to fully mitigate or substantially minimize adverse environmental effects (OMC 17.10.060.H.5).*

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities). Projects that qualify for exemption from the requirements of CEQA through a Categorical Exemption are those that, by their nature, don't cause significant effect upon environment.

## **SECTION 2 – ENVIRONMENTAL REVIEW**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project consists of an 834-square-foot addition, exterior façade improvements, interior remodel, new landscaping, and a revised parking lot layout and striping to accommodate a new veterinary hospital within an existing commercial building, and to establish an alternate parking rate for the existing uses at the site. There is no environmental public review required for a Categorical Exemption.

## **SECTION 3– CONDITIONS OF APPROVAL**

BE IT FURTHER RESOLVED that the following conditions are imposed with approval:

1. The project shall conform in substance and be maintained in general conformance with the plans submitted (Dated December 5, 2023) and as recommended for approval by the Planning Commission.
2. Any future expansion in area or in the nature and operation of the use as a veterinary clinic, as approved by Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181 shall require an application for a new or amended Conditional Use Permit.
3. The applicant shall comply with all federal, state, and local laws, including all City regulations. Violation of any of those laws in connection with the use will be cause for revocation of this permit.
4. The applicant agrees, as a condition of City's approval Conditional Use Permit No. 25-0010 and Minor Site Plan Review No. 1181, to indemnify, defend, and hold harmless, at applicant's expense, the City, its officers, agents, and employees ("City") from and against any claim, action or proceeding brought against the City, including, but not limited to, any claim, action or proceeding commenced within the time period provided in Government Code Section 66499.37 to attack, review, set aside, void or annul the City's approval, to challenge the determination made by the City under the California Environmental Quality Act ("CEQA") or to challenge the reasonableness, legality or validity of any condition attached hereto. City shall promptly notify applicant of any such claim, action or proceeding to which the City receives notice and to cooperate fully with the applicant in the defense thereof. Applicant shall reimburse the City for any and all costs and expenses, including, but not limited to, court costs and attorney's fees that the City may be required to pay, including any expenses ordered by a court or expenses incurred through the Office of the City Attorney in connection with said claim, action or proceeding. City may, in its sole discretion, participate in the defense of any claim, action or proceeding but such participation shall not relieve applicant of the obligations of this condition. In the event the applicant is required to defend City in connection with such claim, action or proceeding, City shall have the right to approve counsel to so defend the City, approve all significant decisions concerning the manner in which the defense is conducted and approve any and all settlements, which approval(s) shall not be unreasonably withheld. The obligations set forth herein remain in full force and effect throughout all stages of litigation including any and all appeals of any lower

court judgment rendered in the proceeding. Further, applicant agrees to indemnify, defend and hold harmless the City for all costs and expenses incurred in enforcing this provision.

5. These conditions shall be reprinted on the first page of the construction documents when submitting to the Building Department for the plan check process.
6. Any special events must be done in compliance with all requirements of the Orange Municipal Code, and any other applicable rules or regulations.
7. On-site signage shall be provided and shall be clearly posted at the subject building to inform customers of parking availability at the rear of the building and discourage unauthorized parking on adjacent properties.

**ADOPTED** this 22<sup>nd</sup> day of January 2026.

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Alison Vejar, Planning Commission Chair

I hereby certify that the foregoing Resolution was adopted by the Planning Commission of the City of Orange at a regular meeting thereof held on the 22<sup>nd</sup> day of January 2026, by the following vote:

AYES:

NOES:

RECUSED:

ABSENT:

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Hayden Beckman, Planning Manager