



# AGENDA

## Planning Commission October 21, 2024

### 5:30 PM Regular Session

Anna Pehoushek  
Assistant Community  
Development Director

Mike Vigliotta  
City Attorney

Jennifer Scudellari  
Executive Assistant

City Council Chamber  
300 E. Chapman Avenue  
Orange, CA 92866

DAVID VAZQUEZ  
Chair

ALISON VEJAR  
Vice Chair

RICK MARTINEZ  
Commissioner

RUBY MALDONADO  
Commissioner

SHANNON TUCKER  
Commissioner

TIM McCORMACK  
Commissioner

ISAIAH LESLIE  
Commissioner

Welcome to the Planning Commission meeting. Regular meetings of the City of Orange Planning Commission are held the first and third Monday of each month at 5:30 p.m.

#### Agenda Information

The agenda contains a brief general description of each item to be considered. Written materials relating to an item on the agenda that are provided to the Planning Commission after agenda packet distribution and within 72 hours before it is to consider the item will be made available for public inspection in the City Clerk's Office located at 300 E. Chapman Avenue, Orange, during normal business hours; at the Planning Commission meeting; and made available on the City's website.

#### Public Participation

Planning Commission meetings may be viewed on Spectrum Cable Channel 3 and AT&T U-verse Channel 99 or streamed live and on-demand on the City's website at [www.cityoforange.org](http://www.cityoforange.org).

Pursuant to Government Code Section 54954.3, members of the public may address the Planning Commission on any agenda items or matters within the jurisdiction of the governing body by using any of the following methods:

##### 1) In-person

To speak on an item on the agenda, complete a speaker card indicating your name, address, and identify the agenda item number or subject matter you wish to address. The card should be given to City staff prior to the start of the meeting. General comments are made during the "Public Comments" section at the beginning of the meeting. Public Comments are limited to three (3) minutes per speaker unless a different time limit is announced. It is requested that you state your name for the record, then proceed to address the Commission. All speakers shall observe civility, decorum, and good behavior.

*(Continued on page 2)*

**2) Written Public Comments via eComment**

Members of the public can submit their written comments electronically for Planning Commission consideration by using the eComment feature on the Agenda page of the City's website at [www.cityoforange.org](http://www.cityoforange.org). To ensure distribution to the Planning Commission prior to consideration of the agenda, we encourage the public to submit written comments by 3:00 p.m. the day of the meeting. All written comments will be provided to the Commissioners for consideration and posted on the City's website after the meeting.

**3) Public Comments via recorded voicemail message**

Finally, the public can record their comments by calling (714) 744-7271 no later than 4:00 p.m. the day of the meeting. Recorded messages will not be played at the meeting, but will be provided to the Planning Commission and the caller's position will be summarized in the minutes.

Please contact the City Clerk's Office at (714) 744-5500 with any questions.

ADA Requirements: In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, contact the Clerk's office at (714) 744-5500. Notification at least 48 hours in advance of meeting will enable the City to make arrangements to assure accessibility to this meeting.

***REMINDER: Please silence all electronic devices while Planning Commission is in session.***

### APPEAL PROCEDURE

Any final determination by the Planning Commission may be appealed, and such appeal must be filed within 15 calendar days after the Planning Commission action. This appeal shall be made in written form to the Community Development Department, accompanied by an initial appeal deposit of \$1,000.00.

The City Clerk, upon filing of said appeal, will set petition for public hearing before the City Council at the earliest date. All owners of property located within 300 feet of the project site will be notified by the City Clerk of said hearing. For additional information, please call (714) 744-7220.

If you challenge any City of Orange decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on this agenda or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

**1. OPENING/CALL TO ORDER****1.1 PLEDGE OF ALLEGIANCE**

Commissioner Rick Martinez

**1.2 ROLL CALL****2. PUBLIC COMMENTS**

At this time, members of the public may address the Commission on matters not listed on the Agenda which are within the subject matter jurisdiction of the Commission, provided that NO action may be taken on off-agenda items unless authorized by law. Public Comments are limited to three (3) minutes per speaker.

**3. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine by the Planning Commission and will be enacted by one motion. There will be no separate discussion of said items unless members of the Planning Commission, staff or the public request specific items removed from the Consent Calendar for separate action.

**3.1. Approval of meeting minutes of the City of Orange Planning Commission Regular Meeting held on October 7, 2024.****Recommended Action:**

Approve minutes as presented.

**Attachments:** [Staff Report](#)  
[October 7, 2024 Regular Meeting minutes](#)

**4. PUBLIC HEARINGS****4.1. Public Hearing to consider a request to allow the sale of beer and wine for on-site consumption at a restaurant located at 123 N. Olive Street and finding of CEQA Exemption (Conditional Use Permit No. 3228).****Recommended Action:**

1. Adopt Planning Commission Resolution No. PC 28-24. A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3228, allowing the sale of beer and wine for on-site consumption in conjunction with a State of California Department of Alcoholic Beverage Control Type 41 license (On-Sale Beer and Wine - Eating Place) at a restaurant located at 123 N. Olive Street.
2. Find the proposed project exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 - Existing Facilities).

- Attachments:**     [Staff Report](#)  
[Attachment 1 - Planning Commission Resolution No. PC 28-24](#)  
[Attachment 2 - Vicinity Map](#)  
[Attachment 3 - Applicant's Business Narrative Letter](#)  
[Attachment 4 - Floor Plan](#)  
[Attachment 5 - Restaurant Menu](#)  
[Attachment 6 - Site Photos](#)  
[Attachment 7 - Orange Police Department Memorandum](#)  
[Attachment 8 - Planning Commission Evaluation Map](#)

**4.2. Public Hearing to consider an ordinance to establish Objective Design Standards for certain qualifying housing projects and finding of CEQA exemption.**

**Recommended Action:**

1. Adopt Planning Commission Resolution No. PC 29-24. A Resolution of the Planning Commission of the City of Orange recommending that the City Council of the City of Orange adopt Objective Design Standards for qualified housing projects.
2. Find the ordinance categorically exempt from CEQA based on a Class 15378 exemption.

- Attachments:**     [Staff Report](#)  
[Attachment 1 - Planning Commission Resolution No. PC 29-24 with attached Draft Ordinance and Objective Design Standards](#)  
[Attachment 2 - Design Review Committee Staff Report, March 20, 2024](#)  
[Attachment 3 - Design Review Committee Meeting Minutes, March 20, 2024](#)  
[Attachment 4 - Summary of Revisions in Response to Design Review Committee Feedback](#)

**4.3. Public hearing to consider a request to construct a new single-family residence with a detached one-car garage, located at 323 E. River Avenue and finding of CEQA exemption (Variance No. 2262 and Design Review No. 5136).**

**Recommended Action:**

- 1) Adopt Planning Commission Resolution No. PC 31-24. A Resolution of the Planning Commission of the City of Orange approving Variance No. 2262 and Design Review No. 5136 for a new single-family residence with a detached one-car garage in the Old Towne Orange Historic District located at 323 E. River Avenue.
- 2) Find the proposal exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303.

- Attachments:**     [Staff Report](#)  
[Attachment 1 - Planning Commission Resolution No., PC 31-24](#)  
[Attachment 2 - Design Review Committee Staff Report](#)  
[Attachment 3 - Vicinity Map](#)  
[Attachment 4 - Project Plans](#)  
[Attachment 5 - Letter of Justification](#)  
[Attachment 6 - Garage Comparison of Surrounding Properties](#)

## 5. ADJOURNMENT

The next Regular Planning Commission Meeting will be held on Monday, November 4, 2024 at 5:30 p.m., in the Council Chamber.

I, Jennifer Scudellari, Executive Assistant for the City of Orange, hereby declare, under penalty of perjury, that a full and correct copy of this agenda was posted pursuant to Government Code Section 54950 et. seq., at the following locations: Orange Civic Center kiosk and Orange City Clerk's Office at 300 E. Chapman Avenue, Police facility at 1107 N. Batavia, Orange Main Public Library at 407 E. Chapman Avenue, and uploaded to the City's website [www.cityoforange.org](http://www.cityoforange.org).

Date posted: October 17, 2024



# Agenda Item

## Planning Commission

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**Item #:** 3.1.

10/21/2024

**File #:** 24-0622

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**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Jennifer Scudellari, Executive Assistant

### 1. SUBJECT

Approval of meeting minutes of the City of Orange Planning Commission Regular Meeting held on October 7, 2024.

### 2. SUMMARY

Submitted for your consideration and approval are the minutes of the above meeting(s).

### 3. RECOMMENDED ACTION

Approve minutes as presented.

### 4. ATTACHMENTS

October 7, 2024 Regular Meeting minutes



# Agenda Item

## Planning Commission

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**Item #:** 3.1.

10/21/2024

**File #:** 24-0622

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**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Jennifer Scudellari, Executive Assistant

### 1. SUBJECT

Approval of meeting minutes of the City of Orange Planning Commission Regular Meeting held on October 7, 2024.

### 2. SUMMARY

Submitted for your consideration and approval are the minutes of the above meeting(s).

### 3. RECOMMENDED ACTION

Approve minutes as presented.

### 4. ATTACHMENTS

October 7, 2024 Regular Meeting minutes

**MINUTES - DRAFT**

**City of Orange**

**Planning Commission**

October 07, 2024

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The Planning Commission of the City of Orange, California convened on October 7, 2024, at 5:30 p.m. in a Regular Meeting in the Council Chamber, 300 E. Chapman Avenue, Orange, California.

**1. OPENING/CALL TO ORDER**

Chair Vazquez called the meeting to order at 5:31 p.m.

**1.1 PLEDGE OF ALLEGIANCE**

Commissioner Vejar led the flag salute.

**1.2 ROLL CALL**

**Present:** Martinez, Vejar, Maldonado, Tucker, McCormack, Leslie, and Vazquez

**Absent:** None

**2. PUBLIC COMMENTS**

None.

**3. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine by the Planning Commission and will be enacted by one motion. There will be no separate discussion of said items unless members of the Planning Commission, staff or the public request specific items removed from the Consent Calendar for separate action.

This was Approved.

**3.1. Approval of meeting minutes of the City of Orange Planning Commission Regular Meeting held on August 19, 2024 and September 16, 2024.**

ACTION: Approved minutes as presented.

**Approval of the Consent Calendar**

A motion was made by Vice Chair Martinez, seconded by Commissioner Tucker, to approve the Consent Calendar. The motion carried by the following vote:

**Ayes:** Martinez, Vejar, Maldonado, Tucker, McCormack, Leslie, and Vazquez

**Noes:** None

**Absent:** None



#### 4. PUBLIC HEARINGS

- 4.1. **Public Hearing to consider a request to construct a new three-story office building for M S International, Inc. (MSI) at 2011 and 2015 N. Batavia Street and 845 W. Grove Avenue, and finding of CEQA exemption (Conditional Use Permit No. 3220, Major Site Plan Review No. 1165, and Design Review No. 5139).**

Chair Vazquez opened the public hearing at 5:36 p.m.

Public Speakers:

The following spoke on behalf of the project:

Lindsey Engels, Architect

Chair Vazquez closed the public hearing at 5:42 p.m.

A motion was made by Commissioner Vejar, seconded by Commissioner Martinez to:

1. Adopt Planning Commission Resolution No. PC 27-24. A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3220, Major Site Plan Review No. 1165, and Design Review No. 5139, for a request to construct a new three-story office building with modified loading area dimensions and other associated site improvements at 2011 and 2015 N. Batavia Street and 845 W. Grove Avenue in the Industrial Manufacturing (M-2) zoning district.
2. Find the proposed project exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15332 (Class 32 - In-Fill Development Projects)

The motion carried by the following vote:

**Ayes:** Martinez, Vejar, Maldonado, Tucker, McCormack, Leslie, and Vazquez

**Noes:** None

**Absent:** None

- 4.2. **Public Hearing to consider a request for a two-story, 12,190 sq ft addition to the existing dealership building, associated site improvements, and deviation of loading zone standards at 1400 N. Tustin Street, and finding of CEQA exemption (Conditional Use Permit No. 3206, Major Site Plan Review No. 1148, and Design Review No. 5126).**

Chair Vazquez opened the public hearing at 5:51 p.m.

Public Speakers:

The following spoke on behalf of the project:

Casey Griffin, Wilson Automotive Group

Franz Nalezny, Architect

Chair Vazquez closed the public hearing at 5:53 p.m.

A motion was made by Commissioner Maldonado, seconded by Commissioner McCormack to:

1. Adopt Planning Commission Resolution No. PC 26-24. A Resolution of the Planning Commission approving Conditional Use Permit No. 3206, Major Site Plan Review No. 1148, and Design Review No. 5126 for a two-story, 12,190 sq ft addition, associated site improvements, and deviation of loading zone standards, for an existing automotive dealership located at 1400 N. Tustin Street.
2. Find the proposal exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15332.

The motion carried by the following vote:

**Ayes:** Martinez, Vejar, Maldonado, Tucker, McCormack, Leslie, and Vazquez

**Noes:** None

**Absent:** None

## 5. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 5:54 p.m.

The next Regular Planning Commission meeting will be held on Monday, October 21, 2024 at 5:30 p.m., in the Council Chamber, 300 E. Chapman Avenue, Orange, California 92866.

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Anna Pehoushek  
Assistant Community Development Director



# Agenda Item

## Planning Commission

Item #: 4.1.

10/21/2024

File #: 24-0490

**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Ryan Agbayani, Associate Planner

### 1. SUBJECT

Public Hearing to consider a request to allow the sale of beer and wine for on-site consumption at a restaurant located at 123 N. Olive Street and finding of CEQA Exemption (Conditional Use Permit No. 3228).

### 2. SUMMARY

The applicant proposes to serve beer and wine under a California Department of Alcoholic Beverage Control (ABC) Type 41 license (On-Sale Beer and Wine - Eating Place) at a new restaurant located at 123 N. Olive Street.

### 3. RECOMMENDED ACTION

1. Adopt Planning Commission Resolution No. PC 28-24. A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3228, allowing the sale of beer and wine for on-site consumption in conjunction with a State of California Department of Alcoholic Beverage Control Type 41 license (On-Sale Beer and Wine - Eating Place) at a restaurant located at 123 N. Olive Street.
2. Find the proposed project exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 - Existing Facilities).

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Table 17.08.020 and Sections 17.10.030.C and 17.30.030 authorize the Planning Commission to review and take action on a request for a Conditional Use Permit (CUP) to allow sale of beer and wine for on-site consumption at a restaurant.

### 5. PROJECT BACKGROUND

Applicant:	NOVA Partners LLC (Ian Sanchez)
Property Owner	NOVA Partners LLC (Ian Sanchez)
Property Location	123 N. Olive Street
Existing General Plan Land Use Element Designation	Old Towne Mixed Use 15, 0.5 - 1.0 FAR (OTMIX15)

Existing Zoning Classification	Old Towne Mixed Use-15 (OTMU-15)
Old Towne	Yes
Specific Plan/PC	N/A
Site Size	3,945 sq ft
Circulation	Primary access to the property is from N. Olive Street
Existing Conditions	The site is located on the east side of N. Olive Street, between W. Chapman Avenue to the south, and W. Maple Avenue to the north. It is developed with a single-story multi-tenant historic commercial building.
Surrounding Land Uses and Zoning	<u>North:</u> Existing surface parking lot for Citrus City Grille (OTMU-15) Existing driveway for Masonic Temple Association of Orange (OTMU-15) <u>East:</u> Existing commercial building (1886 Brewing Company) (OTMU-15) <u>West:</u> Existing multi-unit residential development (OTMU-24 (SP))
Previous Applications/Entitlements	None

## 6. PROJECT DESCRIPTION

The applicant proposes to sell beer and wine at a new restaurant, Pizzeria Irene, with a State of California Department of Alcoholic Beverage Control (ABC) Type 41 License (On-Sale Beer and Wine - Eating Place). The restaurant has a total of 23 seats within the interior dining area. The hours of operation are Tuesday through Saturday from 11:00 a.m. to 3:00 p.m. for lunch, and from 5:00 p.m. to 9:00 p.m. for dinner (closed Sunday and Monday).

The restaurant occupies the storefront of a contributing structure in the Old Towne Historic District. The rear portion of the building is occupied by a separate office use. No changes are proposed to the lot size or building square footage as part of this request. The applicant's letter of explanation is included in Attachment 3.

Staff acknowledges the applicant's specifically defined hours of operation; however, staff recommendation is to allow for expanded hours of operation in Condition #16 of the Resolution to allow for greater flexibility if the operator chooses to expand their hours of operation in the future (7:00 a.m. to 10:00 p.m., daily). Similarly, any subsequent business tenant operating at this site will also have greater flexibility to expand their hours of operation, without having to modify the CUP at a future Planning Commission public hearing.

## 7. ANALYSIS AND STATEMENT OF THE ISSUES

Alcoholic beverage sales are a customary accessory use for many casual and formal dining establishments. Four issue items were identified for this project, and analysis is provided below.

### Issue 1 - Existing Licenses within 600 feet of the Site:

For information purposes, staff identified the following facilities selling alcoholic beverages that are located within a 600-foot proximity to the restaurant's entrance (See Attachment 7 - Planning Commission Evaluation Map).

## Existing Licenses

Establishment Name	License Type	Address
Ruby's Diner Orange Depot	47 (On-Sale General - Eating Place)	186 N. Atchison Street
Byblos Café	41 (On-Sale Beer and Wine - Eating Place)	129 W. Chapman Avenue
Paul's Cocktails	48 (On-Sale General - Public Premises)	207 W. Chapman Avenue
Elks Lodge Orange 1475	51 (Club)	211 E. Chapman Avenue
District Lounge	48 (On-Sale General - Public Premises)	223 W. Chapman Avenue
Renata's Café Italiano	41 (On-Sale Beer and Wine - Eating Place)	227 E. Chapman Avenue, Suite F
Woody's Diner	47 (On-Sale General - Eating Place) and 58 (Caterer's Permit)	513 E. Chapman Avenue
Royal Liquor	21 (Off-Sale General)	835 W. Chapman Avenue
Chapman Crafted Beer	77 (Event Permit)	123-129 N. Cypress Street
Pandor Bakery and Cafe	41 (On-Sale Beer and Wine - Eating Place)	106 N. Glassell Street
Brewery 1886	75 (Brewpub - Restaurant)	114 N. Glassell Street
Citrus City Grille	47 (On-Sale General - Eating Place) and 58	122 N. Glassell Street
Smoqed BBQ	41 (On-Sale Beer and Wine - Eating Place)	128 N. Glassell Street
Provisions Deli and Bottle Shop	41 (On-Sale Beer and Wine - Eating Place)	143 N. Glassell Street
Jaxons Chix Tenders	41 (On-Sale Beer and Wine - Eating Place)	149 N. Glassell Street
Ohara's Pub	48 (On-Sale General - Public Premises)	150 N. Glassell Street
Thai Towne Eatery	41 (On-Sale Beer and Wine - Eating Place)	152 N. Glassell Street, Suite B
Ramisons Inc	41 (On-Sale Beer and Wine - Eating Place)	153-155 N. Glassell Street
Jalapenos Orange Circle	41 (On-Sale Beer and Wine - Eating Place)	154 N. Glassell Street
Zito's Pizza	41 (On-Sale Beer and Wine - Eating Place)	156 N. Glassell Street
Hanana Ramen	41 (On-Sale Beer and Wine - Eating Place)	161 N. Glassell Street

The Filling Station, Inc	41 (On-Sale Beer and Wine - Eating Place)	201 N. Glassell Street
Rutabegorz	41 (On-Sale Beer and Wine - Eating Place)	264 N. Glassell Street
University Food Mart	20 (Off-Sale Beer and Wine)	480 N. Glassell Street
Hooves Liquor	21 (Off-Sale General)	493 N. Glassell Street
Bluestone Lane	41 (On-Sale Beer and Wine - Eating Place)	114 N. Olive Street
Chipotle Mexican Grill	41 (On-Sale Beer and Wine - Eating Place)	112 E. Maple Avenue
The Richland	47 (On-Sale General - Eating Place) and 68	137 E. Maple Avenue
Palm Market and Deli	20 (Off-Sale Beer and Wine)	608 E. Palme Avenue, Unit A

### Issue 2 - Sensitive Receptors:

The OMC requires a CUP for the sale of alcoholic beverages to ensure there will be no adverse impact on surrounding land uses and to prevent the availability of alcoholic beverages to minors. When reviewing alcohol permits, OMC Chapter 17.30 details specific land uses that are sensitive to alcohol activities but does not establish any required distances for these uses. The ABC investigation requires applicants to identify the sensitive land uses within 600 feet of the site. The following sensitive receptors are within the vicinity of the subject property:

### Sensitive Receptors

Establishment Name	Address	Distance to Project Site
Two-Story Attached Townhomes	138 N. Olive Street, Units A-F; 152 N. Olive Street, Units A-F	62 feet west of the project site
Multi-Family Apartments	210 W. Maple Avenue	135 feet northwest of the project site
Son Light Christian Center	172 N. Glassell Street	318 feet northeast of the project site
Casa Teresa Home for Pregnant Women in Crisis	123 W. Maple Avenue	455 feet north of the project site
Multi-Family Attached Dwellings	2013, 214, 218, 223 Units A-F, 224 Units A-F	509 feet north of the project site
Single-Family Dwellings	171, 177, and 185 N. Cypress Street	555 feet northwest of the project site

While there are sensitive land uses within 600 feet of the site, they do not have direct access to the property, and the sale of alcohol would be accessory to the sale of food within the restaurant. Approval of the CUP is unlikely to directly impact these nearby receptors.

Issue 3 - Census Tract Concentration:

The Orange Police Department’s (OPD) Vice Unit reviewed the proposal and confirmed that the business is located within Census Tract 759.01 which is considered over-concentrated with both On-Sale Licenses and Off-Sale Licenses. Census tracts are defined as small geographic areas established by local committees and approved by the Census Bureau, which contain a population segment with relatively uniform economic and social characteristics and clearly identifiable boundaries averaging approximately 1,200 households. ABC establishes an over-concentration of alcohol licenses based on the average number of licenses versus the population of a given census tract.

ABC records indicate that five On-Sale licenses are allowed and 19 are existing within the census tract. Should the Planning Commission approve the CUP request and a new license be issued by ABC, the allowed On-Sale licenses within the census tract will continue to be over-concentrated. However, ABC and the City recognize that licenses should be reviewed on a case-by-case basis to ensure that alcohol sales will not adversely affect surrounding residents, businesses, and institutions, and to ensure that any such use operates in a manner compatible with existing and future adjacent uses. This site is located near the Orange Plaza commercial area intended for retail and commercial uses where an over-concentration of On-Sale and Off-Sale licenses is expected.

**Alcohol Licenses**

<b>License Type</b>	<b>Existing</b>	<b>Allowed</b>
<i>On-Sale Licenses</i>	19	5
<i>Off-Sale Licenses</i>	4	2

Issue 4 - Crime Statistics Information:

OPD reports that the property is within Reporting District 32E. Crime statistics show that during 2023, there were 80 reported crimes and 121 arrests (201 total crimes and arrests). The average number of reported crimes and arrests per reporting district is 85. High crime is considered 20% above average reported crime within all reporting districts in the city per Business and Professionals Code Section 23958.4. Reporting district 32E is 136% above the average for reported crimes and arrests. As such, this district is considered a high crime area.

**Crime Statistics**

<b>Reporting District</b>	<b>Reported Crimes and Arrests</b>	<b>Citywide Average Crimes and Arrests Per District</b>	<b>Percent Difference</b>
32E	201	85	136%

According to OPD statistics, of the 121 arrests made in Reporting District 32E, 29 were alcohol related as follows:

- 16 Driving Under the Influence of Alcohol (DUI)

- 10 Disorderly Conduct: Alcohol
- 2 Drinking in Public
- 1 Driving with a Suspended License for DUI

The sale of alcohol at this location is not expected to contribute to crime statistic in the area or create an undue burden on public safety resources. Including consideration of OPD's investigative research, staff supports the request and does not anticipate that the use will create a negative impact on neighboring land uses, because the restaurant is compatible with the mix of uses within the greater Plaza area, has defined hours, adequate staffing, and the primary use will remain as a restaurant. Should the Planning Commission approve the CUP, the standard conditions of approval for the safe operation of the restaurant with alcohol service will be included.

## **8. PUBLIC NOTICE**

On October 10, 2024, the City sent a Public Hearing Notice to a total of 265 property owners and occupants within a 400-foot radius of the project site and persons specifically requesting notice. The project site was posted with the notification on that same date.

## **9. ENVIRONMENTAL REVIEW**

**Categorical Exemption:** The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) because the project consists of licensing the sale of beer and wine for on-site consumption at an existing restaurant within a mixed-use area, and results in no expansion of use beyond that existing at the time of the City's determination.

## **10. ADVISORY BOARD ACTION**

None required.

## **11. ATTACHMENTS**

- Attachment 1 - Planning Commission Resolution No. PC 28-24
- Attachment 2 - Vicinity Map
- Attachment 3 - Applicant's Business Narrative Letter
- Attachment 4 - Floor Plan
- Attachment 5 - Restaurant Menu
- Attachment 6 - Site Photos
- Attachment 7 - Orange Police Department Memorandum
- Attachment 8 - Planning Commission Evaluation Map





# Agenda Item

## Planning Commission

Item #: 4.1.

10/21/2024

File #: 24-0490

**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Ryan Agbayani, Associate Planner

### 1. SUBJECT

Public Hearing to consider a request to allow the sale of beer and wine for on-site consumption at a restaurant located at 123 N. Olive Street and finding of CEQA Exemption (Conditional Use Permit No. 3228).

### 2. SUMMARY

The applicant proposes to serve beer and wine under a California Department of Alcoholic Beverage Control (ABC) Type 41 license (On-Sale Beer and Wine - Eating Place) at a new restaurant located at 123 N. Olive Street.

### 3. RECOMMENDED ACTION

1. Adopt Planning Commission Resolution No. PC 28-24. A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3228, allowing the sale of beer and wine for on-site consumption in conjunction with a State of California Department of Alcoholic Beverage Control Type 41 license (On-Sale Beer and Wine - Eating Place) at a restaurant located at 123 N. Olive Street.
2. Find the proposed project exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 - Existing Facilities).

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Table 17.08.020 and Sections 17.10.030.C and 17.30.030 authorize the Planning Commission to review and take action on a request for a Conditional Use Permit (CUP) to allow sale of beer and wine for on-site consumption at a restaurant.

### 5. PROJECT BACKGROUND

Applicant:	NOVA Partners LLC (Ian Sanchez)
Property Owner	NOVA Partners LLC (Ian Sanchez)
Property Location	123 N. Olive Street
Existing General Plan Land Use Element Designation	Old Towne Mixed Use 15, 0.5 - 1.0 FAR (OTMIX15)

Existing Zoning Classification	Old Towne Mixed Use-15 (OTMU-15)
Old Towne	Yes
Specific Plan/PC	N/A
Site Size	3,945 sq ft
Circulation	Primary access to the property is from N. Olive Street
Existing Conditions	The site is located on the east side of N. Olive Street, between W. Chapman Avenue to the south, and W. Maple Avenue to the north. It is developed with a single-story multi-tenant historic commercial building.
Surrounding Land Uses and Zoning	<u>North:</u> Existing surface parking lot for Citrus City Grille (OTMU-15) Existing driveway for Masonic Temple Association of Orange (OTMU-15) <u>East:</u> Existing commercial building (1886 Brewing Company) (OTMU-15) <u>West:</u> Existing multi-unit residential development (OTMU-24 (SP))
Previous Applications/Entitlements	None

## 6. PROJECT DESCRIPTION

The applicant proposes to sell beer and wine at a new restaurant, Pizzeria Irene, with a State of California Department of Alcoholic Beverage Control (ABC) Type 41 License (On-Sale Beer and Wine - Eating Place). The restaurant has a total of 23 seats within the interior dining area. The hours of operation are Tuesday through Saturday from 11:00 a.m. to 3:00 p.m. for lunch, and from 5:00 p.m. to 9:00 p.m. for dinner (closed Sunday and Monday).

The restaurant occupies the storefront of a contributing structure in the Old Towne Historic District. The rear portion of the building is occupied by a separate office use. No changes are proposed to the lot size or building square footage as part of this request. The applicant's letter of explanation is included in Attachment 3.

Staff acknowledges the applicant's specifically defined hours of operation; however, staff recommendation is to allow for expanded hours of operation in Condition #16 of the Resolution to allow for greater flexibility if the operator chooses to expand their hours of operation in the future (7:00 a.m. to 10:00 p.m., daily). Similarly, any subsequent business tenant operating at this site will also have greater flexibility to expand their hours of operation, without having to modify the CUP at a future Planning Commission public hearing.

## 7. ANALYSIS AND STATEMENT OF THE ISSUES

Alcoholic beverage sales are a customary accessory use for many casual and formal dining establishments. Four issue items were identified for this project, and analysis is provided below.

### Issue 1 - Existing Licenses within 600 feet of the Site:

For information purposes, staff identified the following facilities selling alcoholic beverages that are located within a 600-foot proximity to the restaurant's entrance (See Attachment 7 - Planning Commission Evaluation Map).

## Existing Licenses

Establishment Name	License Type	Address
Ruby's Diner Orange Depot	47 (On-Sale General - Eating Place)	186 N. Atchison Street
Byblos Café	41 (On-Sale Beer and Wine - Eating Place)	129 W. Chapman Avenue
Paul's Cocktails	48 (On-Sale General - Public Premises)	207 W. Chapman Avenue
Elks Lodge Orange 1475	51 (Club)	211 E. Chapman Avenue
District Lounge	48 (On-Sale General - Public Premises)	223 W. Chapman Avenue
Renata's Café Italiano	41 (On-Sale Beer and Wine - Eating Place)	227 E. Chapman Avenue, Suite F
Woody's Diner	47 (On-Sale General - Eating Place) and 58 (Caterer's Permit)	513 E. Chapman Avenue
Royal Liquor	21 (Off-Sale General)	835 W. Chapman Avenue
Chapman Crafted Beer	77 (Event Permit)	123-129 N. Cypress Street
Pandor Bakery and Cafe	41 (On-Sale Beer and Wine - Eating Place)	106 N. Glassell Street
Brewery 1886	75 (Brewpub - Restaurant)	114 N. Glassell Street
Citrus City Grille	47 (On-Sale General - Eating Place) and 58	122 N. Glassell Street
Smoqed BBQ	41 (On-Sale Beer and Wine - Eating Place)	128 N. Glassell Street
Provisions Deli and Bottle Shop	41 (On-Sale Beer and Wine - Eating Place)	143 N. Glassell Street
Jaxons Chix Tenders	41 (On-Sale Beer and Wine - Eating Place)	149 N. Glassell Street
Ohara's Pub	48 (On-Sale General - Public Premises)	150 N. Glassell Street
Thai Towne Eatery	41 (On-Sale Beer and Wine - Eating Place)	152 N. Glassell Street, Suite B
Ramisons Inc	41 (On-Sale Beer and Wine - Eating Place)	153-155 N. Glassell Street
Jalapenos Orange Circle	41 (On-Sale Beer and Wine - Eating Place)	154 N. Glassell Street
Zito's Pizza	41 (On-Sale Beer and Wine - Eating Place)	156 N. Glassell Street
Hanana Ramen	41 (On-Sale Beer and Wine - Eating Place)	161 N. Glassell Street

The Filling Station, Inc	41 (On-Sale Beer and Wine - Eating Place)	201 N. Glassell Street
Rutabegorz	41 (On-Sale Beer and Wine - Eating Place)	264 N. Glassell Street
University Food Mart	20 (Off-Sale Beer and Wine)	480 N. Glassell Street
Hooves Liquor	21 (Off-Sale General)	493 N. Glassell Street
Bluestone Lane	41 (On-Sale Beer and Wine - Eating Place)	114 N. Olive Street
Chipotle Mexican Grill	41 (On-Sale Beer and Wine - Eating Place)	112 E. Maple Avenue
The Richland	47 (On-Sale General - Eating Place) and 68	137 E. Maple Avenue
Palm Market and Deli	20 (Off-Sale Beer and Wine)	608 E. Palme Avenue, Unit A

### Issue 2 - Sensitive Receptors:

The OMC requires a CUP for the sale of alcoholic beverages to ensure there will be no adverse impact on surrounding land uses and to prevent the availability of alcoholic beverages to minors. When reviewing alcohol permits, OMC Chapter 17.30 details specific land uses that are sensitive to alcohol activities but does not establish any required distances for these uses. The ABC investigation requires applicants to identify the sensitive land uses within 600 feet of the site. The following sensitive receptors are within the vicinity of the subject property:

### Sensitive Receptors

Establishment Name	Address	Distance to Project Site
Two-Story Attached Townhomes	138 N. Olive Street, Units A-F; 152 N. Olive Street, Units A-F	62 feet west of the project site
Multi-Family Apartments	210 W. Maple Avenue	135 feet northwest of the project site
Son Light Christian Center	172 N. Glassell Street	318 feet northeast of the project site
Casa Teresa Home for Pregnant Women in Crisis	123 W. Maple Avenue	455 feet north of the project site
Multi-Family Attached Dwellings	2013, 214, 218, 223 Units A-F, 224 Units A-F	509 feet north of the project site
Single-Family Dwellings	171, 177, and 185 N. Cypress Street	555 feet northwest of the project site

While there are sensitive land uses within 600 feet of the site, they do not have direct access to the property, and the sale of alcohol would be accessory to the sale of food within the restaurant. Approval of the CUP is unlikely to directly impact these nearby receptors.

Issue 3 - Census Tract Concentration:

The Orange Police Department’s (OPD) Vice Unit reviewed the proposal and confirmed that the business is located within Census Tract 759.01 which is considered over-concentrated with both On-Sale Licenses and Off-Sale Licenses. Census tracts are defined as small geographic areas established by local committees and approved by the Census Bureau, which contain a population segment with relatively uniform economic and social characteristics and clearly identifiable boundaries averaging approximately 1,200 households. ABC establishes an over-concentration of alcohol licenses based on the average number of licenses versus the population of a given census tract.

ABC records indicate that five On-Sale licenses are allowed and 19 are existing within the census tract. Should the Planning Commission approve the CUP request and a new license be issued by ABC, the allowed On-Sale licenses within the census tract will continue to be over-concentrated. However, ABC and the City recognize that licenses should be reviewed on a case-by-case basis to ensure that alcohol sales will not adversely affect surrounding residents, businesses, and institutions, and to ensure that any such use operates in a manner compatible with existing and future adjacent uses. This site is located near the Orange Plaza commercial area intended for retail and commercial uses where an over-concentration of On-Sale and Off-Sale licenses is expected.

**Alcohol Licenses**

<b>License Type</b>	<b>Existing</b>	<b>Allowed</b>
<i>On-Sale Licenses</i>	19	5
<i>Off-Sale Licenses</i>	4	2

Issue 4 - Crime Statistics Information:

OPD reports that the property is within Reporting District 32E. Crime statistics show that during 2023, there were 80 reported crimes and 121 arrests (201 total crimes and arrests). The average number of reported crimes and arrests per reporting district is 85. High crime is considered 20% above average reported crime within all reporting districts in the city per Business and Professionals Code Section 23958.4. Reporting district 32E is 136% above the average for reported crimes and arrests. As such, this district is considered a high crime area.

**Crime Statistics**

<b>Reporting District</b>	<b>Reported Crimes and Arrests</b>	<b>Citywide Average Crimes and Arrests Per District</b>	<b>Percent Difference</b>
32E	201	85	136%

According to OPD statistics, of the 121 arrests made in Reporting District 32E, 29 were alcohol related as follows:

- 16 Driving Under the Influence of Alcohol (DUI)

- 10 Disorderly Conduct: Alcohol
- 2 Drinking in Public
- 1 Driving with a Suspended License for DUI

The sale of alcohol at this location is not expected to contribute to crime statistic in the area or create an undue burden on public safety resources. Including consideration of OPD's investigative research, staff supports the request and does not anticipate that the use will create a negative impact on neighboring land uses, because the restaurant is compatible with the mix of uses within the greater Plaza area, has defined hours, adequate staffing, and the primary use will remain as a restaurant. Should the Planning Commission approve the CUP, the standard conditions of approval for the safe operation of the restaurant with alcohol service will be included.

## **8. PUBLIC NOTICE**

On October 10, 2024, the City sent a Public Hearing Notice to a total of 265 property owners and occupants within a 400-foot radius of the project site and persons specifically requesting notice. The project site was posted with the notification on that same date.

## **9. ENVIRONMENTAL REVIEW**

**Categorical Exemption:** The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) because the project consists of licensing the sale of beer and wine for on-site consumption at an existing restaurant within a mixed-use area, and results in no expansion of use beyond that existing at the time of the City's determination.

## **10. ADVISORY BOARD ACTION**

None required.

## **11. ATTACHMENTS**

- Attachment 1 - Planning Commission Resolution No. PC 28-24
- Attachment 2 - Vicinity Map
- Attachment 3 - Applicant's Business Narrative Letter
- Attachment 4 - Floor Plan
- Attachment 5 - Restaurant Menu
- Attachment 6 - Site Photos
- Attachment 7 - Orange Police Department Memorandum
- Attachment 8 - Planning Commission Evaluation Map

**CONDITIONAL USE PERMIT NO. 3228**

**RESOLUTION NO. PC 28-24**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE APPROVING CONDITIONAL USE PERMIT NO. 3228, ALLOWING THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH A STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL TYPE 41 LICENSE (ON-SALE BEER AND WINE – EATING PLACE) AT A RESTAURANT LOCATED AT 123 N. OLIVE STREET**

**APPLICANT: NOVA PARTNERS (IAN SANCHEZ)**

**WHEREAS**, the Planning Commission has authority pursuant to Orange Municipal Code (OMC) Table 17.08.020 and Sections 17.10.030.C and 17.30.030 to take action on Conditional Use Permit No. 3228, allowing beer and wine sales for on-site consumption in conjunction with a State of California Department of Alcoholic Beverage Control (ABC) Type 41 License (On-Sale Beer and Wine - Eating Place) at an existing restaurant, located at 123 N. Olive Street, upon property described in Exhibit A attached and incorporated herein by this reference (Project); and

**WHEREAS**, the application for Conditional Use Permit No. 3228 was filed by the applicant in accordance with the provisions of the OMC; and

**WHEREAS**, the application for Conditional Use Permit No. 3228 was processed in the time and manner prescribed by State and local law; and

**WHEREAS**, Conditional Use Permit No. 3228 is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities), as the project consists of licensing the sale of alcoholic beverages at an existing restaurant that results in negligible or no expansion of use beyond that existing at the time of the City’s determination; and

**WHEREAS**, the Planning Commission conducted one duly advertised public hearing on October 21, 2024, at which time interested persons had an opportunity to testify either in support of, or opposition to, the proposed Conditional Use Permit No. 3228.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Orange hereby approves Conditional Use Permit No. 3228 for allowing beer and wine sales for on-site consumption in conjunction with a State of California Department of Alcoholic Beverage Control (ABC) Type 41 License (On-Sale Beer and Wine - Eating Place) at an existing restaurant, located at 123 N. Olive Street, based on the following findings:

## **SECTION 1 – FINDINGS**

### *General Plan Finding:*

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 in the City's General Plan Land Use and Economic Development Elements in that alcohol service for on-site consumption in a restaurant promotes commercial enterprise, supports a revenue-generating business, and encourages a successful mixed-use district. Permitting the existing restaurant to serve alcohol in conjunction with meals allows the establishment to be competitive with other restaurants in the area that are already permitted to sell alcoholic beverages. Authorizing alcohol service for an existing restaurant may help to retain the restaurant, thereby maintaining economic activity and demonstrating economic vitality in the area. The Orange Police Department's (OPD) review of the license and recommended conditions of approval support the General Plan Public Safety Element Goals that require the City to maintain an adequately manned and equipped police force, maintain crime prevention programs designed to protect residents and property from crime, and involve the Police Department in the development review process.

### *Conditional Use Permit Findings:*

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

The granting of this Conditional Use Permit is based upon sound principles of land use and in response to services required by the community. Consideration has been given as to whether the proposed use will detrimentally affect adjacent land uses. The proposed use provides an opportunity to those customers desiring to purchase alcohol with food at a restaurant. It will occur on a site that has been zoned for a mix of uses, and the subject property is nearby similar uses within the Orange Plaza Historic District, a commercial destination that serves City residents as well as visitors. The sale of alcohol is accessory to the existing restaurant and will occur only when a complete restaurant menu is available. This is a service typically expected by the public in association with a restaurant.

Strong consideration was given to the manner in which the business will operate under the provisions of this Conditional Use Permit. As conditioned, its operation should not create a nuisance to the community or a burden on police services. Consideration was given to the over-concentration of on-sale licenses within the Census Tract and the crime rate in the Reporting District, and conditions have been placed on the project to compensate for potential detrimental effects that could be caused by alcohol consumption. As conditioned, alcohol service should not contribute to the crime rate in the Reporting District.



- 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.*

The request to serve alcohol with food at the existing restaurant is not anticipated to have adverse impacts on surrounding land uses or create a special problem, because the site is located within the Old Towne Mixed Use-15 (OTMU-15) zoning district, which is intended to function as a retail and dining mixed-use activity center. While there are sensitive land uses within 600 feet of the site, these properties do not have direct access to the subject property and the sale of alcohol would be accessory to the primary function of the restaurant.

Specific project features combined with project conditions compensate for detrimental effects that could be caused by alcohol service and an over-concentration of alcohol licenses within Census Tract. The conditions of approval require food service with alcohol sales, restrict areas of consumption to the defined dining area, limit promotions of alcoholic beverages, prohibit certain methods of distributing alcoholic beverages, address graffiti and litter removal, and require employee training for those serving alcohol to patrons. Potential undesired side effects of overconsumption of alcohol are not anticipated to occur at a restaurant where food service is the primary function.

- 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.*

The location of the restaurant is within the Old Towne Historic District which is a commercial mixed-use activity center where shopping and dining establishments are expected to be concentrated. The proposed accessory alcohol service at a restaurant will support the success of the restaurant and the continuation of a vibrant Orange Plaza Historic District. The use is not anticipated to have an adverse impact on neighboring land uses and the community, because granting an additional on-sale license with appropriate conditions would not affect sensitive land uses in the immediate area. In addition, the operation of alcohol sales is subject to the regulations contained in the Conditions of Approval, which are crafted to mitigate potential negative effects that could occur as a result of the approval of this Conditional Use Permit.

- 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.*

The conditions for the Conditional Use Permit are put forth with the purpose of preserving the general welfare of the community. The OPD conditions include a review of the restaurant operation and police records for excessive calls one year after the beginning of the sale of alcoholic beverages. If the Police Department finds that the restaurant is not operating as required, or if there is a history of criminal or nuisance behavior, the Department will recommend that the Planning Commission reconsider this application. Other conditions have been placed on the project to reduce crime-inducing activities by requiring food service with alcohol sales, restricting areas of consumption to the defined dining area, limiting promotions of alcoholic beverages, prohibiting certain methods of distributing alcoholic beverages, addressing graffiti and litter removal, and requiring employee training for those serving alcohol to patrons.

## **SECTION 2 – ENVIRONMENTAL REVIEW**

The proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) because the Project consists of licensing the sale of beer and wine for on-site consumption at an existing restaurant within a mixed-use area, results in no expansion of use beyond that existing at the time of the City’s determination.

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

The Planning Commission hereby approves Conditional Use Permit No. 3228, with the following conditions:

### *General Conditions:*

1. Any future change in the nature and operation of the use approved by Conditional Use Permit (CUP) No. 3228 shall require an application for a new or amended CUP.
2. The applicant agrees, as a condition of City’s approval of CUP 3228, 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 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.
3. The applicant shall comply with all federal, state, and local municipal laws, including local City ordinances and regulations. Any violations of these laws in conjunction with this use may be a cause for revocation of this permit.

4. Prior to the operation of the business, the applicant shall file for, or if applicable, amend a business license with the Business License Division. Failure to obtain the required business license may be cause for revocation of this approval.

*Operational Conditions:*

5. In conjunction with the ongoing operation of the business, the premises shall comply with all requirements placed upon it by the State Alcoholic Beverage Control (ABC) Board.
6. This CUP shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance resulting from approval of the CUP. If such issues are identified, the CUP shall be presented to the Planning Commission for its consideration of conditions, modifications, or revocation.
7. The activity level of the business shall be monitored by the OPD to establish the level of police services used for the business. Should the level of police services demonstrate that the permittee has not controlled excessive or unnecessary activity resulting in high use of police services, then this CUP shall be reviewed for consideration of additional conditions, modifications, or revocation.
8. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of merchant items that include food within the restaurant during the same period. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.
9. The use of the business is considered a restaurant. Interior construction shall remain consistent with the plans submitted for review by the Planning Commission. No changes to the floor plan will occur unless a revised floor plan is approved by the Community Development Department. None of the floor area will be designated for dancing or live entertainment unless a subsequent CUP is approved by the Planning Commission.
10. No person in the establishment shall appear in such a manner that the genitals, pubic hair, pubic hair region, buttocks, anus, natal cleft, anal region, nipple or areola is exposed to public view or is not covered by an opaque covering.
11. The subject ABC license shall not be exchanged for a Type 48 (On-Sale General – Public Premises) license nor operated as a public premise.
12. The sale of beer and/or wine for consumption off the premises shall be prohibited.
13. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the permittee.

14. All alcohol shall be consumed on the subject site, within the defined dining areas. Signs shall be posted on all exits of the premises, which prohibit alcoholic beverages from leaving the confines of the premises.
15. The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
16. The business shall operate Monday through Sunday, from 7:00 a.m. to 10:00 p.m. These hours do not restrict employees from being on the premises before opening for preparations and deliveries or after close for clean-up. Clean-up may not be conducted by patrons.
17. At no time shall there be a fee for entrance/admittance into the premises.
18. Employees and/or contract security personnel shall not consume any alcoholic beverages prior to or during their work shift. Any and all security officers provided shall comply with all state and local ordinances regulating their services, including, without limitation, Chapter 11.5 of Division 3 of the California Business and Profession Code.

*Alcohol and Food Service Conditions:*

19. At all times when the premises is open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale of food.
20. Food service, with an available menu, shall be made available until closing time on each day of operation.
21. Alcoholic beverages shall be served by a waiter/waitress only, and only to seated patrons at permitted counters/tables.
22. There shall be no bar or lounge area upon the licensed premises maintained for the purpose of the sale, service, or consumption of alcoholic beverages directly to patrons for consumption.
23. There shall be no "Happy Hours" when only alcoholic beverages are offered at a reduced rate.
24. There shall be no promotions encouraging intoxication or drinking contests.
25. There shall be no requirement to purchase a minimum number of drinks.
26. No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other such containers.
27. The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.

28. The sale of beer and wine for off-site consumption shall be incidental to the operation of the restaurant. No more than 15% of the gross floor area shall be dedicated to the sale of beer and wine.
29. No wine shall be sold with an alcohol content greater than 15% by volume.
30. No sale of alcoholic beverage shall be made from a drive-up window.
31. No advertising for beer or wine shall be visible from outside the building.

*Special Events:*

32. No portion of the premises shall be deemed to be “private” for the purposes of dispensing alcoholic beverages to selected patrons, where the permittee recognizes any form of membership cards, keys, or passes which would entitle the holder entry or preferential admittance or exclusive use of any portion of the mentioned premises.
33. The use of a promoter (such as a night-club operator) or sub-leasing the premises to be used in conjunction with dancing and/or live entertainment is prohibited.
34. There shall be no live entertainment (including karaoke), disc jockey, or dancing permitted on the premises at any time. Amplified music of any kind, including over a built-in system designated for background music, shall be permitted so long as the music is not audible outside when the doors are open or beyond the premises in such a manner as to disturb the peace, quiet, and comfort of neighboring occupants, or any reasonable person residing or working in the area
35. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the Community Development Director and the Police Department’s Vice Unit at least one week in advance of the event.

*Security and Exterior:*

36. Lighting in the parking area of the premises shall be directed, positioned, and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.
37. The permittee shall install and maintain a closed-circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation and monitoring the rear of the premises. The camera system shall keep a minimum 30-day library of events, which shall be available for downloading and inspection by Orange Police Department.
38. The use of any amplifying systems, outdoor sound system and paging system, or any other such device is prohibited on the licenses premises.
39. The permittee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.

40. There shall be no exterior advertising of any kind or type. This includes advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages that are clearly visible to the exterior shall constitute a violation of this condition.
41. Exterior doors and windows, as well as the interior of the business, shall be protected by an approved alarm system, which shall detect an attempted entry or presence of people within the business during closing hours.
42. Uniformed security will be provided by the permittee on days/nights when special event broadcast(s) are being promoted. One security guard per 100 customers shall be present during these broadcasts/events.
43. The premises shall be provided with an interior night light to illuminate the interior and an unobstructed view shall be maintained through storefront windows to provide police patrol officers the ability to observe unlawful activity within the business.
44. The permittee shall maintain on the premises a written security policy and procedures manual addressing at a minimum the following items: handling obviously intoxicated persons; establishing a reasonable ratio of employees to patrons, based upon activity level, in order to monitor alcoholic beverage sales and patron behavior; handling patrons involved in fighting or arguing; handling loitering about the building and in the immediate adjacent area that is owned, leased, rented, or used under agreement by the permittee(s); verifying age/checking identification of patrons; warning patrons of reaching their drinking limit/potential intoxication and refusing to serve; calling the police regarding observed or reported criminal activity.

*Training:*

45. All employees of the permittee who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques, and the handling of violence. For new employees, such training program must be completed within 30 days of the date of hire. The permittee shall maintain an active list of the employees who have completed the training. The list shall be furnished, upon request, to any sworn police officer or member of the Community Development Department. The employees must provide the Orange Police Department a copy of the completed Alcohol Management Program certificate.

*Miscellaneous:*

46. Graffiti shall be removed from the exterior walls, doors, windows, and any additional part of the property (including signage, etc.) within 72 hours of the time the City of Orange Notice of Violation is received by the business operator.

**ADOPTED** this 21<sup>st</sup> day of October 2024.

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David Vazquez  
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 21<sup>st</sup> day of October 2024, by the following vote:

AYES:  
NOES:  
RECUSED:  
ABSENT:

---

Anna Pehoushek, FAICP  
Assistant Community Development Director

## **Exhibit A**

### **LEGAL DESCRIPTION**

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

THE NORTH 40 FEET OF LOT 17 IN BLOCK C OF THE TOWN OF ORANGE, IN THE CITY OF ORANGE, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 2, PAGES 630 AND 631 OF MISCELLANEOUS RECORDS OF LOS ANGELES COUNTY, CALIFORNIA.

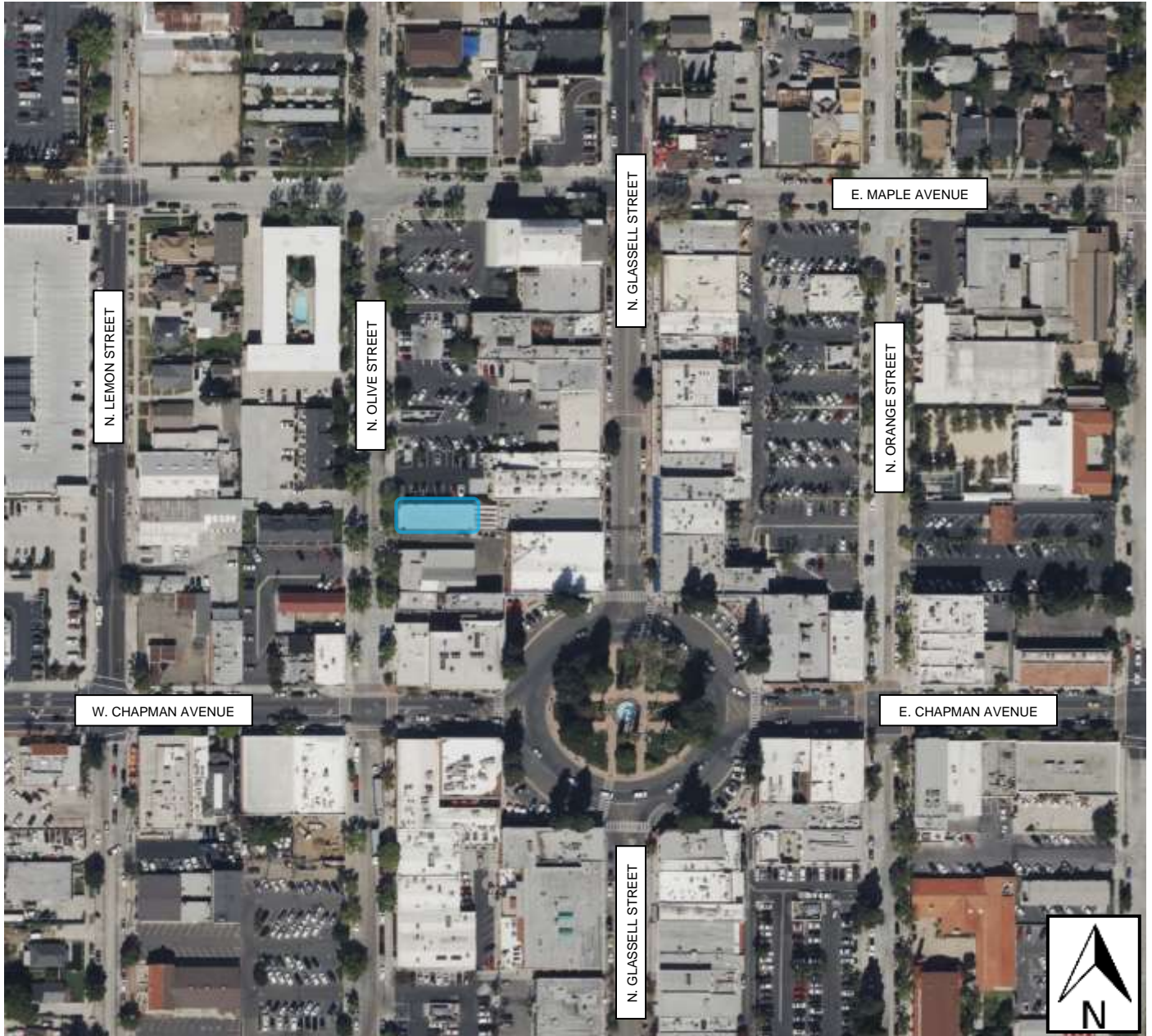
EXCEPTING THEREFROM THE EAST 16 FEET AND THE NORTH 6 FEET THEREOF.

APN: 039-174-08



# VICINITY MAP

Conditional Use Permit No. 3228  
123 N. Olive Street  
(Zoning: OTMU-15)



City of Orange  
Community Development Department



**DUE X**

**DRY UTILITY EXPERTS**

125 N Olive St, Orange CA 92866

April 30, 2024

Re: Land Use Project / Letter of Explanation for Pizzeria Irene

To Whom It May Concern:

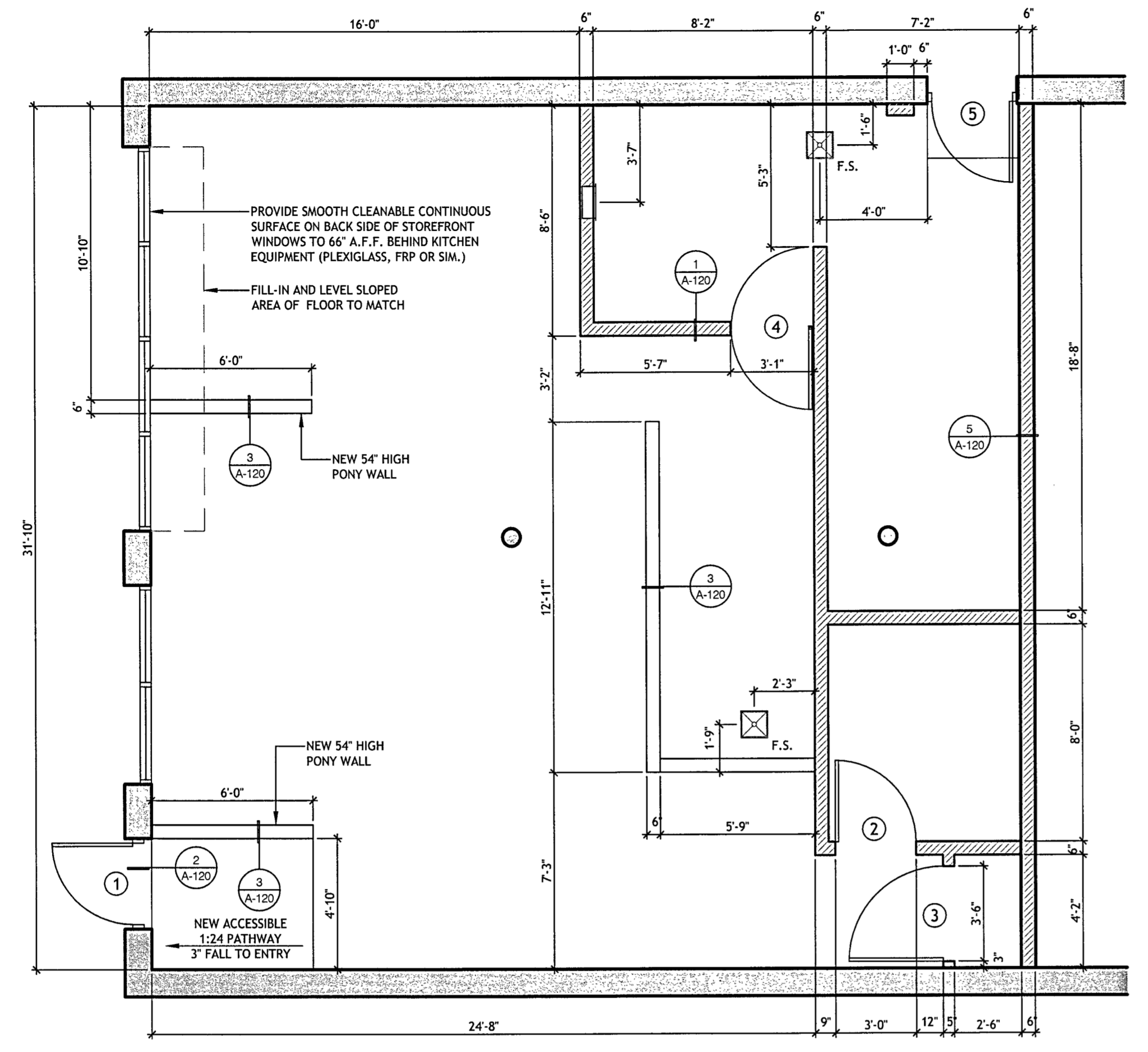
We are respectfully requesting the location at 123 N Olive St in Old Towne Orange to be used as a new restaurant, a classic Neapolitan style Pizzeria, to include a beer and wine license (License Type 41: On-Sale Beer & Wine Eating Place).

We intent to offer a select wine offering with limited beers as well. We believe Pizzeria Irene would add to the already thriving dining scene with a simple yet sophisticated menu. The general manager/owner, Rick Guzman, comes from Michelin rated Taco Maria with management experience from other major Italian upscale restaurants (General Manager at Cucina Enotoca). He has been mentored by renowned chef Carlos Salgado (semifinalist by James Beard Foundation for best chef eight years), after Rick and Carlos worked together at Taco Maria for several of the years it earned a Michelin Star. Mr. Guzman is also a level two sommelier.

1. The proposed business, Pizzeria Irene, would employ between four to five employees. The restaurant would operate from 11 AM to 3 PM for lunch and from 5 PM to 9 PM for dinner on Tuesdays through Sunday. There will be no company vehicles, and this is the first personal restaurant venture for Rick Guzman.
2. The building is an all brick historical building built in 1925, originally built as a factory called "Ward's Cookie Factory." Pizzeria Irene would be occupying the front of the building (about 950 sq ft) while the back is currently used as office space for a consultant company (Dry Utility Experts). The building is keeping all historic integrity possible, and any updates have been approved by the Historic Department.
3. The Olive building is surrounded by commercial properties in all directions, with the Orange Masonic Lodge alley to the right and City Citrus Grille's parking lot to the left.

Yara Guzman

**Owner & Associate**



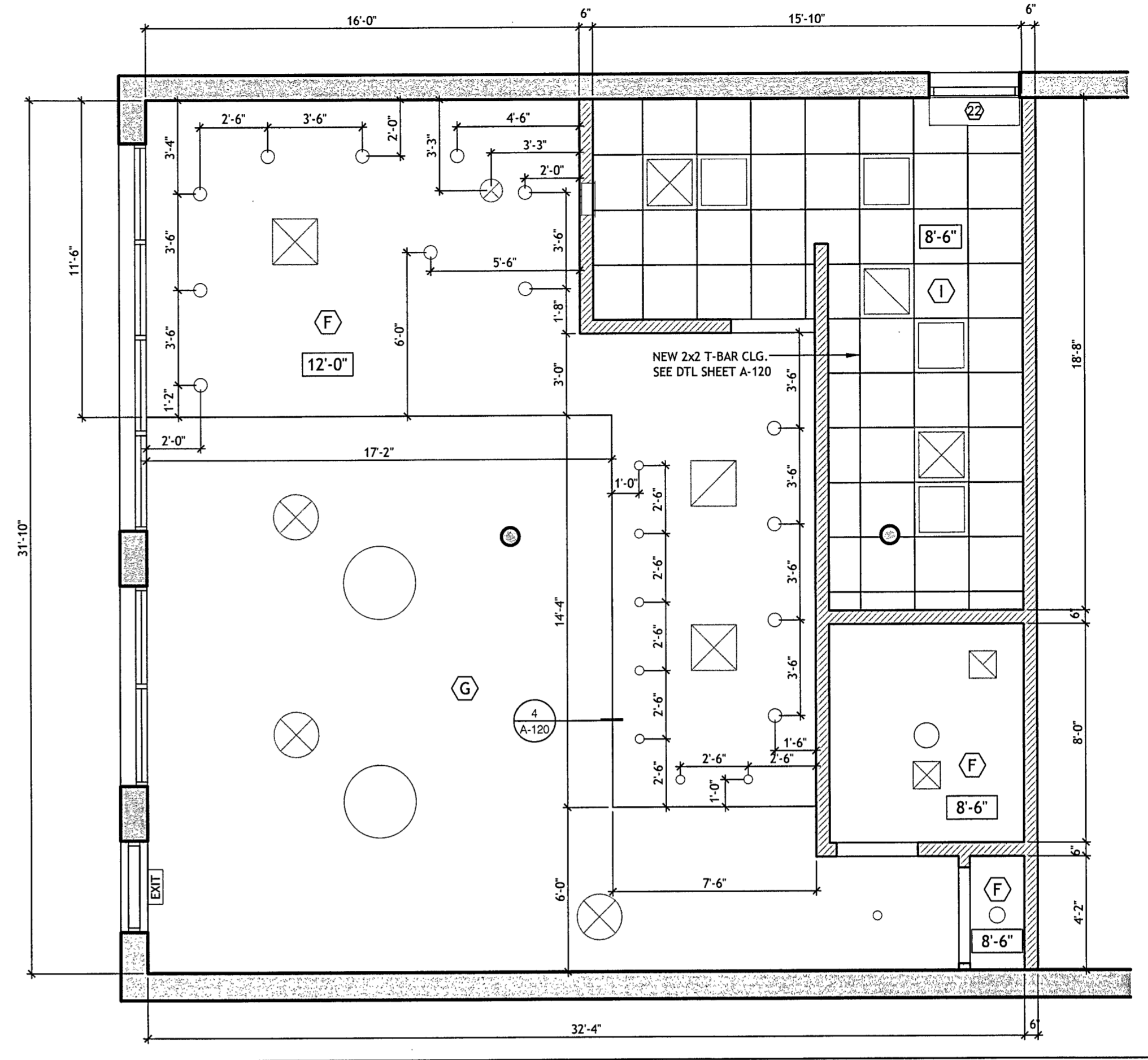
DEMO PLAN & NEW WALL PLAN

- NOTE: SEE ELEC. SHEETS FOR ADDITIONAL INFORMATION
- DALS 6" RECESSED GIMBAL LED 15W THIN TRIM DOWNLIGHT, TYP. OF 13
  - DALS CYLINDRICAL MINI PENDANT 9W 1.5" ROUND LED, TYP. OF 8
  - HUXE SILVIO 15W 7" ROUND LED FLUSH MOUNT, TYP. OF 1
  - HUXE SILVIO 20W 11" ROUND LED FLUSH MOUNT, TYP. OF 1
  - BLACKJACK CIRCUIT 92W 32" ROUND LED CHANDELIER, TYP. OF 2
  - TCP - TR22D4041K - 40W 2x2 LED TROFFER, TYP. OF 13
  - EXIT ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING, TYP. OF 1

LIGHTING SCHEDULE

- || PONY WALL - SEE TYP. SECTION DETAIL 3/A-200
- || NEW INTERIOR WALL - SEE TYP. SECTION DETAIL 1/A-200
- || EXISTING EXTERIOR WALL

WALL SCHEDULE



REFLECTED CEILING PLAN & LIGHTING SCHEDULE

- (A) FLOOR - CONCRETE FLOORS WITH DAL TILE 0100-S3619T- 6X6 SLIM FOOT COVERED BASE - CONCRETE TO BE CLEANED AND POLISHED AND SEALED WITH "GLAZE N' SEAL MULTI-PURPOSE SEALER" OR EQUIVALENT OC HEALTH DEPT. APPROVED SEALANT - SEALANT TO BE CLEAR, PENETRATING, GREASE, OIL AND ACID RESISTANT.
- (B) GYP. BD. WALL/CEILING PAINT - DUNN EDWARDS - #DEW392 "CRYSTAL BALL" - SEMI-GLOSS - SMOOTH
- (C) KITCHEN WALLS - FRP - "SMOOTH WHITE" - TO 8'-0" ABOVE TOP OF COVE BASE - SEE DETAIL 1 SHEET A110
- (D) SERVICE COUNTER - PENTAL QUARTZ - HONED CARRARA SLAB COUNTER 3/4" EDGE - LAMINATE CABINET FINISH TBD
- (E) TILE WAINSCOT - DAL TILE 3X6 WHITE CERAMIC SUBWAY TILE TO 48" A.F.F. MIN. - WALLS AND CLG. ABOVE ARE SEMI-GLOSS PAINT
- (F) GYP BD. CEILING ABOVE BAR, PIZZA, RESTROOM & MOP SINK
- (G) OPEN CEILING TO EXPOSED WOOD STRUCTURE IN DINING AND HALL
- (H) EXPOSED BRICK WALLS TO REMAIN
- (I) CERTAINTED VINYLROK #1140 WHITE 2X4 CEILING TILES IN SUSPENDED GRID WITH WHITE ALUMINUM FACE

- NOTES:
- ALL FINISHES OVER EXISTING DRYWALL SUBSTRATE, ALL WALLS AND CEILINGS, U.O.N.
  - WALL, FLOOR AND CEILING SHALL NOT EXCEED THE FLAME SPREAD CLASSIFICATIONS IN CBC TABLE 803.9

DINING & RETAIL	(A)(B)(G)(H)
JANITOR	(A)(B)(C)(F)
RESTROOM	(A)(B)(E)(F)
BAR	(A)(B)(E)(F)
PIZZA	(A)(B)(E)(F)
KITCHEN	(A)(B)(C)(I)

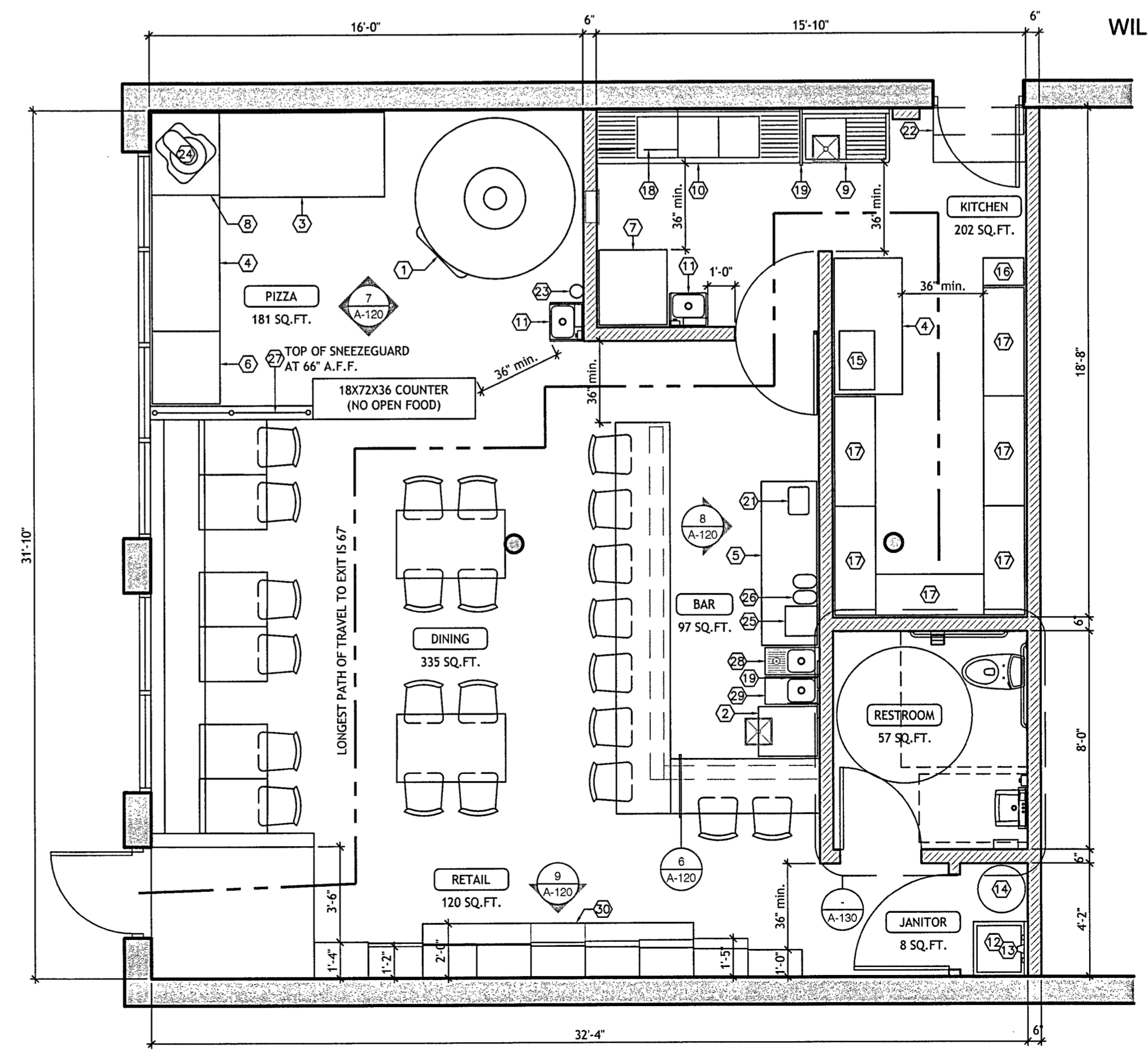
FINISH NOTES & SCHEDULE

- ALL EQUIPMENT, INCLUDING SHELVING, AND LOCKERS MUST BE SUPPORTED BY 6" HIGH EASILY CLEANABLE LEGS, COMMERCIAL CASTERS, OR COMPLETELY SEALED INTO POSITION ON A 4" HIGH CONTINUOUSLY COVERED BASE OR CONCRETE CURB.
- ALL EQUIPMENT TO BE FASTENED TO SUPPORTING WALL / CONCRETE SLAB OR USE AN APPROVED DEVICE TO BE STATIONARY AND FOR LATERAL STABILITY.
- ICE MAKER (#2), PREP SINK (#9) AND ESPRESSO MACHINE (#25) TO DRAIN INDIRECTLY TO FLOOR SINKS BELOW.
- PROVIDE PERMANENT SOAP AND PAPER TOWEL DISPENSERS AT ALL HAND SINKS. HANDWASHING CLEANSER AND SINGLE-USE PAPER TOWELS MUST BE PROVIDED IN DISPENSERS AT ALL HANDWASHING FACILITIES.

EQUIPMENT NOTES

KITCHEN EQUIPMENT					
#	QTY.	ITEM	ELEC.	WATER	WASTE
1	1	PIZZA			
2	1	BEVERAGE-AIR 67" PIZZA PREP REFRIGERATOR #DPD67HC-2	115V/3A		
3	2	BEVERAGE-AIR 60" SOLID DOOR WORKTOP REFRIGERATOR #WTR60AHC	115V/3A		
4	1	BEVERAGE-AIR 72" GLASS DOOR DRINKS FRIDGE #BB72HC-1-G-S	115V/3A		
5	1	BEVERAGE-AIR 27" SOLID DOOR WORKTOP FREEZER #WTF27AHC	115V/3A		
6	1	BEVERAGE-AIR 30" SOLID DOOR REACH-IN REFRIGERATOR #RB27HC-1S	115V/3A		
7	1	REGENCY STAINLESS STEEL WORKTABLE 30X36			
8	1	REGENCY #600S118181XRT PREP SINK (18X18X14 BOWL)	3/4" H&C	INDIRECT	
9	1	REGENCY #600S31818218 3-COMP SINK (18X18X14 BOWLS)	3/4" H&C	INDIRECT	
10	2	REGENCY #600HAS17SP WALL-HUNG HAND SINK WITH SIDE SPLASHES	3/4" H&C	DIRECT	
11	1	REGENCY #600SM16208 MOP SINK (20X16X6 BOWL)	3/4" H&C	DIRECT	
12	1	CHEMICAL STORAGE SHELF AND MOP RACK			
13	1	AO SMITH LTE-66D (12.2 kW) ELEC. WATERHEATER ON 6" PLATFORM	208V/30A	1" C	
14	1	AVANTCOO INDUCTION DOUBLE HOB #DIC35K	115V/15A		
15	1	REGENCY 6-TIER LOCKERS 12X18X78 - W/ 6" HIGH ROUND LEGS			
16	6	REGENCY 5-TIER WIRE SHELVING 18X48X69 HIGH MAX			
17	1	18X36 REGENCY #460EC1836WSK WALL MOUNT WIRE SHELF			
18	2	6X24 ALLSTRONG S.S. SPLASH PANELS - BOTH ENDS OF PREP SINK			
19	1	72X24 ALLSTRONG S.S. SPLASH PANEL - MOP SINK			
20	1	POS SYSTEM W/ U/C CASH DRAWER	115V/3A		
21	1	36" MARS #LPN36-1U AIR CURTAIN	115V/3A		
22	1	FIRE EXTINGUISHER			
23	1	WARING WSM20L STAND MIXER	115V/15A		
24	1	NUOVA SIMONELLI MUSICA DC ESPRESSO MACHINE	115V/10A	1/2" F	INDIRECT
25	2	NUOVA SIMONELLI G-60 ESPRESSO GRINDER	115V/2A		
26	1	3/8" TEMPERED GLASS SNEEZE GUARD W/ CRL HB55LPS POSTS			
27	1	KROWNE DUMP SINK - #KR24-MS12	3/4" H&C	INDIRECT	
28	1	KROWNE HAND SINK - #KR24-12ST WITH SIDE SPLASHES	3/4" H&C	DIRECT	
29	1	SUMMIT WINE FRIDGE #ALWC532	115V/2A		

EQUIPMENT SCHEDULE

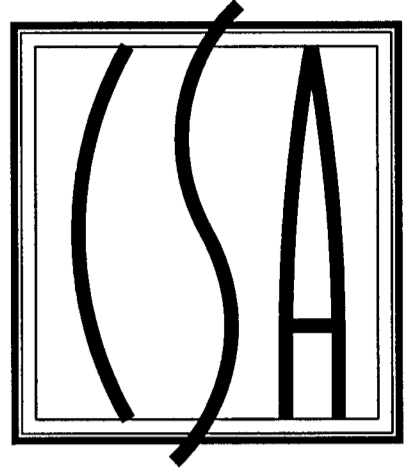


EQUIPMENT PLAN

REVIEWED FOR CODE COMPLIANCE

Approval of these plans & specifications shall not be construed to be a permit for, or an approval of any violation of any Federal, State, County or City laws or ordinances. One set of approved plans must be kept on the job until completion.

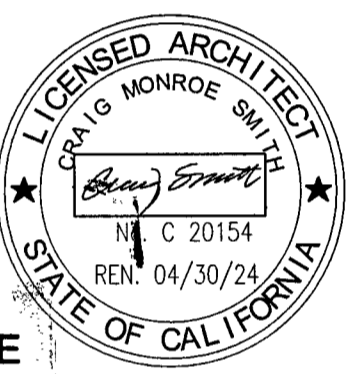
WILLDAN ENGINEERING



C Smith  
Architects Inc.

1041 West 18th Street,  
Suite a-208  
Costa Mesa, CA 92627  
(949) 764-0010

ARCHITECTURE  
PLANNING  
INTERIORS

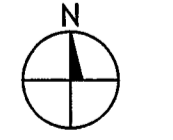


CONTRACT DATE: 3.1.2  
PROJECT TYPE: T.1  
PLAN VERSION: SUB  
PLOT DATE: 5.5.2

PIZZERIA  
IRENE

123 N OLIVE STREET  
ORANGE, CA 92666

SCALE: 1/4" = 1'-0"



A-100

PLANS &  
SCHEDULES



PIZZERIA  
IRENE

## PIZZA

Margherita pizza	
San Marzano tomato, house made mozzarella, basil, E.V.O.O.	15
Fungi pizza	
House made mozzarella, mixed mushrooms, chèvre, garlic, basil	18
Pepperoni pizza	
San Marzano tomato, ricotta, peppadew peppers, basil	18
Pizza Bianca	
House made mozzarella, garlic, feta, basil, E.V.O.O.	17
Vegan pizza	
San Marzano tomato, mixed veggies	17

## DESSERT

Ice cream	6
Vanilla or Coffee	



STOREFRONT

123



123

123456789



ENTRY DOOR





INTERIOR VIEW 1



INTERIOR VIEW 2





PERMIT  
PARKING ONLY  
MAYNARD BUSINESS  
HALL ASSOC.

PROPERTY TO THE SOUTH



PROPERTY TO THE SOUTHWEST



RESIDENTIAL DWELLINGS TO THE WEST

**Pizzeria Irene – 123 N Olive St., Orange, CA 92866**  
**"41" On-Sale General**  
**CUP: 3228-24**

---

Prepared by: Chris Lugo, Sergeant

Date: August 22, 2024

I received the above referenced CUP application for an ABC license. My investigation showed the following statistics:

Figures supplied by the State Department of Alcohol Beverage Control (ABC) for the location in Census Tract #: 759,01 shows:

The number of **ON-SALE** licenses allowed are: **5**

The number of **ON-SALE** licenses existing are: **19**

The number of **OFF-SALE** licenses allowed are: **2**

The number of **OFF-SALE** licenses existing are: **4**

This location is in RD 32e, and our current figures show crimes/arrests at 201. The average number of reported crimes per district is 85 (crime stats from 2023). This is **136%** above the average reported crime.

- **ON-SALE IS OVER CONCENTRATED**
- **OFF-SALE IS OVER CONCENTRATED**
- **IS A HIGH CRIME AREA**

**ABC code 23958.4 (a) defines over concentrated and high crime area; a high crime area is defined as a 20% greater number of reported crimes, than the average number of reported**

## Land Use Project Application

### City of Orange

Community Development Department  
 Planning Division  
 300 East Chapman Avenue  
 Orange, CA 92866-1591  
 (714) 744-7220 (714) 744-7222 FAX  
 www.cityoforange.org

This section to be completed by Staff

APP. TYPE	NUMBER	FEE/DEPOSIT
<u>CVP</u>	<u>3228-24</u>	<u>3,000</u>
	<u>PD</u>	<u>5,000</u>
TOTAL:		<u>8,000</u>

Historic District/Historic Property:  Yes  No  
 Orange Park Acres:  Yes  No  
 General Plan: DTMIX-15 Zoning: OTMU-15  
 Billing No: 24COP3228 Payment Type: Credit Card  
 Date Filed: 7/3/24 Received By: Arlen

### SECTION 1 – Site Information

Project Title/Name: Pizzeria Irene  
 Project Address/Location: 123 N Olive St, Orange CA 92866  
 Assessor Parcel Number: 039-174-08  
 Tract/Lot Number: Tract 532 / Lot 17

**REQUIRED:** Briefly describe your proposed project:

Permit to allow the sales of beer and wine for on-site consumption (ABC Type 41 License) at a new restaurant.

### SECTION 2 – Applicant Information

Name of Company and Person Responsible: NOVA Partners / Ian Sanchez  
 Mailing Address: 125 N Olive St City: Orange State: CA Zip: 92866  
 Phone Number: \_\_\_\_\_ Cell: 714.350.3030 E-mail: yara@duexperts.com

### SECTION 3 – Contact Information (main contact person for project)

same as Applicant

Name of Company and Person Responsible: Rawlings Consulting, Attn: Steve Rawlings  
 Mailing Address: 26023 Jefferson Ave, Ste D City: Murrieta State: CA Zip: 92562  
 Phone Number: 951-667-5152 Cell: \_\_\_\_\_ E-mail: ser@rawlingspm.com

### SECTION 4 – Property Owner Information (land owner information, not tenant)

same as Applicant

Name of Company and Person Responsible: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Cell: \_\_\_\_\_ E-mail: \_\_\_\_\_

**SECTION 5 – Billing Information** (Person below is responsible for paying invoices and receiving refunds; **must be filled in.**) X same as Applicant

Name of Company and Person Responsible: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Cell: \_\_\_\_\_ E-mail: \_\_\_\_\_

**SECTION 6 – Project Information**

(Section Required. If no construction proposed, fill in Existing column only)

Project Description/Request:	Existing	Proposed
Land Use (commercial, residential, industrial)	commercial	
Lot Size	3920 sq ft	
Number of Structures on Lot	1	
Square Footage of Entire Building	3400 sq ft	
Square Footage of Subject Unit (if applicable)	1029 sq ft	
Number of Floors of Construction (if applicable)	1	
Number of Parking Spaces on Property	0	
Square Footage of Landscaping	0	

**SECTION 7 – Land Owner Affidavit** (If Property Owner and Applicant are the same, then notary is not required.)

Ian Sanchez

\_\_\_\_\_ declares that I am the owner of the property addressed or

(print name above)

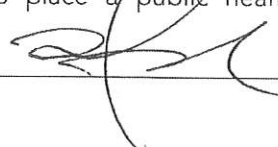
otherwise located as follows:

123 N Olive St, Orange CA 92866

(print address above)

I hereby certify that I am the owner of the real property described in this application. I hereby authorize this application to be processed for my property, and grant authority to the applicant to represent me and to bind me in all matters concerning this application. I certify that all of the information contained in this application, including the information contained in all plans and other materials submitted with this application, are, to the best of my knowledge and belief, true and correct. Should any of the information submitted be false or incorrect, I hereby agree to defend, indemnify, and hold harmless, the City of Orange, its officers, agents, and employees, from any and all liability and loss by reason of its reliance on any such information. I grant authority to the City to place a public hearing notice on the subject property if one is required.

Property Owner Signature: \_\_\_\_\_



Date: \_\_\_\_\_

6/12/2024

ACKNOWLEDGMENT

State of California  
County of Orange

On June 12, 2024 before me, Joseph Morgan, Notary Public, personally appeared  
Ian Sanchez

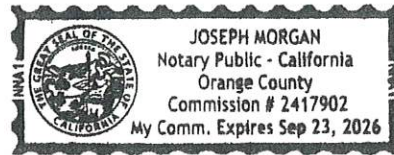
\_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]

(Seal)



**SECTION 8 - Certification** (Every application must be signed below by the Applicant.)

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Applicant Signature: [Handwritten Signature] Date: 6/12/2024

Print Name: IAN SANCHEZ Telephone No: 714-350-3030



**DUEX**  
**DRY UTILITY EXPERTS**

125 N Olive St, Orange CA 92866

April 30, 2024

Re: Land Use Project / Letter of Explanation for Pizzeria Irene

To Whom It May Concern:

We are respectfully requesting the location at 123 N Olive St in Old Towne Orange to be used as a new restaurant, a classic Neapolitan style Pizzeria, to include a beer and wine license (License Type 41: On-Sale Beer & Wine Eating Place).

We intent to offer a select wine offering with limited beers as well. We believe Pizzeria Irene would add to the already thriving dining scene with a simple yet sophisticated menu. The general manager/owner, Rick Guzman, comes from Michelin rated Taco Maria with management experience from other major Italian upscale restaurants (General Manager at Cucina Enotoca). He has been mentored by renowned chef Carlos Salgado (semifinalist by James Beard Foundation for best chef eight years), after Rick and Carlos worked together at Taco Maria for several of the years it earned a Michelin Star. Mr. Guzman is also a level two sommelier.

1. The proposed business, Pizzeria Irene, would employ between four to five employees. The restaurant would operate from 11 AM to 3 PM for lunch and from 5 PM to 9 PM for dinner on Tuesday through Saturday. There will be no company vehicles, and this is the first personal restaurant venture for Rick Guzman.
2. The building is an all brick historical building built in 1925, originally built as a factory called "Ward's Cookie Factory." Pizzeria Irene would be occupying the front of the building (about 950 sq ft) while the back is currently used as office space for a consultant company (Dry Utility Experts). The building is keeping all historic integrity possible, and any updates have been approved by the Historic Department.
3. The Olive building is surrounded by commercial properties in all directions, with the Orange Masonic Lodge alley to the right and City Citrus Grille's parking lot to the left.

Yara Guzman

**Owner & Associate**





PIZZERIA  
IRENE

## PIZZA

Margherita pizza	
San Marzano tomato, house made mozzarella, basil, E.V.O.O.	15
Fungi pizza	
House made mozzarella, mixed mushrooms, chèvre, garlic, basil	18
Pepperoni pizza	
San Marzano tomato, ricotta, peppadew peppers, basil	18
Pizza Bianca	
House made mozzarella, garlic, feta, basil, E.V.O.O.	17
Vegan pizza	
San Marzano tomato, mixed veggies	17

## DESSERT

Ice cream	6
Vanilla or Coffee	

Please fill out and provide the following information reference your application for a modification / new license.

Business Name: Pizzeria Irene

Business Location: 123 N Olive St, Orange CA 92866

Date: 05/01/24

1. Names & DOB of all principals / owners: Rick Guzman
2. Names of all managers: Rick Guzman
3. Name of business owner: Rick Guzman
4. Length of lease: 10 years
5. Proposed days & hours of operation: Tuesday-Saturday, open 11AM-3 PM & 5-9 PM
6. Are you planning on having any live entertainment? No
7. Do you plan on using a DJ, live band or karaoke? No
8. Do you plan on having any dancing? No
9. Do you plan on having any coin operated games? If so, how many? No
10. How is alcohol served? (For example: Sold at point of sale or served by wait staff? Please explain)  
Alcohol will be served by wait staff.
11. How are patrons to be seated? Front of house host to seat patrons
12. Are you planning on having "happy hour"? (Drink or food offered at reduced prices or free) No
13. Do you plan on hosting a special events at this location? If so, what type of events? No
14. Do you plan on renting out or leasing this business to any third party or agents? No

15. Are you planning on having any private or V.I.P. rooms? No
16. What other businesses that hold an ABC license are you involved with? If yes, please provide the names and addresses of these businesses.
17. Do you plan on charging admission? No
18. Does the business have a patio area? If yes, are you planning on serving any alcoholic beverage on this patio? No
19. How are patrons seated and served alcohol on patio? N/A
20. Will there be any amplified systems: television, sound, music, or paging system used in the patio area? (Explain in detail) N/A
21. List all businesses and their addresses you have been connected to in the last five years as well as co-owners and co-workers.

Taco Maria (no longer open)  
3313 Hyland, Costa Mesa, CA 92626  
Chef & Owner: Carlos Salgado

Tacos Madre Kitchen & Cocina  
3390 S Bristol St, Santa Ana, CA 92704  
Owner: Christian Diaz

**BUSINESS ESTABLISHMENT ALCOHOL  
MANAGEMENT AND EDUCATION PROGRAM AGREEMENT**

This Business Establishment Alcohol Management and Education Program Agreement (the "Agreement") is made and entered into as of June 10, 2024, by and between the CITY OF ORANGE, a municipal corporation (the "City"), and Pizzeria Irene LLC, a California limited liability company (herein referred to as "Owner"), with reference to the following:

- A. Owner is the owner and operator of, or intends to own and operate, that certain alcohol retail establishment (as those terms are defined in Chapter 5.49 of the Orange Municipal Code) commonly known as Pizzeria Irene, and located, or to be located, at 123 N. Olive Street (the "Premises") in the City of Orange, County of Orange, State of California.
- B. Owner has applied, or intends to apply, to the Department of Alcoholic Beverage Control of the State of California ("ABC") for a "Retailer's on-sale license" (as that term is defined under Chapter 1 of Division 9 of the Business and Professions Code of the State of California) to operate an alcohol retail establishment at the Premises; and
- C. The Owner has applied, or intends to apply, to the City for a conditional use permit under and pursuant to Section 17.30.030 of the Orange Municipal Code to authorize the sale of alcoholic beverage at the Premises; and
- D. No conditional use permit may be issued under and pursuant to Section 17.30.030 of the Orange Municipal Code to a person who applies to ABC for a Retailer's on-sale for an alcohol retail establishment without each such person having first sought and obtained from the City an approved Business Establishment Alcohol Management and Education Program pursuant to the provisions of Chapter 5.49 of the Orange Municipal Code; and
- E. Owner desires to ensure that the Premises are used or maintained in such a way as to encourage safe and responsible alcohol practice by consumers and to reduce alcohol-related problems and, accordingly, to enter into this Agreement in fulfillment of the requirement of Section 17.30.030 and Chapter 5.49 of the Orange Municipal Code;

NOW, THEREFORE, the parties hereby agree as follows:

1. Covenants, Conditions, and Restrictions. For favorable action on, and approval of, the Owner's application for a conditional use permit for the Premises, Owner hereby covenants that the Premises shall be used, occupied, and maintained subject to the following covenants, conditions, and restrictions, all of which are for the purpose of enhancing the attractiveness, usefulness, value, and desirability of the Premises, the surrounding property, and the public at large, and to minimize possible adverse effects on the public health, safety, peace, and general welfare.
  - a. Controls shall be established to maintain occupancy levels allowed by the City's Fire Department, and these Fire Department approved levels will not be exceeded.
  - b. Except in case of an emergency, the Owner shall not permit its patrons to enter or exit the Premises through any entrance/exit other than the primary entrance/exit, excluding entrances/exits from patio areas. Steps shall be taken by the Owner to discourage unauthorized exiting.
  - c. Aisles and hallways shall be kept clear in order to allow patrons to move freely about the Premises.
  - d. All patrons who appear under the age of thirty (30) shall be required to show some form of identification or they will not be served an alcoholic beverage. A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons. The size, format, form, placement, and language of the sign shall be determined by the Chief of Police (or designee). Only the following forms of identification will be acceptable:
    - Valid driver's license
    - Valid State identification card
    - Valid passport
    - Current military identification
    - US Government immigrant identification card

All forms of out-of-state identification shall be checked by the authorized representative of the Owner of the Premises in the Driver's License Guide. Upon presentment to the authorized representative of the Owner of the Premises, the patron's form of identification shall be removed from the patron's

wallet or any plastic holder and inspected for any alterations through a closed visual inspection and/or use of a flashlight or "Retro-reflective viewer".

- e. Persons who appear obviously intoxicated shall not be admitted into the Premises.
- f. Patrons who appear obviously intoxicated shall not be served.
- g. There shall be no requirement to purchase a minimum number of alcoholic beverages to participate in any promotional activity or gain admittance to the Premises.
- h. There shall be no "stacking" of drinks by or for a single patron.
- i. When serving pitchers exceeding twenty-four (24) ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall present an ID to the server if appearing to be under the age of thirty (30), if not previously checked at the entrance to the Premises.
- j. Oversized containers or pitchers containing in excess of twenty-four (24) ounces of an alcoholic drink will not be sold to a single patron for their sole consumption.
- k. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words, which are inherently likely to provoke an immediate violent reaction, shall not be tolerated.
- l. An incident log shall be maintained at the Premises on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring in, on, or at the Premises, including the immediately adjacent area that is owned, leased, or rented by the Owner. The log will indicate date, time, description of incident, and action taken. "Objectionable conditions that constitute a nuisance" means disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling,

prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.

- m. If contract security personnel are utilized in, on, or at the Premises they shall be properly licensed by the State of California, bureau of Security and Investigative Services.
- n. Security personnel required by the conditional use permit issued for the Premises shall be in a uniform or clothing, which is readily identifiable as a security person. They shall maintain order and enforce the establishment's no loitering policy, and shall take "reasonable steps" (as that term is defined in subparagraph (3) of Section 24200 of the California Business and Professions Code) to correct objectionable conditions that constitute a nuisance.
- o. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.
- p. Contract security services, proprietary security personnel, or personnel assuming the functions typically associated with security shall be familiar with establishment's written policy and procedures on ejecting patrons for cause.
- q. The Owner or manager of the Premises shall notify the Chief of Police (or designee) at least three (3) days in advance of a special promotion or special event scheduled at the Premises.
- r. The Owner or manager of the Premises shall not employ or use any person in the sale or service of alcoholic beverages in or upon the Premises while such person is unclothed pursuant to Section 143.2 and 143.3 of Title 4 of the California Code of Regulations.
- s. The Owner or manager of an alcohol retail establishment shall maintain at the Premises a file containing the names and dates of employment of every person who serves alcoholic beverages for consumption by patrons on the Premises and every manager, which file shall also include a copy of each such person's certificate of completion of a Responsible Beverage Service Training course. Upon request, said file shall be made

available for review to a representative of the Police Department of the City of Orange.

t. All management, supervisors, and lead personnel shall be familiar with the Business Establishment Alcohol Management and Education Program, as set forth in this Agreement, dating and signing the acknowledgment page in the program indicating they have read and understand the program.

u. Handling obviously intoxicated patrons.

No intoxicated patrons will be let inside the establishment. If there is an intoxicated guest, a manager will be notified immediately. The patron will be offered a ride home through a taxi service or will be assisted with contacting a safe ride home. If guest refuses or becomes belligerent, Police Department will be contacted.

v. Establishing a reasonable ratio of employees to patrons, based activity level in order to monitor beverage sales and patron behavior.

Pizzeria Irene is committed to serving everyone safely. All employees will have Responsible Beverage Service training (RBS) and will have their certification. During peak hours there will be six (6) employees watching a maximum of 28 patrons.

w. Establishing what types of containers, glassware, or similar method will be used to distinguish alcoholic beverages from non-alcoholic drinks.

There will only be wine and beer served at Pizzeria Irene. Traditional wine glasses with stems will be used for wine, and 12 oz tall glasses will be used for beer. Non stem glasses will be used for water and non alcoholic beverages.

x. Handling patrons involved in fighting or arguing.

Patrons will be immediately separated, will at least one employee per person involved. Patrons will then be asked to leave and will be escorted out separately. If in the event of an altercation, Orange Police Department will be contracted immediately.



- y. Establishing procedures to handle loitering about the building and in the immediately adjacent area that is owned, leased, rented, or used under agreement by the Owner.

All employees, especially managers, will be trained to observe all patrons inside and outside the building. Loiters will be asked to leave. If loiters refuse or continue to engage in nuisance behavior, such as disturbing the peace or panhandling, managers will contact Orange Police Department.

- z. Establishing hours of operation and hours in which alcoholic beverages may be served.

Closed Sunday and Monday

Open Tuesday-Saturday from 11 AM – 3 PM and 5 PM – 9 PM.

## 2. Conflict or Inconsistency

- a. To the extent that there is any conflict or inconsistency between the terms and conditions of the conditional use permit issued, or to be issued, for the Premises and the terms and conditions imposed by ABC for a Retailer's on-sale license for the Premises, the terms and conditions imposed by the City under the conditional use permit shall control and govern the rights and obligations of the Owner; provided, however, that nothing contained herein is intended to or shall operate to preempt any ABC rule or regulation and to the extent it is determined by an authorized representative of ABC that an ABC rule or regulation conflicts with a term or condition of the conditional use permit, the ABC rule or regulation in question shall govern and control.
- b. Nothing contained in this Agreement shall be construed so as to require Owner to perform any act contrary to law, and whenever there is any conflict between any provision of this Agreement and any present or future statute, law, ordinance or regulation contrary to which the parties

shall have no legal right to contract, the latter shall prevail, but in such event the provisions of this Agreement affected shall be curtailed and limited only to the extent necessary to bring it within the requirements of the law.

3. Amendment. The Owner may petition the City's Chief of Police not more frequently than once each year, commencing on the first anniversary of the approval of the conditional use permit, for modification, supplement or amendment to one or more of the policies and procedures established under and pursuant to this Agreement. The City's Chief of Police may, in his/her sole discretion, authorize and approve any modification, supplement, or amendment to the policies and procedures in response to said petition, which approval shall be in writing in the form of an amendment to this Agreement. Subsequent petitions for modifications, supplements, or amendments shall be filed, if at all, upon the anniversary of the date of the approval/disapproval from the City's Chief of Police of the Owner's petition.
4. Governing Law. This Agreement shall be governed by the laws of the State of California.

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IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth hereinabove.

**“OWNER”**

Pizzeria Irene LLC

A California limited liability company

By: 

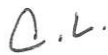
Printed Name: Ricardo Guzman

Title: Owner

**“CITY”**

CITY OF ORANGE, a municipal corporation

By:   
Aaron Towner, Captain of Investigations

  
SGT of Vice Unit  
(Initial)

APPROVED AS TO FORM:

\_\_\_\_\_  
Senior Assistant City Attorney

# ORANGE POLICE DEPARTMENT CUP CONDITIONS

## OPERATIONAL CONDITIONS:

1.  In conjunction with the ongoing operation of the business, the premises shall comply with all requirements placed upon it by the State Alcoholic Beverage Control (ABC) Board.
2.  This Conditional Use Permit (CUP) shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance resulting from approval of the CUP. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.
3.  The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.
4.  The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of merchant items that include food within the convenience store during the same time period. Fuel purchases are excluded from the gross sales of merchant related items. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.
5.  The use of the building is considered a restaurant, and interior construction will remain consistent with plans submitted for review by the Planning Commission. No changes to the floor plans will occur unless a permit is issued by the Community Development Department. None of the floor area will be designated for dancing or live entertainment unless a subsequent Conditional Use Permit is approved by the Planning Commission.
6.  No person in the establishment shall appear in such a manner that the genitals, pubic hair, pubic hair region, buttocks, anus, natal cleft, anal region, nipple or areola is exposed to public view or is not covered by an opaque covering.

7. The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premise.
8. The sale of beer and/or wine for consumption off the premises shall be prohibited.
9. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.
10. All alcohol shall be consumed on the subject site, within the defined dining areas. Signs shall be posted on all exits of the premises, which prohibit alcoholic beverages from leaving the confines of the premises.
11. The premises shall be maintained as a bona fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
12. The business will operate Tuesday -Saturday 11:00am to 3:00pm for lunch and 5:00pm to 9:00pm for dinner.
13. At no time shall there be a fee for entrance/admittance into the premises.
14. Employees and/or contract security personnel shall not consume any alcoholic beverages prior to or during their work shift. Any and all security officers provided shall comply with all state and local ordinances regulating their services, including, without limitation, Chapter 11.5 of Division 3 of the California Business and Profession Code.
15. The applicant agrees to indemnify, hold harmless, and defend the City, it's officers, agents, and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence.

**ALCOHOL & FOOD SERVICE CONDITIONS:**

16. At all times when the premises are open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale of food.
17. Food service, with an available menu, shall be available until closing time on each day of operation.
18. Alcoholic beverages served shall be served by a waiter/waitress only, and only to seated patrons at permitted tables.

19.  Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premise or other establishment sharing the patio.
20.  There shall be no bar or lounge area upon the licensed premises maintained for the purpose of the sale, service, or consumption of alcoholic beverages directly to patrons for consumption.
21.  There shall be no "Happy Hours" when alcoholic beverages are offered at a reduced rate.
22.  There should be no time when alcoholic beverages are sold at a ratio of two for one; no "stacking" of beverages, which means the serving of two alcoholic beverages at one time to the same customer; and no sales to an "empty chair", which means that each customer must be physically present at the time of the order of any alcoholic beverage.
23.  There shall be no promotions encouraging intoxication or drinking contests.
24.  There shall be no requirement to purchase a minimum number of drinks.
25.  No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.
26.  The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.
27.  The sale of beer or malt beverages in quantities of quarts, 22 ounces, 32 ounces, 40 ounces, or similar size containers is prohibited. Beer, malt beverages, and wine coolers in containers of 16 ounces or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
28.  The sale of beer and wine for off-site consumption shall be incidental to the operation of the store. No more than 15% of the gross floor area shall be dedicated to the sale of beer and wine.
29.  No wine shall be sold with an alcoholic content greater than 15% by volume.
30.  No wine coolers shall be sold in less than a four-pack quantity.
31.  No sale of alcoholic beverage shall be made from a drive-up window.

32.  No beer or wine advertising shall be located on motor fuel islands and no advertising for beer or wine shall be visible from outside the building.

**PATIO CONDITIONS:**

33.  The patio shall be enclosed and any gates located on the patio shall remain closed during business hours and used as an emergency exit only. Sign(s) shall be posted on all patio gate(s) indicating "Emergency Exit Only".
34.  The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.
35.  Patrons on the patio shall be seated by a host/hostess only, with no self-seating permitted.
36.  An employee shall be stationed on the patio at all times to monitor alcohol.

**SPECIAL EVENTS:**

37.  No portion of the premises shall be deemed to be "private" for the purposes of dispensing alcoholic beverages to selected patrons, where the licensee recognizes any form of membership cards, keys or passes which would entitle the holder entry or preferential admittance or exclusive use of any portion of the mentioned premises.
38.  The use of a promoter (such as a night-club operator) or sub-leasing the premises to be used in conjunction with dancing and/or live entertainment is prohibited.
39.  There shall be no live entertainment (including karaoke), disc jockey, amplified music, or dancing permitted on the premises at any time. Amplified music over a built-in system designed for background music shall be permitted so long as the music is not audible outside when doors are open.
40.  There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Orange Community Development Director and the Police Department's Vice Unit at least one week in advance of the event.

**COIN OPERATED MACHINES:**

41.  There shall be no pool tables or coin-operated games maintained upon the premises at any time.

42.  The business may utilize a token coin system to reduce the likelihood of theft and burglaries for U.S. currency in coin operated machines. Should the token system be implemented, the requirements for a burglary alarm system may be waived.
43.  All coin change machines, dollar bill change machines, or token machines that accept and retain U.S. currency shall meet the following:
- A.) The machine is to be designed and constructed to be resistant to unauthorized forced entry attempts from any accessible side of the machine.
  - B.) The machine is to be installed and secured to prevent its removal from the point of installation within the business.

### **SECURITY & EXTERIOR:**

44.  The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
45.  Lighting in the parking area of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.
46.  The owner shall install and maintain a closed circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation and monitoring the rear of the premises. The camera system shall keep a minimum 30 day library of events, which shall be available for downloading and inspection by the Orange Police Department.
47.  The use of any amplifying systems, outdoor sound system and paging system or any other such device is prohibited on the licensed premises.
48.  The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.
49.  There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages that are clearly visible to the exterior shall constitute a violation of this condition.
50.  Exterior doors and windows, as well as the interior of the business, shall be protected by an approved alarm system, which shall detect an attempted entry or presence of people within the business during closing hours.



- 51.  Uniformed security will be provided by the applicant on days/nights when special event broadcast(s) are being promoted. One security guard per 100 customers shall be present during these broadcasts/events.
- 52.  Provide an interior night light to illuminate the interior, and maintain an unobstructed view through storefront windows to provide police patrol officers the ability to observe unlawful activity within the business.
- 53.  The owner or manager of the licensed premises shall maintain on the premises a written security policy and procedures manual addressing at a minimum the following items: Handling obviously intoxicated persons; establishing a reasonable ratio of employees to patrons, based upon activity level, in order to monitor beverage sales and patron behavior; handling patrons involved in fighting or arguing; handling loitering about the building and in the immediate adjacent area that is owned, leased, rented or used under agreement by the Licensee(s); verifying age/checking identification of patrons; warning patrons of reaching their drinking limit/potential intoxication and refusing to serve; calling the police regarding observed or reported criminal activity.
- 54.  The applicant shall comply with all federal, state, municipal laws and / or ordinances. Any violations of these laws in connection with this use may be a cause for revocation of this permit.

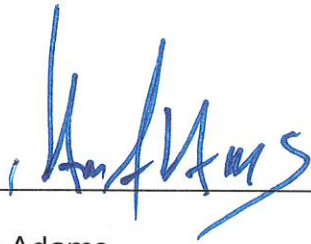
**TRAINING:**

- 55.  All employees of petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques and the handling of violence. For new employees of petitioner, such training program must be completed within 30 days of the date of hire. The employees must provide the City of Orange Police Department, Investigative Services Division a copy of the completed Alcohol Management Program (AMP) certificate.

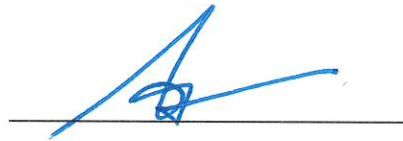
**MISCELLANEOUS:**

- 56.  The business shall prohibit the admission of, or allow any person under the age to 18 years to remain upon the premises after the hour of 10:00 PM, unless accompanied by an adult.
- 57.  Graffiti shall be removed from the exterior walls and windows of the premises within 72 hours of discovery.

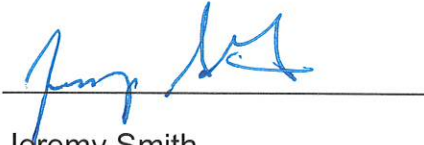
58.  The business shall prohibit the admission of or allow any person under the age of 18 years to remain upon the premise between the hours of 8:00 a.m. and 3:00 p.m. Monday and Friday, when Orange Unified School District (OUSD) has school in session, unless that person is accompanied by a parent or legal guardian. This condition shall apply to all school students, including those who attend schools other than those in OUSD.



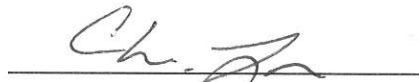
Dan Adams  
Chief of Police



Aaron Towner  
Captain, Investigative Services

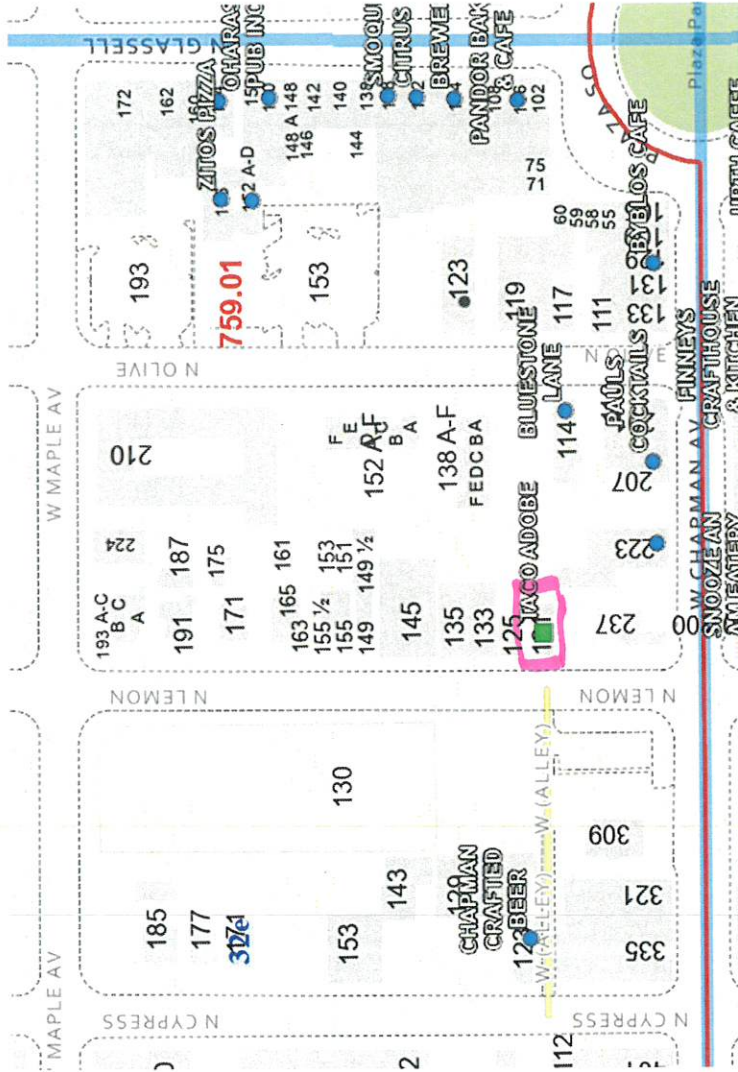


Jeremy Smith  
Lieutenant, Investigative Services



Chris Lugo  
Sergeant, S.I.U

PIZZERIA IRENE (ABC 41) – 123 N OLIVE – 32E / 759.01



759.01 OFF SALE / RETAIL

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	ADDRESS	BUSINESS NAME
22276	ACTIVE	48	10/20/1978	6/30/2025	OHARAS PUB INC	150 N GLASSELL ST, ORANGE, CA 92866Census Tract: 0759.01	OHARAS PUB INC
179897	ACTIVE	48	12/2/1985	7/31/2025	ARPAJIAN ENTERPRISES INC	207 W CHAPMAN AVE, ORANGE, CA 92866Census Tract: 0759.01	PAULS COCKTAILS
372458	ACTIVE	41	10/3/2001	9/30/2024	RUTABEGORZ INC	264 N GLASSELL ST, ORANGE, CA 92866Census Tract: 0759.01	RUTABEGORZ
412001	ACTIVE	41	5/26/2004	4/30/2025	J & S VENTURE INC	227 E CHAPMAN AVE, STE F, ORANGE, CA 92866- 1534Census Tract: 0759.01	RENATA'S CAFE ITALIANO
417514	ACTIVE	48	12/14/2004	11/30/2024	ORANGE CIRCLE LOUNGE INC	223 W CHAPMAN AVE, ORANGE, CA 92866- 1303Census Tract: 0759.01	DISTRICT LOUNGE
507235	ACTIVE	47	4/14/2011	3/31/2025	RUBYS DINER ORANGE DEPOT LLC	186 N ATCHISON ST, ORANGE, CA 92866- 1301Census Tract: 0759.01	RUBYS DINER ORANGE DEPOT

513574	ACTIVE	41	9/21/2011	9/30/2024	FILLING STATION CAFE INC THE	201 N GLASSELL ST, ORANGE, CA 92866- 1408 Census Tract: 0759.01	FILLING STATION CAFE INC THE
523509	ACTIVE	41	8/21/2012	7/31/2025	SMOQUED BBQ ORANGE, LLC	128 N GLASSELL ST, ORANGE, CA 92866- 1407 Census Tract: 0759.01	SMOQUED BBQ
535357	ACTIVE	41	11/14/2013	10/31/2024	HAVEN PROVISIONS, LLC	143 N GLASSELL ST, ORANGE, CA 92866- 1406 Census Tract: 0759.01	PROVISIONS DELI & BOTTLE SHOP
551687	ACTIVE	41	3/3/2015	2/28/2025	RAMISONS, INC.	153-155 N GLASSELL ST, ORANGE, CA 92866- 1406 Census Tract: 0759.01	RAMISONS INC
563236	ACTIVE	77	1/11/2016	12/31/2024	CHAPMAN CBC, LLC	123-129 N CYPRESS ST, ORANGE, CA 92866- 1309 Census Tract: 0759.01	CHAPMAN CRAFTED BEER <i>ELEGANT PERCRAFT</i>
582453	ACTIVE	47	7/18/2017	6/30/2025	WOODYDYS DINER INC	513 E CHAPMAN AVE, ORANGE, CA 92866- 1602 Census Tract: 0759.01	WOODYDYS DINER
582453	ACTIVE	58	7/18/2017	6/30/2025	WOODYDYS DINER INC	513 E CHAPMAN AVE, ORANGE, CA 92866- 1602 Census Tract: 0759.01	WOODYDYS DINER <i>CATCH-UPS</i>
587392	ACTIVE	21	12/19/2017	11/30/2024	WEALTH OF ORANGE, INC.	493 N GLASSELL ST, ORANGE, CA 92866- 1033 Census Tract: 0759.01	HOOVES LIQUOR

594079	ACTIVE	21	7/17/2018	6/30/2025	GNI ALHOSRY, INC.	835 W CHAPMAN AVE, ORANGE, CA 92868- 2822 Census Tract: 0759.01	ROYAL LIQUOR
594794	ACTIVE	20	8/3/2018	7/31/2025	NAJ VENTURE, INC.	480 N GLASSELL ST, ORANGE, CA 92866- 1034 Census Tract: 0759.01	UNIVERSITY FOOD MART
606038	ACTIVE	51	11/15/2019	10/31/2024	ELKS LODGE ORANGE 1475	211 E CHAPMAN AVE, ORANGE, CA 92866- 1505 Census Tract: 0759.01	ELKS LODGE ORANGE 1475
606160	ACTIVE	75	3/27/2020	2/28/2025	BREWERY 1886 LLC	114 N GLASSELL ST, ORANGE, CA 92866- 1407 Census Tract: 0759.01	BREWERY 1886 <i>BREW PUB</i>
626268	ACTIVE	41	6/7/2022	5/31/2025	CHIPOTLE MEXICAN GRILL INC	112 E MAPLE AVE, ORANGE, CA 92866- 1431 Census Tract: 0759.01	CHIPOTLE MEXICAN GRILL STORE 3983
626309	ACTIVE	41	8/23/2021	4/30/2025	HANANO USA INC	161 N GLASSELL ST, ORANGE, CA 92866- 1406 Census Tract: 0759.01	HANANA RAMEN
636947	ACTIVE	47	7/1/2022	6/30/2025	C & C RESTAURANT GROUP INC	122 N GLASSELL ST, ORANGE, CA 92866- 1407 Census Tract: 0759.01	CITRUS CITY GRILLE
636947	ACTIVE	58	7/1/2022	6/30/2025	C & C RESTAURANT GROUP INC	122 N GLASSELL ST, ORANGE, CA 92866- 1407 Census Tract: 0759.01	CITRUS CITY GRILLE <i>CITRUS CITY</i>

637927	ACTIVE	41	10/7/2022	9/30/2024	BYBLOS CAFE - ORANGE LLC	129 W CHAPMAN AVE, ORANGE, CA 92866- 1404 Census Tract: 0759.01	BYBLOS CAFE
641623	ACTIVE	41	5/12/2023	4/30/2025	BL 114 N OLIVE CA LLC	114 N OLIVE ST, ORANGE, CA 92866-1328 Census Tract: 0759.01	BLUESTONE LANE
645172	ACTIVE	41	3/16/2023	2/28/2025	THAI TOWNE EATERY LLC	152 N GLASSELL ST, STE B, ORANGE, CA 92866- 1468 Census Tract: 0759.01	THAI TOWNE EATERY
645177	ACTIVE	41	3/6/2023	2/28/2025	BURGER PARLOR OF ORANGE COUNTY LLC	149 N GLASSELL ST, ORANGE, CA 92866- 1406 Census Tract: 0759.01	JAXONS CHIX TENDERS
646804	ACTIVE	41	4/28/2023	3/31/2025	PANDOR ORANGE, LLC	106 N GLASSELL ST, ORANGE, CA 92866- 1407 Census Tract: 0759.01	PANDOR BAKERY & CAFE
650815	ACTIVE	47	10/5/2023	9/30/2024	24 CARROTS LLC	137 E MAPLE AVE & 230 N ORANGE ST, ORANGE, CA 92866-1403 Census Tract: 0759.01	RICHLAND, THE
650815	ACTIVE	68	10/5/2023	9/30/2024	24 CARROTS LLC	137 E MAPLE AVE & 230 N ORANGE ST, ORANGE, CA 92866-1403 Census Tract: 0759.01	RICHLAND, THE <i>PORTABLE BAR</i>

657136	ACTIVE	41	5/9/2024	4/30/2025	RYAKI VENTURES INC	154 N GLASSELL ST, ORANGE, CA 92866- 1407Census Tract: 0759.01	JALAPENOS ORANGE CIRCLE
657702	ACTIVE	41	8/5/2024	7/31/2025	ACJ MANAGEMENT, INC	156 N GLASSELL ST, ORANGE, CA 92866- 1407Census Tract: 0759.01	ZITOS PIZZA
658798	ACTIVE	20	7/29/2024	6/30/2025	PALM MARKET OLD TOWN ORANGE INC	608 E PALM AVE, UNIT A, ORANGE, CA 92866- 1138Census Tract: 0759.01	PALM MARKET AND DELI



DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
NUMBER OF LICENSES AUTHORIZED  
BY CENSUS TRACT

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
ORANGE	3,153,764	754	1,672	759.01	4,356	5	2
ORANGE	3,153,764	754	1,672	759.02	6,617	8	3
ORANGE	3,153,764	754	1,672	760.01	7,901	10	4
ORANGE	3,153,764	754	1,672	760.02	1,994	2	1
ORANGE	3,153,764	754	1,672	761.02	8,150	10	4
ORANGE	3,153,764	754	1,672	761.03	9,182	12	5
ORANGE	3,153,764	754	1,672	761.04	6,189	8	3
ORANGE	3,153,764	754	1,672	761.05	4,697	6	2
ORANGE	3,153,764	754	1,672	762.01	7,167	9	4
ORANGE	3,153,764	754	1,672	762.02	5,959	7	3
ORANGE	3,153,764	754	1,672	762.04	5,009	6	2
ORANGE	3,153,764	754	1,672	762.05	7,297	9	4
ORANGE	3,153,764	754	1,672	762.06	4,606	6	2
ORANGE	3,153,764	754	1,672	762.08	5,368	7	3
ORANGE	3,153,764	754	1,672	863.01	7,486	9	4
ORANGE	3,153,764	754	1,672	863.03	11,758	15	7
ORANGE	3,153,764	754	1,672	863.04	5,009	6	2
ORANGE	3,153,764	754	1,672	863.05	4,015	5	2
ORANGE	3,153,764	754	1,672	863.06	3,975	5	2
ORANGE	3,153,764	754	1,672	864.02	5,503	7	3
ORANGE	3,153,764	754	1,672	864.04	6,119	8	3
ORANGE	3,153,764	754	1,672	864.05	6,986	9	4
ORANGE	3,153,764	754	1,672	864.06	4,498	5	2
ORANGE	3,153,764	754	1,672	864.07	6,758	8	4
ORANGE	3,153,764	754	1,672	865.01	4,368	5	2
ORANGE	3,153,764	754	1,672	865.02	6,053	8	3
ORANGE	3,153,764	754	1,672	866.01	8,735	11	5
ORANGE	3,153,764	754	1,672	866.02	5,967	7	3
ORANGE	3,153,764	754	1,672	867.01	8,776	11	5
ORANGE	3,153,764	754	1,672	867.02	7,200	9	4
ORANGE	3,153,764	754	1,672	868.01	3,593	4	2
ORANGE	3,153,764	754	1,672	868.02	5,640	7	3
ORANGE	3,153,764	754	1,672	868.03	8,254	10	4
ORANGE	3,153,764	754	1,672	869.01	8,764	11	5
ORANGE	3,153,764	754	1,672	869.02	5,705	7	3
ORANGE	3,153,764	754	1,672	869.03	6,776	8	4
ORANGE	3,153,764	754	1,672	870.01	5,633	7	3
ORANGE	3,153,764	754	1,672	870.02	7,457	9	4
ORANGE	3,153,764	754	1,672	871.01	4,706	6	2
ORANGE	3,153,764	754	1,672	871.02	6,613	8	3
ORANGE	3,153,764	754	1,672	871.03	8,582	11	5
ORANGE	3,153,764	754	1,672	871.05	4,729	6	2
ORANGE	3,153,764	754	1,672	871.06	4,793	6	2
ORANGE	3,153,764	754	1,672	872.00	7,538	9	4
ORANGE	3,153,764	754	1,672	873.01	4,526	6	2

# City of Orange

## 2023 Part I Crime & Part II Arrest

### Average # for all RD's - 85

RD	PART 1 Crime	PART 2 Arrests	TOTAL	% of Avg
12	183	437	620	629%
71	385	90	475	459%
61	147	310	457	438%
51	121	289	410	382%
013S	26	323	349	311%
077S	116	87	203	139%
032E	80	121	201	136%
43	113	74	187	120%
035E	59	115	174	105%
041E	88	75	163	92%
021W	98	61	159	87%
24	62	94	156	84%
022E	76	67	143	68%
15	42	98	140	65%
065E	45	87	132	55%
87	73	57	130	53%
76	54	68	122	44%
023W	40	75	115	35%
032W	37	77	114	34%
045W	48	65	113	33%
31	44	68	112	32%
33	31	79	110	29%
044N	32	78	110	29%
045E	45	63	108	27%
057S	33	75	108	27%
077N	51	57	108	27%
017E	56	42	98	15%
022W	29	69	98	15%
055E	36	60	96	13%
025E	53	42	95	12%
11	50	44	94	11%
023E	37	57	94	11%
041W	78	16	94	11%
054W	52	38	90	6%
036S	27	56	83	-2%
013N	44	36	80	-6%
055W	30	49	79	-7%

016E	26	50	76	-11%
047E	28	46	74	-13%
56	44	26	70	-18%
027E	31	39	70	-18%
46	27	37	64	-25%
026N	37	26	63	-26%
026S	31	32	63	-26%
065W	24	39	63	-26%
037E	28	33	61	-28%
047W	35	22	57	-33%
016W	27	26	53	-38%
034N	25	20	45	-47%
035W	16	28	44	-48%
025W	17	24	41	-52%
067S	20	20	40	-53%
017W	19	19	38	-55%
067N	13	25	38	-55%
054E	11	25	36	-58%
134	26	7	33	-61%
164	12	18	30	-65%
14	17	11	28	-67%
117N	16	12	28	-67%
036N	12	15	27	-68%
117W	12	14	26	-69%
027W	12	13	25	-71%
064S	14	8	22	-74%
97	16	5	21	-75%
074S	11	9	20	-76%
084S	8	12	20	-76%
057N	11	8	19	-78%
044S	5	13	18	-79%
117E	11	6	17	-80%
127S	15	1	16	-81%
66	8	7	15	-82%
021E	2	13	15	-82%
137	8	5	13	-85%
154	8	3	11	-87%
94	5	3	8	-91%
114	5	3	8	-91%
124	2	6	8	-91%
147	6	2	8	-91%
53	5	2	7	-92%
034S	6	1	7	-92%
144	5	1	6	-93%

<b>184</b>	3	3	6	-93%
<b>074N</b>	4	2	6	-93%
<b>084N</b>	4	2	6	-93%
<b>18</b>	0	5	5	-94%
<b>38</b>	0	5	5	-94%
<b>064N</b>	2	2	4	-95%
<b>174</b>	3	0	3	-96%
<b>48</b>	0	2	2	-98%
<b>127N</b>	2	0	2	-98%
<b>037W</b>	1	0	1	-99%

2023 - ARRESTS - RD 32E

DR#	DATE	LOCATION	CHARGE
23-01-0235	Jan 7, 2023, 8:48:00 PM	W Palm Ave / N Clark St	23152(A) DUI ALCOHOL
23-01-0239	Jan 7, 2023, 10:56:00 PM	N Lemon St / W Maple Ave	11351 HS POSSESS/PURCHASE FOR SALE NARCOTIC/CONTROLLED SUBSTANCE
23-01-0503	Jan 14, 2023, 11:58:00 PM	207 W Chapman Ave	23152(A) DUI ALCOHOL
23-01-0748	Jan 22, 2023, 1:05:00 AM	207 W Chapman Ave	23152(A) DUI ALCOHOL
23-01-0884	Jan 25, 2023, 11:30:00 PM	130 N LEMON STREET	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-01-0993	Jan 29, 2023, 2:04:47 AM	N Lemon St / W Sycamore Ave	23152(A) DUI ALCOHOL
23-01-1029	Jan 30, 2023, 1:31:26 AM	N Lemon St / W Chapman Ave	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-01-1044	Jan 30, 2023, 10:33:00 AM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-02-0122	Feb 3, 2023, 1:48:30 PM	194 N Atchison St	11377(A) POSSESS CONTROLLED SUBSTANCE
23-02-0122	Feb 3, 2023, 1:48:30 PM	194 N Atchison St	11377(A) POSSESS CONTROLLED SUBSTANCE
23-02-0153	Feb 4, 2023, 1:30:00 AM	207 W Chapman Ave	23222 (A) VC POSS OPEN CONTAINER WHILE DRIVING
23-02-0153	Feb 4, 2023, 1:39:00 AM	207 W Chapman Ave	25850(A) CARRY LOADED FIREARM IN PUBLIC UNDER SPECIFIC CIRCUMSTANCES
23-02-0252	Feb 7, 2023, 5:32:59 AM	N Lemon St / W Sycamore Ave	VC 14601.2(A) DRIVER'S LICENSE - SUSPENDED OR REVOKED FOR DUI
23-02-0276	Feb 7, 2023, 1:00:00 PM	194 N Atchison St	4573(A) SMUGGLE CNTL SUB JL/PRSN
23-02-0314	Feb 8, 2023, 9:00:00 AM	194 N. ATCHISON ST.	3056 VIOLATION PAROLE:FELONY
23-02-0397	Feb 10, 2023, 1:53:10 AM	207 W Chapman Ave	602.1(A) TRESPASS OBSTR BUS OPRN
23-02-0612	Feb 15, 2023, 9:44:26 AM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-02-0740	Feb 18, 2023, 3:29:00 AM	1 Plaza Square	23152(A) DUI ALCOHOL
23-02-0905	Feb 22, 2023, 2:08:23 PM	194 N Atchison St	3056 VIOLATION PAROLE:FELONY
23-02-0997	Feb 24, 2023, 8:53:00 PM	N Cypress St / W Palm Ave	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-02-1052	Feb 26, 2023, 10:32:53 PM	152 N Olive St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-03-0186	Mar 6, 2023, 10:06:00 AM	186 N Atchison St	11550(A) USE/UNDER INFLUENCE OF CONTROLLED SUBSTANCE
23-03-0378	Mar 12, 2023, 1:01:00 AM	207 W. CHAPMAN AVENUE	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-03-0466	Mar 14, 2023, 10:36:50 AM	194 N Atchison St	OMC 9.16.020 Drinking in Public
23-03-0577	Mar 17, 2023, 4:51:05 AM	145 N Batavia St	602(M) TRESPASS:OCCUPY PROPERTY WITHOUT CONSENT
23-03-0621	Mar 18, 2023, 1:23:00 AM	WB W CHAPMAN AVE / OLIVE ST	23152(A) DUI ALCOHOL
23-03-0622	Mar 18, 2023, 12:49:00 AM	GLASSELL / PALM	23152(A) DUI ALCOHOL
23-03-0622	Mar 18, 2023, 12:59:00 AM	GLASSELL/PALM	11377(A) POSSESS CONTROLLED SUBSTANCE
23-03-0652	Mar 19, 2023, 12:10:00 AM	207 W Chapman Ave	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-03-0982	Mar 28, 2023, 6:58:00 PM	N Batavia St / W Walnut Ave	11550(A) USE/UNDER INFLUENCE OF CONTROLLED SUBSTANCE

vehCode - open  
containers - 1

DUI - 16  
647f-10  
OMC - 2

29 ALCOHOL RELATED -

23-03-1005	Mar 29, 2023, 1:41:00 PM	750 N Batavia St	OMC 8.06.080 Shopping Cart
23-03-1028	Mar 30, 2023, 3:30:22 AM	W Chapman Ave / N Pixley St	979 BENCH WARRANT/FAILURE TO APPEAR ON FELONY CHARGE
23-03-1054	Mar 30, 2023, 9:51:00 PM	611 W Walnut Ave	11377(A) POSSESS CONTROLLED SUBSTANCE
23-03-1068	Mar 31, 2023, 7:31:47 AM	194 N Atchison St	11350(A) POSSESS NARCOTIC CONTROLLED SUBSTANCE
23-04-0004	Apr 1, 2023, 1:12:58 AM	150 N Glassell St	23152(A) DUI ALCOHOL
23-04-0351	Apr 12, 2023, 1:57:00 AM	W Maple Ave / N Lemon St	148(A)(1) OBSTRUCT/RESIST/ETC PUBLIC/PEACE OFFICER/EMERGENCY MED TECH
23-04-0421	Apr 13, 2023, 2:38:00 PM	LEMON ST/SYCAMORE AVE	11350(A) POSSESS NARCOTIC CONTROLLED SUBSTANCE
23-04-0614	Apr 18, 2023, 6:53:00 PM	111 N OLIVE ST	104559.5(b)(1) SELLING FLAVORED TABACCO
23-04-0646	Apr 19, 2023, 10:39:06 AM	194 N Atchison St	11350(A) POSSESS NARCOTIC CONTROLLED SUBSTANCE
23-04-0717	Apr 20, 2023, 10:58:00 PM	207 W Chapman Ave	594(B)(1) VANDALISM (\$400 OR MORE)
23-04-0718	Apr 20, 2023, 11:14:19 PM	N Lemon St / W Chapman Ave	978.5 BENCH WARRANT/FAILURE TO APPEAR ON MISDEMEANOR CHARGE
23-05-0251	May 6, 2023, 11:03:05 PM	N Glassell St / E Palm Ave	14601.2 (A) VC DRIVE WHILE LICENSE SUSPENDED FOR DUI
23-05-0253	May 7, 2023, 1:14:00 AM	W Chapman Ave / N Pariker St	23152(A) DUI ALCOHOL
23-05-0325	May 17, 2023, 3:57:00 PM	130 N LEMON ST	594(B)(1) VANDALISM (\$400 OR MORE)
23-05-0402	May 10, 2023, 8:32:55 PM	194 N Atchison St	979 BENCH WARRANT/FAILURE TO APPEAR ON MISDEMEANOR CHARGE
23-05-0412	May 11, 2023, 8:50:00 AM	132 N Pixley St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-05-0561	May 15, 2023, 3:31:00 PM	130 N Lemon St	647(E) DISORDERLY CONDUCT: LODGE WITHOUT OWNERS CONSENT
23-05-0700	May 18, 2023, 11:06:00 PM	202 N Glassell St	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-05-0768	May 20, 2023, 10:47:29 PM	541 N Lemon St	602(K) TRESP INJ PROP/OBSTR BUS
23-05-1060	May 29, 2023, 8:31:00 AM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-05-1157	May 31, 2023, 8:14:42 PM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-06-0125	Jun 4, 2023, 2:00:00 PM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-06-0346	Jun 9, 2023, 5:50:08 PM	Cypress St / W Palm Ave	23103 (A) RECKLESS DRIVING:HIGHWAY
23-06-0469	Jun 13, 2023, 10:20:00 AM	194 N Atchison St	11350(A) POSSESS NARCOTIC CONTROLLED SUBSTANCE
23-06-0472	Jun 13, 2023, 11:00:00 AM	194 N Atchison St	11550(A) USE/UNDER INFLUENCE OF CONTROLLED SUBSTANCE
23-06-0507	Jun 14, 2023, 1:56:00 PM	194 N Atchison St	OMC 12.48.100 - Unlawful Entry into Restroom
23-06-0553	Jun 15, 2023, 3:51:00 PM	Palm and Railroad tracks	1203.2(A) PROBATION VIOLATION:REARREST/REVOKE
23-06-0808	Jun 22, 2023, 11:48:05 AM	N Tustin St / E Walnut Ave	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-06-0869	Jun 24, 2023, 1:32:00 AM	W Chapman Ave / N Pixley St	23152(A) DUI ALCOHOL
23-06-0971	Jun 27, 2023, 2:00:00 PM	W Chapman Ave / N Cypress St	979 BENCH WARRANT/FAILURE TO APPEAR ON MISDEMEANOR CHARGE
23-07-0034	Jul 1, 2023, 8:56:00 PM	100 N Olive St	8.13.010 ILLEGAL FIREWORKS 8.13.010
23-07-0265	Jul 7, 2023, 11:51:00 PM	186 N Atchison St	979 BENCH WARRANT/FAILURE TO APPEAR ON FELONY CHARGE
23-07-0318	Jul 10, 2023, 11:56:00 AM	918 N Glassell St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA

23-07-0343	Jul 11, 2023, 11:30:00 AM	139 N Parker St	10852 TAMPER WITH VEHICLE
23-07-0400	Jul 12, 2023, 4:56:00 PM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-07-0516	Jul 16, 2023, 12:05:00 PM	156 N Glassel St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-07-0563	Jul 18, 2023, 1:54:00 AM	130 N Lemon St	979 BENCH WARRANT/FAILURE TO APPEAR ON MISDEMEANOR CHARGE
23-07-0592	Jul 18, 2023, 8:02:00 PM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-07-0611	Jul 19, 2023, 8:40:00 AM	835 W Chapman Ave	DRINK IN PUBLIC DRINK IN PUBLIC 9.16.020
23-07-0944	Jul 28, 2023, 12:24:00 AM	130 N LEMON ST	979 BENCH WARRANT/FAILURE TO APPEAR ON MISDEMEANOR CHARGE
23-07-1016	Jul 30, 2023, 12:56:00 AM	348 N Olive St	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-07-1016	Jul 30, 2023, 12:33:00 AM	348 N Olive St	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-07-1016	Jul 30, 2023, 12:11:00 AM	N Olive St / W Palm Ave	23152(A) DUI ALCOHOL
23-08-0416	Aug 12, 2023, 3:51:00 AM	623 W Chapman Ave	602(M) TRESPASS:OCCUPY PROPERTY WITHOUT CONSENT
23-08-0540	Aug 16, 2023, 11:23:45 AM	517 W Struck Ave	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-08-0687	Aug 20, 2023, 10:04:14 AM	W Chapman Ave / N Lemon St	11377(A) POSSESS CONTROLLED SUBSTANCE
23-08-0960	Aug 27, 2023, 10:55:00 AM	N Lemon St / W Sycamore Ave	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-08-1100	Aug 30, 2023, 6:50:00 PM	711 W Chapman Ave	3056 VIOLATION PAROLE:FELONY
23-09-0002	Sep 1, 2023, 1:40:36 AM	N Lemon St / W Palm Ave	14601.1 (A) VC DRIVE WHILE LICENSE SUSPENDED
23-09-0026	Sep 1, 2023, 2:14:00 PM	192 N Atchison St	OMC 12.48.050 - Weapon in Park
23-09-0027	Sep 1, 2023, 2:15:00 PM	194 N Atchison St	11377(A) POSSESS CONTROLLED SUBSTANCE
23-09-0127	Sep 3, 2023, 11:44:00 PM	207 W Chapman Ave	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-09-0129	Sep 4, 2023, 3:10:00 AM	292 N GLASSELL ST	182(A)(1) CONSPIRACY:COMMIT CRIME
23-09-0129	Sep 4, 2023, 3:10:00 AM	292 N GLASSELL ST	594(B)(1) VANDALISM (\$400 OR MORE)
23-09-0129	Sep 4, 2023, 3:10:00 AM	292 N GLASSELL ST	182(A)(1) CONSPIRACY:COMMIT CRIME
23-09-0129	Sep 4, 2023, 3:10:00 AM	292 N GLASSELL ST	182(A)(1) CONSPIRACY:COMMIT CRIME
23-09-0129	Sep 4, 2023, 3:10:00 AM	292 N GLASSELL ST	182(A)(1) CONSPIRACY:COMMIT CRIME
23-09-0147	Sep 4, 2023, 7:05:00 PM	700 W Walnut Av	VIOLPROB/MISD VIOLATION PROBATION/MISDEMEANOR
23-09-0179	Sep 5, 2023, 12:47:00 PM	194 N Atchison St	118286 (b) ILLEGAL TRANSPORTATION OF HOME-GENERATED SHARPS WASTE
23-09-0476	Sep 12, 2023, 5:25:00 PM	W WALNUT AVE / N CYPRESS ST	626.6(A) NNSTDNT REFUSE LEAVE UNIV
23-09-0506	Sep 13, 2023, 1:00:00 PM	194 N Atchison St	979 BENCH WARRANT/FAILURE TO APPEAR ON FELONY CHARGE
23-09-0656	Sep 17, 2023, 2:08:00 AM	MAPLE AVENUE	23152(A) DUI ALCOHOL
23-10-0192	Oct 5, 2023, 6:29:00 PM	194 N. Atchison St	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-10-0462	Oct 13, 2023, 2:17:22 AM	N Cypress St / W Palm Ave	23152(B) DUI ALCOHOL/0.08 PERCENT
23-10-0480	Oct 13, 2023, 12:28:00 PM	186 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-10-0567	Oct 15, 2023, 5:37:57 PM	N Batavia St / W Palm Ave	23152(A) DUI ALCOHOL

23-10-0602	Oct 18, 2023, 11:08:00 AM	194 N ATCHISON	3056 VIOLATION PAROLE:FELONY
23-10-0627	Oct 17, 2023, 11:42:32 AM	W Chapman Ave / Main St	OMC 8.06.080 Shopping Cart
23-10-0836	Oct 23, 2023, 1:14:00 AM	W Walnut Ave / N Lemon St	647 (F) DISORDERLY CONDUCT:ALCOHOL
23-10-1133	Oct 31, 2023, 9:11:11 AM	W Chapman Ave / Main St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-10-1141	Oct 31, 2023, 11:25:32 AM	W Chapman Ave / Main St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-10-1150	Oct 31, 2023, 1:58:23 PM	W Chapman Ave / Main St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-11-0017	Nov 1, 2023, 10:30:00 AM	194 N Atchison St	3056 VIOLATION PAROLE:FELONY
23-11-0141	Nov 4, 2023, 9:06:00 PM	N Lemon St / W Sycamore Ave	23152(F) DUI ANY DRUG
23-11-0197	Nov 6, 2023, 1:30:00 PM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-11-0221	Nov 7, 2023, 7:22:57 AM	194 N Atchison St	11350(A) POSSESS NARCOTIC CONTROLLED SUBSTANCE
23-11-0466	Nov 13, 2023, 8:14:00 AM	130 N Lemon St	647(E) DISORDERLY CONDUCT:LODGE WITHOUT OWNERS CONSENT
23-11-0478	Nov 13, 2023, 2:15:00 PM	130 N Lemon St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-11-0604	Nov 16, 2023, 8:51:31 AM	194 N Atchison St	OMC 8.06.080 Shopping Cart
23-11-0641	Nov 17, 2023, 12:03:00 PM	194 N Atchison St	11350(A) POSSESS NARCOTIC CONTROLLED SUBSTANCE
23-11-0726	Nov 19, 2023, 5:45:00 PM	Glassell & Palm	OMC 8.06.080 Shopping Cart
23-11-0730	Nov 19, 2023, 7:20:00 PM	820 W Walnut Av	11377(A) POSSESS CONTROLLED SUBSTANCE
23-11-0755	Nov 20, 2023, 10:25:00 AM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-11-0927	Nov 25, 2023, 1:23:00 PM	100 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-12-0137	Dec 4, 2023, 8:25:00 AM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-12-0189	Dec 5, 2023, 9:25:00 AM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-12-0298	Dec 7, 2023, 4:54:00 PM	W MAPLE AVE / N PIXLEY ST	3056 VIOLATION PAROLE:FELONY
23-12-0367	Dec 9, 2023, 7:41:16 AM	194 N Atchison St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-12-0635	Dec 16, 2023, 2:35:00 PM	130 N Lemon St	11364(A) POSSESS UNLAWFUL PARAPHERNALIA
23-12-0823	Dec 20, 2023, 11:15:00 PM	W CHAPMAN AVE / N PARKER ST	11377(A) POSSESS CONTROLLED SUBSTANCE
23-12-0904	Dec 22, 2023, 7:18:00 PM	700 W Walnut Ave	273.6(A) VIOL CRT ORD DOM VIOLENCE

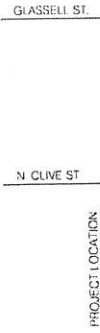


2023 - CRIMES - RD 32E

DR#	TIME	ADDRESS	TYPE
23-01-0228	1/7/2023 15:53	N Lemon St / W Walnut Ave	PC 417(A)(2)(B) - BRANDISHING FIREARM
23-01-0472	1/14/2023 2:00	480 N Glassell St	PC 459 - COMMERCIAL BURGLARY
23-01-0542	1/13/2023 15:59	327 N CLARK ST	PC 459 - RESIDENTIAL BURGLARY
23-01-0578	1/17/2023 11:30	102 N Glassell	PC 211 - ROBBERY
23-01-0731	1/20/2023 21:37	130 N Lemon St	VC 10851 - STOLEN VEHICLE
23-01-0793	1/4/2023 2:32	150 W Sycamore Ave	PC 488 - PETTY THEFT
23-02-0197	2/5/2023 16:31	480 N Glassell St	PC 240/242 - ASSAULT AND BATTERY
23-02-0382	2/9/2023 0:46	150 N Glassell St	PC 240/242 Assault and Battery
23-02-0701	2/17/2023 1:57	207 W CHAPMAN AV	PC 240/242 - ASSAULT & BATTERY / PC 148(A)(1) - RESIST ARREST / PC 647(F) - DRUNK IN PUBLIC
23-02-1105	2/25/2023 23:17	223 W CHAPMAN AVE	PC 245 - ASSAULT WITH A DEADLY WEAPON
23-02-9002	1/31/2023 0:29	283 N CYPRESS ST	PC 487(A) - GRAND THEFT
23-03-0183	3/4/2023 23:00	167 N Atchison St	PC 459 - COMMERCIAL BURGLARY
23-03-0577	3/17/2023 4:46	145 N Batavia St	PC 664/459 - ATTEMPT RESIDENTIAL BURGLARY // PC 602(M) - TRESPASSING
23-03-1081	3/24/2023 2:04	414 N CLARK ST	PC 488 - STOLEN PLATE
23-04-0027	2/27/2023 2:31	230 N Cypress St	PC 487(a)-Grand Theft from Vehicle
23-04-0063	4/3/2023 13:29	1885 N Tustin St	PC 459.5 - SHOPLIFTING
23-04-0416	4/12/2023 23:44	635 W PALM AVE	PC 487 AUTO - GRAND THEFT FROM A MOTOR VEHICLE
23-04-0443	4/14/2023 3:26	501 W Palm Ave	PC 459-Commercial burglary
23-05-0070	5/2/2023 18:38	330 N PARKER ST	PC 2443 (e) (1) Battery on Cohabitant
23-05-0633	5/17/2023 4:27	342 1/2 N GLASSELL ST	PC 664/488 - ATTEMPT PETTY THEFT
23-05-0756	5/19/2023 8:59	642 W MAPLE AVE	PC 488 - PETTY THEFT
23-05-0768	5/21/2023 0:02	541 N Lemon St	PC 664/459 - ATTEMPTED BURGLARY / PC 602(K)
23-05-1057	5/29/2023 1:31	223 W Chapman Ave	PC 242 - BATTERY
23-05-1084	5/29/2023 22:22	N OLIVE ST / W MAPLE AVE	PC 459 AUTO
23-06-0065	5/17/2023 13:49	345 N LEMON ST	PC 459 - VEHICLE BURGLARY
23-06-0281	6/7/2023 3:11	263 N Batavia St	PC 488 - PETTY THEFT // STOLEN PLATE
23-06-0534	6/15/2023 1:16	619 W Maple Av	VC 10851 - STOLEN VEHICLE // RECOVERED LOCAL
23-06-0642	6/17/2023 16:32	718 W PALM AVE	PC 240 - ASSAULT // PC 242 - BATTERY

23-06-0664	6/18/2023 16:39	722 W. Chapman Ave	PC 459 - VEHICLE BURGLARY
23-06-0765	6/21/2023 10:33	3301 E Chapman Ave	PC 211 - ROBBERY
23-06-1032	6/29/2023 3:04	480 N Glassell St	PC 459 - BURGLARY
23-06-9011	5/26/2023 11:42	175 N LEMON ST	PC 488 - PETTY THEFT
23-07-0040	7/2/2023 3:06	736 W Maple Av	PC 243(E)(1) - BATTERY;SPOUSE/EX SPOUSE/DATE/ETC
23-07-0089	7/3/2023 0:59	N Lemon St / W Maple Ave	VC 10851 - STOLEN VEHICLE
23-07-0517	7/16/2023 3:29	327 N CLARK	PC 459 - RESIDENTIAL BURGLARY
23-07-0572	7/16/2023 17:20	348 N Olive St	PC 488 - PETTY THEFT // STOLEN REAR PLATE
23-07-0805	7/25/2023 2:15	210 W Maple Ave	PC 488 - PETTY THEFT OF LICENSE PLATES
23-07-1045	7/30/2023 20:29	207 W Chapman Ave	PC 243(E)(1)-DOMESTIC VIOLENCE
23-07-1053	7/29/2023 22:04	520 W Walnut Ave	VC 10851-STOLEN VEHICLE/RECOVERED LOCAL // PC 594-VANDALISM // PC 488-PETTY THEFT
23-07-9071	7/16/2023 5:48	407 N BATAVIA ST	PC 488 - PETTY THEFT
23-08-0001	8/1/2023 0:23	412 N Olive St	STOLEN LOCAL // RECOVERED LOCAL
23-08-0051	8/1/2023 23:44	153 N Cypress St	PC 459 - Commercial Burglary // PC 488 - Petty Theft
23-08-0220	8/7/2023 2:48	480 N GLASSELL ST	PC 240/242 - ASSAULT & BATTERY
23-08-0611	8/17/2023 21:04	194 N Atchison St	488 PETTY THEFT
23-08-0785	8/22/2023 22:29	167 N Atchison St	PC 487 (A) - GRAND THEFT: MONEY/LABOR/PROPERTY
23-08-0810	8/23/2023 16:55	501 W MAPLE AVE	PC 459 - GARAGE BURGLARY
23-08-0879	8/25/2023 1:46	349 N OLIVE ST	PC 459 - GARAGE BURGLARY // PC 459 - VEHICLE BURGLARY
23-08-1087	8/30/2023 2:07	463 N OLIVE ST	PC 487 - GRAND THEFT
23-08-1115	8/30/2023 23:59	153 N Cypress St	PC 459 - COMMERCIAL BURGLARY
23-08-9007	7/27/2023 0:14	505 W CHAPMAN AVE	PC 488 - PETTY THEFT
23-09-0101	9/3/2023 13:25	N Glassell St / E Maple Ave	PC 69-Threatened Peace Officer; PC 241(c)-Assault Peace Officer; PC 243(b)-Battery Peace Officer; PC 148(a)(1)-Resist Peace Officer
23-09-0166	9/4/2023 20:00	194 N Atchison St	VC 10851 - STOLEN VEHICLE
23-09-0179	9/5/2023 12:15	194 N Atchison St	PC 488 -- Petty Theft // HS 118286(b)- Illegal Transportation of Sharps Waste
23-09-0209	9/6/2023 0:15	807 W Chapman Ave	PC 459- Commercial Burglary
23-09-0447	9/12/2023 2:31	311 W TULAROSA AV	PC 273A(B)-CHILD ABUSE
23-09-0582	9/14/2023 22:19	159 N Pixley St	PC 459 - COMMERCIAL BURGLARY

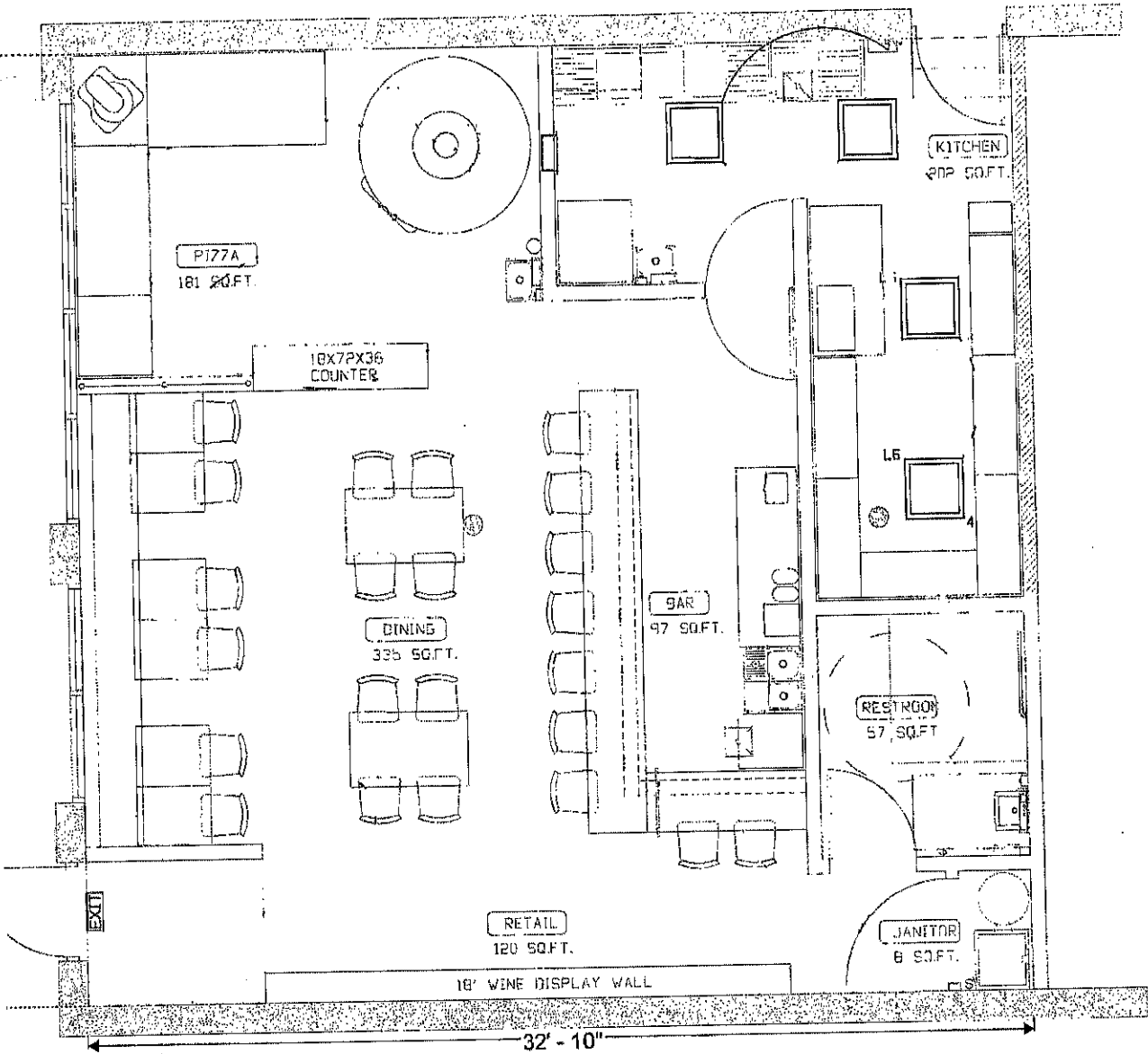
23-09-0671	9/17/2023 14:26	743 W Maple Ave	PC 273.5(A)-DOMESTIC VIOLENCE // PC 273A(B)-CHILD ABUSE // PC 594(B)(1)-VANDALISM
23-09-1004	9/26/2023 5:25	S Glassell St / E Culver Ave	PC 487 - GRAND THEFT FROM VEHICLE
23-09-1057	9/27/2023 0:44	159 N PIXLEY ST	VC 10851 - STOLEN VEHICLE
23-09-9005	8/26/2023 21:14	186 N ATCHISON ST	PC 487(A) - GRAND THEFT
23-10-0147	10/4/2023 14:14	200 W Sycamore Ave	PC 488 - PETTY THEFT (STOLEN REAR PLATE)
23-10-0240	10/1/2023 18:00	207 W CHAPMAN AVE	PC 240/242 - ASSAULT AND BATTERY
23-10-0934	10/25/2023 16:12	345 N Lemon St	PC 488 - PETTY THEFT FROM VEHICLE (REAR PLATE)
23-10-0960	10/26/2023 4:15	386 N Parker St	PC 488 - PETTY THEFT FROM VEHICLE (REAR PLATE)
23-10-0977	10/27/2023 0:51	207 W. Chapman Ave	PC 245(A)(1) - ASSAULT W/ DEADLY WEAPON:NOT F/ARM
23-10-9071	10/16/2023 17:14	105 W CHAPMAN AVE	PC 488 - PETTY THEFT
23-11-0094	11/1/2023 22:52	134 N PARKER ST	PC 459 RESIDENTIAL - GARAGE BURGLARY
23-11-0644	11/17/2023 15:14	N Lemon St / W Walnut Ave	PC 664/211 - ATTEMPTED ROBBERY // PC 3056 - VIOLATION PAROLE:FELONY
23-11-0719	11/19/2023 12:59	349 N OLIVE ST	PC 459 - RESIDENTIAL BURGLARY
23-11-9048	11/2/2023 3:07	123 W MAPLE AVE	PC 488 - PETTY THEFT FROM VEHICLE
23-11-9062	11/23/2023 14:30	194 N ATCHISON ST	PC 488 - PETTY THEFT
23-12-0011	11/20/2023 23:15	300 N Cypress St	PC 488 - PETTY THEFT OF BICYCLE TIRE
23-12-0066	12/2/2023 3:29	714 W MAPLE AVE	PC 488 - PETTY THEFT
23-12-0166	12/4/2023 15:07	102 N Glassell St	PC 488 REPORT
23-12-0441	12/11/2023 6:15	611 W Walnut Ave	PC 459 - BURGLARY
23-12-0496	12/12/2023 18:57	W Palm Ave / N Clark St	PC 273.5 - DOMESTIC VIOLENCE
23-12-0564	12/11/2023 16:14	150 W SYCAMORE AVE	PC 459.5 - SHOPLIFTING
23-12-0586	12/15/2023 19:26	125 N BATAVIA ST	PC 459 - COMMERCIAL BURGLARY
23-12-0631	12/16/2023 10:34	309 W Chapman Ave	PC 245 (A)(1) - ASSAULT W/ DEADLY WEAPON // VC 20002 (A)(1) - HIT AND RUN
23-12-0753	12/2/2023 5:06	230 N Cypress St	PC 488 - PETTY THEFT OF VEHICLE GASOLINE




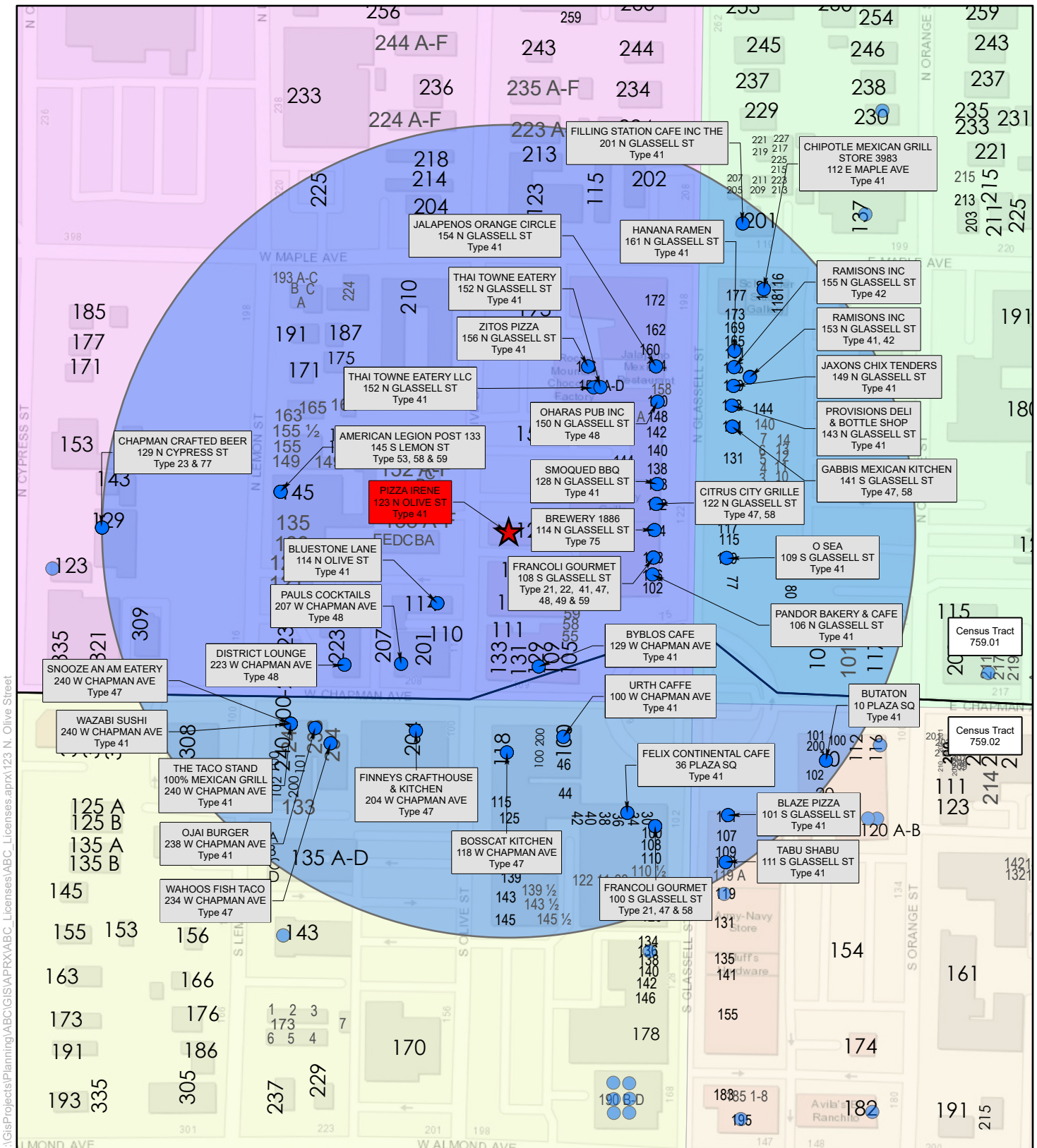
ADDRESS: 123 N. OLIVE STREET

APN: 039-174-08  
 ZONING: OTMJ - 15

LEGAL DESCRIPTION:  
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE,  
 STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:  
 THE NORTH 40 FEET OF LOT 17 IN BLOCK C OF THE TOWN OF ORANGE, IN THE  
 CITY OF ORANGE, COUNTY OF CALIFORNIA, AS SHOWN ON A MAP  
 RECORDED IN BOOK 2, PAGES 630 AND 631 OF MISCELLANEOUS RECORDS OF LOS ANGELES  
 COUNTY, CALIFORNIA.



SCALE 3/8" = 1' 



J:\GIS\Projects\Planning\ABC\GIS\APR\ABC\_Licenses.aprx|123 N. Olive Street



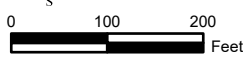
**Legend**

- Active
- Surrendered
- ★ Proposed

**Police Reporting Districts**

- 13n
- 22e
- 23w
- 32e

- Census Tract Boundary
- 600-ft Radius of Proposed



10/3/2024

Source: Alcohol Beverage Control (2024), City of Orange (2024), US Census (2020)

CITY OF ORANGE  
**ABC LICENSES  
600-FT RADIUS MAP**



# Agenda Item

## Planning Commission

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Item #: 4.2.

10/21/2024

File #: 24-0567

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**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Robert Garcia, Senior Planner

### 1. SUBJECT

Public Hearing to consider an ordinance to establish Objective Design Standards for certain qualifying housing projects and finding of CEQA exemption.

### 2. SUMMARY

An ordinance adopting Objective Design Standards by reference in Title 17 for qualified housing projects.

### 3. RECOMMENDED ACTION

1. Adopt Planning Commission Resolution No. PC 29-24. A Resolution of the Planning Commission of the City of Orange recommending that the City Council of the City of Orange adopt Objective Design Standards for qualified housing projects.
2. Find the ordinance categorically exempt from CEQA based on a Class 15378 exemption.

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code Section 17.08.020 authorizes the Planning Commission to review and make advisory recommendations to the City Council on Zoning Ordinance Amendments.

### 5. PROJECT BACKGROUND

As State Housing Law continues to evolve, multi-family housing projects with qualifying housing components are increasingly required to be ministerially approved. Specific state laws include, but are not limited to:

1. Senate Bill (SB) 35, that requires the availability of a streamlined ministerial approval process for developments in localities that have not yet made sufficient progress towards their allocation of the Regional Housing Need Assessment (RHNA) fair share.
2. Assembly Bill (AB) 2162 that requires that supportive housing be a use that is permitted by right in zones where multifamily and mixed-use development is permitted.
3. SB 4 that allows faith-based institutions and non-profit colleges to build affordable, multi-family homes by streamlining the permitting process and overriding local zoning restrictions.
4. AB 2011 that allows for ministerial, by-right approval for affordable housing on commercially zoned lands, and also allows such approvals for mixed-income housing along commercial

corridors, as long as the projects meet specified affordability, labor, and environmental criteria.

Despite the ministerial approval requirement, state law allows the city to apply adopted Objective Design Standards (ODS) to a project brought forward under these laws before it can proceed to building permits (Attachment 1).

## 6. PROJECT DESCRIPTION

The Orange Municipal Code (OMC) contains objective development standards (e.g., setbacks, height limits, floor area ratio) but has very few design standards that are objective. The city regularly relies on subjective design guidelines and a discretionary design review process to determine the adequacy and contextual appropriateness of project design. Under state law, this approach can no longer be utilized for multi-family development applications with a qualifying housing component. Hence, creation of ODS will enable the city to review such applications while retaining the ability to direct the design of new residential development.

The ODS establish the following:

- Site planning standards regulating building orientation, site layout, site access, parking lots and courts, and trash enclosures.
- Standards specific to landscaping, open space requirements for common and private open space, site lighting, and walls and fences.
- Building design standards such as, but not limited to, general building form, building height and massing, façade articulation, roof forms, and placement of doors, entryways, and windows.
- Architectural standards for distinct styles which specify criteria in areas such as architectural features, roof, materials and colors, doors and windows, and decorative details.

The ODS are intended to provide the city with a mechanism to be able to apply design standards to eligible multi-family housing development throughout the city, including historic districts. In doing so, the ODS have been crafted to support both the streamlining of housing production to improve affordability and maintaining the high quality of new development that the Orange community and future occupants deserve and expect. In the instance of a conflict between the standards in this document and those in the OMC, the ODS document shall prevail.

As state housing laws continue to evolve, some of these qualifying housing projects can be located in nonresidential zoning districts. Staff would have the ability to apply the ODS in nonresidential zones should the city receive a qualifying development on such a property.

The ODS are organized around three categories of development scenarios:

- Multi-family development in residential or nonresidential zones
- Multi-family development in mixed use zones (as stand-alone residential development or residential development that is part of a mixed use project)
- Multi-family development in the Old Towne Historic District

In the case of the first two categories, ODS specific to multi-family projects have been customized, building off of existing design and development standards, and lessons learned from the physical



environment resulting from recently implemented projects.

ODS specific to multi-family or mixed-use projects occurring in the Old Towne Historic District build upon, and increase objectivity of, the Historic Preservation Design Standards.

Any housing development applications ineligible for ministerial processing would continue to require the city's standard discretionary review process.

## **7. DISCUSSION**

The ODS are intended to keep the city in compliance with state law as housing legislation continues to evolve. Without the ODS, the city would be very limited in its ability to apply design standards to eligible multi-family housing development and maintain high quality development throughout the city. The ODS assist in the implementation of the adopted 2021-2029 Housing Element by addressing Housing Policy Action 2E: Facilitate Infill Construction, in that the adopting of the ODS provides a ministerial process for future qualifying projects.

### Old Towne Preservation Association:

On October 2, 2024, city staff met with representatives of the Old Towne Preservation Association (OTPA) and reviewed revisions made to the document in response to input received at the DRC meeting. Background information about the need for, and applicability of, ODS to historic properties was discussed.

## **8. PUBLIC NOTICE**

On October 10, 2024, a notice was published in the Anaheim Bulletin newspaper for a public hearing before the Planning Commission on October 21, 2024.

## **9. ENVIRONMENTAL REVIEW**

**Categorical Exemption:** This Ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378 (Common Sense Exemption), because it involves administrative activities of the city that will not result in direct or indirect physical changes in the environment.

## **10. ADVISORY BOARD ACTION**

### **Design Review Committee:**

On March 20, 2024, the Design Review Committee (DRC) reviewed and provided feedback on the draft ODS. The Committee's and public feedback were evaluated and factored into the revised draft ODS. A summary of the revisions to the draft ODS based on the DRC's comments is attached to the staff report (Attachment 4).

## **11. ATTACHMENTS**

- Attachment 1 - Planning Commission Resolution No. PC 29-24 with attached Draft Ordinance and Objective Design Standards
- Attachment 2 - Design Review Committee Staff Report, March 20, 2024
- Attachment 3 - Design Review Committee Meeting Minutes, March 20, 2024
- Attachment 4 - Summary of Revisions in Response to Design Review Committee Feedback



# Agenda Item

## Planning Commission

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Item #: 4.2.

10/21/2024

File #: 24-0567

---

**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Robert Garcia, Senior Planner

### 1. SUBJECT

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As state housing laws continue to evolve, some of these qualifying housing projects can be located in nonresidential zoning districts. Staff would have the ability to apply the ODS in nonresidential zones should the city receive a qualifying development on such a property.

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## 7. DISCUSSION

The ODS are intended to keep the city in compliance with state law as housing legislation continues to evolve. Without the ODS, the city would be very limited in its ability to apply design standards to eligible multi-family housing development and maintain high quality development throughout the city. The ODS assist in the implementation of the adopted 2021-2029 Housing Element by addressing Housing Policy Action 2E: Facilitate Infill Construction, in that the adopting of the ODS provides a ministerial process for future qualifying projects.

### Old Towne Preservation Association:

On October 2, 2024, city staff met with representatives of the Old Towne Preservation Association (OTPA) and reviewed revisions made to the document in response to input received at the DRC meeting. Background information about the need for, and applicability of, ODS to historic properties was discussed.

## 8. PUBLIC NOTICE

On October 10, 2024, a notice was published in the Anaheim Bulletin newspaper for a public hearing before the Planning Commission on October 21, 2024.

## 9. ENVIRONMENTAL REVIEW

**Categorical Exemption:** This Ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378 (Common Sense Exemption), because it involves administrative activities of the city that will not result in direct or indirect physical changes in the environment.

## 10. ADVISORY BOARD ACTION

### **Design Review Committee:**

On March 20, 2024, the Design Review Committee (DRC) reviewed and provided feedback on the draft ODS. The Committee's and public feedback were evaluated and factored into the revised draft ODS. A summary of the revisions to the draft ODS based on the DRC's comments is attached to the staff report (Attachment 4).

## 11. ATTACHMENTS

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- Attachment 3 - Design Review Committee Meeting Minutes, March 20, 2024
- Attachment 4 - Summary of Revisions in Response to Design Review Committee Feedback

**ORDINANCE  
OBJECTIVE DESIGN STANDARDS**

**RESOLUTION NO. PC 29-24**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF ORANGE RECOMMENDING THAT THE  
CITY COUNCIL OF THE CITY OF ORANGE ADOPT  
OBJECTIVE DESIGN STANDARDS FOR QUALIFIED  
HOUSING PROJECTS**

**APPLICANT: CITY OF ORANGE**

Moved by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ that the following Resolution be adopted:

**WHEREAS**, the State of California has adopted numerous bills, including, but not limited to, Senate Bill 9 (“SB 9”), Senate Bill 35 (“SB 35”), Senate Bill 330 (“SB 330”) and Assembly Bill 2162 (“AB 2162”), which limit or restrict discretionary review of certain qualifying residential projects; and

**WHEREAS**, State Housing Law continues to evolve, multi-family housing projects with affordable components are required to be ministerially approved; and

**WHEREAS**, cities are permitted to apply only “objective design standards,” which are intended to provide concise, quantifiable, objective standards for those qualifying projects; and

**WHEREAS**, the City’s Orange Municipal Code (OMC) has objective development standards but has very few objective designs standards. The City can no longer rely on subjective design guidelines and a discretionary design review process to determine the adequacy and contextual appropriateness of project design for qualifying housing projects; and

**WHEREAS**, the City’s Adopted 2021-2029 Housing Element contains Housing Policy Action 2E: Facilitate Infill Construction which includes the need to adopt objective design standards to accommodate a streamlined ministerial review process for qualified housing projects ; and

**WHEREAS**, the City applied for and received a Senate Bill 2 (“SB 2”) grant, which was utilized to engage the services of a consultant with special expertise in the creation of objective design standards; and

**WHEREAS**, on or about March 20, 2024, the Design Review Committee had an opportunity to review and comment upon draft objective design standards; and

**WHEREAS**, comments received from the Design Review Committee and the public were factored in a revised draft of the objective design standards; and

**WHEREAS**, on or about October 21, 2024, the Planning Commission reviewed the objective design standards and considered public any comments; and

**WHEREAS**, the proposed ordinance adds Sections 17.10.095, 17.14.285, and 17.19.230, and amends Sections 17.14.250, and 17.17.060 to Title 17 of the OMC with the purpose of creating objective design standards for streamlining qualified housing projects; and

**WHEREAS**, regulations are as set forth in the proposed Ordinance and attached City of Orange Objective Design Standards (ODS) included as Attachment 1 to this Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council approve an ordinance adopting the attached ODS, attached hereto, based on the following finding:

### **SECTION 1- FINDINGS**

The proposed ordinance adds provisions to the OMC in support of the goals and policies outlined in the General Plan. General Plan goal and policy-related accomplishments of the ODS include: facilitating residential infill development, balancing economic gains from new development while preserving the character and densities of residential neighborhoods, minimizing effects of new development on the character of surrounding neighborhoods, preserving historic resources, both individual and cumulatively in neighborhoods, and ensuring contextually appropriate infill development that contributes positively to the quality of the surrounding neighborhood.

### **SECTION 2-ENVIRONMENTAL REVIEW**

This Ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378, because it involves administrative activities of the City that will not result in direct or indirect physical changes in the environment. For this reason, no further CEQA documentation is required.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_ 2024.

---

David Vazquez, 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 \_\_\_\_ day of \_\_\_\_ 2024, by the following vote:

Resolution No. PC 29-24

Page 3 of 3

AYES:

NOES:

RECUSED:

ABSENT:

---

Anna Pehoushek, FAICP  
Assistant Community Development Director

## **Attachment 1**



**ORDINANCE NO. XX-24**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF ORANGE ADOPTING  
OBJECTIVE DESIGN STANDARDS BY  
REFERENCE IN TITLE 17 FOR QUALIFIED  
HOUSING PROJECTS**

**WHEREAS**, the State of California has adopted numerous bills, including, but not limited to, Senate Bill 9 (“SB 9”), Senate Bill 35 (“SB 35”), Senate Bill 330 (“SB 330”) and Assembly Bill 2162 (“AB 2162”), which limit or restrict discretionary review of certain qualifying residential projects; and

**WHEREAS**, State Housing Law continues to evolve, multi-family housing projects with affordable components are required to be ministerially approved; and

**WHEREAS**, cities are permitted to apply only “objective design standards,” which are intended to provide concise, quantifiable, objective standards for those qualifying projects; and

**WHEREAS**, the City applied for and received a Senate Bill 2 (“SB 2”) grant, which was utilized to engage the services of a consultant with special expertise in the creation of objective design standards; and

**WHEREAS**, on or about April 25, 2023, the City entered into an agreement with AECOM to provide these services and, from May 2023 to March 2024, worked with AECOM to create objective design standards for qualifying projects; and

**WHEREAS**, the City’s Adopted 2021-2029 Housing Element indicates adopting objective design standards to provide a ministerial process of future qualifying projects in compliance with Housing Policy Action 2E: Facilitate Infill Construction; and

**WHEREAS**, on or about March 20, 2024, the Design Review Committee had an opportunity to review and comment upon objective design standards prepared by AECOM on behalf of the City; and

**WHEREAS**, comments received from the Design Review Committee and the public were factored in a revised draft of the objective design standards; and

**WHEREAS**, on or about October 21, 2024, the Planning Commission reviewed the objective design standards and considered any public comments; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES  
HEREBY ORDAIN AS FOLLOWS:**

**SECTION I:**

This Ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378, because it involves administrative activities of the City that will not result in direct or indirect physical changes in the environment. For this reason, no further CEQA documentation is required.

**SECTION II:**

A new Section 17.10.095 shall be added to read as follows:

**17.10.095 Objective Design Standards for Qualifying Projects**

- A. Objective design standards are, as defined in State law. Objective design standards involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark.
- B. Objective design standards adopted by the City shall apply to all projects where, upon applicant request and demonstration of eligibility, state law limits the city's enforcement of design standards to objective standards or where state law or the Orange Municipal Code requires a ministerial approval process.
- C. Objective design standards shall serve to supplement the development standards of the Zoning Ordinance and further the goals, policies, and actions of the Orange General Plan, which encourages high quality design and the quality of life that an enhanced built environment fosters.
- D. Notwithstanding any other provision of the Zoning Ordinance, ministerial design review for qualifying housing projects shall be performed administratively, without a public hearing, and shall be based only on upon objective design standards, unless an applicant seeks to deviate from, or not comply with, adopted objective design standards, or an applicant voluntarily agrees to additional review or standards, in either case the applicable discretionary review process shall be followed and any and all subjective design review criteria shall be required.
- E. As part of the ministerial design review process, staff may impose conditions of approval as deemed necessary to ensure that the proposal conforms to the general plan and other applicable plans or policies adopted by the City Council and to ensure that the development meets the requirements of the zoning district where the project is located, as well as any other applicable provisions of Zoning Ordinance; and, to ensure the proposal complies with the objective design standards as adopted by reference in the Zoning Ordinance.

**SECTION III:**

Section 17.14.250 is hereby amended to read as follows:

**17.14.250 Old Towne Design Standards.**

Developments within Old Towne shall conform to the Historic Preservation Design Standards for Old Towne Orange or, as applicable to qualifying multi-family housing projects, the Historic Preservation Objective Design Standards, as may be adopted and amended by resolution of the City Council and incorporated into this Zoning Ordinance by reference. Refer to Section 17.17.030 for delineation of the limits of the Old Towne District.

**SECTION IV:**

A new Section 17.14.290 shall be added to read as follows:

**17.14.290 Objective Design Standards for Residential Projects**

Qualifying multi-family housing projects shall conform to the City of Orange’s Multifamily Objective Design Standards, which shall be adopted, and amended, by resolution of the City Council, and incorporated into this Zoning Ordinance by reference.

**SECTION V:**

Section 17.17.060 shall be amended to read as follows:

**17.17.060 Development Standards.**

A historic district zone includes additional regulations and uses over base zoning of a particular area to encourage historic preservation and complementary new development. To promote orderly development and preservation within historic districts the following standards and their amendments shall apply: Historic Preservation Design Standards for Old Towne Orange, Historic Preservation Objective Design Standards (as applicable to qualifying multi-family housing projects), the Southwest Project Area Design Standards, the Orange Eichler Design Standards, the General Plan's Historic Preservation Element sample guidelines including the Secretary of the Interior's Standards and Guidelines for Rehabilitation.

**SECTION VI:**

A new Section 17.19.235 shall be added to read as follows:

**17.19.235 Objective Design Standards for Mixed-Use Projects**

Qualifying multi-family housing projects shall conform to the City of Orange’s Multifamily Objective Design Standards, which shall be adopted, and amended, by resolution of the City Council, and incorporated into this Zoning Ordinance by reference.

**SECTION VII:**

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed

this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

**SECTION VIII:**

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause a summary of the same to be published as required by law. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Daniel R. Slater, Mayor, City of Orange

**ATTEST:**

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Mike Vigliotta, City Attorney

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    )  
CITY OF ORANGE        )

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2024, and thereafter at the regular meeting of said City Council duly held on the \_\_\_\_ day of \_\_\_\_\_, 2024 was duly passed and adopted by the following vote, to wit:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:  
ABSTAIN:       COUNCILMEMBERS:

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange

# City of Orange Multi-Family Objective Design Standards

September 2024





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## II. Multi-Family

In 2023, the City of Orange retained AECOM to create a set of objective design standards that could be applied to multi-family development in the City. The initiative seeks to maintain compliance of the City's land use policies with changes to California State law. In doing so, the initiative also seeks to contribute to both the streamlining of housing production in the City to improve affordability, while maintaining the high quality of new development that the City of Orange community and future occupants require.

This document contains a set of objective standards specific to multi-family projects in the City for certain multifamily housing projects to implement State Housing Laws. The standards were customized with the help of City Staff, taking into account the City's existing design standards and experiences in the process of reviewing recent multi-family projects.

This document provides the City with a variety of objective standard options to potentially adopt after further City review and community engagement. The standards may also be implemented as a replacement or to add supplementary detail specific existing standards.

### Notes for City Staff

In the instance of a conflict between the standards in this document and those in the City of Orange Municipal Code, this document shall prevail.

The notation of a Code Section in brackets prior to the recommended standard indicates the replacement, either wholly or partially, of that existing standard from the City of Orange Municipal Code, with the text recommended i.e. **[17.14.070]**.

Terms that are Capitalized are defined in the Glossary at the end of the document.

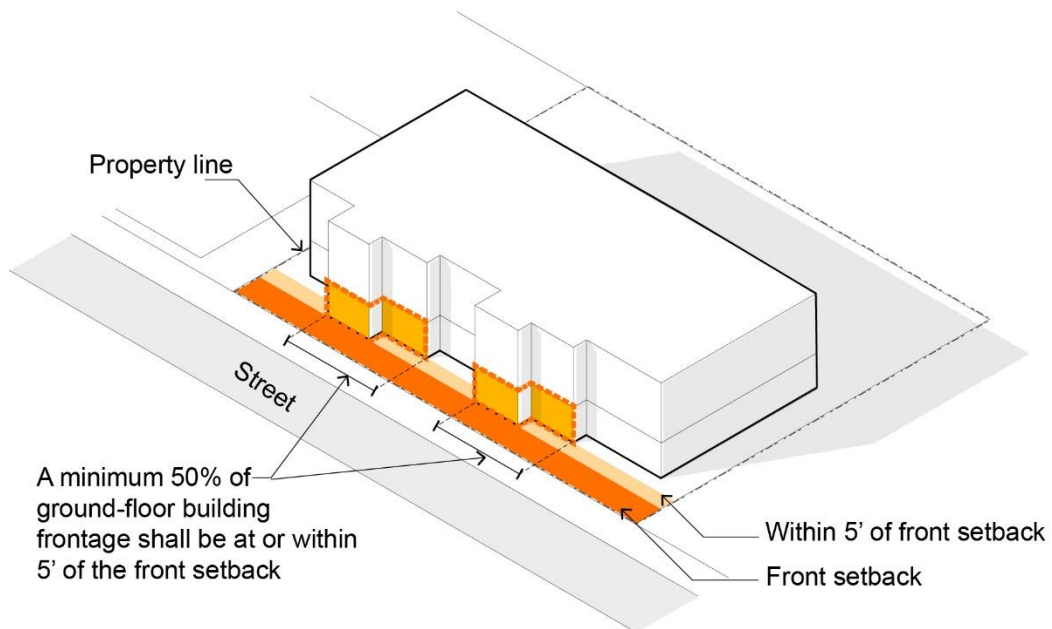
Where an '**OR**' is indicated in the standards, the document is providing options for the City to utilize based on further discussion of its preferences for this area of the standards. The City should utilize one option or the other; options are not intended to be implemented together.



## Form & Scale

### Front / Street Setbacks

**[17.14.070]** Buildings shall be set back from the Front Property Line as specified in the City of Orange Municipal Code Chapter 17.14. A minimum of 50 percent of ground-floor Building Frontage shall be placed at or within 5 feet of the front setback.





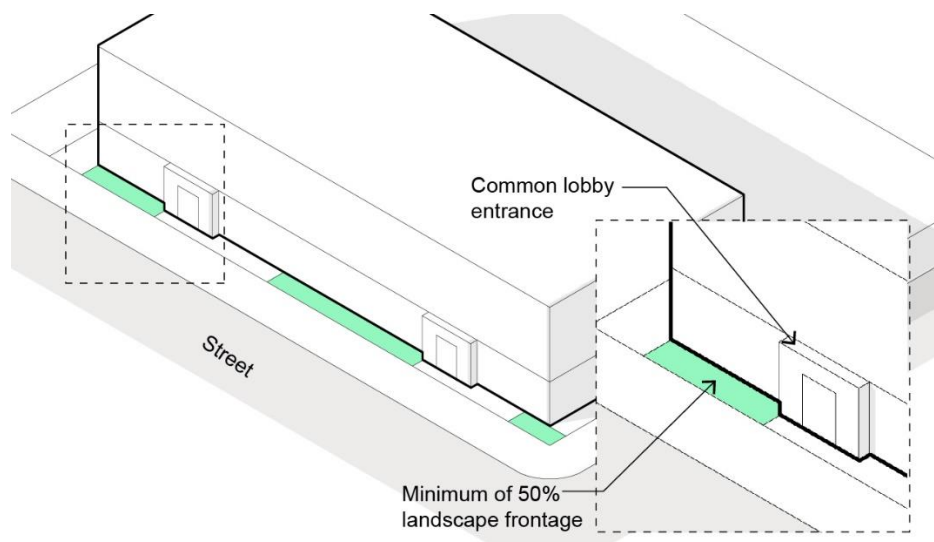
## Landscaping Within Setbacks

**[17.14.090 E]** All setbacks shall be Landscaped with the exception of driveways, pedestrian paths, patios, fire laddering pads, and utility pads.

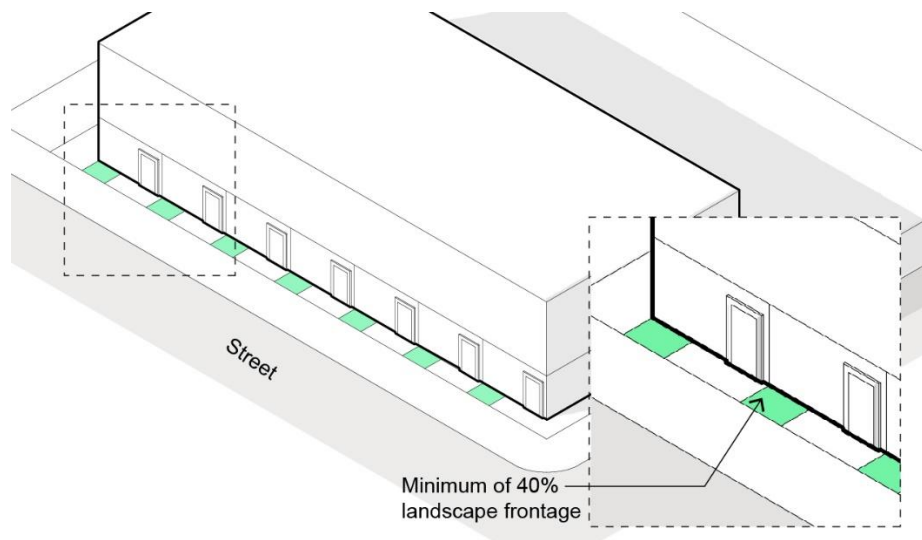
Alternatively, projects may utilize the following minimum landscape area percentages within the setback area. These areas shall be Landscaped and a minimum of one shade tree per area shall be located within the front setback. The shade tree shall have a box size of 36 inches or greater.

<b>Building Frontages with shared entrances to internal circulation (lobby)</b>	50%
<b>Building Frontages with individual residential unit entrances</b>	40%
<b>With a stoop taller than 30 inches</b>	25%

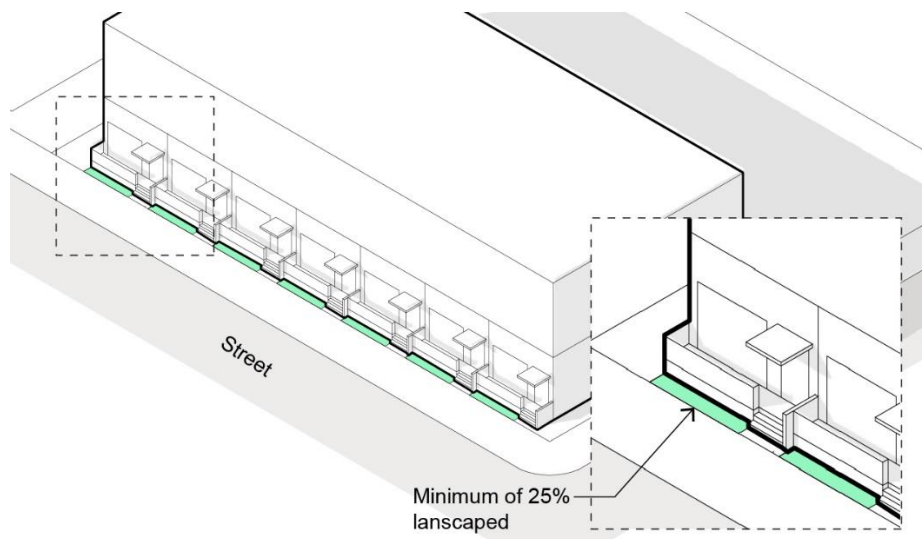
### Building Frontages with shared entrances to internal circulation:



**Building Frontages with individual residential unit entrances:**

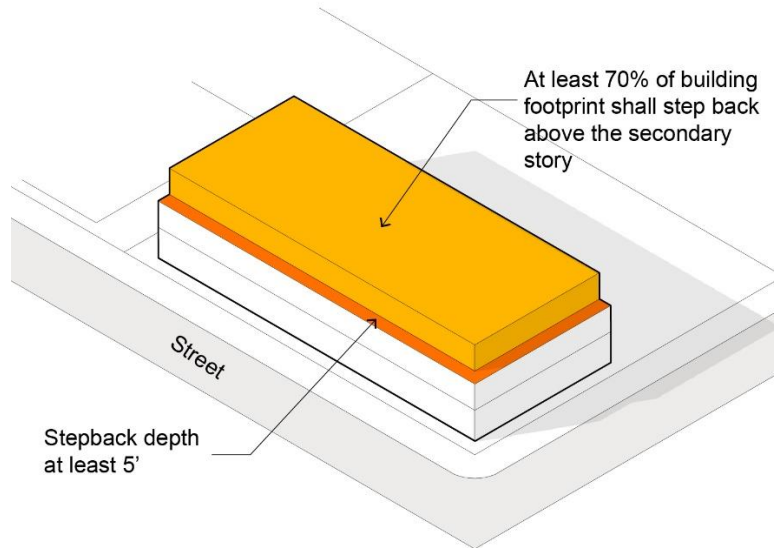


**Building Frontages with individual residential unit entrances, with a stoop taller than 30 inches:**



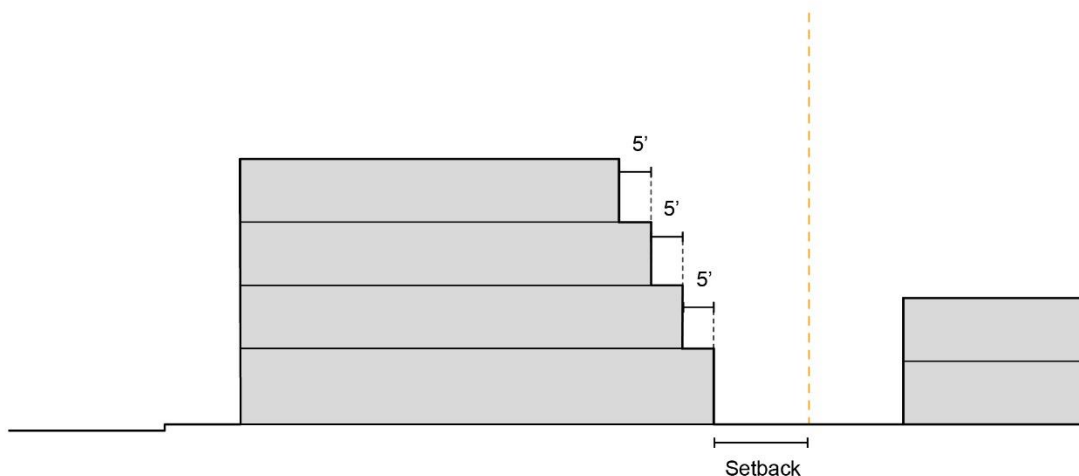
## Street Stepbacks

On street-facing façades, at least 70% of the building shall be stepped back above the second story by a minimum of 5 feet, measured from the setback line.



## Interior / Rear Stepbacks

**[17.14.070(j) & 17.14.100]** On façades immediately facing residentially occupied R1, R2, MH, or commercial zoning districts, the building shall be stepped back 5 feet from the setback line for each story above the first story. This standard shall not apply when a project adjoins a mixed-use zoning district. In cases where the development abuts the rear yard of a single-family residential district, and where the proposed development exceeds one story in height, a setback of 20 feet shall be required.



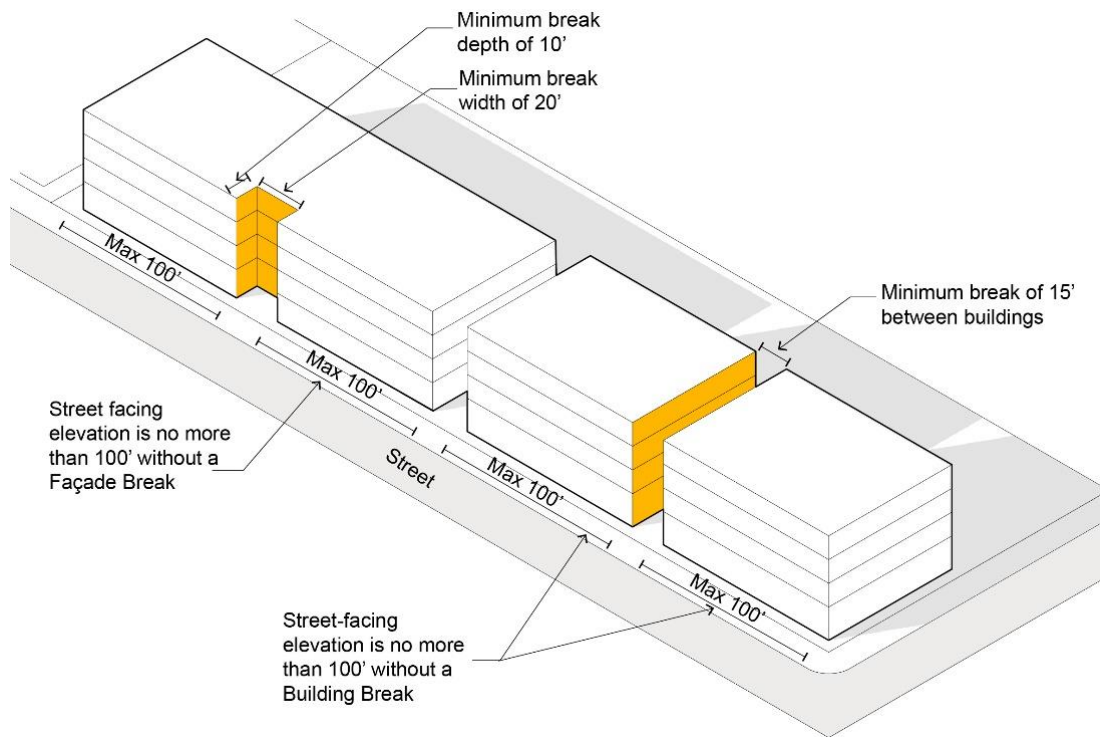
# Modulation

## Building Length / Façade Break

Street-facing elevations shall be no longer than 100 feet in length, without providing either a Façade Break, or a Building Break:

- i) A Façade Break shall have a depth of no less than 10 feet. Additionally, a Façade Break shall have a width of no less than 10% of the building length or 20 feet, whichever is the greater.
- ii) A Building Break shall provide not less than 15 feet of building separation. Buildings of 5 stories or higher shall provide a Building Break of not less than 20 feet of building separation.<sup>1</sup>
- iii) These areas shall be activated with planted landscape material, and a maximum of 25 percent of the area may be paved.

Façade planes adjacent to R1 and MH zoning districts shall not exceed 50 feet in length without a Façade Break of at least 5 feet deep and 10 feet wide.



<sup>1</sup> Orange Municipal Code Section 17.14.120 should be referenced for separation requirements where internal facing windows between buildings are involved.



## Façade Modulation

Development of more than 2 stories shall incorporate at least three of the following architectural elements on street-facing façades and any facade immediately facing residentially occupied R1, R2 or MH zoned sites:

- a) A sloped roof with a pitch greater than 3/12;
- b) Flat roofs with a minimum 2-foot vertical height differentiation, each with a minimum of 10 feet in length and depth;
- c) A top-level stepback of at least 2 feet for a minimum of 25 percent of the length of the façade;
- d) A terrace at least 5 feet in depth and 8 feet in width, open to the sky, at least every 50 feet;
- e) Balconies over 20 percent of the elevation;



## Frontages

### Ground Floor Entrances

Residential ground floor units located adjacent to a street shall have an entrance, either individual to the unit or via a common lobby, facing the primary street. Entrances shall have a minimum 3-foot by 3-foot covered landing area at the same grade as the interior floor.

Entrances shall incorporate at least three of the following:

- a) Recession at least 2 feet from the building façade;
- b) Overhead projection of at least 2 feet in depth (e.g. porch roof);
- c) A sidelight window, adjacent window, or door with a window;
- d) At least one step, up or down, from the pedestrian pathway;
- e) Paving material, texture, or pattern differentiated from the pedestrian pathway.

### Ground Floor Elevation

Buildings shall have a finished floor between two and four feet above the nearest public sidewalk elevation. On Sloping Sites, up to 25 percent of units may have finished floors up to 6 feet above the nearest sidewalk.

### Paths

**[17.14.110 B.2.c]** Pedestrian pathways to all primary entrances and common areas shall have a minimum clearance of 4 feet in width, including to lobbies, open space, parking, and refuse collection areas.

Where located parallel to a driveway, a change of material or pattern shall distinguish pedestrian pathways from vehicular travel lanes.

### Walls and Fences

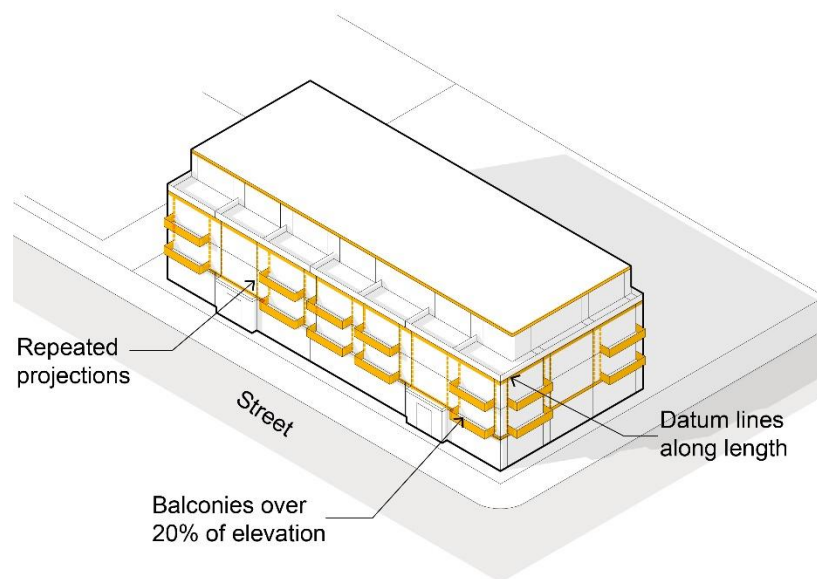
**[17.12.070 A]** Freestanding walls, fences, and raised planters taller than 30 inches shall be set back a minimum of 18 inches from the property line, separated by Planted Area. "L" shaped footings facing the building shall be utilized to facilitate rooting for shrubs and plants. Footings shall not be in the planter area, unless depth is 36 inch minimum. Trees shall not be planted in a constricted area less than 3 feet in diameter.

# Facades

## Composition

Street-facing façades shall include at least three of the following:

- a) Datum lines along the length of the building (e.g. cornice) at least 6 inches in depth;
- b) Repeated projections (e.g. architectural detail, shading) at least 6 inches in depth;
- c) Balconies over 20 percent of the elevation;
- d) Screening (e.g. lattices, louvers);
- e) Change in materials (excluding trim, windows, doors, and railings).



## Transparency

Street-facing façades shall incorporate glazing for at least 20 percent of the overall façade, including at least 15 percent of the ground level.

## Windows

Windows shall be recessed at least 2 inches from the face of the façade.

Windows shall have a visible transmittance (VT) of 0.5 or higher. Mirrored, tinted or highly reflective glazing is prohibited.

Vinyl windows are prohibited.

## Materials

A minimum of two materials shall be used on any building façade, in addition to glazing, railings, and trim, and shall correspond to variations in building plane:

A predominate material shall cover at least 40 percent of any building façade, excluding windows.



## Color

No more than four colors shall be applied to the building façade (one predominate color and up to three secondary colors), excluding art (e.g. a mural).

## Balconies

**[17.14.090 C.2.]** Balconies shall project a maximum of 5 feet from the building façade and shall not be located within 6 feet of any interior property line.

Side-loaded townhomes shall incorporate at least one street-facing balcony.

## Lighting

Lighting shall be located to illuminate only the intended area, and a minimum of 90 percent of lighting shall be directed downward.

Lighting shall not extend beyond an interior property line. Lighting shall make use of blinders and shades to direct lighting onto the project site and minimize the impact of glare to adjacent properties.

## Screening

**[17.14.100C]** Screening of mechanical equipment:

- A. Mechanical and air conditioning equipment shall be shielded and screened from view from adjacent streets and properties. The screening shall be integrated architecturally with the building. Ground-mounted equipment shall be screened with a solid wall, solid fence, or sufficient Landscaping to a height at least one foot above the equipment. Otherwise, such equipment shall be enclosed in a building.
- B. All mechanical equipment shall be baffled for sound.
- C. Mechanical equipment shall not be located in required setback areas. (Ord. 08-11, 2011)





## Open Space

### Site Landscaping

At least 15 percent of the overall site shall be Planted Area. In addition, the standards specified in City of Orange Landscape Standards and Specifications shall apply.

### Private Open Space

**Distribution:** All Private Open Space shall be outdoors and may be located within a required setback or stepback.

### Common Open Space

**Distribution:** A minimum of 70 percent of Common Open Space shall be outdoors, and a minimum of 80 percent of outdoor Common Open Space shall be open to the sky.

A maximum of 30 percent of Common Open Space shall be indoors (i.e. lounges, fitness centers, and similar). Indoor Common Open Space shall not include spaces primarily used for circulation.

**Landscaping:** A minimum of 25 percent of Common Open Space shall be Planted Area.

**Trees:** A minimum of one 24-inch box tree per project or for every 500 square feet of outdoor Common Open Space, whichever is greater, shall be planted within the Common Open Space, excluding rooftop decks. Landscape maintenance shall be performed in such a manner as to allow all trees to retain their full canopy height for screening and full canopy breadth for shade at point of maturity, except as required for public safety purposes.

**Hardscape:** A maximum of 25 percent of Common Open Space may be paved in standard concrete, with the remainder using enhanced paving such as brick, natural stone, unit concrete pavers, textured/colored concrete, or similar.

**Water Features:** No more than 5 percent of Common Open Space shall be decorative water features, such as fountains or reflecting pools.



# Site Planning and Operation

## Easements

Projects shall not construct structures on any portion of a lot identified by the City as being subject to an easement.

## Driveways

A maximum of one two-way driveway shall be permitted on sites with less than 200 feet of Primary Street Frontage. A maximum of two two-lane driveways shall be permitted on sites with 200 feet or more of Primary Street Frontage.

A minimum of one two-way driveway shall be located on a secondary street or alley, where available.

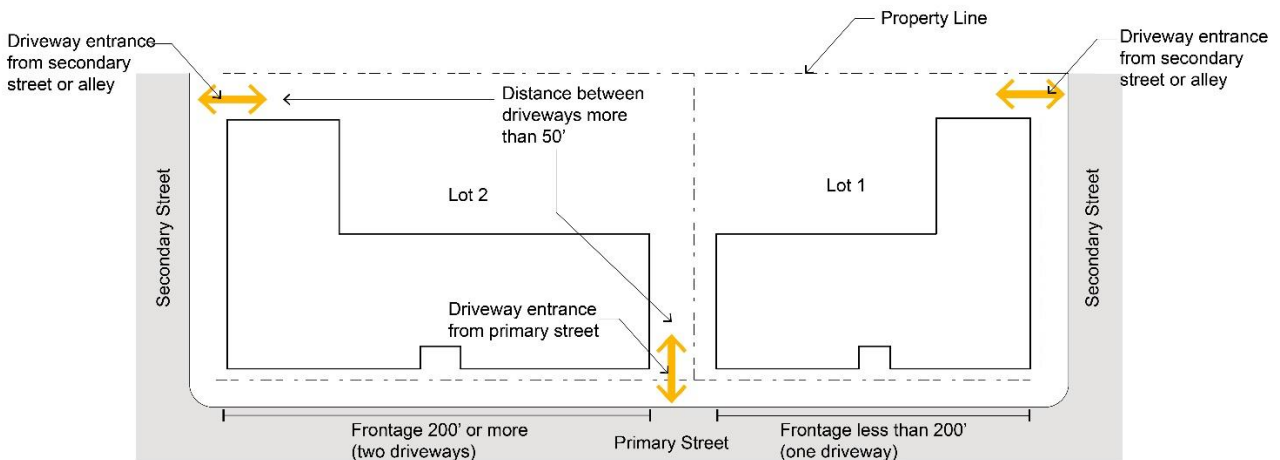
Driveways and associated curb-cuts shall have a minimum width of 25 feet and a maximum width of 30 feet.

For sites accessed directly from a road classed as Arterial Highway, the standards in Section 17.34.110G. of the City of Orange Municipal Code shall prevail in the event of a conflict with this section.

The minimum distance between driveways on the same lot shall be 50 feet.

Controlled entrances to parking (e.g. gates) shall be located to allow at least 30 ft of space for a queuing vehicle. If the project requires a traffic study or is accessed via an Arterial Highway, this distance may be increased and is subject to approval by the Community Development Director.

A landscape buffer of 6 feet minimum shall be placed between the driveways and adjacent buildings.





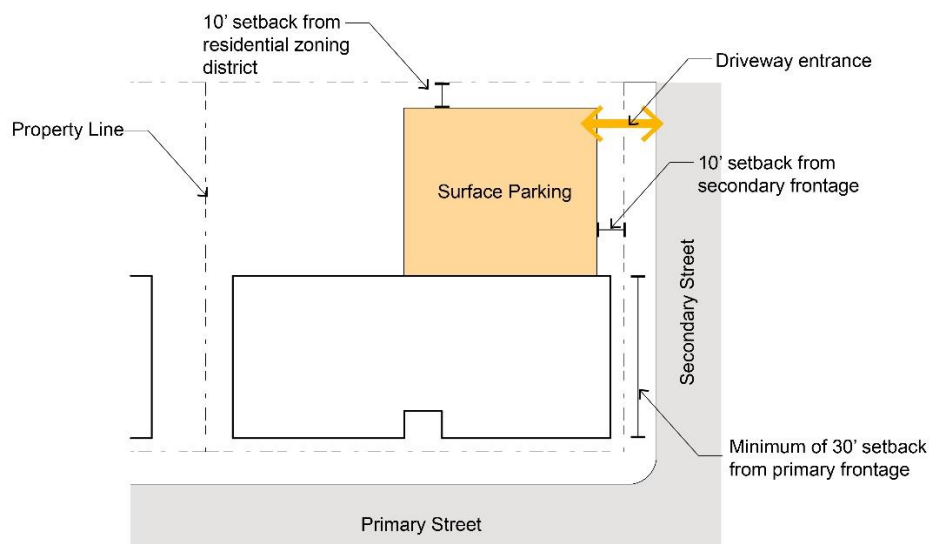
## Surface Parking Setbacks

### [17.34.120]

Surface parking areas shall be set back a minimum of 30 feet from the Primary Street Frontage, 10 feet from any Secondary Street Frontage, 10 feet from any adjacent residential zoning district, and 5 feet from interior property lines.

Parking areas shall be designed to prevent any portion of a vehicle parking within, or overhanging, these minimum setbacks.

Parking shall be buffered by permitted non-parking uses or a Landscaped setback of 30 feet adjacent to the property line, except for vehicle/pedestrian access.



## Surface Parking Landscaping and Trees

### [17.34.130H.]

A minimum of 10% percent of the parking area shall be Landscaped and Planted Area, in addition to any Landscaped setbacks. This area shall be distributed throughout the parking area.

A minimum of one shade tree for every 4 vehicle parking spaces shall be planted and evenly distributed throughout the parking area. In the case of carports for each free standing carport, two additional trees shall be located within the surface parking or circulation area.

Landscaped setbacks shall include hedges or shrubs with a minimum height of 3 feet at the time of planting that form a continuous visual screen to block vehicle headlights.

## Structured or Podium Parking Setbacks

Structured parking (including underground) shall be set back a minimum of 10 feet from any adjacent residentially occupied zoning district.



Above ground parking shall be buffered by permitted non-parking uses, such as habitable area, Landscaped area, lobby area, or circulation space, with a minimum depth of 30 feet adjacent to the primary street property line, except for vehicle/pedestrian access.

Semi-subterranean parking shall not extend beyond the overstory building façade and may not project higher than four feet above sidewalk elevation.

## Structured Parking Landscaping

### [17.34.130H.]

A minimum of one screening tree for 20 horizontal feet of parking structure elevation shall be planted and evenly distributed across the length of the structure elevations, integrated with other lower-level Landscaping.

Landscape green walls shall be utilized to screen the structure.

The parking structure footings and foundations shall allow for planning of vegetative material, including trees along the perimeter of the structure.

## Emergency Vehicle Circulation and Setbacks

Vehicular access points to a project shall be designed to be consistent with the Orange City Fire Department's Fire Master Plans for Commercial and Residential Development. See requirements for necessary turning radii, setback requirements to be accounted for during site planning, particularly on streets with Landscaped medians.



## Site Servicing

### Waste Storage, Collection Areas and Circulation

All waste enclosures shall be designed in accordance with the requirements of the California Government Code and the City's current Public Works Department Trash Enclosure Standard Plan No. 409. Enclosures shall accommodate separated trash, recyclable and green waste containers.

Where the above requirements cannot be met by a development, any shortfall in onsite storage shall be compensated for with a commensurate increase in collection occurrences. The details of waste collection schedules shall be submitted to the City in the form of a Waste Management Plan with the project application.

Waste collection areas shall be located such that a waste collection truck does not need to reverse for more than 50 feet. Where more than 50 feet is necessary, a truck turn bay shall be required.

### Transformers and Utilities

Transformers and utilities shall be accommodated on-site and screened from public view and neighboring properties.

Rooftop equipment, including solar photovoltaic, shall be screened from public view and be integrated into the building design.

Mechanical Equipment and Utilities: Fire Department backflow prevention devices, water meters, transformers, and other utility-related equipment are prohibited in the front yard unless completely screened in a manner that is incorporated into the design of the development. This provision does not apply to water tanks and landscaping equipment such as irrigation and sprinkler control systems.

(1) If air conditioning units or vents are located on the front façade, they shall not project more than 6 inches from the face of the building.

(2) If on a rooftop or in a yard, the equipment must be screened from view from the street with a wall, fence, or Landscaping.

Mechanical Equipment and Utilities: Fire Department backflow prevention devices, water meters, transformers, and other utility-related equipment shall be shown on the development plans for review and approval.

### Water Quality Best Management Practices

Development shall implement the Low Impact Development (LID) principles adopted by the City of Orange and be consistent with the requirements set out in Chapter 7 of the City of Orange Zoning Ordinance, the Orange County Drainage Area Management Plan (DAMP) and City of Orange Local Implementation Plan (LIP).



## Glossary

**Some of the terms used throughout this document are defined below:**

**Arterial Highway** refers to a street identified as an 'arterial highway' by the Orange County Master Plan of Arterial Highways (MPAH).

A **Building Break** refers to a setback or separation, that splits a building into multiple building forms.

**Building Frontage** means the length of that portion of a building, abutting a street.

**Common Open Space** means land within or related to a development, neither individually owned nor dedicated for public use, which is intended for the common use or enjoyment of all residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

A **Façade Break** refers to a setback in a single façade plane to create multiple façade planes.

**Front Property Line** is the boundary of a lot with Primary Street Frontage, after accounting for any identified easements or dedications. Easements or dedications are identified by the City in the City of Orange Masterplan of Streets and Highways and any applicable Street Plans.

**Landscaping / Landscaped** means an area devoted to or developed and maintained predominantly with native or exotic plant materials including lawn, ground cover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading, or storage areas). Artificial turf is considered Landscaping provided it maintains a natural appearance where the grass-like surface covering replicates lush natural grass in appearance and function. No other artificial plant material shall be considered Landscaping for the purpose of this definition.

**Lot Frontage** means the length of that portion of a lot, abutting a street.

**Minimum Setback Line** means the minimum setback identified as required for a particular building elevation or element.

**Planted Area** is an area of natural ground with uninterrupted soil depth that can accommodate root systems for larger vegetation and is permeable to allow water absorption. Planted Area excludes areas where there is a structure less than 2 feet underneath, pools and non-permeable paved areas.

**Primary Street Frontage** means the main street address or Lot Frontage that provides the principal access to a particular lot.

**Private Open Space** means an open space, fenced or otherwise, which is reserved for the exclusive use by the occupants of a single specified dwelling unit.

**Residential Common Space** refers to those spaces within a residential building that are for access and use of residents of the development and might include Common Open Space, common rooms, lobby areas, stairwell and circulation areas and garbage collection areas.

**Secondary Street Frontage** means the secondary street address or second frontage for a lot, which may include a side street or alley.

**Sloping Site** refers to parcels with a grade change of 10% or more, along the length of the Lot Frontage.

# City of Orange Mixed-Use Objective Design Standards

September 2024



**AECOM**



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## I. Mixed-Use

In 2023, the City of Orange retained AECOM to create a set of objective design standards that could be applied to mixed-use and multifamily development in the City. The initiative seeks to maintain compliance of the City's land use policies with changes to California State law. In doing so, the initiative also seeks to contribute to both the streamlining of housing production in the City to improve affordability, while maintaining the high quality of new development that the City of Orange community and future occupants require.

This document contains a set of objective standards specific to multifamily or mixed-use projects for certain multifamily housing projects to implement State Housing Laws in the City of Orange's Urban Mixed Use (UMU) and Neighborhood Mixed Use (NMU) zones. The standards were customized with the help of City Staff, taking into account the City's existing design standards and experiences in the process of reviewing recent mixed-use and multi-family projects.

This document provides the City with a variety of objective standard options to potentially adopt after further City review and community engagement. The standards may also be implemented as a replacement or to add supplementary detail specific existing standards.

### Notes for City Staff

In the instance of a conflict between the standards in this document and those in the City of Orange Municipal Code, this document shall prevail.

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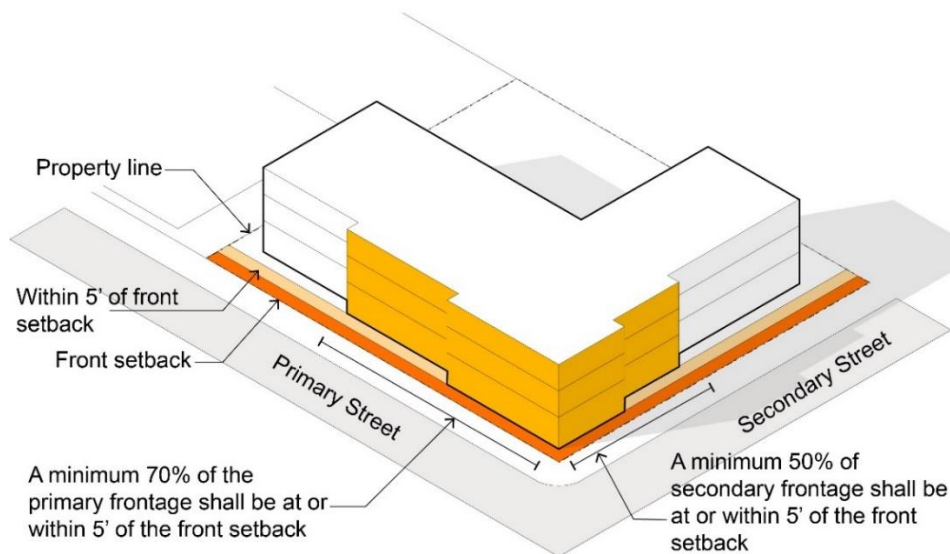
# Form & Scale

## Front / Street Setbacks

In UMU and NMU zoning districts, buildings shall be located within 5 feet of the Front Property Line for at least 70 percent of the Building Frontage along the primary right-of-way and 50 percent along any secondary right-of-way, excluding alleys.

Per section 17.19.120 (g) of the City of Orange Municipal Code, the maximum setback may be increased to accommodate sidewalk-oriented pedestrian amenities such as a plaza, fountain, outdoor dining, or enhanced landscaping, including street trees, subject to approval by the Community Development Director.

Residential units on the ground floor shall have a minimum setback of 5 feet.



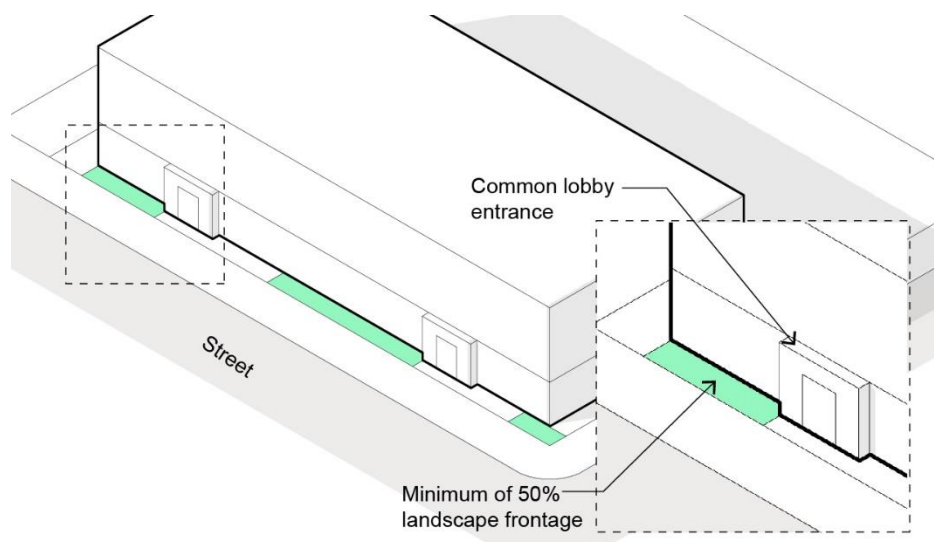
## Landscaping Within Setbacks

**[17.19.090.B]** For buildings set back 5 feet or more, a minimum percentage of the setback area shall be Landscaped with trees, shrubs, and/or groundcover, either in the form of in-ground Landscaping or planters, as follows:

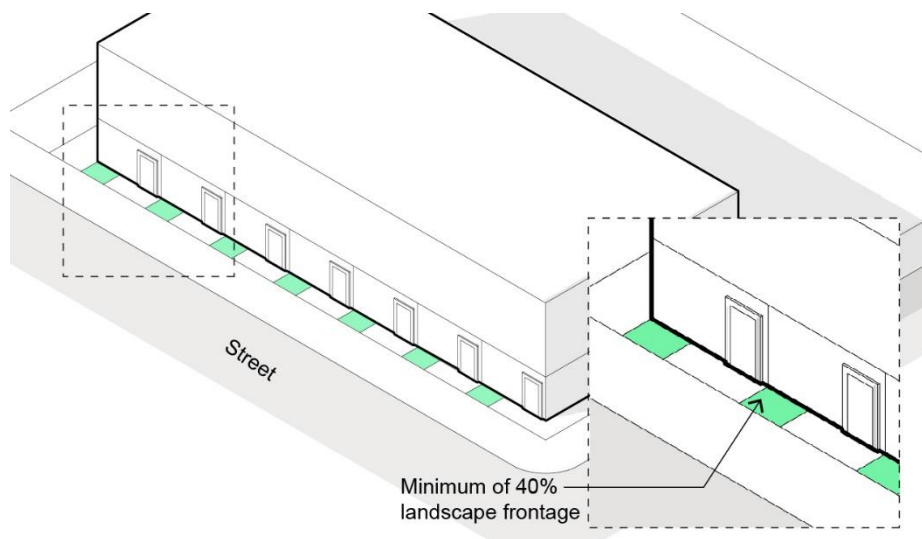
<b>Building Frontages with shared entrances to internal circulation</b>	50%
<b>Building Frontages with individual residential unit entrances</b>	40%
<b>With a stoop taller than 30 inches</b>	25%
<b>Building Frontages with commercial tenant entrances</b>	No minimum
<b>With outdoor dining</b>	No minimum

For residential ground floor uses only, a minimum of one shade tree per area shall be located within the front setback. The shade tree shall have a box size of 24 inches or greater.

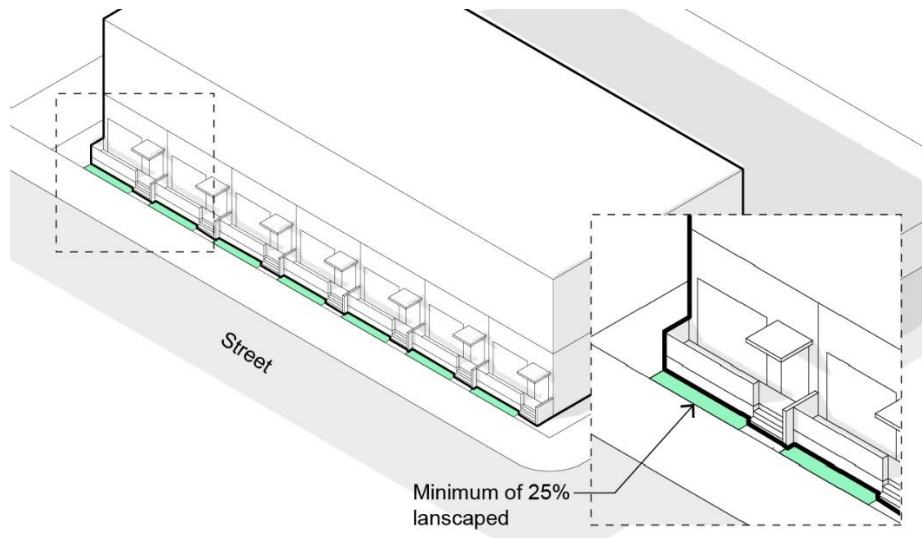
**Building Frontages with shared entrances to internal circulation:**



**Building Frontages with individual residential unit entrances:**



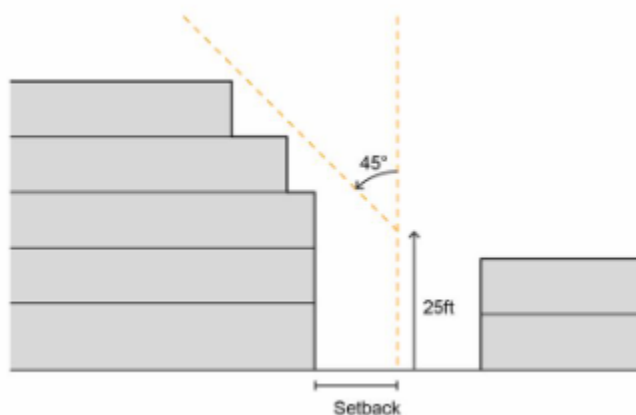
**Building Frontages with individual residential unit entrances, with a stoop taller than 30 inches:**



## Interior Side and Rear Setbacks

**[17.19.120]** Buildings shall be set back a minimum of 15 feet from adjacent Residential zoning districts.

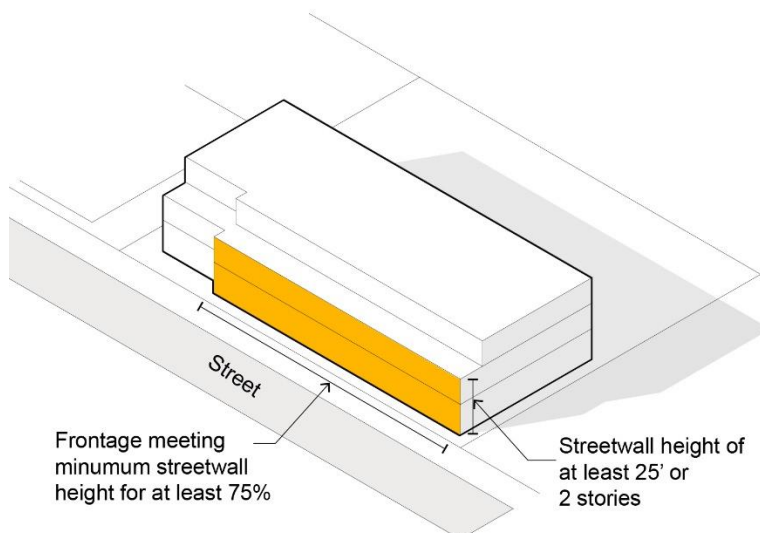
Adjacent to residentially occupied R1, R2, MH, or commercial zoning districts, buildings shall not be located within a plane sloping upward and inward at a 45-degree angle measured from the vertical, starting 25 feet above the existing grade along the property line. Uses allowed within the setback include balconies, terraces, shade structures, and similar open space features. In cases where the development abuts the rear yard of a single-family residential district, and where the proposed development exceeds one story in height, a setback of 20 feet shall be required.



## Streetwall

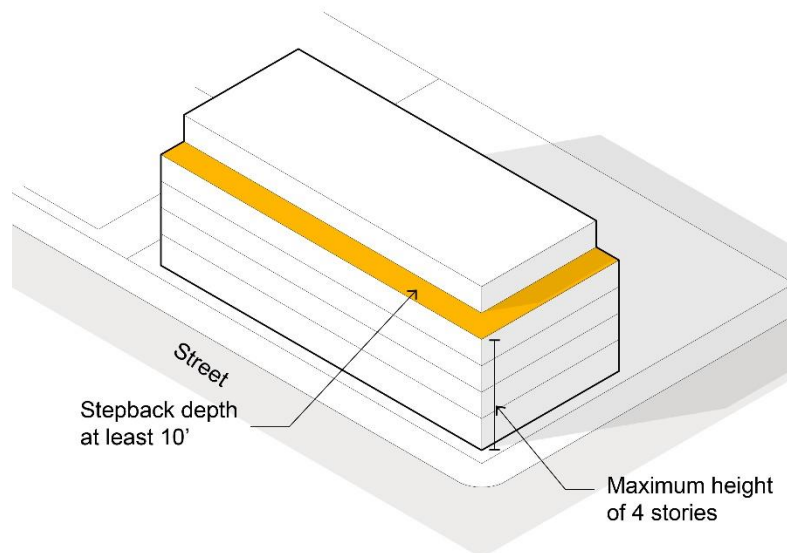
Street-facing facades shall meet or exceed 25 feet in height (or 2 stories in height) for at least 75 percent of building along public rights-of-way, unless the overall building height is lower than 2 stories.

Streetwall is defined as any street-facing façade, excluding appurtenances, within 5 feet of the minimum setback and is not required to be continuous.



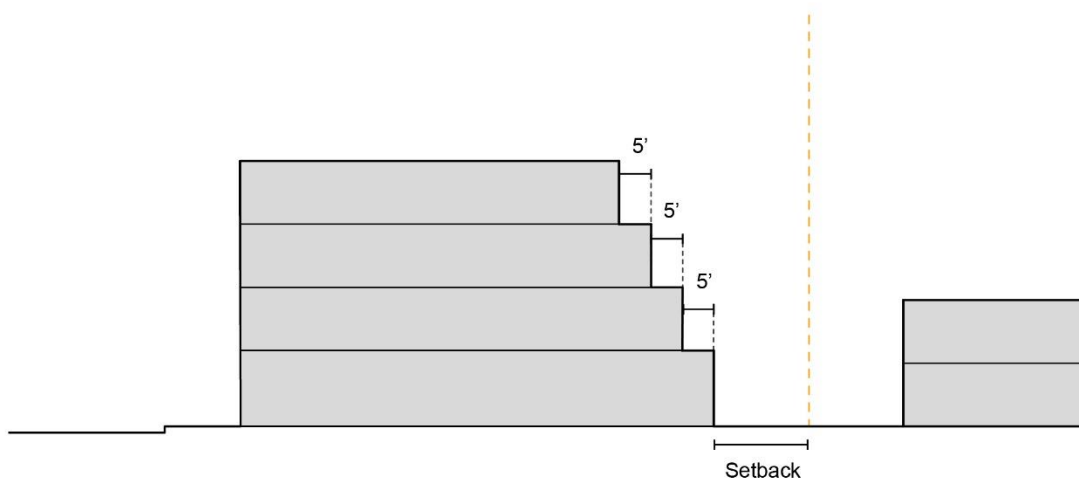
## Street Stepbacks

Street-facing facades greater than 4 stories shall be stepped back a minimum of ten feet from the Minimum Setback Line. Uses allowed within the stepback depth include balconies, terraces, shade structures, and similar open space features.



## Interior/Rear Stepbacks

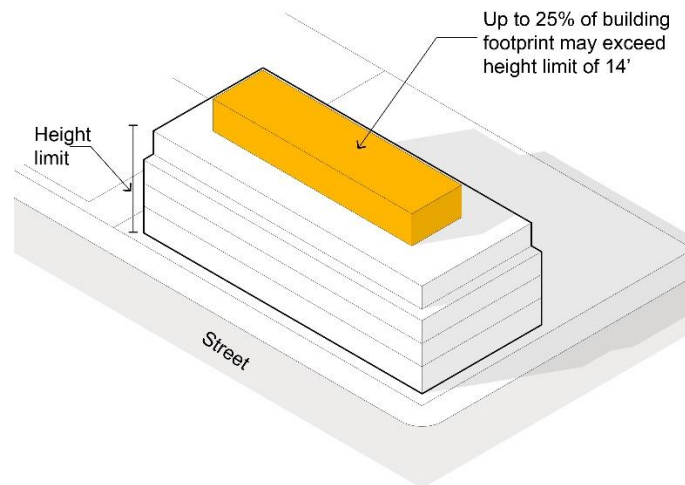
**[17.19.080 B.1.b]** On façades immediately facing residentially occupied R1, R2, MH, or commercial zoning districts, the building shall be stepped back 5 feet from the setback line for each story above the first story. In cases where the development abuts the rear yard of a single-family residential district, and where the proposed development exceeds one story in height, a setback of 20 feet shall be required. This standard shall not apply when a project adjoins a mixed-use zoning district.





## Roofline Variation

Buildings may exceed the height limit by up to 14 feet for a maximum of 25 percent of a building's footprint. This allowance is not applicable within interior/rear setbacks or stepbacks and may not be used in conjunction with a concession for building height through density bonus.



## Modulation

### Façade Modulation

Street-facing façades and façade planes adjacent to R1 and MH zoning districts measuring 50 feet or longer shall modulate a minimum of 25 percent of the area above the ground floor between 5 and 12 feet in depth from the primary façade plane, defined as the vertical plane above the ground floor with the greatest surface area.

Modulation shall be a minimum depth of 5 feet, may be recessed or projected, and is not required to be continuous or open to the sky.

Exception for facades that meet all of the following standards:

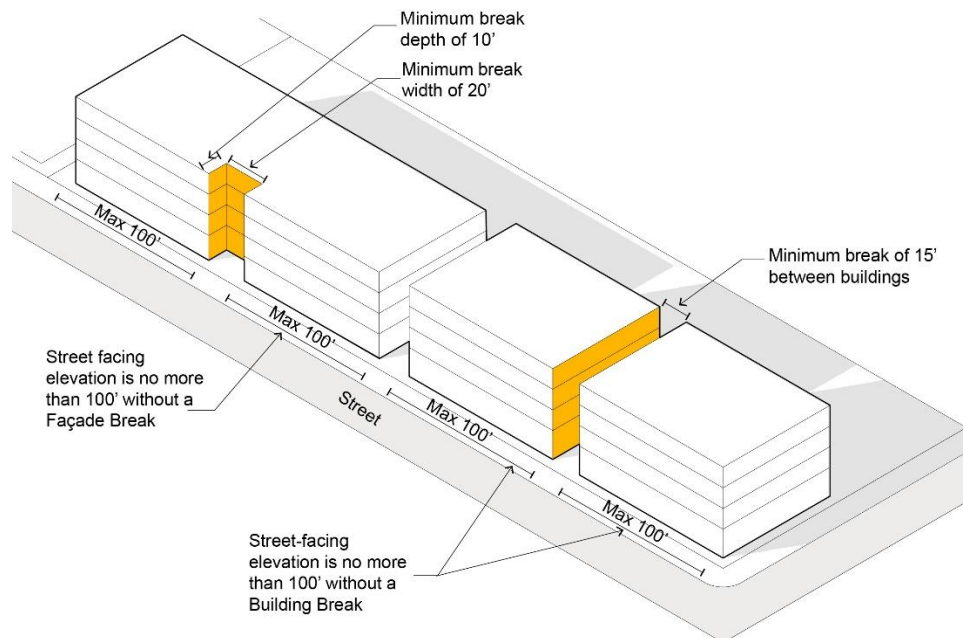
- 1) All windows shall be recessed at least 4 inches.
- 2) The maximum façade length shall be 100 feet.
- 3) The façade shall use a textural material of brick, stone, precast concrete, Venetian plaster, hand-troweled stucco, or porcelain tiles at least 12 by 4 inches. Ceramic tiles, porcelain tiles less than 12 by 4 inches, standard stucco, or flat, polished stone shall not qualify.
- 4) Façade shall employ a tripartite division in which the façade is organized into three horizontal sections with a base, middle, and top.
  - a) The middle section shall be differentiated from both the base and the top through a change in façade plane of at least 4 inches, or a consistent horizontal band that projects at least 4 inches from the façade.
  - b) The top section shall use a cornice that is at least 1 foot in depth.

## Building Length / Façade Break

Street-facing elevations shall be no longer than 100 feet in length, without providing either a Façade Break or a Building Break:

- i) A Façade Break shall have a depth of no less than 10 feet. Additionally, a Façade Break shall have a width of no less than 10% of the building length or 20 feet, whichever is the greater.
- ii) A Building Break shall provide no less than 15 feet of building separation. Buildings of 5 stories or higher shall provide a Building Break of not less than 20 feet of building separation.<sup>1</sup>
- iii) These areas shall be activated with planted landscape material, and a maximum of 25 percent of the area may be paved.

Façade planes adjacent to R1 and MH zoning districts shall not exceed 50 feet in length without a Façade Break of at least 5 feet deep and 10 feet wide.



## Corner Treatments

Corner-facing facades of 75 feet or longer shall incorporate at least two of the following elements within 50 feet of the building corner along the street facing Building Frontage/s:

- a) A building entrance;
- b) A change in height of at least 4 feet for an area 10 feet by 10 feet minimum;
- c) A change in façade plane on upper stories of at least 5 feet in depth;
- d) A change of façade material or texture (excluding windows, doors and railings);
- e) A public open space or outdoor dining.

<sup>1</sup> Orange Municipal Code Section 17.19.090.B should be referenced for separation requirements where internal facing windows between buildings are involved.





## Frontages

### Ground Floor Height

Ground floor commercial, non-residential, and Residential Common Spaces shall have a minimum height of 15 feet, measured floor-to-floor. Ground floor residential units shall have a minimum height of 10 feet, measured floor-to-floor.

### Ground Floor Elevation

Ground floor commercial, non-residential, and Residential Common Spaces shall be located within 2 feet above or below sidewalk elevation. Primary entrances shall be located at sidewalk elevation.

On parcels with a grade change of 10% or more along the length of the parcel line adjacent to the commercial boulevard, a maximum of 60 feet of commercial Building Frontage may be up to 36 inches higher or lower than the finished grade of the adjacent sidewalk, and the remainder shall not exceed 24 inches higher or lower than the finished grade of the adjacent sidewalk.

### Ground Floor Entrances

**[17.19.080 B.3.D]** Street-facing façades shall provide a minimum of one entrance per 100 feet of Building Frontage. These entrances shall open directly onto the sidewalk or another public open space, and be distinguished by at least one of the following:

- a) Awning/canopy;
- b) Porch/portico;
- c) Trellis; or
- d) Architectural element that creates well-defined entrance.

### Recessed Entrances

Primary building entrances shall be set back at least 30 inches from the façade. Secondary building entrances shall be setback at least 30 inches from the public right-of-way.

### Transparency

Street-facing façades shall incorporate glazing for a certain percentage of the Building Frontage between 2 and 8 feet in height from sidewalk elevation. Windows shall provide views into display, lobby, sales, work, or similar active areas.

For non-residential and Residential Common Space uses, at least 60 percent of the Building Frontage shall be transparent.

For ground floor residential units, at least 15 percent of the Building Frontage shall be transparent.

### Blank Walls

Windowless expanses of walls on the ground floor shall not exceed 20 feet in length. Blank walls over 10 feet in length shall be enhanced by one of the following:

- a) Pattern, motif, etching, or similar decoration;
- b) Landscaping that covers at least 50 percent of the wall area;
- c) Trellis or similar projection;



- d) Public art approved by review authority.

## Security Devices

Any security devices (i.e. roll-up doors) shall be designed to be fully concealed and hidden from view during business hours.

## Paths

Pedestrian pathways to all primary entrances and common areas shall have a minimum clearance of 4 feet in width, including to lobbies, open space, parking, and refuse collection areas.

Where located parallel to a driveway, a change of material or pattern shall distinguish pedestrian pathways from vehicular travel lanes.

## Walls and Fences

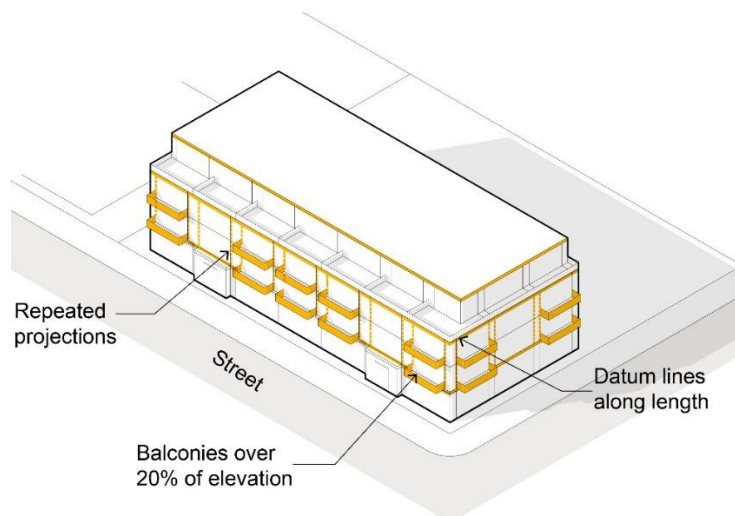
**[17.12.070 A]** Freestanding walls, fences, and raised planters taller than 30 inches shall be set back a minimum of 18 inches from the property line, separated by Planted Area. "L" shaped footings facing the building shall be utilized to facilitate rooting for shrubs and plants. Footings shall not be in the planter area, unless depth is 36 inch minimum. Trees shall not be planted in a constricted area less than 3 feet in diameter.

## Façades

### Composition

**[17.19.080 B.3.a)]** Street-facing façades and any facade immediately facing residentially occupied R1, R2, MH sites shall include at least three of the following:

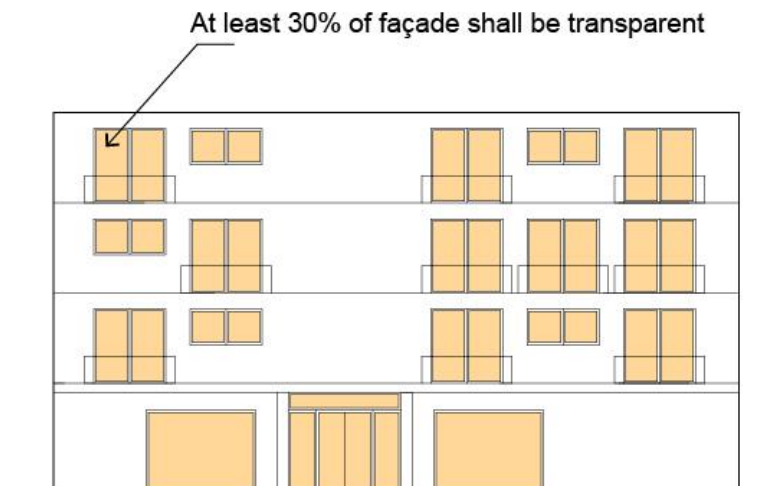
- a) Datum lines along the length of the building (e.g. cornice) at least 6 inches in depth;
- b) Repeated projections (e.g. architectural detail, shading) at least 6 inches in depth;
- c) Balconies over 20 percent of the elevation;
- d) Screening (e.g. lattices, louvers);
- e) A change in material or texture (excluding trims, windows, doors, and railings).





## Transparency

**[17.19.080 B.3.b]** Street-facing façades shall incorporate glazing for at least 30 percent of the façade, including ground floor transparency.



## Windows

Windows shall be recessed at least 2 inches from the face of the façade. Flush windows may be allowed subject to approval by the Community Development Director.

Windows shall have a visible transmittance (VT) of 0.6 or higher. Mirrored, tinted or highly reflective glazing is prohibited.

Vinyl windows are prohibited.

## Materials

**[17.19.080 B.2]** A minimum of two materials shall be used on any building façade, in addition to glazing, railings, and trim, and shall correspond to variations in building plane.

A primary material shall cover at least 40 percent of any building façade, excluding windows.

## Color

No more than four colors shall be applied to the building façade (one predominate color and up to three secondary colors), excluding art (e.g. a mural).

## Balconies

Balconies shall not be located within 10 feet of any interior property line.

## Balcony Projections

Balconies shall project a maximum of 5 feet from the building façade.



## Roof Decks

Roof decks located within 25 feet of a Residential zoning district shall be set back a minimum of 5 feet from the building edge.

The sum of all roof decks on a single building shall not exceed 60 percent of the roof area to allow for mechanical equipment including solar panels.

## Lighting

All structures, entrances, parking areas, common open spaces, and pedestrian pathways shall be lit from dusk to dawn.

Lighting shall be located to illuminate only the intended area, and a minimum of 90% of all lighting shall be directed downward.

Lighting shall not extend beyond an interior property line. Lighting shall make use of blinders and shades to direct lighting onto the project site and minimize the impact of glare to adjacent properties.



## Open Space

### Site Landscaping

At least 15 percent of the overall site shall be Planted Area. In addition, the standards specified in City of Orange Landscape Standards and Specifications shall apply.

### Private Open Space

#### [17.19.080 E]

**Distribution:** All Private Open Space shall be outdoors and may be located within a required setback or stepback.

### Common Open Space

#### [17.19.090]

**Distribution:** A minimum of 70 percent of Common Open Space shall be outdoors, and a minimum of 80 percent of outdoor Common Open Space shall be open to the sky.

A maximum of 30 percent of Common Open Space shall be indoors (i.e. lounges, fitness centers, and similar). Indoor Common Open Space shall not include spaces primarily used for circulation.

**Landscaping:** A minimum of 25 percent of Common Open Space shall be Planted Area.

**Trees:** A minimum of one 24-inch box tree per project or for every 500 square feet of outdoor Common Open Space, whichever is greater, shall be planted within the Common Open Space, excluding rooftop decks. Landscape maintenance shall be performed in such a manner as to allow all trees to retain their full canopy height for screening and full canopy breadth for shade at point of maturity, except as required for public safety purposes.

**Hardscape:** A maximum of 25 percent of Common Open Space may be paved in standard concrete, with the remainder using enhanced paving such as brick, natural stone, unit concrete pavers, textured/colored concrete, or similar.

**Water Features:** No more than 5 percent of Common Open Space shall be decorative water features, such as fountains or reflecting pools.



# Site Planning and Operation

## Easements

Projects shall not construct structures on any portion of a lot identified by the City as being subject to an easement.

## Driveways

### [17.34.110]

A maximum of one two-way driveway shall be permitted on sites with less than 200 feet of Primary Street Frontage. A maximum of two two-way driveways shall be permitted on sites with 200 feet or more of Primary Street Frontage.

A minimum of one two-way driveway shall be located on a secondary street or alley, where available.

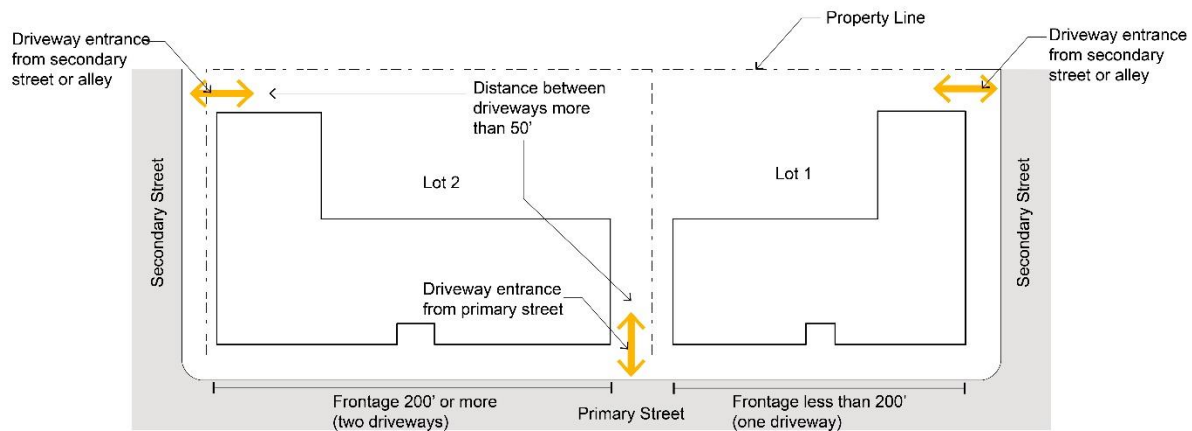
Driveways and associated curb-cuts shall have a minimum width of 25 feet and a maximum width of 30 feet.

For sites accessed directly from a road classed as Arterial Highway, the standards in Section 17.34.110G. of the City of Orange Municipal Code shall prevail in the event of a conflict with this section.

The minimum distance between driveways on the same lot shall be 50 feet.

Controlled entrances to parking (e.g. gates) shall be located to allow at least 30 ft of space for a queuing vehicle. If the project requires a traffic study or is accessed via an Arterial Highway, this distance may be increased and is subject to approval by the Community Development Director.

A landscape buffer of 5 feet minimum shall be placed between the driveways and adjacent buildings.



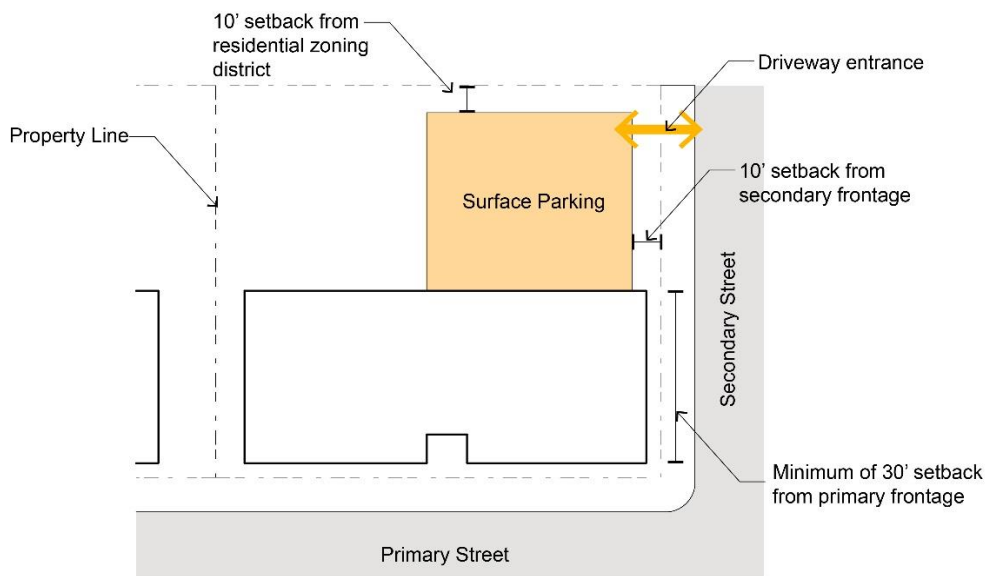
## Surface Parking Setbacks

### [17.34.120]

Surface parking areas shall be set back a minimum of 30 feet from the Primary Street Frontage, 10 feet from any Secondary Street Frontage, 10 feet from any adjacent residential zoning district, and 5 feet from interior property lines.



Parking areas shall be designed to prevent any portion of a vehicle parking within, or overhanging, these minimum setbacks. Parking shall be buffered by permitted non-parking uses or a Landscaped setback of 30 feet adjacent to the property line, except for vehicle/pedestrian access.



## Surface Parking Landscaping and Trees

[17.34.190, 17.34.130H.]

A minimum of 5 percent of a surface parking area shall be Landscaped and permeable, in addition to any Landscaped setbacks. This area shall be distributed throughout the parking area.

Landscaped setbacks shall include hedges or shrubs with a minimum height of 3 feet at the time of planting that form a continuous visual screen to block vehicle headlights.

## Structured or Podium Parking Setbacks

[17.34.120]

Structured parking (including underground) shall be set back a minimum of 15 feet from any adjacent residential zoning district.

Above ground parking shall be buffered by permitted non-parking uses, such as habitable area, landscaped area, lobby area, or circulation space, with a minimum depth of 35 feet adjacent to the primary street property line/s, except for vehicle/pedestrian access.

Semi-subterranean parking shall not extend beyond the building façade and may not project higher than four feet above sidewalk elevation.



## Structured Parking Landscaping

### [17.34.190, 17.34.130H.]

A minimum of one screening tree for every 20 feet of parking structure perimeter shall be planted and evenly distributed across the length of the structure elevations, integrated with other lower-level landscaping. This Planted Area shall have a minimum width of 5 feet.

Landscape green walls shall be utilized to screen the structure.

The parking structure footings and foundations shall allow for planning of vegetative material, including trees along the perimeter of the structure.

## Emergency Vehicle Circulation and Setbacks

### [17.34.120]

Vehicular access points to a project shall be designed to be consistent with the Orange City Fire Department's Fire Master Plans for Commercial and Residential Development. See requirements for necessary turning radii, setback requirements to be accounted for during site planning, particularly on streets with landscaped medians.





## Site Servicing

### Waste Storage, Collection Areas and Circulation

All waste enclosures shall be designed in accordance with the requirements of the California Government Code and the City's current Public Works Department Trash Enclosure Standard Plan No. 409. Enclosures shall accommodate separated trash, recyclable and green waste containers.

Where the above requirements cannot be met by a development, any shortfall in onsite storage shall be compensated for with a commensurate increase in collection occurrences. The details of waste collection schedules shall be submitted to the City in the form of a Waste Management Plan with the project application.

Waste collection areas shall be located such that a waste collection truck does not need to reverse for more than 50 feet. Where more than 50 feet is necessary, a truck turn bay shall be required.

### Transformers and Utilities

Transformers and utilities shall be accommodated on-site and screened from public view and neighboring properties.

Rooftop equipment, including solar photovoltaic, shall be screened from public view and be integrated into the building design.

Mechanical Equipment and Utilities: Fire Department backflow prevention devices, water meters, transformers, and other utility-related equipment are prohibited in the front yard unless completely screened in a manner that is incorporated into the design of the development. This provision does not apply to water tanks and landscaping equipment such as irrigation and sprinkler control systems.

(1) If air conditioning units or vents are located on the front façade, they shall not project more than 6 inches from the face of the building.

(2) If on a rooftop or in a yard, the equipment must be screened from view from the street with a wall, fence, or Landscaping.

Mechanical Equipment and Utilities: Fire Department backflow prevention devices, water meters, transformers, and other utility-related equipment shall be shown on the development plans for review and approval.

### Water Quality Best Management Practices

Development shall implement the Low Impact Development (LID) principles adopted by the City of Orange and be consistent with the requirements set out in Chapter 7 of the City of Orange Municipal Code, the Orange County Drainage Area Management Plan (DAMP) and City of Orange Local Implementation Plan (LIP).



## Glossary

**Some of the terms used throughout this document are defined below:**

**Arterial Highway** refers to a street identified as an 'arterial highway' by the Orange County Master Plan of Arterial Highways (MPAH).

A **Building Break** refers to a setback or separation, that splits a building into multiple building forms.

**Building Frontage** means the length of that portion of a building, abutting a street.

**Common Open Space** means land within or related to a development, neither individually owned nor dedicated for public use, which is intended for the common use or enjoyment of all residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

A **Façade Break** refers to an interruption in a single façade plane to create multiple façade planes.

**Front Property Line** is the boundary of a lot with Primary Street Frontage, after accounting for any identified easements or dedications. Easements or dedications are identified by the city in the City of Orange Masterplan of Streets and Highways and any applicable Street Plans.

**Landscaping / Landscaped** means an area devoted to or developed and maintained predominantly with native or exotic plant materials including lawn, ground cover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading, or storage areas). Artificial turf is considered Landscaping provided it maintains a natural appearance where the grass-like surface covering replicates lush natural grass in appearance and function. No other artificial plant material shall be considered Landscaping for the purpose of this definition.

**Lot Frontage** means the length of that portion of a lot, abutting a street.

**Minimum Setback Line** means the minimum setback identified as required for a particular building elevation or element.

**Planted Area** is an area of natural ground with uninterrupted soil depth that can accommodate root systems for larger vegetation and is permeable to allow water absorption. Planted Area excludes areas where there is a structure less than 2 feet underneath, pools and non-permeable paved areas.

**Primary Street Frontage** means the main street address or Lot Frontage that provides the principal access to a particular lot.

**Private Open Space** means an open space, fenced or otherwise, which is reserved for the exclusive use by the occupants of a single specified dwelling unit.

**Residential Common Space** refers to those spaces within a residential building that are for access and use of residents of the development and might include Common Open Space, common rooms, lobby areas, stairwell and circulation areas and garbage collection areas.

**Secondary Street Frontage** means the secondary street address or second frontage for a lot, which may include a side street or alley.

**Sloping Site** refers to parcels with a grade change of 10% or more, along the length of the Lot Frontage.

# Historic Preservation Design Standards Updates

September 2024





## IV. Historic Preservation Standards

In 2023, the City of Orange retained AECOM to create a set of objective design standards that could be applied to mixed-use and multi-family development in the City. The initiative seeks to maintain compliance of the City's land use policies with changes to California State law. In doing so, the initiative also seeks to contribute to both the streamlining of housing production in the City to improve affordability, while maintaining the high quality of new development that the City of Orange community and future occupants require.

As an extension of the task and in consultation with City Staff, AECOM has reviewed the City's Historic Preservation Design Standards Policy, dated December 12, 2018. The Policy outlines the City's position for which mixed-use and multi-family development occurring specifically in the Old Towne Historic District zones should conform, and as such the Policy is aligned with the objective standard exercise AECOM was retained for.

This document contains suggestions of how the City might rebuilding and increase objectivity within the Historic Preservation Design Standards Policy, to potentially adopt after further City review and community engagement. Suggestions are specifically related to the Old Towne Historic District zones. The suggestions provided were customized with the help of City Staff, taking into account the City's existing design standards and experiences in the process of reviewing recent historic, mixed-use and multi-family projects.

## Historic Preservation Policy Statement

Orange is a special place to live in part because of the historic buildings that help to create the neighborhood character. The purpose of these updated design standards is to preserve the distinct sense of place and unique character of the community through the implementation of local, state, and federal guidance for historic preservation. These standards are intended to complement the City of Orange's Cultural Resources and Historic Preservation Element and seek to further protect the historic setting and integrity of Orange's historic buildings and neighborhoods.



# Exterior Architectural Details and Building Materials

1. Exterior historic architectural features and building materials shall be preserved through maintenance and repair before utilizing replacement.
  - a. Work undertaken to stabilize, conserve, repair, or maintain existing historic features and materials shall be physically and visually matching with the historic feature.
  - b. The replacement of intact or repairable architectural details features and building materials is prohibited.
  - c. Removal or covering over distinctive architectural features and examples of skilled craftsmanship is prohibited. Distinctive architectural features that are particularly important to the character of a historic building shall be retained and/or replaced in kind if too deteriorated to repair. Distinctive features may include decorative elements such as brackets, exposed rafter tails, and columns, or the pattern of materials used in construction, such as decorative shingles, masonry, or stonework.
  - d. Historic finishes shall not be altered. Unpainted historic masonry, concrete, or wood elements shall not be painted. Similarly, wood elements that were painted or stained historically shall maintain the same finish to protect the materials from deterioration.
2. Exterior historic features and materials shall be repaired in place and in kind to the greatest extent feasible<sup>1</sup>.
  - a. Repairs shall maintain as much historic material as possible by patching, splicing, consolidating, or otherwise reinforcing deteriorated materials.
  - b. When cleaning or repairing exterior historic materials using physical or chemical treatments, use the gentlest means possible. Treatments that cause damage to historic materials is prohibited.
3. Exterior historic materials that are too deteriorated to be repaired as determined by an evaluation prepared by a historic preservation professional meeting the Secretary of Interior's Professional Qualifications Standards, shall be replaced in kind.
  - a. Replacement shall be limited to only those portions of the historic feature that are deteriorated beyond repair.

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<sup>1</sup> Per federal guidance for projects involving historic properties, work designed to conform to the greatest extent feasible with the California State Historic Building Code, [State of California, Title 24, Building Standards, Part 8] as well as Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Building are considered to result in minimal or no adverse effects to a historic property.



- b.** Replacement of historic elements shall match the historic design, materials, scale, size, proportion, finish, texture, details, and profile.
  - c.** Non-historic materials such as vinyl siding or synthetic stucco, are prohibited as substitute materials for use on a historic building.
  - d.** Replacement of an exterior historic material with a substitute material shall be allowed if the substitute material matches in appearance and properties (such as finish and density) and does not damage the remaining historic material, per the criteria described in National Park Service Preservation Brief 16: The Use of Substitute Materials on Historic Building Exteriors.
- 4.** Removal of inappropriate, non-historic architectural features and/or building materials that are not consistent with the historic design is permissible.

  - a.** In some cases, these later additions/alterations may be obscuring original historic materials and/or character-defining features.
- 5.** If historic features are missing, replacement shall be based on historic documentation, such as historic photographs or physical evidence, such as remnant marks on the building. If none are available, the design of replacement details shall match with the architectural character of the building and match with the size, scale, and materials of the historic building and its setting.
- 6.** Adding architectural details or elaborate decorative elements that do not match the architectural style of the building or are not based on documentary or physical evidence from the building's history are prohibited.



# Standards for Historic Building Features

## Roofs

1. The historic roof form shall be preserved and maintained.
  - a. Changing the slope or configuration of a historic roof is prohibited.
  - b. Other decorative and functional details including vents, corbels, dormers, finials, built-in gutters, collectors, downspouts, and chimneys shall be preserved and repaired as necessary to prevent deterioration.
2. Historic roofing materials shall be preserved.
  - a. Deteriorated sections of historic roofing materials, shall be replaced with in-kind or with a substitute material to match the existing.
3. Replacement roofing materials shall match the scale, texture, and color to materials used historically.
4. New dormers shall be minimally visible from the public right-of-way<sup>2</sup> and not damage or obscure character-defining features.
5. New skylights shall not be visible from the public right-of-way and not damage or obscure character-defining features. New skylights shall be low profile. Dome skylights are prohibited in the historic district.
6. New roof vents shall be minimally visible from the public right-of-way and not damage or obscure character-defining features.

## Windows and Doors

1. Historic windows and doors shall be preserved and maintained.
  - a. A project shall not alter the location, number, size, pattern, muntin, mullion, type (casement, single-or double-hung, etc.), or proportion of historic windows and doors on elevations visible from the public right of way.
  - b. Historic metal grillwork or decorative bars on windows shall be retained.
  - c. Door and window screen material and design shall match with the architectural style of the historic building.
  - d. Awnings and shutters shall be installed only on historic buildings with documentation and/or physical evidence of historic use. The replacements shall be similar in materials, design, and

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<sup>2</sup> For the purposes of these design standards, public right-of-way includes streets, sidewalks, alleyways, and paseos.



operation to those used historically and match the shape of the window on which they are installed.

2. Historic windows and doors with signs of damage or deterioration shall be repaired, rather than replaced.
  - a. Repairs shall follow the recommendations of the National Parks Service (NPS) Preservation Brief 9 – The Repair of Historic Wooden Windows and other applicable federal historic preservation standards and technical guidance from NPS Technical Preservation Services.
  - b. If glass in historic windows or doors must be replaced, the new glass shall match the same visual characteristics as the historic glass (e.g. clear glass for clear glass, stained glass for stained glass). Installing non-historic reflective coatings or dark tints on windows is prohibited. Frosted or opaque glass window films may be applied on side or rear elevations if privacy from adjacent properties is a concern.
3. A historic window or door that is too deteriorated to repair shall be replaced in kind.
  - a. The replacement window or door shall use the physical evidence of the feature to match the size, shape, arrangement of panes, glazing in a door and/or door surround, materials, method of construction, frame, sills, surrounds, and profile of the historic feature.
4. Restoring original windows and doors that have been removed or altered shall be undertaken when documentary (photographs, drawings, etc.) and/or physical evidence exists for an accurate restoration.
  - a. If a window or door has been replaced with non-historic materials, a new window or door that matches with the size, scale, material, and design of the building may be installed in its place.

## Mechanical Systems

1. Exterior mechanical equipment shall be located in areas minimally visible from the public right-of-way.
  - a. Equipment mounted directly on a historic building shall be attached using the least invasive method, without damaging character-defining features.
  - b. Roof-mounted equipment can be installed on flat roofs provided the equipment is screened from public view by parapet walls.
  - c. Mechanical equipment placed at ground level or shall be placed to the rear or side of a property and screened from public view.
  - d. If locating mechanical equipment at the rear or side of the historic building is infeasible, the equipment shall be placed at ground level and screened from public view by a decorative equipment screen or other architectural treatment.
2. Rooftop solar panels shall be located in areas minimally visible from the public right-of-way.





- a.** Rear-facing roofs of primary historic buildings or rooftops of detached garages or accessory buildings are the most appropriate locations for solar panels.
- b.** On flat roofs with parapet walls, solar panels may be installed on the full extent of the roof, provided that the panels are screened from public view by the parapet walls.
- c.** On sloped roofs, solar panels shall be installed on the rear 50 percent of the roof of the primary building.
- d.** On corner lots, for buildings with sloped roofs, solar panels shall be installed on the interior 25 percent of the roof of the primary building.
- e.** If the permitted locations for solar panels in Standard 2c or 2d cause the installation to be visible from the public right-of-way, panels shall be configured to the extent feasible parallel to the roof plane, with minimal profile, no roof overhang, and no alteration of the existing roof shape or slope.
- f.** Solar panels shall be parallel to the roof plane, shall not extend more than 10 inches above the roof surface, and shall not overhang or alter existing rooflines.
- g.** Solar panels shall be attached to roofs using the least invasive method possible, without damaging character-defining features.



# Standards for Historic Residential Buildings

Relationships of buildings to each other, setbacks, existing grade, fencing patterns, views, driveways, walkways, lighting, and street trees all contribute to the character of historic streetscapes.

## Landscape, Planting, and Setting

1. The historic setback of front and side yards shall be retained and match the existing block pattern.
2. Historic walkways, historic scoring, driveways, and other hardscape features in the front yard shall be preserved.
  - a. Historically unpainted walls, curbs, or planters shall not be painted.
3. Repairs or expansion of paving or hardscape features shall match the historic features in materials, color, texture, scoring pattern, and finish.
4. Paving parkways, front yards, and side yards that were historically unpaved shall be prohibited.
5. Parking areas shall be located at the rear of the site and shall be screened from public view by fencing or landscaping.
6. Historic driveways and their configuration and material shall be retained and preserved through repair/maintenance or replace in kind.
7. Retain and preserve historic fencing and walls of front yards. New or replacement front yard fencing shall be installed, provided it matches with the architectural style of the building and materials used during the period of significance of the historic building and is consistent with the prevailing pattern of fencing in the streetscape, including design, setback, and existing planting strips.
  - a. Chain-link with tube steel, vinyl, composite board, , and plastic fencing materials are prohibited.
8. Rear yard opaque fencing for privacy is permissible, provided that the period of significance, style, scale, design, and materials match with the historic building and the neighborhood.
  - a. If a six-foot rear or side yard fence is located next to the street, the fencing shall match with the prevailing pattern of fencing in the streetscape, including material, setback, and existing planting strips. If there are no other fences on the block, the style and materials shall reflect the period of significance to the architecture of the house. A two-foot wide planter shall be located between the property line and fencing.
9. Historic trees and hedges, shall be maintained and preserved.
10. Artificial turf is prohibited in parkways, front yards, and side yards visible from the public right-of-way.



## Porches

1. Historic porches shall be preserved.
  - a. Maintain the location, shape, details, posts, railings, balustrades, and decorative brackets of the historic porch.
  - b. Repair deteriorated decorative elements or replace missing elements to match the existing.
  - c. Alterations for accessibility shall be designed and built to be minimally visible and to require minimal alterations to historic materials and features, while allowing equal access to the building.
2. Original steps shall be preserved. If the steps are too deteriorated for repair, they shall be replaced utilizing materials to match the original design.
3. All or part of a historic porch or entrance shall not be enclosed in areas visible from the public right-of-way.
4. Guard rails are prohibited unless there is documentary or physical evidence that a guardrail existed on a porch historically, or there is a safety issue to be addressed.
5. The addition of a handrail for safety at the front steps is allowed, if the handrail matches in design, uses materials matching with the historic building, and installation does not destroy any character-defining features or materials of the historic building.

## Garages and Accessory Buildings

1. Historic accessory buildings shall be preserved.
  - a. Changes to accessory buildings shall comply with the Standards for Historic Building Features.
  - b. A one-story addition to the side or rear of an accessory building may be an appropriate way to provide additional parking or storage area.
  - c. The addition of a new second floor or substantial modifications to the rooflines of historic garages or accessory buildings are prohibited.
  - d. Adding small dormers to an existing roof are appropriate, provided that the scale, design and materials of the dormers match with the architecture of the historic accessory building.
    - i. Dormers shall not be on the same wall plane as the story below of the historic building.
    - ii. The total sum of dormers shall not be greater than 25% of the roof plane width.
  - e. Historic garage door design, type, and materials shall be preserved and maintained.
    - i. A replacement of a non-historic garage door shall match with the materials and design of the historic accessory building.



2. In order for a new or continued use, a historic accessory building may be relocated on the property.
  - a. The new location of the accessory building on the lot shall maintain the historic relationship between houses and accessory buildings that are typical of the Historic District. Relocation shall not substantially change the prevailing development pattern of houses and accessory buildings in the neighborhood. Accessory buildings shall be relocated within rear yards only and should not be relocated in front or side of the house.
  - b. Relocation shall maintain the original orientation of the building to the street.
  - c. Relocation shall retain the existing driveway to the greatest extent feasible.
3. The majority of historic accessory buildings can be preserved and rehabilitated. In limited cases, a historic accessory building may be too deteriorated to be repaired. If a property owner believes that a historic accessory building cannot be repaired, the property owner may submit a report to the Historic Preservation Planner requesting demolition and reconstruction of the building.
  - a. The report shall include:
    - i. A detailed analysis of the condition of the existing building and feasibility of repairs by a qualified licensed structural engineer and/or historic preservation contractor meeting the Secretary of Interior's qualifications.
    - ii. A comprehensive proposal for accurate reconstruction and reuse of salvaged historic materials from the building.
  - b. The report will be reviewed by the Historic Preservation Planner who will make a recommendation to the Design Review Committee on the proposed demolition and reconstruction.
  - c. The request for demolition of a historic accessory building shall comply with the project review process outlined in the Demolition Review Ordinance (OMC 17.10.090).
  - d. No building may be demolished without prior approval and a demolition permit.
4. New garages and accessory buildings shall be similar in massing, scale, and design to historic garages and accessory buildings in the historic district.
  - a. New garages and accessory buildings shall be detached from the primary historic building and within the rear yard.
  - b. New garages or accessory buildings shall be designed to architecturally match with the historic residence and shall be subordinate in height, width, and area in comparison to the existing primary building.



# Standards for Historic Commercial Buildings

## Setting and Building Features

1. Historic sidewalk features, including street lights, shall be preserved.
  - a. Historic sidewalks may include any unique score patterns, textures or materials that shall be preserved. If the sidewalks cannot be repaired, it shall be replaced in kind.
2. Historic primary entrances shall be preserved whether or not it is used as the primary entrance for the use.
3. When commercial uses occupy historic residential buildings, the front yard landscaping shall be retained and historic paving shall remain.
  - a. Parking in the front yard is prohibited.
  - b. Pedestrian-oriented uses, such as outdoor dining, are permissible in the front yard area of the private property, provided that the use can be accommodated with limited additions of paving or non-porous surfaces and does not affect any character-defining features of the historic building or setting.
4. Exterior light fixtures shall be compatible with the architectural style of the building.
  - a. Animated or flashing lights are prohibited.
  - b. Colored lights are prohibited, except for exposed neon used in signage.
  - c. Lighting should typically have a warm color temperature not to exceed 3,000 Kelvins.
  - d. Light sources on building and site lighting shall be shielded to prevent glare and light spill onto neighboring properties.
5. Trash enclosures and utility and service cabinets shall be integrated into the design of the building and site and shall be located at secondary elevations or in alleyways.
6. The height of a new building, or an addition to an existing building, shall not exceed two stories, 30 feet, or the height of adjacent historic buildings, whichever is the lesser height.
  - a. In the Plaza Historic District and Downtown Core, a new story is not permitted on the top of an existing historic building.
  - b.
7. In the Plaza Historic District, new construction with exposed sloped roofs is prohibited.
8. In the Plaza Historic District, a consistent building street wall with zero setbacks shall be maintained by all new construction.
  - a. Recessed entrances, matching the pattern of historic storefronts in the Plaza, shall be used.



9. In the Downtown Core and Spoke Streets, new construction shall match with the prevailing pattern of setbacks of surrounding properties on the same block.
10. For new construction, a 15-foot landscape area is required between all parking areas and any public right of way. Landscaping shall provide visual screening for parked cars.
11. For existing construction, landscape areas shall be provided between all parking areas and any public right-of-way to the greatest extent feasible. Landscaping shall provide visual screening for parked cars.

## Storefronts

1. Historic commercial storefronts and their component elements, such as display windows, bulkheads, transoms, prism glass, doors, pillars, pilasters, and other character-defining features shall be preserved.
  - a. Altering the location, number, size, pattern or proportion of historic openings, particularly on primary elevations is prohibited.
  - b. Interior spaces shall be designed so that new partitions do not impact the appearance of the historic storefront.
2. Transparent, clear glazing shall be used for ground floor storefronts. Reflective coatings or dark tints on storefront glazing are prohibited.
3. New replacements of non-historic storefronts shall be based on evidence of the historic appearance of the building or the pattern and features of surrounding historic storefronts.
  - a. Recessed entrances at new storefronts shall be used in the Plaza Historic District and are encouraged in other locations.
  - b. New storefronts in the Plaza and Downtown Core shall maintain the existing pattern of glass at the building wall along the sidewalk. Removing storefront glazing to create recessed outdoor areas at the front of commercial buildings is prohibited on historic buildings unless it has a documented history of a recessed storefront in that location.
4. New security bars and roll-down gates are prohibited.
5. Awnings shall be of color, size, scale, design, and operation to those used historically. Awnings shall be constructed of historic period materials.
  - a. An awning shall fit within each of the building's structural bays, exactly over the display windows. Awnings shall be of materials used historically
  - b. Internally illuminated awnings or vinyl awnings are prohibited.
  - c. New awnings shall use anchors and attachments through the mortar joints only, that do not damage the historic building materials and/or building.
6. Reconstructing historic storefronts that have been removed or altered shall be undertaken only if documentation and/or physical evidence is existing.



a. If a historic opening has been replaced with non-historic materials, a new one that matches with the architectural style of the building shall be installed in its place. Design of the replacement shall be based on available photographic evidence. If no such evidence exists, the replacement should be based on a combination of physical evidence (indications in the building of the building) and evidence of similar elements on buildings of the same architectural style in the historic district. The new opening matches size, shape, design and materials of similar openings of nearby historic buildings.

7. Mechanical equipment, including, but not limited to electrical meters, fire risers, valves shall be located behind the storefront.

## Signage

1. Historic signs, including painted wall signs, shall be preserved and shall not be painted over, covered, defaced or removed.

a. The City maintains a list of historic painted signs in the Plaza. Consult the Historic Preservation Planner prior to starting any work on a painted sign on a historic building.

b. Any signs uncovered during the process of rehabilitation or restoration shall adhere to the standards outlined in this section.

2. New signs shall be made of traditional materials such as wood or metal used in a traditional way.

a. Plastic signs are not permitted.

b. Painted signs are allowed on existing painted surfaces. Painted signs are prohibited on unpainted masonry surfaces.

c. If an alternate sign material is proposed, it shall match with the design, texture, reflectivity, durability and color of a traditional sign material.

3. New signs shall not conceal or diminish architectural features of the building.

4. Traditional sign locations include belt courses above storefronts, on transom panels, on wall surfaces above second floor windows, projecting from the face of the building, on awning valences, or windows.

5. Sign installation shall not damage historic materials.

a. Mounting brackets and hardware shall be anchored into mortar joints only, not into the face of masonry units.

b. All attachments penetrating historic materials shall use materials that prevent rust and deterioration.

6. Signs shall be externally illuminated.

a. Internally illuminated signs are not permitted, with the exception of halo-lit channel letters.



- b.** Neon is permissible for blade or wall signs. LED replicating the appearance of neon is also permissible.
  - c.** External illumination shall be from concealed sources or from matching metal fixtures.
- 7.** One wall sign is permitted per tenant on each building elevation.
  - a.** A wall sign is limited to a maximum of one square foot for each lineal foot of the tenant's street frontage.
  - b.** Maximum total sign length is 20 feet.
  - c.** Letter height shall be no more than 24 inches tall.
  - d.** Multiple lines of text are permitted, provided the sign area requirements are met.
- 8.** One blade sign is permitted per tenant, in lieu of a wall sign.
  - a.** A blade sign is limited to 15 square feet in area for each face.
  - b.** The sign shall have at least 8 feet of vertical clearance between grade and the lowest point of the sign.
  - c.** A sign may project over the public right of way, provided that the sign meets the requirements of Orange Municipal Code 17.12.040.D.12.
- 9.** One hanging sign, oriented toward pedestrians, is permitted per tenant, in addition to the permitted wall or blade sign.
  - a.** A hanging sign is limited to 8 square feet in area for each face.
  - b.** A sign may project over the public right of way, provided that the sign meets the requirements of Orange Municipal Code 17.12.040.D.12.
- 10.** Reversible painted or interior decal signs are appropriate for use on window and door glazing.
  - a.** Window sign area counts as part of the total allowable area for wall signs.
  - b.** A window sign with a solid background is limited to no more than 10 percent of the glazing area.
  - c.** A window sign with lettering only is limited to no more than 20 percent of the glazing area.
- 11.** Printed or painted lettering is permissible on an awning valance, subject to all restrictions for wall signs.
  - a.** Awning signage counts as part of the total allowable area for wall signs.
  - b.** Signage on the upper face of the awning is not permitted.
  - c.** Signage on the awning valance should be no more than 50 percent of the valance area.
- 12.** Freestanding signs are prohibited in the Plaza or in the Downtown Core for properties fronting Glassell Street or Chapman Avenue.





**13.** One freestanding monument sign is permitted for properties outside of the Plaza or Downtown Core, in lieu of a wall or blade sign.

**a.** A freestanding sign is limited to 12 square feet in area for each face, excluding the base building.

**b.** A freestanding sign is limited to 42 inches in height.

**14.** Signs for commercial uses in formerly residential buildings shall not obstruct architectural features and shall match with the scale and appearance of the building. In these cases, freestanding monument signs are preferred.



# Standards For New Construction Related to Historic Buildings

## Additions to Historic Buildings

1. Additions shall be designed to be subordinate and secondary to the historic building and those adjacent.
  - a. Additions shall be designed to match with the mass, scale, and volume of the historic building and adjacent historic buildings.
2. Additions shall be located at the rear 50% of the historic building to minimize their visibility from the public right-of-way.
  - a. Vertical additions are prohibited on top of an existing single-story building.
  - b. Additions to side elevations shall incorporate a clear setback from the elevation facing the public right-of-way to minimize visibility.
3. The addition shall be differentiated from the historic building.
  - a. The addition shall be differentiated from the historic building requiring an offset, with materials, and features sharing similar physical characteristics, scale, and textures.
  - b. The addition must maintain the visual features and mass of the building as well as the overall streetscape pattern. Do not obscure, alter or demolish character-defining features in order to accommodate new additions. Additions shall be in areas that are not visible to the public. Do not make additions to primary façades. Set back side additions clearly from the primary façade to distinguish the existing building.
4. Additions to historic buildings shall use traditional building materials complementary to the style of the historic building or the period of significance of the Historic District.
  - a. The texture, color and detailing of traditional building materials on an addition shall be compatible with the style or period of construction of the main building.
5. Roof forms, including pitch and eave depth, shall match with the existing historic building.
  - a. New dormers shall be designed in a style that matches with the architectural style of the historic building.
6. Window and doors openings in an addition shall be based on the alignment, rhythm, size, shape, and pattern of openings on the historic building.
7. An addition shall be designed to avoid obscuring and/or demolishing/damaging character-defining features and not result in the loss of historic materials and character-defining features of the historic building.



- a. If the addition were removed in the future, the essential form and integrity of the historic building shall be unchanged.
- b. The roofline of the historic building shall be retained on elevations visible from the street.

## Infill Construction in A Historic District

1. The location of new primary and secondary buildings on a lot within a historic district shall match the historic pattern of front and side yard setbacks.
  - a. New buildings in front of a historic building is prohibited. New buildings along the side of a primary building are prohibited.
  - b. New buildings that is taller than surrounding existing buildings shall break up its mass into smaller components or modules. Step down the height of a taller new building when located adjacent to an existing shorter building.
2. New buildings shall match in massing, scale, and form to surrounding contributing buildings in the historic district on the same block.
  - a. Properties with new construction shall use the average Floor Area Ratio of historic properties on the surrounding street as a model for compatible new development.
3. The height and roof form of a new building shall match the surrounding historic buildings.
  - a. Roofing materials and details shall be similar to those found on historic properties.
  - b. Dormers shall be similar in size and style to historic properties.
4. A new primary building shall have a main entrance and façade parallel to and facing the street.
5. The progression of public to private spaces from the street shall be maintained.
  - a. A sheltered building entrance or front porch is appropriate to create a transitional space from the street to the interior of the building.
6. New construction window and door openings shall be based on the alignment, rhythm, size, shape, and pattern of openings of adjacent historic buildings.
7. The use of traditional building materials found on historic buildings in the Historic District shall be used on new construction and match with the size, scale, design, texture, reflectivity, and durability of historic materials used on comparable historic buildings in the Historic District.
  - a. Alternates to traditional building materials shall be permissible if matching with the design and appearance of comparable historic features on similar contributing buildings in the Historic District.
8. The height, mass and scale of new secondary buildings shall be subordinate to the primary historic building and/or to an adjacent contributor to a historic district.
  - a. The height of secondary buildings shall not exceed the height of the primary historic building.



- b.** The design of secondary buildings shall be subordinate to the primary historic building on the lot and/or to adjacent contributors of a historic district.
- 9.** Infill construction shall adhere to the sections on Standards for Historic Residential Buildings – Setting or Standards for Historic Commercial Buildings – Setting.



# Standards For Noncontributing Buildings in Historic Districts

1. Non-contributing properties shall comply with the Standards for Historic Residential Buildings – Setting or Standards and for Historic Commercial Buildings – Setting.
2. Non-contributing properties shall comply with the Standards for Historic Building Features – Mechanical Systems.
3. Front porches are a common feature of historic residences in Old Towne. Removing or infilling an existing front porch on a non-contributing building is prohibited in the Historic District.
4. The primary building shall have a main entrance and facade oriented toward the street.
5. Windows and doors shall match with the building's predominant architectural style or with historic buildings in the Historic District.
6. The use of traditional building materials found on historic buildings in the Historic District shall be used for non-contributing buildings.
  - a. Exterior materials shall match with the size, scale, design, texture, reflectivity, durability and color of traditional materials used in the Historic District.
  - b. Alternatives to traditional building materials may be considered, if the alternative material match with the building's predominant architectural style or with comparable contributing buildings in the Historic District.
  - c. Vinyl windows are prohibited for use on non-contributing buildings.
7. The use of elaborate architectural details or ornamentation that does not match with the noncontributing building's predominant architectural style or surrounding contributing buildings shall be prohibited.
8. Additions to non-contributing buildings adjacent to a contributor of a historic district shall match with the mass, scale and setbacks of the existing building and surrounding historic properties.
  - a. An addition to a non-contributing building adjacent to a contributor of a historic district shall not exceed the height and massing of the adjacent historic building.
  - b. An addition to a non-contributing building in a historic district shall not be within the established setback of contributing historic buildings on the block.
  - c. Simple roof forms that reflect the form of the non-contributing building and surrounding historic buildings shall be used in the design of additions to non-contributors.
  - d. Second-story additions to a one-story building are prohibited.



# Agenda Item

## Design Review Committee

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**Item #:** 4.1.

3/20/2024

**File #:** 24-0139

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**TO:** Chair and Members of the Design Review Committee

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Robert Garcia, Senior Planner

### 1. SUBJECT

Review of Objective Design Standards.

### 2. SUMMARY

An amendment to Chapter 17.14 and 17.19 of the Orange Municipal Code to incorporate objective residential Design standards for certain multifamily housing projects to implement State Housing Law.

### 3. RECOMMENDED ACTION

Provide feedback in the draft Objective Design Standards.

### 5. DISCUSSION AND BACKGROUND

As State Housing Law continues to evolve, multi-family housing projects with affordable components are required to be ministerially approved. Specific state laws include, but are not limited to, Senate Bill (SB) 35, that requires the availability of a streamlined ministerial approval process for developments in localities that have not yet made sufficient progress towards their allocation of the Regional Housing Need Assessment (RHNA) fair share. Assembly Bill (AB) 2162 requires that supportive housing be a use that is permitted by right in zones where multifamily and mixed-use development is permitted. SB 4 applies to faith-based institutions and non-profit colleges to build affordable, multi-family homes by streamlining the permitting process and overriding local zoning restrictions. AB 2011 allows for ministerial, by-right approval for affordable housing on commercially zoned lands, and also allows such approvals for mixed-income housing along commercial corridors, as long as the projects meet specified affordability, labor, and environmental criteria. Despite the ministerial approval requirement, state law does allow the City to apply adopted objective design standards (ODS) to a project before it can proceed to building permits.

The City's Orange Municipal Code (OMC) has objective development standards but has very few ODS. The City regularly relies on subjective design guidelines and a discretionary design review process to determine the adequacy and contextual appropriateness of project design. This process can no longer be utilized for multi-family development applications with a qualifying affordable component. Hence, creation of ODS will enable the City to review qualifying multi-family housing development applications and retain ability to direct the design of new residential developments.

The ODS document contains a set of standards specific to multifamily and mixed-use projects in the City of Orange's Residential Multifamily zones (R-3 and R-4), Urban Mixed Use (UMU), Neighborhood Mixed Use (NMU), and Old Towne Mixed Use (OTMU-15, OTMU-15S, and OTMU-24)

zones. The standards build upon the City's existing design standards and experiences reviewing recent mixed-use and multi-family projects. These standards will supplement the existing development standards. In the instance of a conflict between the standards in this document and those in the OMC, the ODS document shall prevail.

The ODS accomplish the following:

- Provide specific site planning standards regulating building orientation, site layout, site access, parking lots and courts, trash enclosures, etc.
- Provide standards specific to landscaping, open space requirements for common and private open space, site lighting, walls and fences, etc.
- Include building design standards such as, but not limited to, general building form, building height and massing, façade articulations, roof forms, doors and entryways, windows, etc.
- Include architectural standards for distinct styles which specify criteria in areas such as form and massing, roof, materials and colors, doors and windows, and decorative details.

Any housing development applications ineligible for ministerial processing would continue to require the City's standard discretionary review process.

## **9. ADVISORY BOARD RECOMMENDATION**

None.

## **10. PUBLIC NOTICE**

No public notification is required for this report to the Design Review Committee.

## **11. ENVIRONMENTAL REVIEW**

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378 (Common Sense Exemption) because it will not have a direct or reasonably foreseeable indirect physical change on the environment and is not a "project." For this reason, no further CEQA documentation is required.

## **14. ATTACHMENTS**

- Attachment 1 Objective Design Standards

**MINUTES**

**City of Orange**

**Design Review Committee**

March 20, 2024

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The Design Review Committee of the City of Orange, California convened on March 20, 2024, at 5:30 p.m. in a Regular Meeting in the Council Chamber, 300 E. Chapman Avenue, Orange, California.

**1. OPENING/CALL TO ORDER**

Chair Skorpanich called the meeting to order at 5:30 p.m.

**1.1 PLEDGE OF ALLEGIANCE**

Chair Skorpanich led the flag salute.

**1.2 ROLL CALL**

**Present:** Farfan, Imboden, McDermott, Grosse, Ledesma, and Skorpanich

**Absent:** None

**2. PUBLIC COMMENTS**

None.

**3. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine by the Design Review Committee and will be enacted by one motion. There will be no separate discussion of said items unless members of the Design Review Committee, staff or the public request specific items be removed from the Consent Calendar for separate action.

**3.1. Approval of minutes of the City of Orange Design Review Committee Regular Meeting held on March 6, 2024.**

Item 3.1 was removed from the Consent Calendar for separate consideration by Committee Member McDermott.

**ACTION:** A motion was made by Committee Member Ledesma, seconded by Committee Member Farfan to approve the minutes as presented. The motion failed by the following vote:

**Ayes:** Farfan, and Ledesma

**Noes:** Imboden, McDermott, Grosse, and Skorpanich

**Absent:** None



(Item 5.1 re-ordered to be heard before Item 4.1)

## 5. OLD BUSINESS

- 5.1. A proposal to construct an addition at the side of an existing historic residence, 814 E. Ferndale Avenue (Design Review No. 5111-23)(Continued from February 7, 2024).

A motion was made by Committee Member Imboden, seconded by Vice Chair Farfan, to continue Item 5.1, Design Review 5111-23, to the April 3, 2024, Regular meeting. The motion carried by the following vote:

**Ayes:** Farfan, Imboden, McDermott, Grosse, Ledesma, and Skorpanich  
**Noes:** None  
**Absent:** None

## 4. COMMISSION BUSINESS

- 4.1. Review of Objective Design Standards.

Public Speakers:

Diana Zdenek (representing Old Towne Preservation Association).

Committee discussed and reviewed various details of the document.

RECESS: The Design Review Committee recessed at 7:52 p.m. and reconvened at 8:09 p.m. with all Members present.

The Committee provided staff with feedback for the draft Objective Design Standards.

## 6. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:19 p.m.

The next Regular Design Review Committee meeting will be held on Wednesday, April 3, 2024 at 5:30 p.m., in the Council Chamber.



Chad Ortlieb  
Principal Planner

Summary of changes to the Objective Design Standards based on input from the Design Review Committee from its March 20, 2024, meeting, as well as members of the public (OTPA Board) at that meeting. The summary is broken down by category.

#### *Multi-family Category*

- Additional verbiage was added to clarify that the ODS only apply to certain housing projects.
- Provided a 10 foot landscape buffer between the building and driveway.
- Provided clarification on number of trees needed within landscape in front yard areas.
- Provided a greater setback in cases where the development abuts the rear yard of a single family district.
- Provided landscaping in facade break areas.
- Additional verbiage was added preventing footings in planter areas unless depth of footing exceeds 36 inches.
- Clarified that buildings shall be painted in one predominate color and up to three secondary colors.
- Provided screening on structured parking including landscaping, and green screen walls.

#### *Mixed Use Category*

- Additional verbiage was added that the ODS only apply to certain housing projects.
- Provided clarification on number of trees needed within landscape in front yard areas.
- Provided a greater setback in cases where the development abuts the rear yard of a single family district.
- Verified that the graphics match the associated text.
- Additional verbiage was added preventing footings in planter areas unless depth of footing exceeds 36 inches.
- Provided screening on structured parking including landscaping, and green screen walls.

#### *Historic Preservation*

- Modified verbiage to eliminate subjectivity by using word such as shall, prohibited, and match.
- Clarified that a historic preservation professional shall meet the Secretary of Interior's Professional Qualification Standards.
- Provided verbiage that makes a standard measurable.
- Additional verbiage that preserves the historic existing setting including setbacks, grade, and streetscapes.
- Additional verbiage related to appropriateness of materials to the historic architectural period.
- Provided a two foot wide planter between the property line and fencing.
- Additional verbiage addressing the use of dormers.
- Additional verbiage that preserves historic primary entry regardless of use.
- Specified the lighting temperature no to exceed 3,000 Kelvins.
- Additional verbiage for the screening of equipment such as meters, mechanical equipment, valves, risers, etc. behind the storefront.
- Additional verbiage that additions shall be located at the rear 59% of historic buildings.
- Additional verbiage that addresses the impact of taller buildings than the surrounding existing buildings by breaking its mass into smaller components.
- Additional verbiage for the preservation and maintenance of historic doors and windows.
- Outdoor dining clarification



# Agenda Item

## Planning Commission

Item #: 4.3.

10/21/2024

File #: 24-0589

**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Arlen Beck, Associate Planner

### 1. SUBJECT

Public hearing to consider a request to construct a new single-family residence with a detached one-car garage, located at 323 E. River Avenue and finding of CEQA exemption (Variance No. 2262 and Design Review No. 5136).

### 2. SUMMARY

The applicant proposes to construct a new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing vacant lot in the Nutwood Tract of the Old Towne Orange Historic District. A Variance request is submitted to allow for the development to provide a one-car garage instead of the required two-car garage.

### 3. RECOMMENDED ACTION

- 1) Adopt Planning Commission Resolution No. PC 31-24. A Resolution of the Planning Commission of the City of Orange approving Variance No. 2262 and Design Review No. 5136 for a new single-family residence with a detached one-car garage in the Old Towne Orange Historic District located at 323 E. River Avenue.
- 2) Find the proposal exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303.

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Section 17.08.020(B)(2)(a) authorizes the Planning Commission to review and take final action on applications for Variances, and Design Review. Note (b) of Table 17.08.020 of the OMC - Reviewing Bodies - states that when more than one type of application is filed for a single project, the application requiring the highest level of approval shall dictate the review process for the entire group of applications. The Planning Commission is the highest-level approving body for these applications.

### 5. PROJECT BACKGROUND

<i>Applicant/ Property Owner:</i>	Michael Muhonen
<i>Property Location</i>	323 E. River Avenue

<i>Existing General Plan Land Use Element Designation</i>	Low-Medium Density Residential (LMDR)
<i>Existing Zoning Classification</i>	Duplex Residential (R-2-6)
<i>Old Towne</i>	Yes
<i>Site Size</i>	3,995 sq ft
<i>Circulation</i>	There is an existing driveway at the east side of the site providing access from E. River Avenue.
<i>Existing Conditions</i>	The site is currently vacant with an existing tree bisecting the west property line. There are electrical lines running overhead the parking strip where there is an existing palm tree.
<i>Surrounding Land Uses and Zoning</i>	Use Zoning North Residential - Single-Family Duplex Residential (R-2-6) South Residential - Single-Family Duplex Residential (R-2-6) West Residential - Single-Family Duplex Residential (R-2-6) East Residential - Single-Family Duplex Residential (R-2-6)
<i>Previous Applications/Entitlements</i>	None

## 6. PROJECT DESCRIPTION

The project includes a new 934 sq ft single-family residence with a 416 sq ft detached one-car garage on an existing vacant lot in the Old Towne Orange Historic District. The existing lot is legal non-conforming in that the existing lot size is 3,995 sq ft, whereas there is a 6,000 sq ft minimum lot size to establish a new legally subdivided lot for the R-2-6 zoning district. Due to the limited lot size, the applicant is proposing a one-car garage which does not meet the two-car garage requirement for the development.

### Development Standards

	Required	Proposed	Code Section
<i>Building Height</i>	32 feet	13 feet 11 inches	17.14.070
<i>Fence height</i>	42 inches in front yard setback (first 10') 6 feet in all other areas	42" high sliding gate at driveway 36" high fence along front property line 18" high wall along south side property line for first 30' and then 6'0" high wood fence along the remaining side and rear property lines	17.12.070
<i>Floor Area Ratio (FAR)</i>	0.70 FAR	.34 FAR	17.14.070
<i>Lot size (residential)</i>	6,000 sq ft	3,995 sq ft, existing (legal nonconforming)	17.14.070

<i>Lot frontage</i>	60 feet	50 feet, existing (legal nonconforming)	17.14.070
<i>Open space, useable (residential)</i>	350 sq ft	454 sq ft	17.14.070
<i>Parking (residential)</i>	2 enclosed garage spaces	1 enclosed garage space	Table 17.34.060.A
<i>Setback, Front</i>	20 feet	20 feet	17.14.070
<i>Setback, Rear</i>	10 feet	House: 10 feet Garage: 2-feet	17.14.070
<i>Setback, Side Interior</i>	5 feet	House: 5 feet Garage: 2 feet	17.14.070

## 7. ANALYSIS AND STATEMENT OF THE ISSUES

Consistent with the guidelines for Infill Construction in the Historic Preservation Design Standards, the location of new primary and secondary structures would follow the historic pattern of front and side yard setbacks in the neighborhood. The new building would be similar in mass and scale to surrounding buildings and have a comparable height and roof form. The new infill construction was designed to be compatible with the adjacent historic buildings. The design is appropriate such that the Historic District continues to retain its integrity of setting that conveys its significance.

### Issue 1: Required Off-Street Parking:

Providing compliant on-site parking consists of a combination four challenges:

- Single-family dwellings of four bedrooms or less requires two enclosed parking spaces. (OMC Section 17.34.060)
- A 25-foot back up distance (OMC Section 17.34.110)
- Parking areas should be located at the rear of a site and screened from a public view by fencing or landscaping (Historic Preservation Design Standards)
- Open space requirement (OMC17.14.110(B)(1)(b))

## 8. PUBLIC NOTICE

Notice was provided to 97 owners and tenants within 400 feet of the project on or before October 10, 2024, and the site was posted with a notice on or before that date.

## 9. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures), because it consists of one new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing 3,995 sq ft vacant lot.

## 10. ADVISORY BOARD ACTION

### **Staff Review Committee:**

The City's inter-departmental Staff Review Committee (SRC) conducted a review of the project on May 28, 2024. On August 7, 2024, SRC recommended that the project proceed to the Design Review Committee (DRC).

**Design Review Committee:**

The Design Review Committee reviewed the subject proposal at the September 18, 2024, meeting and recommended project approval to the Planning commission with a condition that the no fence or gate is to exceed 42 inches in the front yard setback area. The project meets this condition.

**11. ATTACHMENTS**

- Attachment 1 - Planning Commission Resolution No. PC 31-24
- Attachment 2 - Design Review Committee Staff Report, September 18, 2024
- Attachment 3 - Vicinity Map
- Attachment 4 - Project Plans
- Attachment 5 - Letter of Justification
- Attachment 6 - Garage comparison of surrounding properties



# Agenda Item

## Planning Commission

Item #: 4.3.

10/21/2024

File #: 24-0589

**TO:** Chair and Members of the Planning Commission

**THRU:** Anna Pehoushek, Assistant Community Development Director

**FROM:** Arlen Beck, Associate Planner

### 1. SUBJECT

Public hearing to consider a request to construct a new single-family residence with a detached one-car garage, located at 323 E. River Avenue and finding of CEQA exemption (Variance No. 2262 and Design Review No. 5136).

### 2. SUMMARY

The applicant proposes to construct a new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing vacant lot in the Nutwood Tract of the Old Towne Orange Historic District. A Variance request is submitted to allow for the development to provide a one-car garage instead of the required two-car garage.

### 3. RECOMMENDED ACTION

- 1) Adopt Planning Commission Resolution No. PC 31-24. A Resolution of the Planning Commission of the City of Orange approving Variance No. 2262 and Design Review No. 5136 for a new single-family residence with a detached one-car garage in the Old Towne Orange Historic District located at 323 E. River Avenue.
- 2) Find the proposal exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303.

### 4. AUTHORIZING GUIDELINES

Orange Municipal Code (OMC) Section 17.08.020(B)(2)(a) authorizes the Planning Commission to review and take final action on applications for Variances, and Design Review. Note (b) of Table 17.08.020 of the OMC - Reviewing Bodies - states that when more than one type of application is filed for a single project, the application requiring the highest level of approval shall dictate the review process for the entire group of applications. The Planning Commission is the highest-level approving body for these applications.

### 5. PROJECT BACKGROUND

<i>Applicant/ Property Owner:</i>	Michael Muhonen
<i>Property Location</i>	323 E. River Avenue

<i>Existing General Plan Land Use Element Designation</i>	Low-Medium Density Residential (LMDR)
<i>Existing Zoning Classification</i>	Duplex Residential (R-2-6)
<i>Old Towne</i>	Yes
<i>Site Size</i>	3,995 sq ft
<i>Circulation</i>	There is an existing driveway at the east side of the site providing access from E. River Avenue.
<i>Existing Conditions</i>	The site is currently vacant with an existing tree bisecting the west property line. There are electrical lines running overhead the parking strip where there is an existing palm tree.
<i>Surrounding Land Uses and Zoning</i>	Use Zoning North Residential - Single-Family Duplex Residential (R-2-6) South Residential - Single-Family Duplex Residential (R-2-6) West Residential - Single-Family Duplex Residential (R-2-6) East Residential - Single-Family Duplex Residential (R-2-6)
<i>Previous Applications/Entitlements</i>	None

**6. PROJECT DESCRIPTION**

The project includes a new 934 sq ft single-family residence with a 416 sq ft detached one-car garage on an existing vacant lot in the Old Towne Orange Historic District. The existing lot is legal non-conforming in that the existing lot size is 3,995 sq ft, whereas there is a 6,000 sq ft minimum lot size to establish a new legally subdivided lot for the R-2-6 zoning district. Due to the limited lot size, the applicant is proposing a one-car garage which does not meet the two-car garage requirement for the development.

**Development Standards**

	Required	Proposed	Code Section
<i>Building Height</i>	32 feet	13 feet 11 inches	17.14.070
<i>Fence height</i>	42 inches in front yard setback (first 10') 6 feet in all other areas	42" high sliding gate at driveway 36" high fence along front property line 18" high wall along south side property line for first 30' and then 6'0" high wood fence along the remaining side and rear property lines	17.12.070
<i>Floor Area Ratio (FAR)</i>	0.70 FAR	.34 FAR	17.14.070
<i>Lot size (residential)</i>	6,000 sq ft	3,995 sq ft, existing (legal nonconforming)	17.14.070



<i>Lot frontage</i>	60 feet	50 feet, existing (legal nonconforming)	17.14.070
<i>Open space, useable (residential)</i>	350 sq ft	454 sq ft	17.14.070
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<i>Setback, Side Interior</i>	5 feet	House: 5 feet Garage: 2 feet	17.14.070

## 7. ANALYSIS AND STATEMENT OF THE ISSUES

Consistent with the guidelines for Infill Construction in the Historic Preservation Design Standards, the location of new primary and secondary structures would follow the historic pattern of front and side yard setbacks in the neighborhood. The new building would be similar in mass and scale to surrounding buildings and have a comparable height and roof form. The new infill construction was designed to be compatible with the adjacent historic buildings. The design is appropriate such that the Historic District continues to retain its integrity of setting that conveys its significance.

### Issue 1: Required Off-Street Parking:

Providing compliant on-site parking consists of a combination four challenges:

- Single-family dwellings of four bedrooms or less requires two enclosed parking spaces. (OMC Section 17.34.060)
- A 25-foot back up distance (OMC Section 17.34.110)
- Parking areas should be located at the rear of a site and screened from a public view by fencing or landscaping (Historic Preservation Design Standards)
- Open space requirement (OMC17.14.110(B)(1)(b))

## 8. PUBLIC NOTICE

Notice was provided to 97 owners and tenants within 400 feet of the project on or before October 10, 2024, and the site was posted with a notice on or before that date.

## 9. ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures), because it consists of one new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing 3,995 sq ft vacant lot.

## 10. ADVISORY BOARD ACTION

### **Staff Review Committee:**

The City's inter-departmental Staff Review Committee (SRC) conducted a review of the project on May 28, 2024. On August 7, 2024, SRC recommended that the project proceed to the Design Review Committee (DRC).

**Design Review Committee:**

The Design Review Committee reviewed the subject proposal at the September 18, 2024, meeting and recommended project approval to the Planning commission with a condition that the no fence or gate is to exceed 42 inches in the front yard setback area. The project meets this condition.

**11. ATTACHMENTS**

- Attachment 1 - Planning Commission Resolution No. PC 31-24
- Attachment 2 - Design Review Committee Staff Report, September 18, 2024
- Attachment 3 - Vicinity Map
- Attachment 4 - Project Plans
- Attachment 5 - Letter of Justification
- Attachment 6 - Garage comparison of surrounding properties

**RESOLUTION NO. PC 31-24**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE APPROVING VARIANCE NO. 2262, AND DESIGN REVIEW NO. 5136, FOR A NEW SINGLE-FAMILY RESIDENCE WITH A DETACHED ONE-CAR GARAGE IN THE OLD TOWNE ORANGE HISTORIC DISTRICT LOCATED AT 323 E. RIVER AVENUE.**

**APPLICANT: MICHAEL MUHONEN**

**WHEREAS**, the Planning Commission has authority per Orange Municipal Code (OMC) Section 17.08.020.B.2.a. to review and take final action on Variance No. 2262, and Design Review No. 5136 to allow the construction of a new 934 sq ft single family residence with a new 416 sq ft detached one-car garage on a vacant lot in the Old Towne Orange Historic District located at 323 E. River Avenue; and

**WHEREAS**, Variance No. 2262, and Design Review No. 5136 were filed by Michael Muhonen, property owner, in accordance with the provisions of the OMC; and

**WHEREAS**, Variance No. 2262, and Design Review No. 5136 are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures) because it consists of one new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing 3,995 sq ft vacant lot; and

**WHEREAS**, Variance No. 2262 and Design Review No. 5136 were processed in the time and manner prescribed by state and local law; and

**WHEREAS**, on August 7, 2024, the City's Staff Review Committee reviewed the proposed project and recommended that the project proceed to Design Review Committee; and

**WHEREAS**, on September 18, 2024, the Design Review Committee reviewed the design of the project and recommended approval of the project to the Planning Commission subject to conditions; and

**WHEREAS**, the Planning Commission conducted a duly advertised public hearing on Monday, October 21, 2024, at which time interested persons had an opportunity to testify either in support of or opposition to Variance No. 2262 and Design Review No. 5136 at 323 E. River Avenue as reflected on the site plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission approves Variance No. 2262, and Design Review No. 5136 based on the following findings:

## **SECTION 1 – FINDINGS**

### **General Plan**

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 of the City's General Plan in that the project consists of a new single family house and detached one car garage and the Low Medium Density Residential designation provides for both detached and attached single-family homes on smaller lots. Further, the project is consistent with the goals and policies of the Cultural Resources and Historic Preservation, Land Use, and Urban Design Elements by preserving historic neighborhood character, providing an infill development compatible with the scale and appearance of neighboring historic structures, and providing high quality, historically referenced design in Old Towne.

### **Variance**

1. *That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The existing lot is legal non-conforming in that the existing lot size is 3,995 sq ft whereas there is a 6,000 sq ft lot size minimum to establish a new legally subdivided lot for the R-2-6 zoning district. The constraints created by the small lot size of the vacant lot has resulted in requesting a variance to deviate from the two-car garage requirement for the development and propose a one-car garage.

The strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification in that of the nine homes closest to the subject property, seven have single car garages in association with a single family house, and are under identical zone classification.

2. *That the variance granted shall be subject to such conditions which will assure that the authorized adjustment shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is located.*

The Variance request does not constitute the granting of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in that of the nine homes closest to the subject property, seven have single car garages in association with a single family house, and are under identical zone classification.

Further, the proposed request for a detached one-car garage is in accordance with the City of Orange Historic Preservation design guidelines for infill construction projects, which states, “Parking areas should be located at the rear of the site and should be screened from public view by appropriate fencing or landscaping.”.

### **Design Review**

1. *The project design upholds community aesthetics through the use of an internally consistent, integrated design theme and is consistent with all adopted specific plans, applicable design standards and their required findings.*

The project design upholds community aesthetics through the use of an internally consistent, integrated design theme taking cues from the surrounding historic neighborhood and its buildings without creating an exact replica of a historic architectural style and is consistent with the mass, scale, floor area ratio, materials, height, roof form, setbacks, architectural details, and pattern of windows and doors of existing buildings on the street. The proposed front and side yard setbacks are consistent with the historic pattern of front and side yard setbacks in the neighborhood and has a main entrance and façade facing, and parallel to, the street. The proposed infill single family house and detached one-car garage create a building that responds to its context within its historic neighborhood and does not create a false sense of history

The proposed project is consistent with all adopted specific plans, applicable design standards and their required findings in that it is in conformance with the Historic Preservation Design Standards, which are the prescriptive design criteria for projects within the Old Towne Orange Historic District. It is compatible with the mass, scale, and roof form of the surrounding neighborhood and would not impact the appearance of the Historic District. Materials and color proposed would be complimentary to the homes in the surrounding neighborhood and preserve the character of the street.

### **SECTION 2 – ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the provisions of CEQA per state CEQA Guidelines Section 15303 (Class 3 - New Construction or Conversion of Small Structures) because it consists of one new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing 3,995 sq ft vacant lot.

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

1. Except as otherwise provided herein, this project is approved as a precise plan. All work shall conform with the plans presented at the October 21, 2024 Planning Commission Meeting (date stamped approved July 17, 2024, and in the project case file). After any application has been approved, if plan modifications are proposed regarding the location or alteration of any use or structure, or deviations become necessary to site improvements including, but not limited to, landscaping and parking because of unforeseen requirements from any City

Department, utility provider, or State or Federal statute, a changed plan may be submitted to the Community Development Director for approval. If the Community Development Director determines that the proposed change complies with the findings, conditions, and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plan, the Community Development Director may approve the changed plan without requiring a new public hearing. Should the modifications be considered substantial, the modifications shall be reviewed and approved by the Planning Commission.

2. The applicant agrees, as a condition of City's approval of Design Review No. 5136, 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 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.
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 may be cause for revocation of this permit.
4. The final approved conditions of approval shall be reprinted on the first or second page of the construction documents when submitting to the Building Division for the plan check process.
5. Construction permits shall be obtained for all future construction work, as required by the City of Orange, Building Division. Failure to obtain the required building permits will be cause for revocation of this permit.

6. Variance No. 2262 and Design Review No. 5136 shall become void if not vested within two years from the date of approval. Time extensions may be granted for up to one year, pursuant to OMC Section 17.08.060.
7. The proposed development shall be designed and constructed in accordance with the Historic Preservation Design Standards and the Secretary of the Interior's Standards and Guidelines for infill construction.
8. Prior to building permit issuance, the applicant shall submit a landscape plan as outlined in the City of Orange Land Use Project Application for Planning staff review and approval.

*Public Works – Development Services*

10. Prior to issuance of a Grading Permit, all works within public right-of-way and public utility easements will require Encroachment Permits, including sidewalk and driveway constructions and utility main and lateral constructions.
11. Prior to issuance of a Grading Permit, all public infrastructures, including street sections, sidewalk, driveway apron, and utilities shall comply with City of Orange Standard Plans and Specifications.
12. Prior to issuance of a Certificate of Occupancy, utilities serving the development, such as electric, cable television, street lighting and communication shall be installed underground, completed and approved by the appropriate utility provider.
13. Prior to issuance of a Grading Permit, all driveway approaches shall conform to ADA standard for wheelchair access conforming to Public Works Standard Plan 116B.
14. Prior to issuance of a Grading Permit, the entirety of the shared driveway is to be removed and reconstructed per Public Works Standard Plan 116B.
15. Prior to issuance of a Certificate of Occupancy, repair any cracked, uneven, or damaged public sidewalk, curb and gutter along property frontage.
16. Prior to issuance of a Certificate of Occupancy, the sanitary sewer system connecting from the buildings to public mainline shall be private and maintained by the property owner.
17. Prior to issuance of a Grading Permit, the applicant shall submit a grading plan in compliance with City standards for review and approval by the Public Works Director. The grading plan shall show site drainage pattern leading to water quality BMP's and exiting to E. River Avenue. All grading and improvements on the subject property shall be made in accordance with the Manual of Grading and Standard Plans and Specifications to the satisfaction of the Public Works Director.

18. Prior to issuance of a Grading Permit, plans preparation and submittals shall be per Development Services Plan Preparation Guidelines and Checklist, and Checklist for Submittal Packages.
19. Prior to issuance of a Grading Permit, a geotechnical report shall accompany the grading plan review.
20. Prior to issuance of a Grading Permit, a Drainage Assessment Letter shall be submitted for review and approval by Public Works. The Hydrology Study/Report shall comply with the Orange County Hydrology Manual and Addenda (OCHM). Design Storm Frequency at a minimum, shall be 10-year storm (25-year in a sump condition), and a 100-year storm event. Proposed improvements shall comply with freeboard requirements per OCHM and County Local Drainage Manuals.
21. Prior to issuance of a Grading Permit, site grading shall conform to the latest California Building Code Section 1804. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of 5% for pervious surfaces, and 2% for impervious surfaces, at a minimum distance of 10 feet.
22. The contractor shall obtain a Grading Permit from Public Works Department prior to start of any site demolition, clearing and grubbing, and grading.
23. Prior to issuance of a Grading Permit, any soil imported or exported shall require a Transportation Permit from the Public Works Traffic Division.
24. Upon submittal of grading plan for plan check, the applicant shall a deposit to cover plan check and inspection services related to the grading activities.
25. Prior to issuance of a Grading Permit, any grading outside of the owner's property boundary shall require the applicant to either obtain a temporary construction easement or permission by adjacent property owners in a form suitable to the Public Works Director.
26. Prior to issuance of a Grading Permit, show all sewer and storm drain lines on the Grading Plan. Other utility lines, such as water lines, may also be shown on Grading Plan for reference.
27. Prior to issuance of a Grading Permit, show all structural BMPs for water quality purposes on the Grading Plan. Water quality features shown on the Grading Plan must match WQMP.
28. Prior to issuance of a Grading Permit, the property owner shall maintain in good condition, all on-site driveways where heavy-duty trucks would travel.
29. Prior to issuance of a Grading Permit, prior to building foundation construction, a Certificate Letter of Line and Grade shall be submitted to Public Works Construction Inspector demonstrating that the site grading and pad elevation are completed according to the grading plan.



*Public Works – Water Division*

30. A new metered water service is required. Applicant is responsible for all surface repairs after the new meter and service are installed. The existing box and lateral cannot be reused.
31. For preliminary water/utility plans:
  - a. Show all existing and proposed water services and. Label sizes and service type (domestic or domestic/fire combination)
  - b. Show all existing and/or proposed public fire hydrants as required by the Fire Department.
  - c. Show all other existing and proposed utilities and their facilities.
32. When approved by the Water Division and the Fire Department, single family residential services shall have a combination fire and domestic residential service per OWD Standard Drawing 304 and the below specifications. All single family residential fire service connections, required by NFPA 13D, 2-inches in diameter and smaller will be required to have a Reduced Pressure Principle (RPPD) backflow device unless the fire suppression system is connected to a toilet at its end to ensure frequent flushing of water through the entire system and none of the below conditions are part of the fire suppression system:
  - a. Chemical flame-retardants and/or foaming agents
  - b. On-site pumps
  - c. Storage reservoirs or tanks
  - d. Sprinkler heads and/or the building height of 3 stories or greater
  - e. Corrosion inhibiting fluids
33. For combination fire and domestic residential services, the required backflow device shall be located adjacent to the building but upstream of the residential building valve, and shall be testable, and accessible for maintenance and repairs. The owner shall have the backflow device tested by a certified tester at least annually and immediately after installation, relocation or repair. No service shall be deemed acceptable until tested and certified after installation.
34. Prior to building permit issuance, the applicant shall submit improvement plans to the Water Division for review and approval for any new fire hydrants, domestic water services, fire services, landscape services, backflow prevention devices, and any other proposed improvements or relocations affecting the public water system facilities.
35. Prior to building permit issuance, the applicant shall be responsible for the installation and/or relocation of the proposed or existing public water system facilities to a location and of a design per the improvement plans approved by the Water Division.

36. Prior to issuance of the certificate of occupancy, the applicant shall be responsible for the installation of necessary fire hydrants and fire services as approved by the Fire Department and Water Division.
37. Prior to building permit issuance, the Water Division shall approve the type and location of landscaping and fire service (backflow prevention) device for proposed City services.
38. Prior to building permit issuance, construction documents shall show that a six foot minimum horizontal clearance and a one foot minimum vertical clearance would be maintained between City water mains, laterals, services, meters, fire hydrants and all other utilities except sewer. The Water Division shall review and approve the construction documents.
39. Prior to building permit issuance, construction documents shall show that an eight-foot minimum clearance is provided between City water mains, laterals, services, meters, fire hydrants, signs, or trees or other substantial shrubs and plants as required by the Water Division. The Water Division shall review and approve the construction documents.
40. Prior to building permit issuance, construction documents shall show that permanent signs, awning, surface water quality management features or other structures are not built over water mains, laterals, services, meters, or fire hydrants as required by the Water Division.
41. Prior to building permit issuance for the first phase of work, the applicant shall be responsible for obtaining approval of all necessary encroachment permits from affected agencies for all public water construction work.
42. Prior to approval of a water improvement plan, the applicant shall satisfy all water main connection, plan check, and inspections charges as determined by the Water Division.
43. Plans submitted during plan check shall show that the water improvement plans are consistent with the fire suppression plans and/or fire master plan. Water improvement plans shall concur with the fire suppression plans and/or fire master plan.
44. Plans submitted during plan check shall show that the minimum separation requirements are met and that each of the various designer's plan sets match. The applicant's consultant preparing the improvement and utility plans shall coordinate their plans with the consultants preparing the landscape, architectural, surface water quality management, fire master and/or fire suppression plans so that their designs are consistent.
45. At least fourteen calendar days prior to commencing construction, the applicant's civil engineer shall prepare and provide product material submittals consistent with the water improvement plans for all proposed public water system facilities to the Water Division per the City of Orange General Water Construction Notes for review and approval.
46. Prior to issuance of certificate of occupancy, the applicant shall furnish and install individual pressure regulators on new services where the incoming pressure exceeds eighty-pounds per square inch.

**ADOPTED** this 21<sup>st</sup> day of October 2024.

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David Vazquez, 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 21<sup>st</sup> day of October 2024, by the following vote:

AYES:  
NOES:  
ABSENT:

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Anna Pehoushek, FAICP  
Assistant Community Development Director



# Agenda Item

## Design Review Committee

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**Item #:** 4.1.

9/18/2024

**File #:** 24-0525

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**TO:** Chair and Members of the Design Review Committee

**THRU:** Chad Ortlieb, Principal Planner

**FROM:** Arlen Beck, Associate Planner

### 1. SUBJECT

A request to construct a new single family residence with a detached one-car garage in the Old Towne Orange Historic District, 323 E. River Avenue (Design Review No. 5136-24)

### 2. SUMMARY

The applicant proposes to construct a new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing vacant lot in the Nutwood Tract of the Old Towne Orange Historic District.

### 3. RECOMMENDED ACTION

Recommendation to the Planning Commission

### 4. BACKGROUND INFORMATION

Applicant/Owner: Michael Muhonen

Property Location: 323 E. River Avenue

General Plan Designation: Low-Medium Density Residential (LMDR)

Zoning Classification: Duplex Residential (R-2-6)

Existing Development: Vacant

Associated Application: Variance No. 2262-24

Previous DRC Project Review: None

### 5. PROJECT DESCRIPTION

The project includes a new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing vacant lot in the Old Towne Orange Historic District. The existing lot is legal non-conforming in that the existing lot size is 3,995 sq ft whereas there is a 6,000 sq ft lot size minimum to establish a new legally subdivided lot for the R-2-6 zoning district. The constraints created by the small lot size of the vacant lot has resulted in proposing a one-car garage which does not meet the two-car garage requirement for the development. A Variance request for the substandard garage will be considered by the Planning Commission.

The major components of this project include:

- A new 934 sq ft two-bedroom, two-bathroom single family residence with a 3:12 pitch gable roof finished with shakewood type shingles and exposed rafter tails. The proposed house siding is Hardie Plank Lap Siding with a 7" lap and smooth finish in the Mountain Sage color.
- A 416 sq ft flat-roof detached one-car garage and storage space with Board and Batten style finish Hardie Panel and a LED Gooseneck light fixture finished in the Rust color above the garage door.
- 454 sq ft of open space.
- 160 sq ft covered front porch with concrete floor with a clinker brick wall finish at the exposed foundation, exposed beams and columns, and a craftsman style wood picket guardrail, matching the proposed front craftsman style wood picket fence.
- A new 42" high sliding gate at the driveway entrance.
- A new 3'-0" high wood picket fence along the front property line at River Avenue.
- A 18" high clinker brick wall along the east property line (between 323 and 327 E. River Avenue)
- Wood Craftsman style windows and trim and California Lantern lighting fixtures at the front door finished in a warm brass color and champagne glass.
- A new single light wood front door.

## 6. EXISTING SITE

323 E. River Avenue is an interior lot and the site is not improved with any structures. There is an existing mature tree that bisects the west property line, between 315 and 323 E. River Avenue, near the rear of the lot. There are overhead electrical lines and an existing palm tree in the parkway.

## 7. EXISTING AREA CONTEXT

The project site is surrounded by a mix of single-family homes with detached carriage house garage structures and duplexes. The block includes contributing and non-contributing properties. The predominant architectural style of the block is Craftsman bungalow, but there are also Minimal Traditional, and Ranch style homes.

The applicant prepared an FAR analysis of the block that includes all properties. The FAR of the block including both contributing and non-contributing properties averages to .34. The project proposes a FAR of .34, notwithstanding the substandard lot size.

## 8. ANALYSIS AND STATEMENT OF THE ISSUES

Consistent with the guidelines for Infill Construction in the Historic Preservation Design Standards, the location of new primary and secondary structures would follow the historic pattern of front and side yard setbacks in the neighborhood. The new building would be similar in mass and scale to surrounding buildings and have a comparable height and roof form. The main entrance and facade will be parallel to and facing the street and the pattern of windows and doors on elevations visible from the street generally follow similar patterns to surrounding historic buildings (attachment 4). Exterior materials are compatible with the size, scale, design, texture, reflectivity, durability, and color of historic materials used on comparable historic buildings in the Historic District and the proposed

Hardie fiber cement siding, while not a traditional building material, is appropriate and compatible in design and appearance. The new infill construction was designed to be compatible with the adjacent historic buildings. The use of appropriate and compatible materials for the new single family house and detached one-car garage do not create a false sense of history, and therefore the Historic District continues to retain its integrity of setting that conveys its significance.

#### Issue 1: Single Car Garage:

A single car-garage is proposed for site design and neighborhood compatibility purposes. The proposed 416 sq ft detached one-car garage does not meet the requirements of the Orange Municipal Code Section 17.34.060 in that a new single-family house of four bedrooms or less requires two enclosed parking spaces. Initially, the project proposed a design providing a two-car garage, however, due to the small lot size constraint the requirement to have a 25 foot back up out of 90-degree angle parking space (OMC 17.34.110) could not be met while trying to meet the City of Orange Historic Preservation design guidelines for infill construction projects, which states, "Parking areas should be located at the rear of the site and should be screened from public view by appropriate fencing or landscaping." Additionally, the design of the project with a two-car garage resulted in the project not meeting the minimum open space requirement of Orange Municipal Code 17.14.110(B)(1)(b). The matter of the code deviation is the purview of the Planning Commission but the design appropriateness of the single car garage is the purview of the Design Review Committee. The proposed one-car garage does not compete visually with the residence and is subordinate in height, width, and area in comparison to the proposed primary structure. The proposed garage has a flat roof, Board and Batten style finish Hardie Panel siding and a LED Gooseneck light fixture finished in a Rust color above the garage door which are all elements that differentiate it from the primary house. The proposed new one-car garage is similar in size, scale, and design to historic garages in the historic district and development along E. River Avenue. Staff supports the single-car garage design.

#### Issue 2 Floor Area Ratio:

Most historic residential properties in Old Towne range from 0.15 to 0.25 FAR. The project proposes a FAR of .34. In general, an infill project should aim for an FAR that is no higher than the average FAR on the surrounding block. The applicant prepared an FAR analysis of the block that includes all properties. The FAR of the block including both contributing and non-contributing properties averages to .34. Staff believes that the proposed FAR for this substandard lot is appropriate, given that the minimized development on this small lot contributes to the character and sense of place in the neighborhood and to the Old Towne historic district overall.

## **9. ADVISORY BOARD RECOMMENDATION**

The City's inter-departmental Staff Review Committee (SRC) conducted reviews of the project on May 28, 2024, and subsequently on August 7, 2024, at which time the SRC recommended that the project proceed to the Design Review Committee (DRC).

## **10. PUBLIC NOTICE**

Notice was provided to 97 owners and tenants within 400 feet of the project on or before September 5, 2024, and the site was posted with a notice on or before that date.

## **11. ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303 (Class 3 - New Construction or

Conversion of Small Structures), because it consists of one new 934 sq ft single family residence with a 416 sq ft detached one-car garage on an existing 3,995 sq ft vacant lot.

## 12. STAFF RECOMMENDATION AND REQUIRED FINDINGS

Findings for DRC applications come from four sources:

1. The Orange Municipal Code
2. The Infill Residential Design Guidelines
3. The Historic Preservation Design Standards for Old Towne (commonly referred to the Old Towne Design Standards or OTDS)
4. Orange Eichler Design Standards (or OEDS)

The Findings are applied as appropriate to each project. Based on the following Findings and statements in support of such Findings, staff recommends the DRC approve the project with recommended conditions.

- In the Old Towne Historic District, the proposed work conforms to the prescriptive standards and design criteria referenced and/or recommended by the DRC or other reviewing body for the project (OMC 17.10.070.G.1).

The proposed project is in conformance with the Historic Preservation Design Standards, which are the prescriptive design criteria for projects within the Old Towne Orange Historic District. It is compatible with the mass, scale, and roof form of the surrounding neighborhood and would not impact the appearance of the Historic District. Materials and color proposed would be complimentary to the homes in the surrounding neighborhood and preserve the character of the street.

- In any National Register Historic District, the proposed work complies with the Secretary of the Interior's standards and guidelines (OMC 17.10.07.G.2).

Consistent with the Secretary of the Interior's Standard 9, new additions, exterior alterations, or related new construction will not destroy historic materials, features, or spatial relationships that characterize the property. No historic materials, or features exist to destroy and the proposed complimentary FAR, building siting on the lot, and size and position of the garage in relation to the house will be compatible with, and preserve the character of the neighborhood. With adoption of the conditions of approval, the new single-family house and detached one-car garage will be designed and constructed in accordance with the Secretary of the Interior's Standards and Guidelines.

- The project design upholds community aesthetics through the use of an internally consistent, integrated design theme and is consistent with all adopted specific plans, applicable design standards, and their required findings (OMC 17.10.07.G.3).

Projects located in the Old Towne Orange Historic District must comply with the Historic Preservation Design Standards for Old Towne. As described above, the work conforms with these design standards. The project upholds community aesthetics through an internally consisted and integrated design theme.

- For infill residential development, as specified in the City of Orange Infill Residential Design Guidelines, the new structure(s) or addition are compatible with the scale, massing, orientation, and articulation of the surrounding development and will preserve or enhance existing neighborhood character (OMC 17.10.07.G.4).

The design of the new single family residence takes cues from the surrounding historic neighborhood and its buildings without creating an exact replica of a historic architectural style and is consistent with the mass, scale, floor area ratio, materials, height, roof form, setbacks, architectural details, and pattern of windows and doors of existing buildings on the street. The proposed front and side yard setbacks are consistent with the historic pattern of front and side yard setbacks in the neighborhood and has a main entrance and façade facing, and parallel to, the street. The proposed infill single family house and detached one-car garage create a building that responds to its context within its historic neighborhood and does not create a false sense of history.

## **14. ATTACHMENTS**

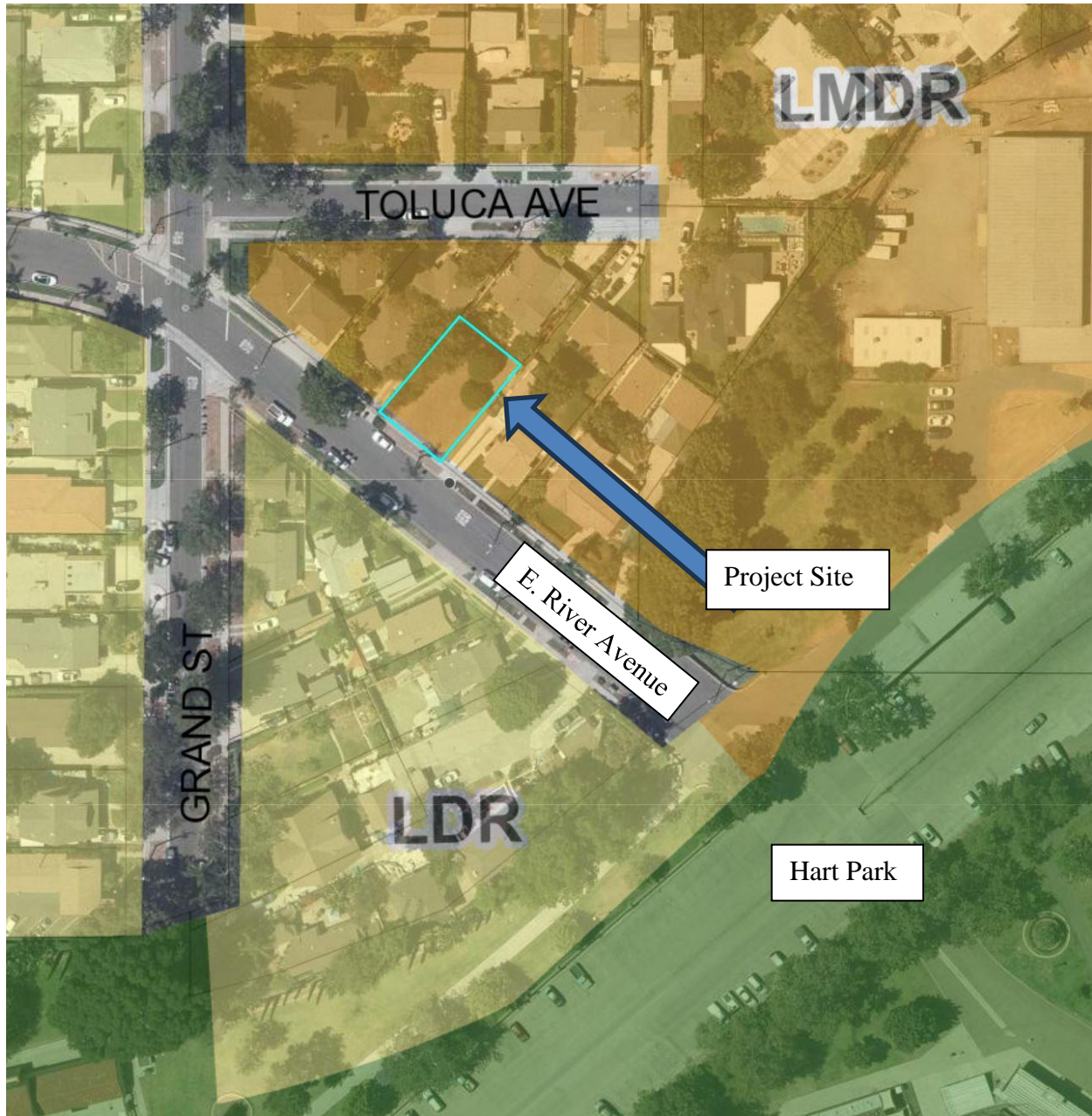
- Attachment 1 - Vicinity Map
- Attachment 2 - Letter of Explanation
- Attachment 3 - Project Plans
- Attachment 4 - Photos of Surrounding Properties and FAR Analysis
- Attachment 5 - Development Standards Table
- Attachment 6 - Color and Material Board (to be provided at meeting)



# Vicinity Map

323 E. River Avenue

Design Review No. 5136-24



**CITY OF ORANGE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



# The Muhonen Residence

SHEET INDEX		DRC SUBMITTAL
#	Sheet Name	
ARCHITECTURAL		
A0.0	TITLE SHEET	■
A0.2	FLOOR PLAN, SITE PLANS, ROOF PLAN & FAR CALCS	■
A3.1	BUILDING ELEVATIONS	■
A10.10	PERSPECTIVES	■
A10.11	NEIGHBORING PROPERTIES	■
A10.21	PRODUCT CUT SHEETS	■
A10.22	PRODUCT CUT SHEETS - Hardie	■
ARCHITECTURAL: 7		
GRAND TOTAL: 7		



## CONSULTANTS

## PROJECT

Project Number: 23.020  
Permit Number: DRC-5136

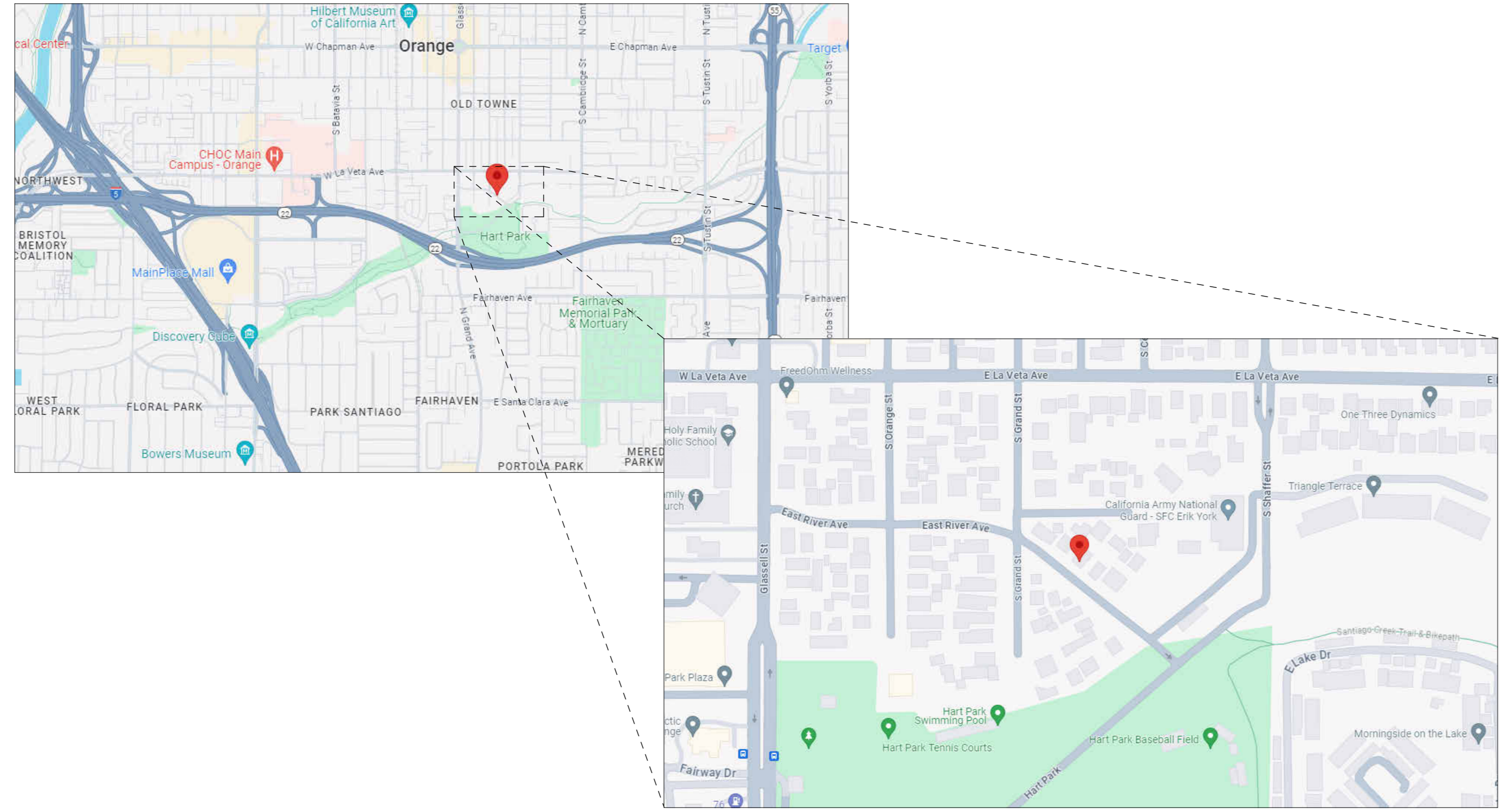
## The Muhonen Residence

323 E. River Ave.  
Orange, CA 92866

## REVISIONS

DATE	DESCRIPTION
A 03/11/2024	DRC COMMENTS
B 07/15/2024	DRC COMMENTS

## VICINITY MAP



## PROJECT DIRECTORY

### Project Address

Name: The Muhonen Residence  
Address: 323 E. River Ave., Orange, CA 92866

### Owner

Name: Mike and Linda Muhonen  
Address: [Redacted]  
Contact Phone: (714) 272-2448

### Architect

Name: The ANT Group, Inc.  
Address: 385 S. Glassell St., Orange, CA 92866  
Contact Phone: 949/354-4434

### Structural Engineer

Name: Paul Rohrer Structural Engineers  
Address: 17291 Irvine Blvd, Ste 152, Tustin, CA 92780  
Contact Phone: 714/486-2537

### MEP Engineer

Name: N/A  
Address: [Redacted]  
Contact Phone: [Redacted]

### Other Consultant

Name: TBD  
Address: [Redacted]  
Contact Phone: [Redacted]

### Contractor

Name: TBD  
Address: [Redacted]  
City, State, Zip: [Redacted]  
Contact Name: [Redacted]  
Contact Phone: [Redacted]  
Lic #B: [Redacted]

## LEGAL DESCRIPTION

ASSESSORS ID. APN: 390-103-20, Lot 4, Block 6 Nutwood Place

## CODE INFORMATION

ALL DESIGN AND PLANS BASED ON:

Fire/Life Safety Building/Dwelling	California Fire Code 2022	California Residential Code 2022 (CRC)
Structural	California Residential Code 2022 (CRC)	California Mechanical Code 2022 (CMC)
Mechanical	California Mechanical Code 2022 (CMC)	California Electrical Code 2022 (CEC)
Electrical	California Electrical Code 2022 (CEC)	California Plumbing Code 2022 (CPC)
Plumbing	California Plumbing Code 2022 (CPC)	California Energy Code 2022
Energy	California Energy Code 2022	California Building Code 2022
Accessibility	California Building Code 2022	
Construction Type	Type VB Sprinklered	
Occupancy	R-3	
Stories	One	
Zone	Old Towne Orange NR Historic District (1997)	
Zoning	R-2-6	
Land Use	LDR - Low Density Residential - Infill Construction on Empty Lot	
Lot Size	3995 sq feet (50.0' x 70.9')	

## PROJECT DESCRIPTION

A NEW 934 SF CRAFTSMAN BUNGALOW WITH TWO BEDROOM TWO BATH RESIDENCE WITH A DETACHED 416 SF 2-CAR GARAGE

## DEFERRED SUBMITTALS

THE FOLLOWING ITEMS WILL DESIGN BUILD SYSTEMS AND AS SUCH WILL BE A DEFERRED SUBMITTAL BY THE CONTRACTOR AT A LATER DATE. SUBMITTAL DOCUMENTS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE ARCHITECT OR ENGINEER OF RECORD, WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH NOTATION INDICATING THAT DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN FOUND IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL. PLANS FOR THE DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED IN A TIMELY MANNER THAT ALLOWS A MINIMUM OF 30 WORKING DAYS FOR THE INITIAL PLAN REVIEW. ALL COMMENTS RELATED TO THE DEFERRED SUBMITTAL MUST BE ADDRESSED TO THE SATISFACTION OF THE PLAN CHECK DIVISION PRIOR TO APPROVAL OF THE SUBMITTAL ITEMS.

- RESIDENTIAL FIRE SPRINKLERS

## SIGNATURE

## SHEET INFO

## TITLE SHEET

DRC SUBMITTAL - 17 JULY 2024

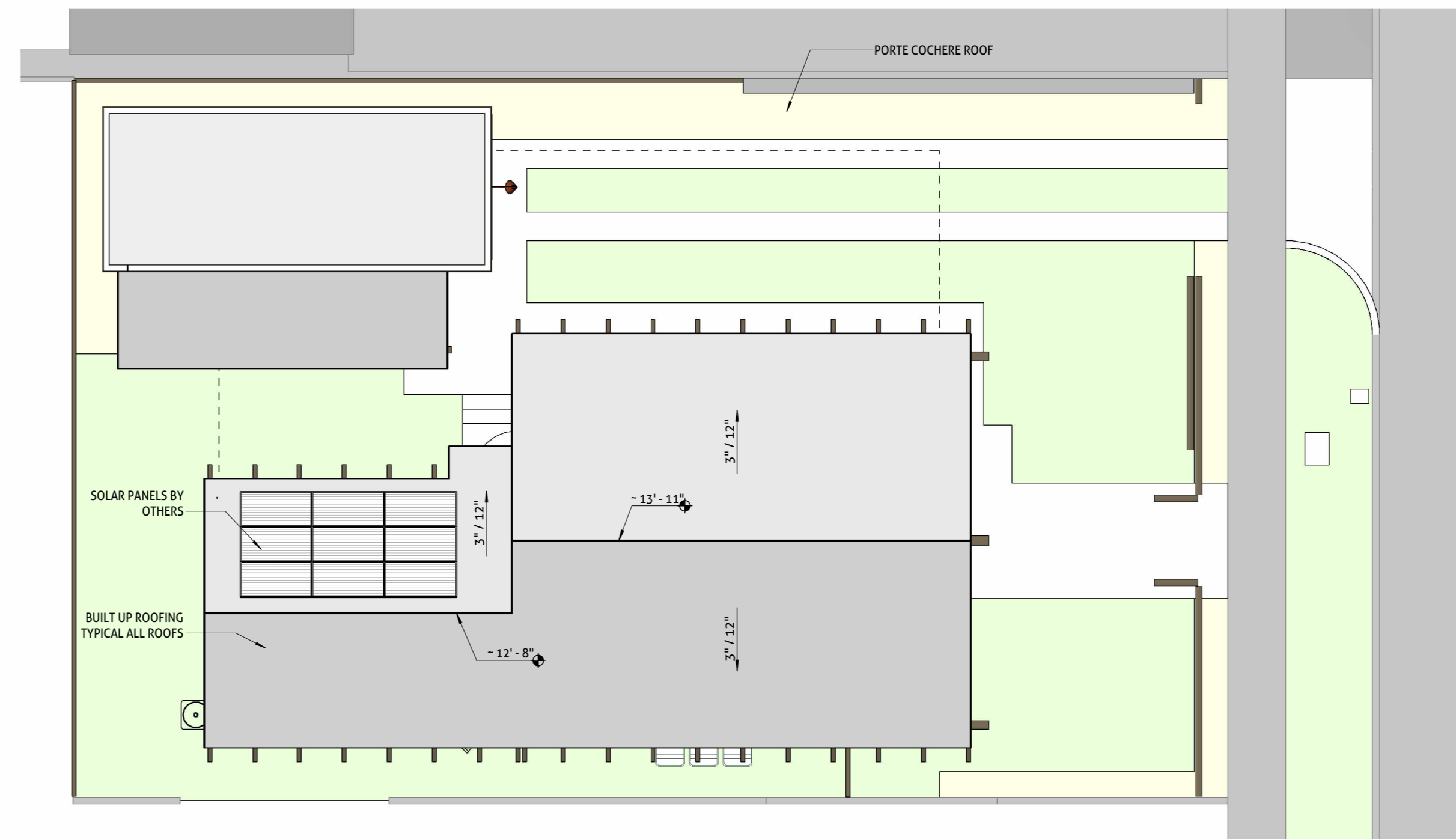
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**FAR CALCULATIONS**

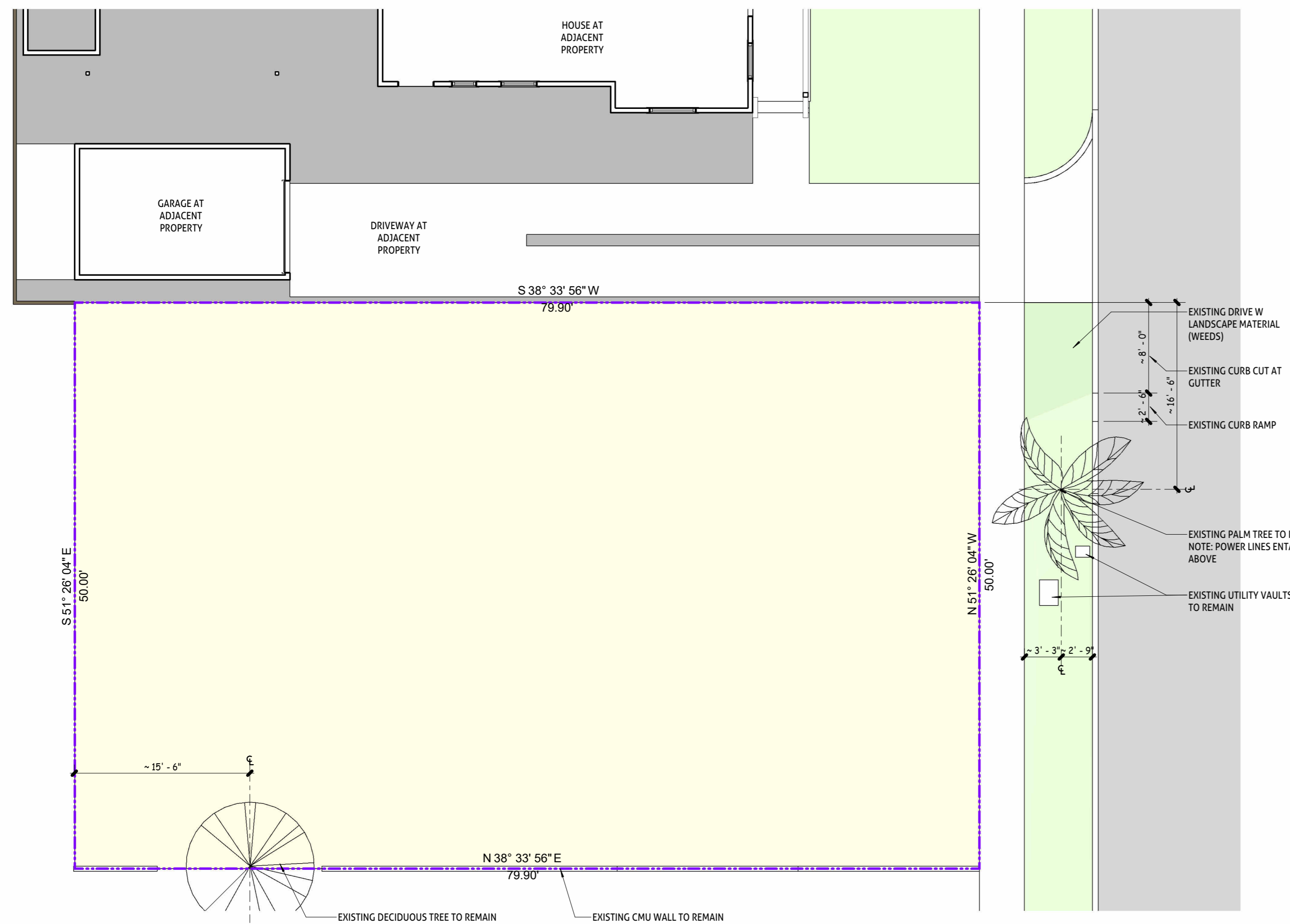
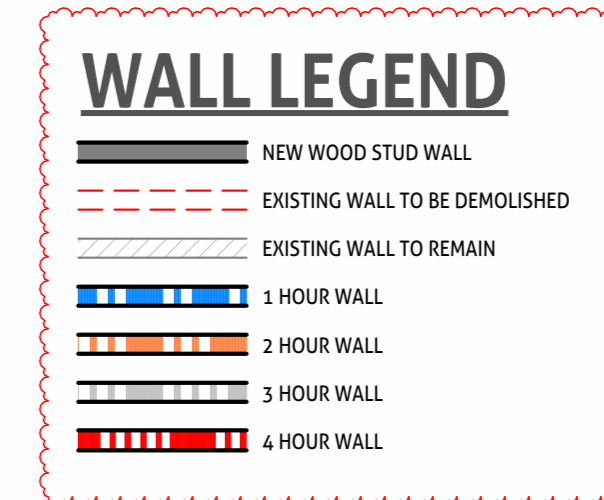
#	Add'l	Street	Home	Garage	Area	Lot Area	%	Gar	Block	* Notes	
303	310	E. River Ave	1624	506	2,130	5,746	37.1%	1.0	Yes	No	303 has 2-Car, 310 has 0-Car - Ave = 1-Car
315	320	See Notes	2764		2,764	6,098	45.3%	1.5	Yes	Yes	315 E. River/320 Toluca (2-Car+1-Car=1.5-Car)
323		E. River Ave	934	434	1,368	3,995	34.2%			No	Proposed Project
327	336	See Notes	2638	286	2,924	9,635	30.3%	1.0	Yes	No	327 E. River/336 Toluca
330	615/625	See Notes	2570	712	3,282	10,454	31.4%	1.0	Yes	Yes	330 E. River/615 S. Grand/625 S. Grand
334		E. Toluca Ave	1444	224	1,668	4,791	34.8%	1.0	Yes	No	Directly behind project lot, and on land that was the west portion of the original parcel that included project lot.
334		E. River Ave	840	240	1,080	3,493	30.9%	1.0	Yes	Yes	
337	339/340	See Notes	2640	640	3,280	11,177	29.3%	1.5	Yes	No	337 and 339/340 E. River (2-Car+1-Car=1.5-Car)
338		E. River Ave						2.0	Yes	Yes	under renovation, could not measure
<b>Averages</b>					<b>2,312</b>	<b>6,924</b>	<b>34.2%</b>	<b>1.25</b>			

\* Historically Significant

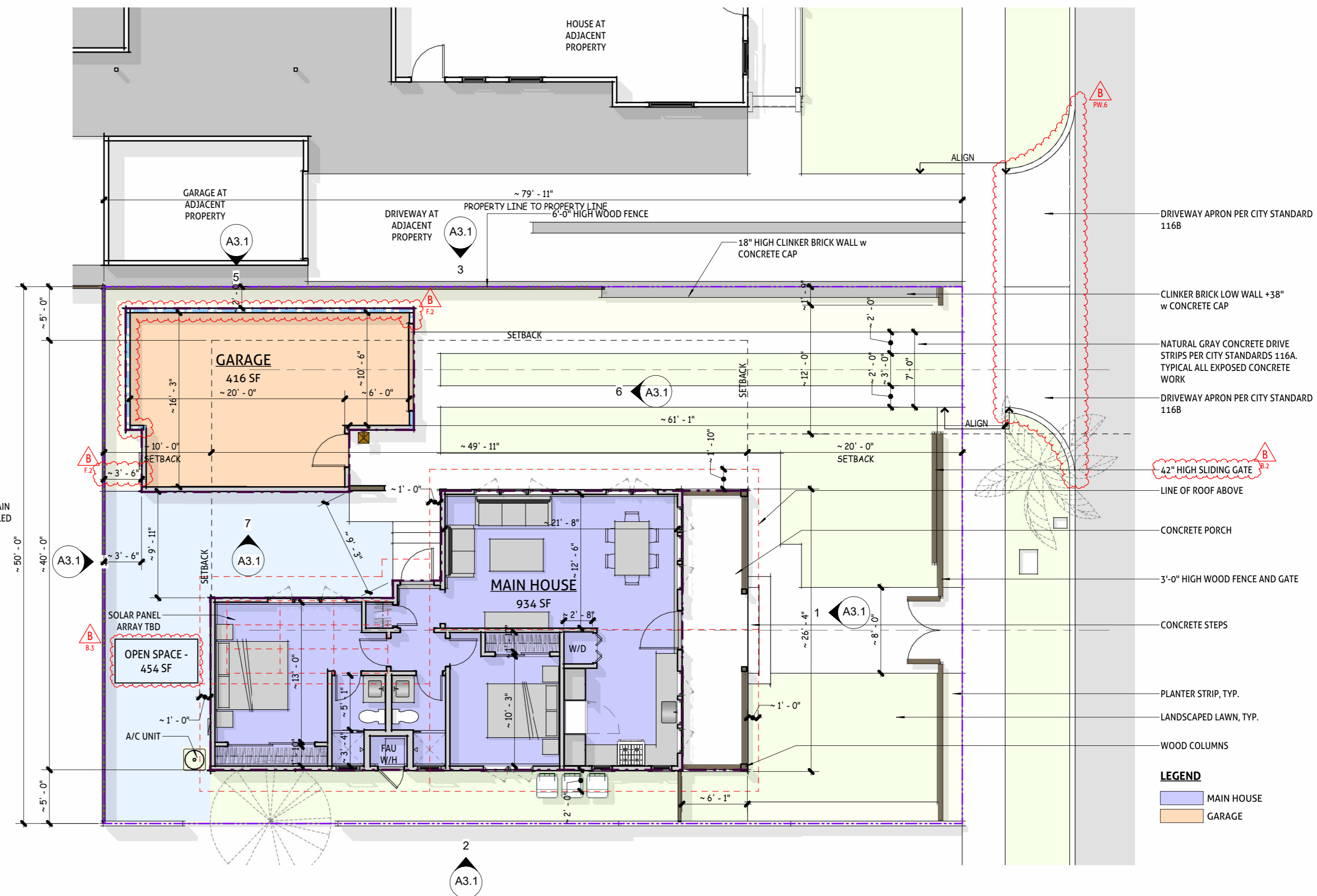


**2 ROOF PLAN**  
1/8" = 1'-0"

AREA SCHEDULE		
NAME	AREA	FAR
MAIN HOUSE	934 SF	0.234
GARAGE	416 SF	0.104
<b>TOTAL</b>	<b>1,350 SF</b>	<b>0.338</b>



**3 SITE PLAN - Existing**  
1/8" = 1'-0"



**1 SITE PLAN & AREA PLAN**  
1/8" = 1'-0"



**CONSULTANTS**

**PROJECT**  
Project Number: 23.020  
Permit Number: DRC-5136

**The Muhonen Residence**

323 E. River Ave.  
Orange, CA 92866

**REVISIONS**

DATE	DESCRIPTION
A 03/11/2024	DRC COMMENTS
B 07/15/2024	DRC COMMENTS

**SIGNATURE**

**SHEET INFO**

FLOOR PLAN,  
SITE PLANS,  
ROOF PLAN &  
FAR CALCS

**A0.2**  
Scale: As indicated

DRC SUBMITTAL - 17 JULY 2024

7/17/2024 3:39:41 PM THE ORIGINAL SIZE OF THIS DRAWING IS 24"x36". COPYRIGHT © 2022 THE ANT GROUP, INC. ALL RIGHTS RESERVED.

**CONSULTANTS**

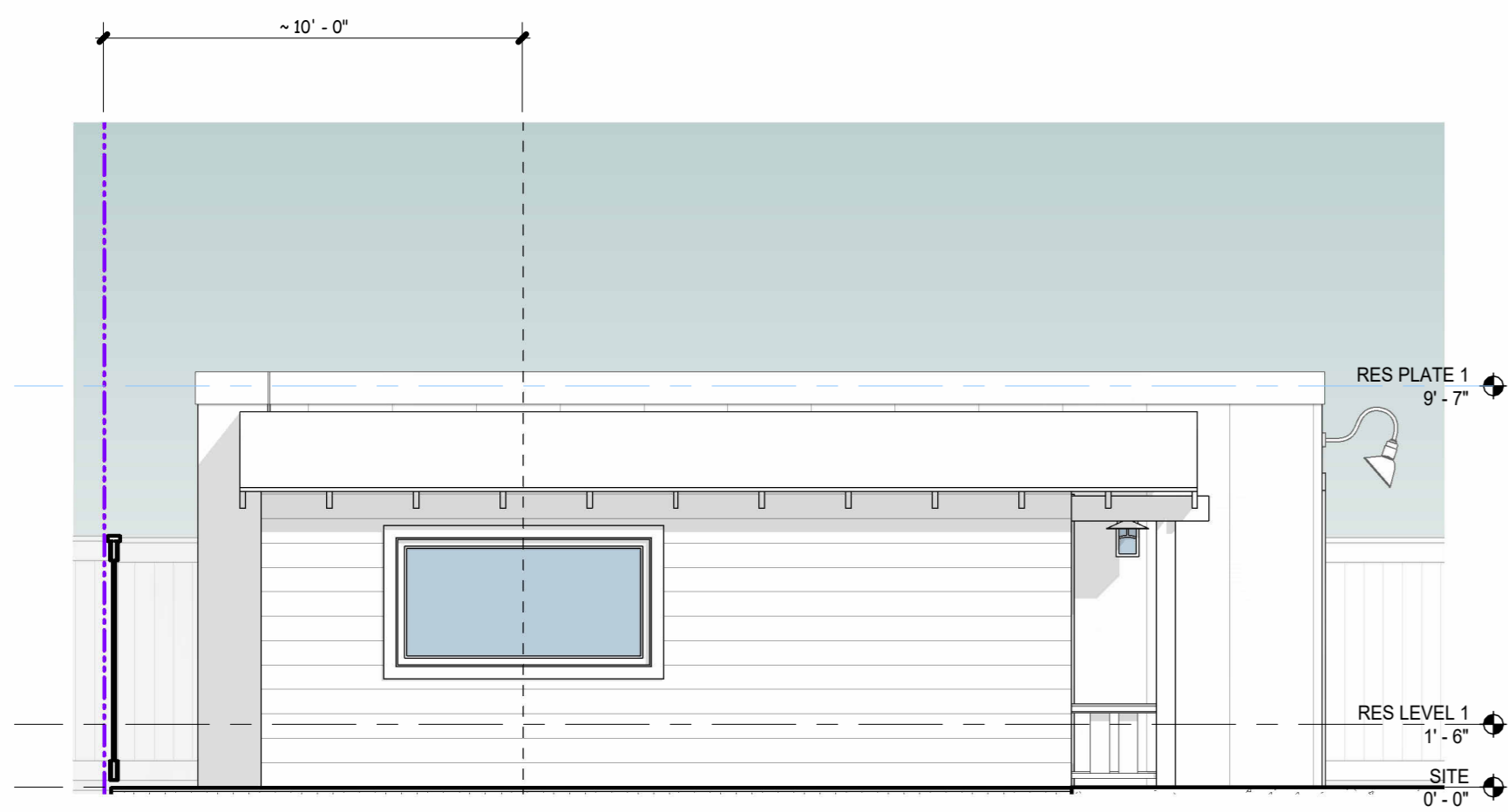
**PROJECT**  
 Project Number: 23.020  
 Permit Number: DRC-5136

**The Muhonen Residence**

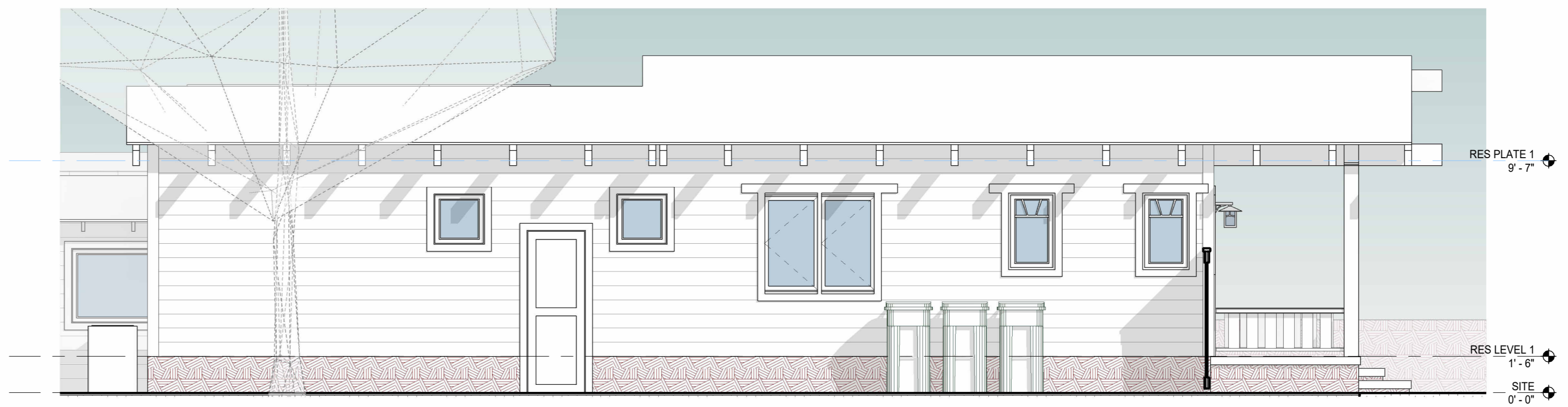
323 E. River Ave.  
 Orange, CA 92866

**REVISIONS**

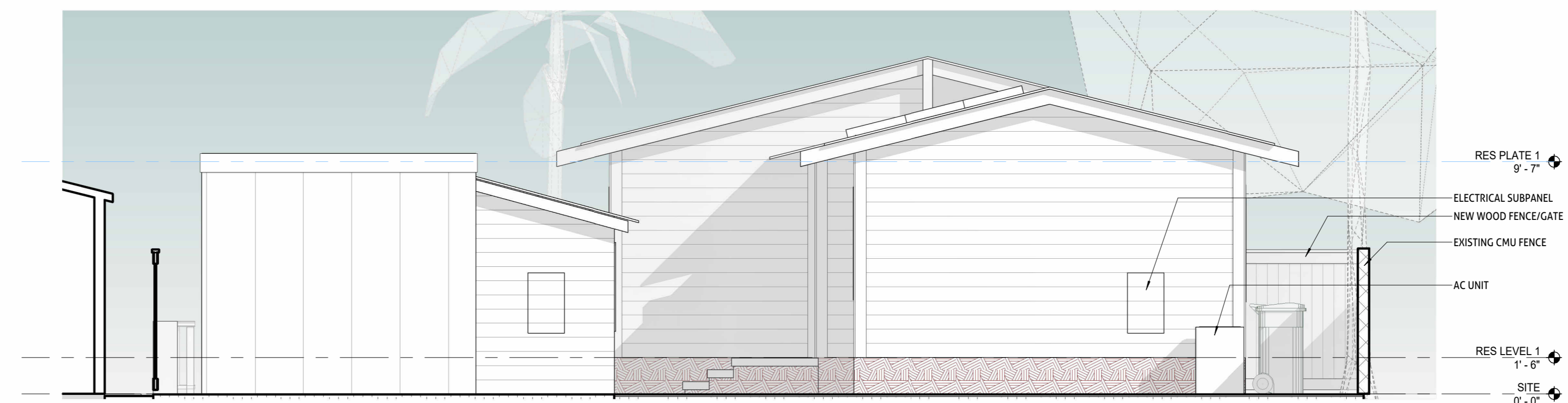
DATE	DESCRIPTION
03/11/2024	DRC COMMENTS



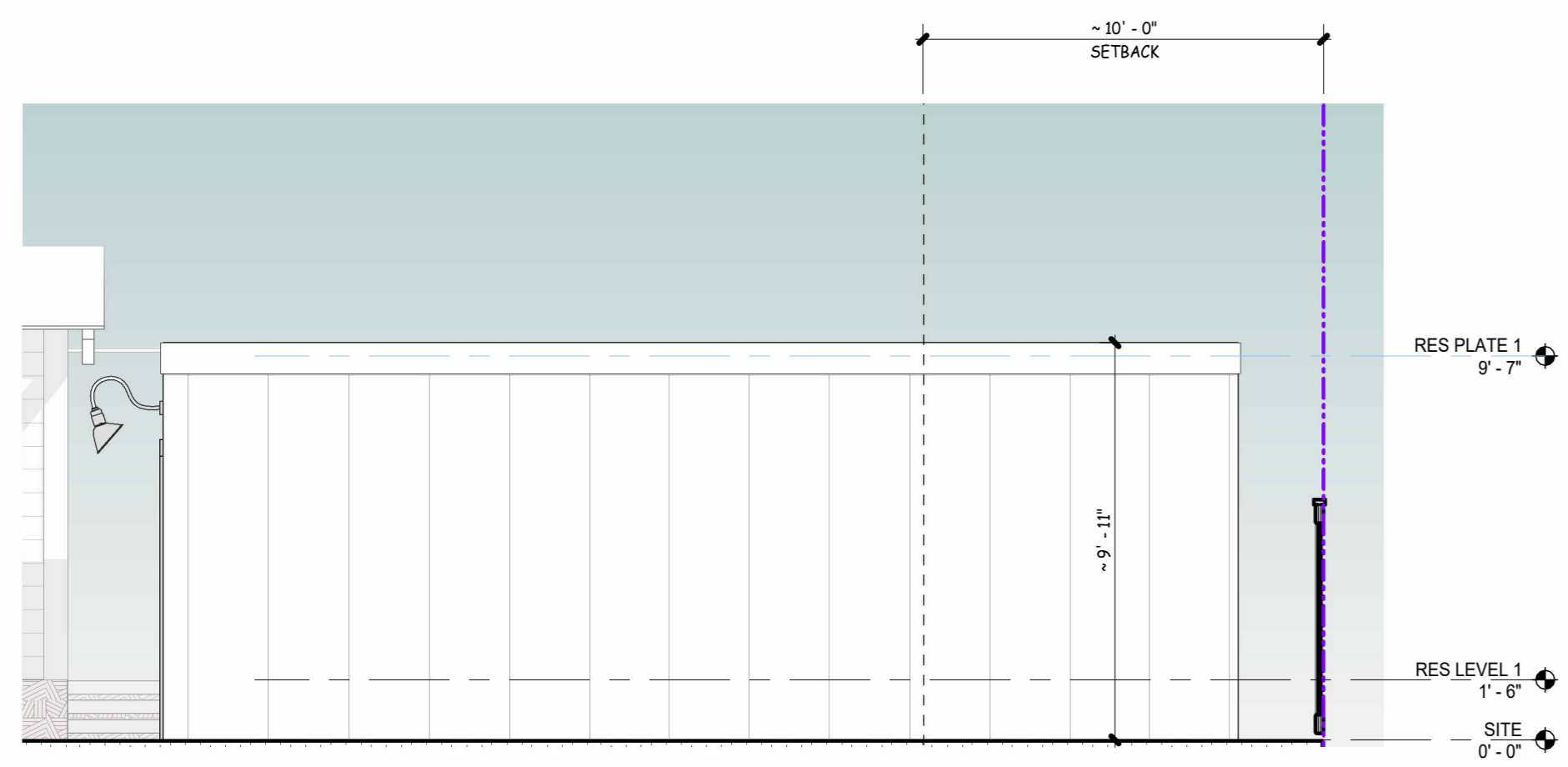
**7 EXTERIOR ELEVATION - Garage - West**  
 1/4" = 1'-0"



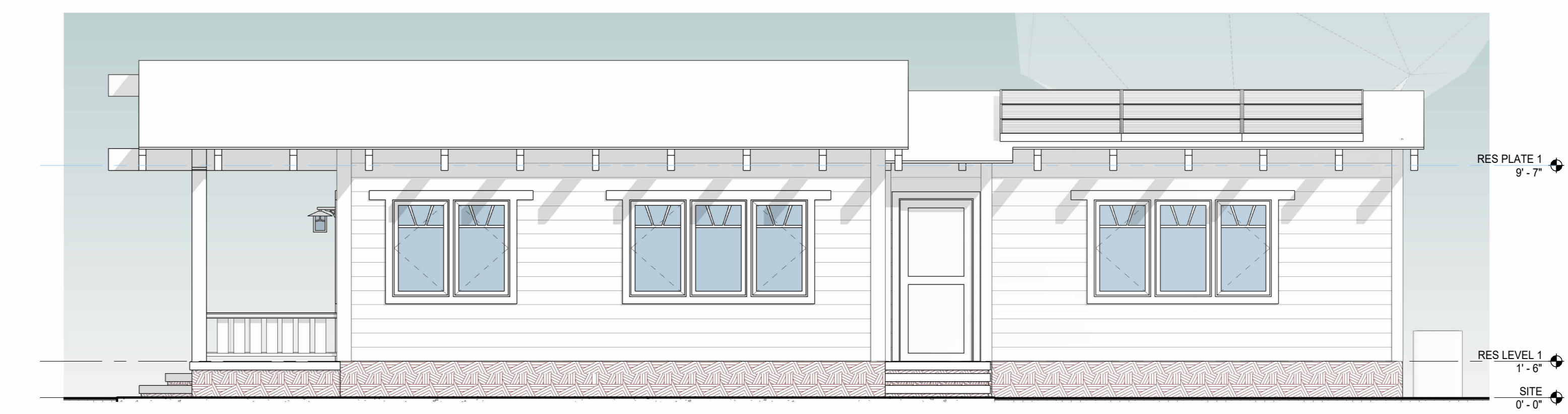
**2 EXTERIOR ELEVATION - West**  
 1/4" = 1'-0"



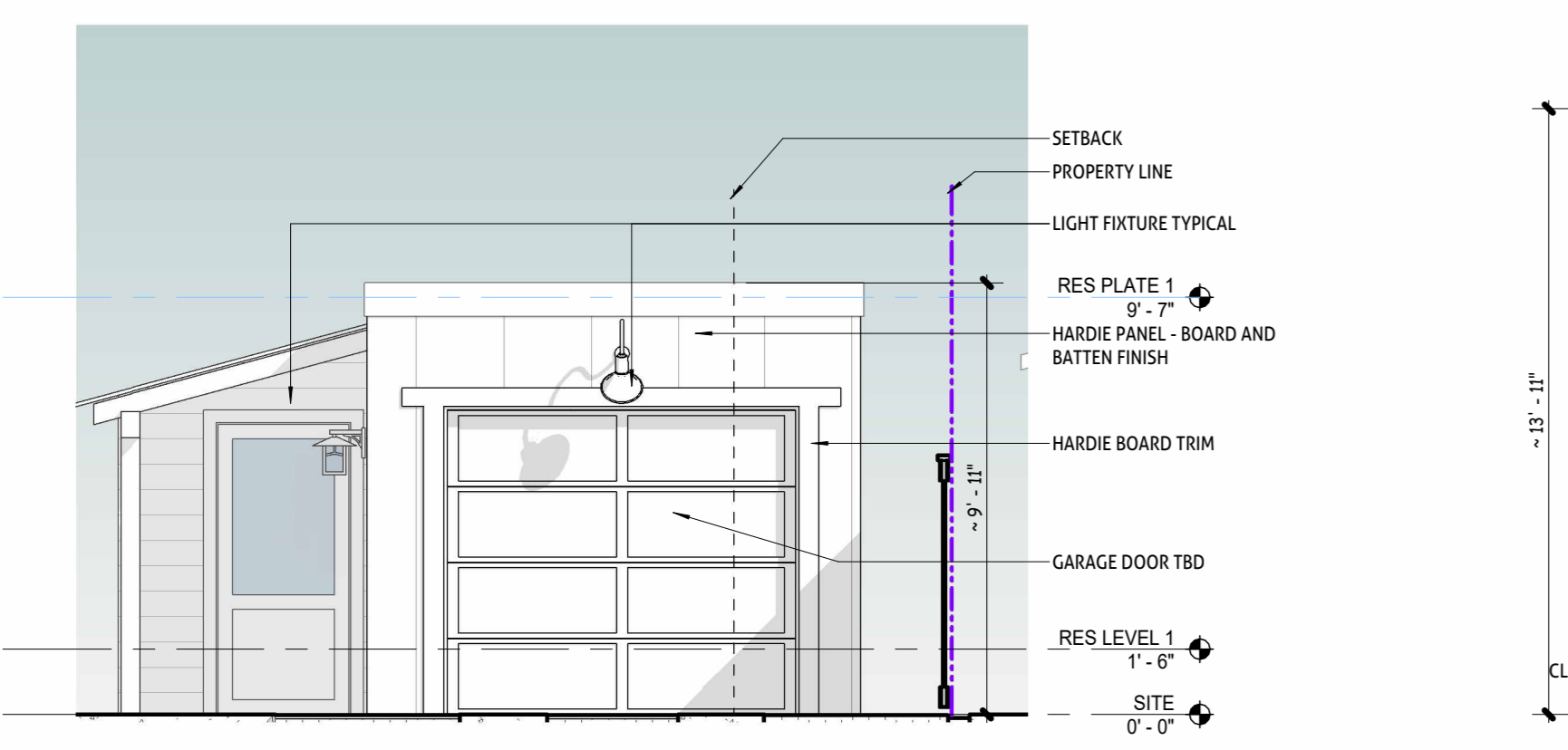
**4 EXTERIOR ELEVATION - North**  
 1/4" = 1'-0"



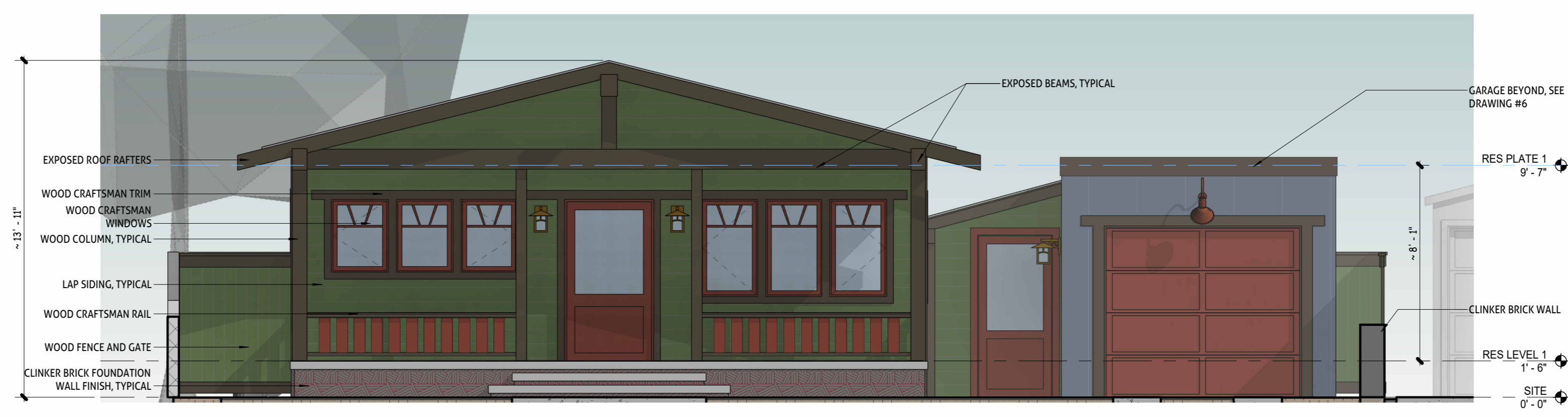
**5 EXTERIOR ELEVATION - Garage - East**  
 1/4" = 1'-0"



**3 EXTERIOR ELEVATION - East**  
 1/4" = 1'-0"



**6 EXTERIOR ELEVATION - Garage - South**  
 1/4" = 1'-0"



**1 EXTERIOR ELEVATION - South**  
 1/4" = 1'-0"

**OUTLINE SPECS**

**SIDING**

- HARDIE PLANK LAP SIDING - 7" LAP - SMOOTH FINISH - MOUNTAIN SAGE
- TRIM BOARDS - HARDIE TRIM - SERWIN WILLIAMS SW2807
- HARDIE PANEL - BOARD AND BATTEN - SMOOTH FINISH - TITANIUM

**DOORS**

- PAINTED PANEL WOOD - SHERWIN WILLIAMS SW2803 - ROCKWOOD TERRA COTTA
- TRIM COLOR - SERWIN WILLIAMS SW2807
- GLASS INSERTS (WERE SHOWN) SIZE MAY VARY

**WINDOWS**

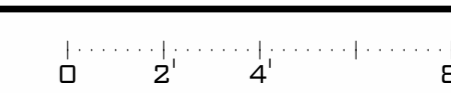
- ANDERSEN E-SERIES CASEMENT/FIXED WINDOWS W CUSTOM CRAFTSMAN GRILLE
- FRAME COLOR - CLAY CANYON
- SASH COLOR - CLAY CANYON
- TRIM COLOR - SERWIN WILLIAMS SW2807

**ROOF**

- GAF - TIMBERLINE UHZD - SHAKWOOD

**LIGHT FIXTURES**

- CALIFORNIA LANTERN - BROOKDALE (493-8) - FIXED ARM - WET LOCATION
- 1. ARCH FILIGREE
- 2. WARM BRASS FINISH
- 3. CHAMPAGNE GLASS
- ESSO LED GOOSENECK LIGHT - RUST



**SIGNATURE**

**SHEET INFO**  
**BUILDING ELEVATIONS**

DRC SUBMITAL - 17 JULY 2024

**A3.1**  
 Scale: 1/4" = 1'-0"

**CONSULTANTS**

**PROJECT**  
 Project Number: 23.020  
 Permit Number: DRC-5136

**The Muhonen Residence**

323 E. River Ave.  
 Orange, CA 92866

**REVISIONS**

DATE	DESCRIPTION



**4 PERSPECTIVE - Massing Comparison - 03**  
 1 1/2" = 1'-0"



**3 PERSPECTIVE - Massing Comparison - 02**  
 1 1/2" = 1'-0"



**2 PERSPECTIVE - Massing Comparison - 01**  
 NTS



**1 PERSPECTIVE - Massing Comparison - 00**  
 NTS

**SIGNATURE**

**SHEET INFO**  
**PERSPECTIVES**

DRC SUBMITTAL - 17 JULY 2024

**A10.10**  
 Scale: 1 1/2" = 1'-0"

**CONSULTANTS**

**PROJECT**  
 Project Number: 23.020  
 Permit Number: DRC-5136

**The Muhonen Residence**

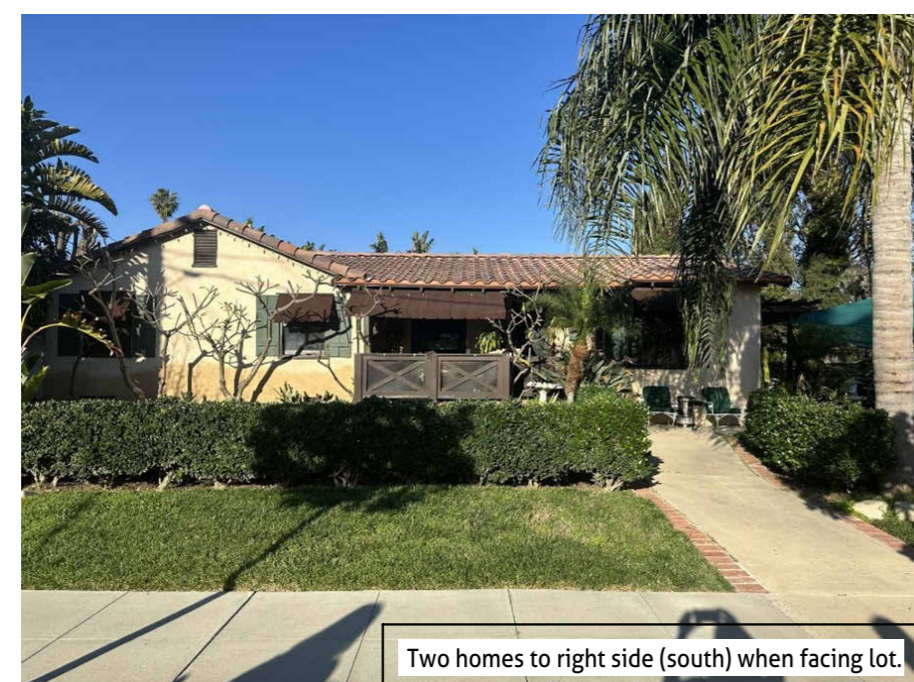
323 E. River Ave.  
 Orange, CA 92866

**REVISIONS**  
 DATE DESCRIPTION



Immediate home to right when facing lot (south)

**12** 327 E. River Ave.  
12" = 1'-0"



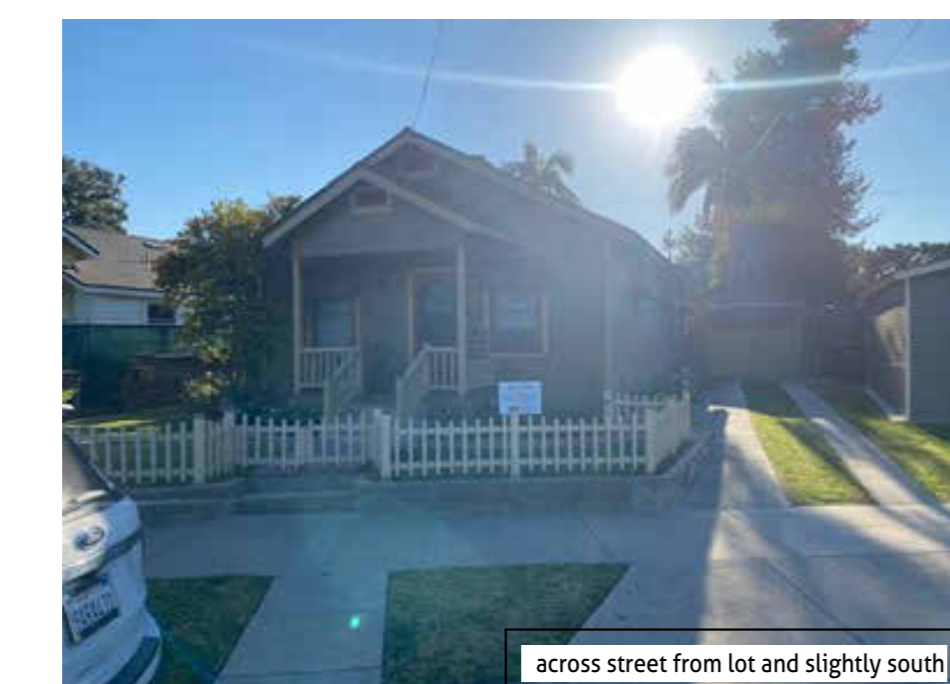
Two homes to right side (south) when facing lot.

**11** 337 E. River Ave  
12" = 1'-0"



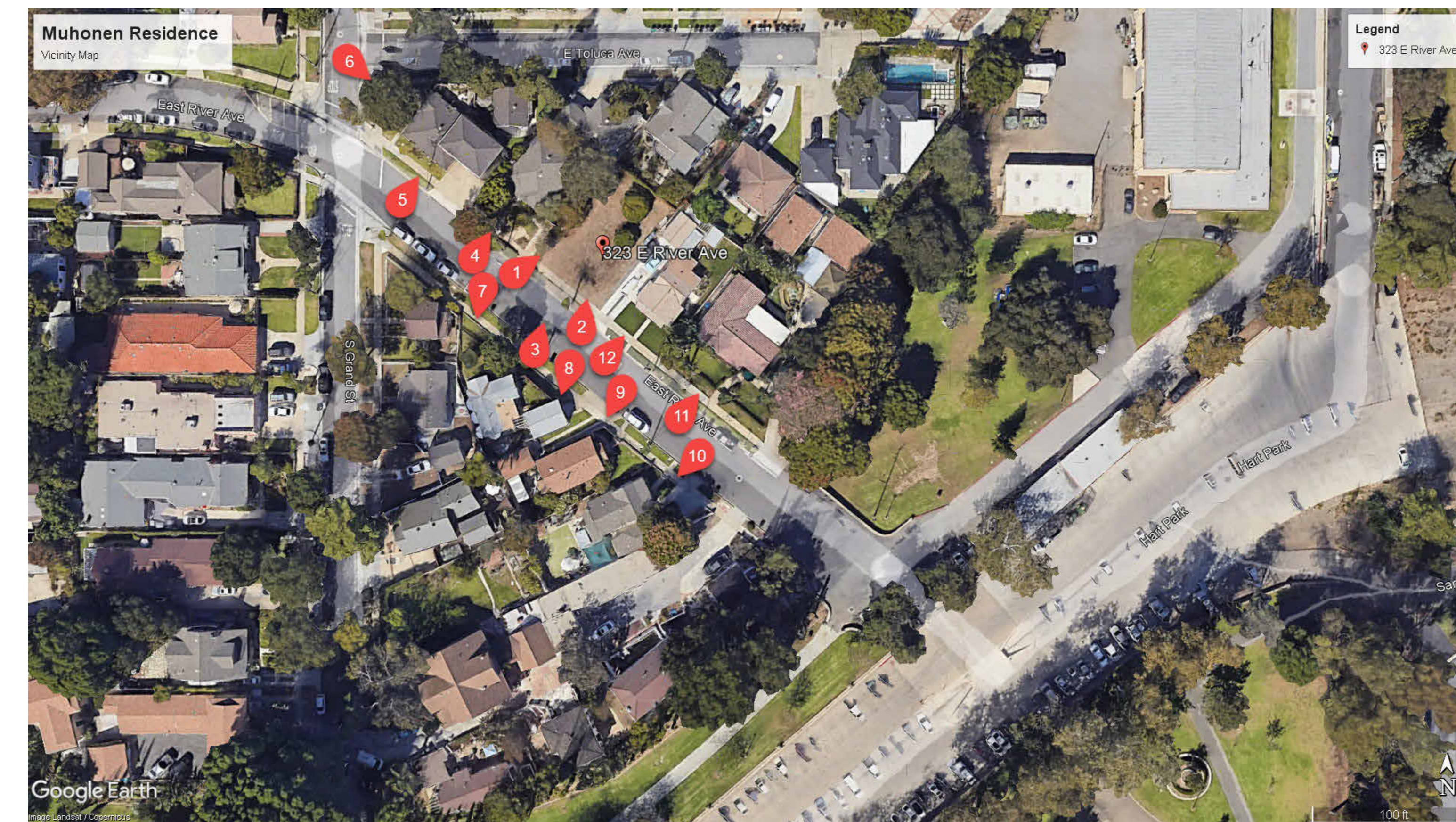
home under remodel, across street and south of lot.

**10** 338 E. River Ave.  
12" = 1'-0"



across street from lot and slightly south

**9** 334 E. River Ave.  
12" = 1'-0"



**PK PHOTO KEY - Neighborhood**  
12" = 1'-0"



Garage and side view of home (directly across street from lot)

**8** 330 E. River Ave  
12" = 1'-0"



Second home to left/north (when facing the lot), front view from Grand and E. Toluca street corner

**6** 303 E. River Ave.  
12" = 1'-0"



Adjoining home to left side (north) when facing lot.

**4** 315 E. River Ave  
12" = 1'-0"



Street view (right)

**2** 323 E. River Ave.  
12" = 1'-0"



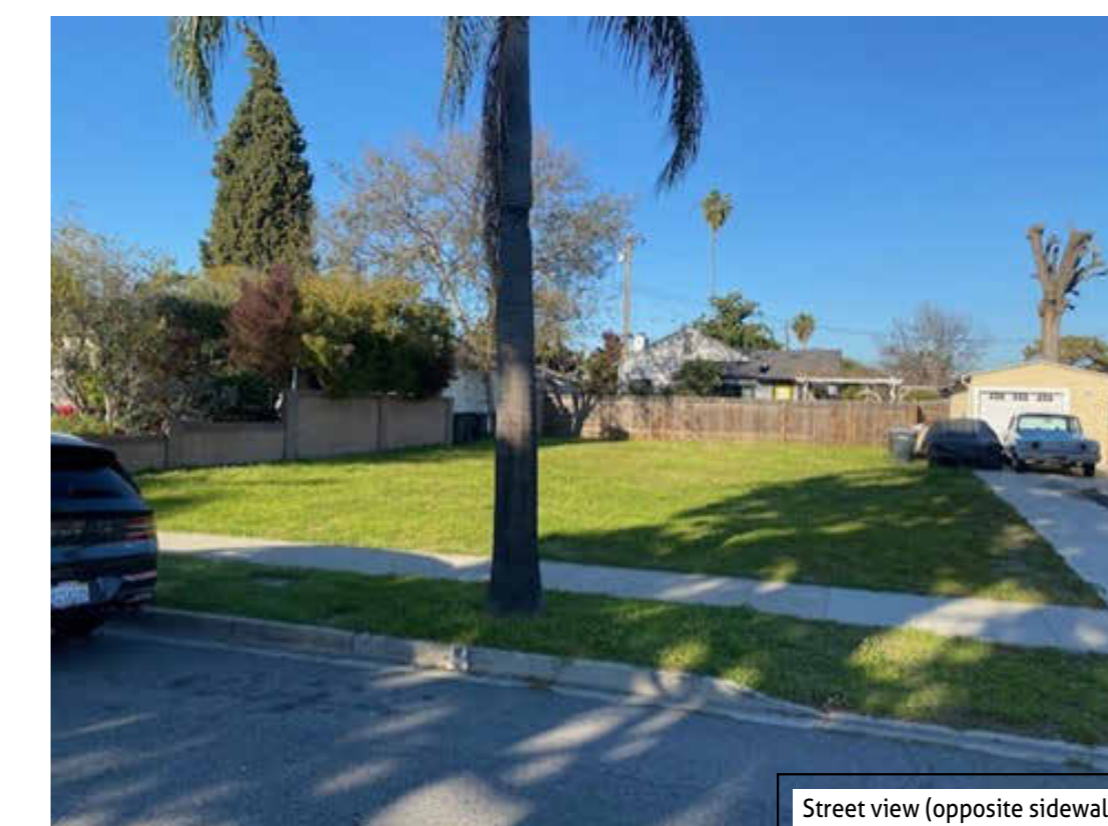
Home directly across street from lot.

**7** 330 E. River Ave  
12" = 1'-0"



Second home to left/north (when facing the lot), River avenue view; 310 E. River Ave. is the attached right side home with the two car garage below.

**5** 303 E. River Ave  
12" = 1'-0"



Street view (opposite sidewalk)

**3** 323 E. River Ave.  
12" = 1'-0"



Street view (left)

**1** 323 E. River Ave.  
12" = 1'-0"

**SIGNATURE**

DRC SUBMITTAL - 17 JULY 2024

**SHEET INFO**  
**NEIGHBORING PROPERTIES**

**A10.11**  
 Scale: 12" = 1'-0"

7/17/2024 3:30:49 PM  
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Arch Overlay with Warm Brass Finish & Honey Glass



**PORCH LIGHT FIXTURE**

**H** Historic Color  
 SW 2807  
**Rookwood Medium Brown**  
 FULL DETAILS ^  
 LRV: 10 ⓘ  
 RGB: 110 / 82 / 65  
 Hex Value: #6E5241  
 Available in: Interior/Exterior  
 Color Collections: Exterior Historic, Historic (Victorian), Colormix Forecast 2023 (Biome)  
 Color Family(s): Orange

**PAINT COLOR - SW 2807**

**H** Historic Color *Expert Pick*  
 SW 2803  
**Rookwood Terra Cotta**  
 FULL DETAILS ^  
 LRV: 14 ⓘ  
 RGB: 151 / 88 / 64  
 Hex Value: #975840  
 Available in: Interior/Exterior  
 Color Collections: Exterior Historic, Historic (Victorian), West Elm Collection 2024  
 Color Family(s): Orange

**PAINT COLOR - SW 2803**

**OUTLINE SPECS**  
**SIDING**  
 • HARDIE PLANK LAP SIDING - 7" LAP - SMOOTH FINISH - MOUNTAIN SAGE  
 • TRIM BOARDS - HARDIE TRIM - SHERWIN WILLIAMS SW2807  
 • HARDIE PANEL - BOARD AND BATTEN - SMOOTH FINISH - TITANIUM  
**DOORS**  
 • PAINTED PANEL WOOD - SHERWIN WILLIAMS SW2803 - ROCKWOOD TERRA COTTA  
 • TRIM COLOR - SHERWIN WILLIAMS SW2807  
 • GLASS INSERTS (WERE SHOWN) SIZE MAY VARY  
**WINDOWS**  
 • ANDERSEN E-SERIES CASEMENT/FIXED WINDOWS W CUSTOM CRAFTSMAN GRILLE  
 • FRAME COLOR - CLAY CANYON  
 • SASH COLOR - CLAY CANYON  
 • TRIM COLOR - SHERWIN WILLIAMS SW2807  
**ROOF**  
 • GAF - TIMBERLINE UHDZ - SHAKERWOOD  
**LIGHT FIXTURES**  
 • CALIFORNIA LANTERN - BROOKDALE (493-8) - FIXED ARM - WET LOCATION  
 1. ARCH FILIGREE  
 2. WARM BRASS FINISH  
 3. CHAMPAGNE GLASS  
 • ESSO LED GOOSENECK LIGHT - RUST



**CONSULTANTS**

**PROJECT**

Project Number: 23.020  
 Permit Number: DRC-5136

**The Muhonen Residence**

323 E. River Ave.  
 Orange, CA 92866

**REVISIONS**

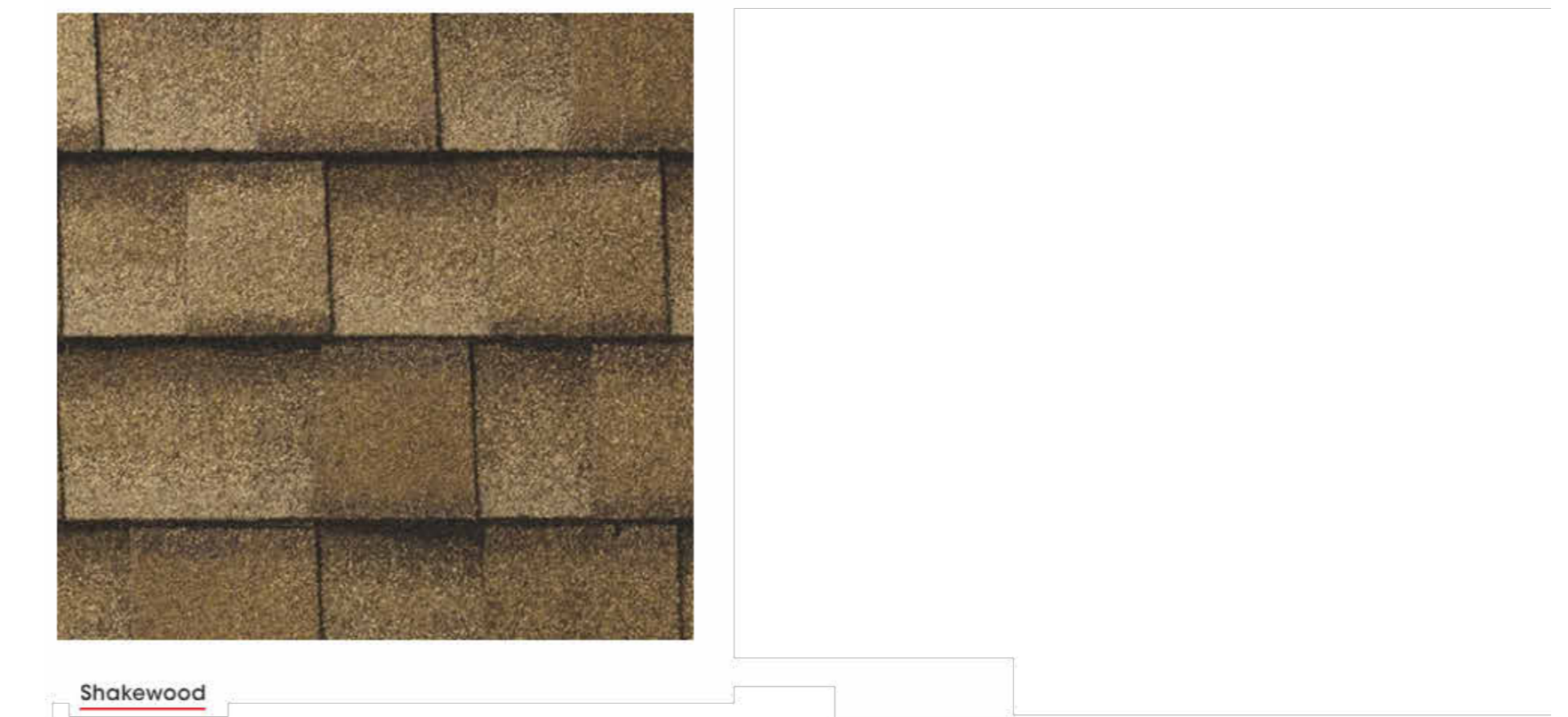
DATE	DESCRIPTION
07/15/2024	DRC COMMENTS

191

**ANDERSEN** Windows & Doors  
 Home > Windows & Doors > Windows > Casement Windows > E-Series Casement Window  
 E-SERIES CASEMENT WINDOW  
 LEARN DESIGN IT TECH SPECS  
 Excellent choice  
 We like your style  
 Sizing Interior Hardware Grilles Exterior Trim Glass Summary  
 All of your window details  
 Product ID# CMT2440  
 Unit Width 28"  
 Unit Height 48"  
 Interior Color White  
 Glass Low-E4@ Glass  
 Hardware Crank Handle and Operator Cover, White  
 Grille Pattern None  
 Exterior Frame Color Clay Canyon  
 Exterior Sash Color Clay Canyon  
 Exterior Trim Profile 3.5" Flat Casing w/ Sill Nose  
 Exterior Trim Color Copper Anodized

**WINDOWS - NTS**

**GAF**  
 Timberline UHDZ® (Ultra High Definition) shingles offer a combination of beauty and benefits that go beyond any other GAF shingle.  
 ★★★★★ 4.9 (80) WRITE A REVIEW



**Shakewood**  
**Specs & Codes**  
 Specifications (All Dimensions Are Nominal)  
 Pieces/Square 64  
 Bundles/Square 3  
 Nails/Square\* 256  
 Exposure 5 5/8"  
 Dimensions 13 1/4" x 39 3/8"  
 Applicable Standards & Protocols  
 • Fire - UL Listed to ANSI/UL 790 Class A  
 • Wind - ASTM D7158, Class H  
 • Wind - ASTM D3161, Class F  
 • National - ASTM D3018, Type 1  
 • National - ASTM D3462\*\*  
 • National - Classified in accordance with ICC-ES AC-408  
 • Regional - Miami-Dade County Product Control Approved\*\*\*  
 • Regional - State of Florida Approved  
 • Regional - Texas Department of Insurance Listed  
 • Regional - ICC-ES ESR-1475\*\*\*\*  
 • Regional - ICC-ES ESR-3267  
 • Regional - CSA A123.5\*\*\*\*\*

**ROOFING - NTS**

**ESSO LED GOOSENECK LIGHT** Home > Residential LED Lighting > Wall > Gooseneck > Ezzo LED Gooseneck Light  
 SHARE PRODUCT  
 SHADE FINISH > RUST  
 GOOSENECK ARMS > G24  
 GOOSENECK ARM FINISH > RUST  
 SHADE ACCESSORY > NONE  
 MOUNTING ACCESSORY >  
 LUMENS >  
 COLOR TEMPERATURE >  
 LED LENS > FLAT LENS

**GARAGE LIGHT FIXTURE**

**RUST**

**SIGNATURE**

**SHEET INFO**

**PRODUCT CUT SHEETS**

DRC SUBMITTAL - 17 JULY 2024

**A10.21**  
 Scale:



LISTING INFORMATION OF  
**James Hardie 3/4"- 1" Trim**  
SPEC ID: 39758

James Hardie Building Products, Inc.  
10901 Elm Avenue  
Fontana, CA 92337  
United States

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**LISTING INFORMATION**

HardieTrim® 4/4, HardieTrim® 5/4, HardiTrim® XLD Board, HardieTrim® Batten and Artisan Matrix Furring are fiber cement trims for use an alternative to conventional wood.

Product	Dimensions	Weight	
HardieTrim® 4/4	Width: 3.5, 4.5, 5.5, 7.25, 9.25, and 11.25 in. Length: 12 ft. Thickness: 0.75 in.	4.96 lb/ft <sup>2</sup>	
HardieTrim® 5/4	Width: 3.5, 4.5, 5.5, 7.25, 9.25, and 11.25 in. Length: 12 ft. Thickness: 1 in.	6.25 lb/ft <sup>2</sup>	
HardieTrim® XLD Board	Width: 2.5 in. Length: 12 ft. Thickness: 0.75 in.	4.4 lb/ft <sup>2</sup>	
HardieTrim® Batten	Width: 2.5 in. Length: 12 ft. Thickness: 0.75 in.	4.4 lb/ft <sup>2</sup>	
Artisan Matrix Furring	Width: 2.5 in. Length: 12 ft. Thickness: 0.75 in.	4.4 lb/ft <sup>2</sup>	
<b>PHYSICAL RATINGS</b>	<b>Standard</b>	<b>Rating</b>	
HardieTrim® 4/4, HardieTrim® 5/4, HardiTrim® XLD Board, HardieTrim® Batten and Artisan Matrix Furring	ASTM C1186	Meets Grade II, Type A	
HardieTrim® XLD Board	BS EN 12467	Meets Category A, Class 2, Level I	
	ISO 8336	Meets Category A, Class 2, Level I	
<b>FIRE RATINGS</b>	<b>Standard</b>	<b>Rating</b>	<b>Design Listing Number</b>
HardieTrim® 4/4, HardieTrim® 5/4, HardiTrim® XLD Board, HardieTrim® Batten and Artisan Matrix Furring	ASTM E84	Flame Spread Index: 0 Smoke Developed Index: N/A 0	

Attribute	Value
Criteria	ASTM E84 (2015)

Criteria	ASTM C1186-08 (2012)
Criteria	ISO 8336 (2009)
Criteria	EN 12467:2012 +A1
Criteria	ASTM E84 (2016)
CSI Code	07 40 00 Roofing and Siding Panels
Intertek Services	Certification
Listed or Inspected	LISTED
Listing Section	EXTERIOR CLADDING SYSTEMS & COMPONENTS
Spec ID	39758

**SIDING TRIM - NTS**



FEBRUARY 2024



**Hardie® Panel vertical siding** | Submittal Form | **02**

**Submitted to:** .....  HZ5® Product Zone  HZ10® Product Zone  
**Product Name:** .....  4x8ft  4x8ft  4x10ft  16inx12ft  
**Submitted by:** ..... **Product Finish:**  Primed  ColorPlus® Technology  
**Date:** ..... **Product Texture:**  Smooth  Select Cedarmill®  Sierra 8  Stucco

**Hardie® Panel vertical siding** | Specification Sheet | **02**

DIVISION: 07 00 00 THERMAL AND MOISTURE PROTECTION | SECTION: 07 46 46 FIBER CEMENT SIDING

**HARDIE® PANEL VERTICAL SIDING**

**Manufacturer**  
James Hardie Building Products Inc.  
The products are manufactured at the following locations, with quality control inspections by ICC-ES:  
 • Cleburne, Texas • Peru, Illinois  
 • Plant City, Florida • Pulaaki, Virginia  
 • Reno, Nevada • Tacoma, Washington  
 • Waxahatchie, Texas • Fontana, California  
 • Prattville, Alabama • Summerville, South Carolina

**Available Sizes**

Product	Width (inches)	Length (feet)	Thickness (inches)
Hardie® Panel vertical siding	48	8, 9', 10	5/16

\*Not available in ColorPlus® Technology, primed only.  
Weight: 2.40 lbs. per square foot.

**Compliance with the following codes**  
 • 2006 thru 2021 International Building Code (IBC)  
 • 2006 thru 2021 International Residential Code (IRC)  
 For more information about other compliances and applicable uses, refer to the ESR-1844

- Features**
- Noncombustible
  - Dimensionally Stable
  - Resistant to damage caused by pests
  - Weather Resistant-Engineered for Climate®
  - Impact resistant
  - Sustainable

**Use**  
James Hardie fiber-cement panels are used as exterior wall covering. The product complies with IBC Section 1403.9 and IRC Section R703.10. The product may be used on exterior walls of buildings of Type I, II, III and IV construction (IBC).

**Engineered for Climate®**  
Hardie® Panel vertical siding is engineered for performance to specific weather conditions by climate zones as identified by the following map.



The JHinsite® Team | James Hardie Building Products | www.jhinsite.com | P1  
**SPECIFICATION SHEET 02 FEBRUARY 2024**

**Performance Properties**

General Property	Test Method	Unit or Characteristic	Requirement	Result	
<b>PHYSICAL ATTRIBUTES</b>	Dimensional Tolerances	Length	± 0.5% or a 1/4 in	Pass	
		Width	± 0.5% or a 1/4 in	Pass	
		Thickness	± 0.04 in	Pass	
		Squareness	Δ in diagonals ≤ 1/32 in/ft of sheet length. Opposite sheet sides shall not vary in length by more than 1/32 in/ft	Pass	
	Edge Straightness	ASTM C1185	Δ in 12 in	≤ 1/32 in/ft of length	Pass
		ASTM C1185	Δ in 12 in	≤ 1/32 in/ft of length	Pass
	Density, lb/ft <sup>3</sup>	ASTM C1185	As reported	83	
	Water Absorption, % by mass	ASTM C1185	As reported	36	
	Water Tightness	ASTM C1185	Physical Observations	No drop formation	Pass
	Flexural Strength	ASTM C1185	Wet conditioned, psi	>1015 psi	Pass
	<b>THERMAL</b>	Thermal Conductivity	Actual Thermal Conductivity	(K <sub>a</sub> )	2.07
			Thermal Resistance	R <sub>a</sub> -1, K <sub>a</sub>	6.62
Actual Thermal Resistance			(R)	0.48	
Actual Thermal Resistance			(R)	0.15	
<b>DURABILITY</b>	Warm Water Resistance	ASTM C1185	Physical Observations	No visible cracks or structural alteration	
		ASTM C1185	Physical Observations	No visible cracks or structural alteration	
		ASTM C1185	Physical Observations	No visible cracks or structural alteration	
<b>FIRE CHARACTERISTICS</b>	Noncombustibility	ASTM E136	Noncombustible	Pass/fail	
		ASTM E119	Fire Resistance Rating	1-hour	
		ASTM E119	Fire Resistance Rating	1-hour	

Note 1: listed on Warnock Hersey and ESR 1844

**Installation**  
Install Hardie® Panel vertical siding in accordance with:  
 • Hardie® Panel vertical siding installation instructions  
 • ICC-ES ESR-1844  
 • Requirements of authorities having jurisdiction

**Sustainable Design Contribution**  
 • Regionally sourced content- varies by project location  
 • Avoidance of certain chemicals or Red List Compliance  
 Detailed product information for LEED projects, or other state or regional sustainability programs is available through James Hardie Technical Services.

**Warranty**  
Hardie® Panel vertical siding: 30-year, Non-Prorated, Limited Warranty  
ColorPlus® Technology: 15-year Limited Finish Warranty

**Storage and Handling**  
Store flat and keep dry and covered prior to installation.



**BOARD & BATTEN - NTS TITANIUM**



FEBRUARY 2024



**Hardie® Plank Lap Siding** | Submittal Form | **01**

**Submitted to:** .....  HZ5® Product Zone  HZ10® Product Zone  
**Product Name:** .....  5-1/4in  6-1/4in  7-1/4in  8in  8-1/4in  9-1/4in  12in  
**Submitted by:** ..... **Product Finish:**  Primed  ColorPlus® Technology  
**Date:** ..... **Product Texture:**  Smooth  Select Cedarmill®  Colonial Roughsawn®  Colonial Smooth®  Rustic Cedar

**Hardie® Plank Lap Siding** | Specification Sheet | **01**

DIVISION: 07 00 00 THERMAL AND MOISTURE PROTECTION | SECTION: 07 46 46 FIBER CEMENT SIDING

**HARDIE® PLANK LAP SIDING**

**Manufacturer**  
James Hardie Building Products Inc.  
The products are manufactured at the following locations, with quality control inspections by ICC-ES:  
 • Cleburne, Texas • Peru, Illinois  
 • Plant City, Florida • Pulaaki, Virginia  
 • Reno, Nevada • Tacoma, Washington  
 • Waxahatchie, Texas • Fontana, California  
 • Prattville, Alabama • Summerville, South Carolina

**Available Sizes**

Product	Width (in)	Length	Thickness (in)
Hardie® Plank lap siding	5-1/4, 6-1/4, 7-1/4, 8, 8-1/4, 9-1/4, 12	12 feet	5/16

\*HZ5: 9-1/4, 12 only available primed HZ10: 5-1/4, 9-1/4, 12 only available primed.  
Weight: 2.31 lbs. per square foot.

**Compliance with the following codes**  
 • 2006 thru 2021 International Building Code (IBC)  
 • 2006 thru 2021 International Residential Code (IRC)  
 For more information about other compliances and applicable uses, refer to ICC-ES ESR-2290

- Features**
- Noncombustible
  - Dimensionally Stable
  - Resists damage from pests
  - Weather Resistant-Engineered for Climate®
  - Impact resistant
  - Sustainable

**Use**  
Hardie® fiber-cement lap siding is used as exterior wall covering. The product complies with IBC Section 1403.9 and IRC Section R703.10. The product may be used on exterior walls of buildings of Type I, II, III and IV construction (IBC).

**Texture & Finish**  
Hardie® Plank lap siding comes in a variety of textures and finishes. The product is available in smooth or wood grain texture. Additional textures are available on a regional basis. Finish options are primed for field paint, or factory finished with ColorPlus® Technology. Color availability varies by region.

**Engineered for Climate®**  
Hardie® Plank lap siding is engineered for performance to specific weather conditions by climate zones as identified by the following map.



The JHinsite® Team | James Hardie Building Products | www.jhinsite.com | P1  
**SPECIFICATION SHEET 01 FEBRUARY 2024**

**Performance Properties**

General Property	Test Method	Unit or Characteristic	Requirement	Result
<b>PHYSICAL ATTRIBUTES</b>	Dimensional Tolerances	Length	± 0.5% or a 1/4 in	Pass
		Width	± 0.5% or a 1/4 in	Pass
		Thickness	± 0.04 in	Pass
		Squareness	Δ in diagonals ≤ 1/32 in/ft of sheet length. Opposite sheet sides shall not vary in length by more than 1/32 in/ft	Pass
Edge Straightness	ASTM C1185	Δ in 12 in	≤ 1/32 in/ft of length	Pass
	ASTM C1185	Δ in 12 in	≤ 1/32 in/ft of length	Pass
Density, lb/ft <sup>3</sup>	ASTM C1185	As reported	83	
Water Absorption, % by mass	ASTM C1185	As reported	36	
Water Tightness	ASTM C1185	Physical Observations	No drop formation	Pass
Flexural Strength	ASTM C1185	Wet conditioned, psi	>1015 psi	Pass
<b>THERMAL</b>	Thermal Conductivity	Actual Thermal Conductivity	(K <sub>a</sub> )	2.07
		Thermal Resistance	R <sub>a</sub> -1, K <sub>a</sub>	6.62
		Actual Thermal Resistance	(R)	0.48
		Actual Thermal Resistance	(R)	0.15
<b>DURABILITY</b>	Warm Water Resistance	ASTM C1185	Physical Observations	No visible cracks or structural alteration
		ASTM C1185	Physical Observations	No visible cracks or structural alteration
		ASTM C1185	Physical Observations	No visible cracks or structural alteration
<b>FIRE CHARACTERISTICS</b>	Noncombustibility	ASTM E136	Noncombustible	Pass/fail
		ASTM E119	Fire Resistance Rating	1-hour
		ASTM E119	Fire Resistance Rating	1-hour

Note 1: listed on Warnock Hersey and ESR 2290

**Installation**  
Install Hardie® Plank lap siding in accordance with:  
 • Hardie® Plank lap siding installation instructions  
 • ICC-ES ESR-2290  
 • Requirements of authorities having jurisdiction

**Sustainable Design Contribution**  
 • Regionally sourced content- varies by project location  
 • Avoidance of certain chemicals or Red List Compliance  
 Detailed product information for LEED projects, or other state or regional sustainability programs is available through James Hardie Technical Services.

**Warranty**  
Hardie® Plank lap siding: 30-year, Non-Prorated, Limited Warranty  
ColorPlus® Technology: 15-year Limited Finish Warranty

**Storage and Handling**  
Store flat and keep dry and covered prior to installation.



**SIDING - NTS**

**MOUNTAIN SAGE**

NOTE: NO WOOD GRAIN PROPOSED



**CONSULTANTS**

**PROJECT**  
Project Number: 23.020  
Permit Number: DRC-5136

**The Muhonen Residence**

323 E. River Ave.  
Orange, CA 92866

**REVISIONS**

DATE	DESCRIPTION
------	-------------

**SIGNATURE**

DRC SUBMITTAL - 17 JULY 2024

**SHEET INFO**

**PRODUCT CUT SHEETS - Hardie**

**OUTLINE SPECS**

**SIDING**

- HARDIE PLANK LAP SIDING - 7" LAP - SMOOTH FINISH - MOUNTAIN SAGE
- TRIM BOARDS - HARDIE TRIM - SERWIN WILLIAMS SW2807
- HARDIE PANEL - BOARD AND BATTEN - SMOOTH FINISH - TITANIUM

**DOORS**

- HARDIE PANEL WOOD - SHERWIN WILLIAMS SW2803 - ROCKWOOD TERRA COTTA
- TRIM COLOR - SERWIN WILLIAMS SW2807
- GLASS INSERTS (WERE SHOWN) SIZE MAY VARY

**WINDOWS**

- ANDERSEN E-SERIES CASEMENT/FIXED WINDOWS W CUSTOM CRAFTSMAN GRILLE
- FRAME COLOR - CLAY CANYON
- SASH COLOR - CLAY CANYON
- TRIM COLOR - SERWIN WILLIAMS SW2807

**ROOF**

- GAF - TIMBERLINE UHDZ - SHAKEWOOD

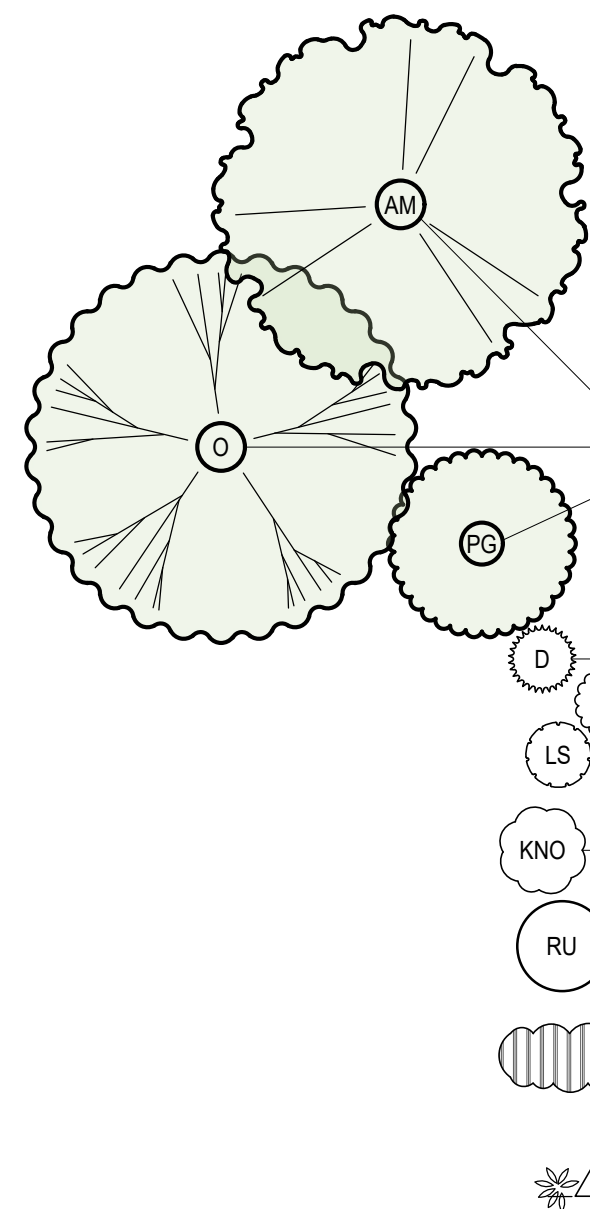
**LIGHT FIXTURES**

- CALIFORNIA LANTERN - BROOKDALE (493-8) - FIXED ARM - WET LOCATION
- ARCH FILIGREE
- WARM BRASS FINISH
- CHAMPAGNE GLASS
- ESSO LED GOSENECK LIGHT - RUST

**A10.22**  
Scale:



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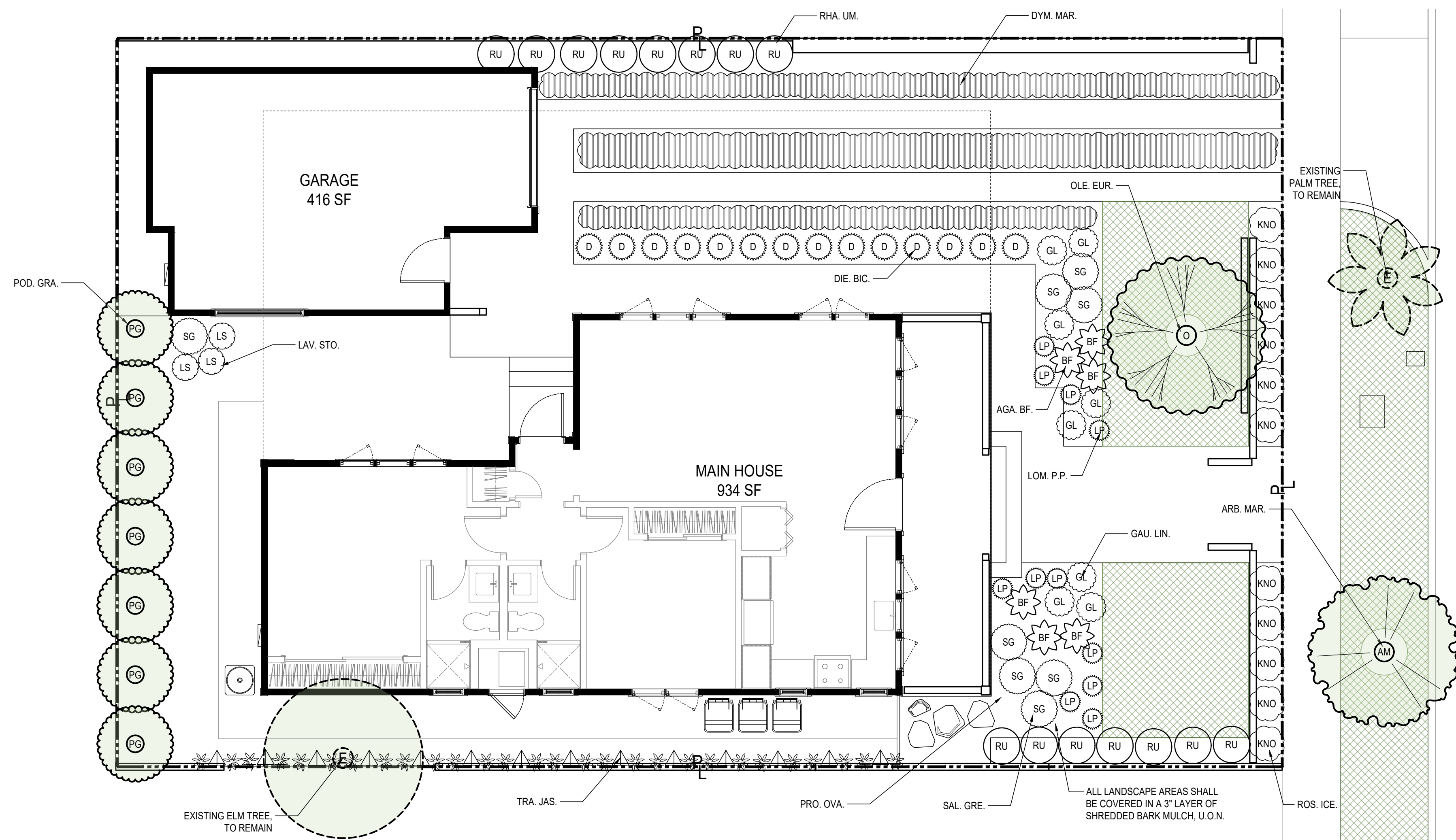


**PLANT LIST**

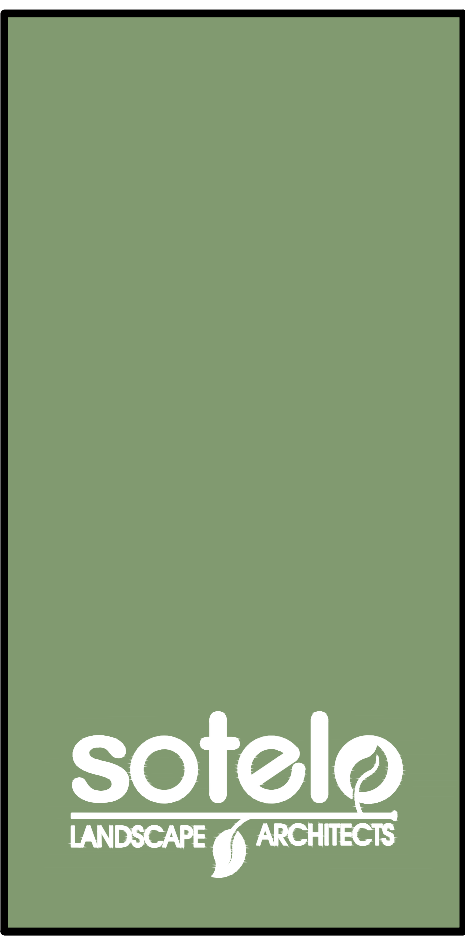
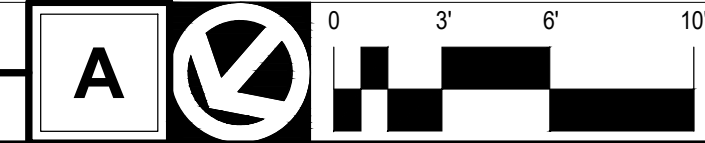
ABBR	SIZE	QTY	SCIENTIFIC NAME	COMMON NAME	WUCOLS
<b>TREES</b>					
ARB. MAR.	36" BOX	1	ARBUTUS UNEDO 'MARINA' (STANDARD)	MARINA STRAWBERRY TREE	L
OLE. EUR.	36" BOX	1	OLEA EUROPAEA 'WILSONII' (MULTI-TRUNK)	FRUITLESS OLIVE	L
POD. GRA.	15 GAL.	1	PODOCARPUS GRACILIOR (COLUMN FORM)	YEWE PINE	L
<b>SHRUBS</b>					
AGA. B.F.	5 GAL.	6	AGAVE 'BLUE FLAME'	BLUE FLAME AGAVE	L
DIE. BIC.	5 GAL.	14	DIETES BICOLOR	FORTNIGHT LILY	L
GAU. LIN.	5 GAL.	8	GAURA LINDHEIMERI	WHITE GAURA	L
LAV. STO.	5 GAL.	3	LAVANDULA STOECHAS	SPANISH LAVENDER	L
LOM. P.P.	5 GAL.	3	LOMANDRA 'POM POM'	SHORTY MAT RUSH	L
ROS. KNO.	15 GAL.	9	ROSA 'KNOCK OUT'	WHITE KNOCK OUT ROSE	L
SAL. GRE.	5 GAL.	8	SALVIA GREGGII	MAGENTA RED TEXAS SAGE	L
RHA. U.M.	15 GAL.	15	RHAPHIOLEPIS UMBELLATA 'MINOR'	DWARF YEDDO HAWTHORN	L
<b>GROUNDCOVERS</b>					
DYM. MAR.	FLATS	8" O.C.	DYMONDIA MARGARETAE	SILVER CARPET	L
<b>VINES</b>					
TRA. JAS.	5 GAL.	13	TRACHELOSPERMUM JASMINOIDES - ESPALERA	STAR JASMINE	L



**IRRIGATION NOTE**  
 ALL LANDSCAPE AREAS TO BE IRRIGATED WITH A NEW NETAFIM TECHLINE DRIP IRRIGATION SYSTEM TO CONNECT TO EXISTING LATERAL LINES AND REPLACE EXISTING VALVES WITH NEW DRIP IRRIGATION VALVES WITH APPROVED FILTERS, AND A NEW IRRIGATION CONTROLLER W/RAIN SENSOR. TREES TO BE IRRIGATED WITH 3 BUBBLERS HEADS EACH IN A SEPARATE VALVE



**PLANTING PLAN**  
 SCALE 3/16" = 1'-0"



**MUHONEN RESIDENCE**  
 323 E. RIVER AVE.  
 ORANGE, CA 92866

SUBMIT TO CLIENT	09.06.24

**PLANTING PLAN**

SHEET  
**L1.0**

City of Orange

Design Review Committee

Re: 323 E. River Ave., Orange CA

2/15/2024

Dear Committee:

We are pleased to present to you the preliminary plans for a new home in Orange.

Linda and I reside in the city of Orange and were elated when the opportunity presented itself for us to build a home on the previously unoccupied lot at 323 E.

River Avenue. We have worked in the city of Orange for nearly 30 years as physicians (neurosurgeon and cardiologist) at Children's Hospital of Orange County. This city holds a special place in our hearts.

We are proposing to construct a single-family residential home and detached garage. The lot lies within Old Towne Orange NR Historic District (1997). There are no existing structures on the lot except for a fence near the back (west) boundary line. There is one volunteer tree that is on the north boundary line of the property. This tree bisects the property line of the lot and the home to the north. The lot is surrounded by homes on all three sides, with the front of the

empty lot facing E. River Avenue. The topography is flat land. The surrounding properties are an eclectic mix of historic, non-historic/non-contributing, craftsman, ranch, contemporary post-war, Mediterranean and bungalow-style homes.

The architect of our home is Jim Balding. Jim is a well-renowned architect with a wealth of design knowledge. His design firm, The ANT Group, occupies a historic craftsman bungalow on Glassell Street in Old Towne Orange. Our vision for this project is to contribute to the architectural style and historic significance of the late 1800s and early 1900s. Our goal is to adhere to and promote the historical preservation of design standards for Old Towne. We have chosen a craftsman architectural style, with a front porch transition between the public sidewalk and the internal space of the home. The home and garage will have front gable roof forms. The window frames and doors will be traditional wood, with simplified grillwork on the windows consistent with the historical period. We will include distinctive features of skilled craftsmanship with exposed rafter tails, decorative elements, and steel brackets on wooden posts. Clinker brick will accent the base of the posts and boundary walls. To preserve aesthetics, the solar panels will be installed on the rear roof downslope, not visible from the front of the home.

The architectural design of this home pays homage to the architect brothers Greene and Greene arts and crafts style . My goal is not to copy their homes, but to take elements of their architectural style as inspiration, and use it to convey how the Greene brothers raised the arts and crafts aesthetic of the early 20th century to its consummate American expression. Some of these elements were utilized in the Torrey Pines lodge in San Diego, and when used correctly, express an extreme cosmetic appeal in modern architecture that utilizes historical styles.

I have named the home “The Orange Crush”. This favorite beverage of mine was invented in 1916. Many internal elements of the home will have antique and reproduced artifacts that relate to this century old beverage (e.g., antique beverage cooler, signs, and door pushes).

We acknowledge that the expectation is that our FAR not exceed 25%. However, E. River Avenue is an unusual area, in that the rectangular lots have mostly been divided, with homes on each end of the lots. In addition, there is a triangular shaped lot, and two other lots with multiple irregular lot lines that match the contour of Santiago Creek and Hart Park. All of the surrounding homes detailed in our application have a FAR of greater than 25%. Our lot is relatively small (4000

sq ft), and we designed the home to be consistent with the average FAR of 34.14% of the nearby homes on River Avenue.

Thank you for your consideration of our project. Please do not hesitate to contact me if you have any questions.

A handwritten signature in blue ink, appearing to read "Michael Muhonen MD". The signature is fluid and cursive, with a small "MD" at the end.

Michael Muhonen, MD

A handwritten signature in blue ink, appearing to read "Linda Muhonen MD". The signature is fluid and cursive, with a small "MD" at the end.

Linda Muhonen, MD

# Graphical representation of garages surrounding 323 E. River, Orange, CA

The blue ovals are placed in the location of the existing home's garages.



1. 320 Toluca: one car garage
2. 334 Toluca: one car garage
3. 303 E. River: two car garage
4. 315 E. River: two car garage
5. 323 E. River: subject of discussion
6. 327 E. River: one car garage
7. 337 E. River: one car garage
8. 330 E. River: one car garage
9. 334 E. River: one car garage
10. 338 E. River: one car garage

**Summary: Of the nine homes closest to the unimproved lot at 323 E. River, seven have single car garages. Two have two car garages.**