



Agenda Item

City Council

Item #: 8.2.

7/23/2024

File #: 24-0442

TO: Honorable Mayor and Members of the City Council

THRU: Tom Kisela, City Manager

FROM: Russell Bunim, Community Development Director

1. SUBJECT

Continued Public Hearing to consider rezoning of public parks to Recreation-Open Space to establish consistency with the Open Space and Open Space-Park General Plan Land Use Designations; and introduction and First Reading of associated Ordinance No. 15-24 (Zone Change No. 1314-24). (Continued from June 11, 2024)

2. SUMMARY

Public parks have a General Plan Land Use Designation of Open Space or Open Space-Park yet several have a long-standing residential or commercial zoning, or are un-zoned. The Zoning Classification that corresponds to the Open Space and Open Space-Park General Plan designation is Recreation Open Space. State law requires zoning to be consistent with the General Plan. The subject Zone Change addresses this requirement.

This public hearing was continued by the City Council on June 11, 2024 to the July 23, 2024 City Council meeting

3. RECOMMENDED ACTION

1. Conduct and close Public Hearing.
2. Introduce and conduct First Reading of Ordinance No. 15-24. An Ordinance of the City Council of the City of Orange approving Zone Change No. 1314-24 re-zoning public park sites to recreation open space to establish consistency with the Open Space and Open Space-Park General Plan Land Use designation of the park sites in accordance with State law.
3. Find that Zone Change No. 1314-24 is within the scope of the previously certified Final Program Environmental Impact Report (EIR) No. 1815-09 for the Comprehensive General Plan Update certified on March 9, 2010.

4. FISCAL IMPACT

None.

5. STRATEGIC PLAN GOALS

Goal 3: Enhance and promote quality of life in the community

- a: Renovate, maintain, develop, and/or expand public use places and spaces.

6. DISCUSSION AND BACKGROUND

Several public parks in Orange have had long-standing residential and commercial zoning or are un-zoned despite having established General Plan Land Use Designations of Open Space (OS) or Open Space-Park (OS-P). The Zoning Classification that corresponds to the OS and OS-P General Plan Land Use Designations and that is appropriate for the public parks is Recreation Open Space (R-O). State law requires zoning to be consistent with the General Plan designation. The subject Zone Change is part of the ongoing reconciliation of scattered citywide General Plan and Zoning inconsistencies, which has become a priority based on Council direction and changes in the law. Detailed information about relevant legislative requirements is provided in Attachment 3.

Belmont, Fred Barrera, Santiago Hills, Serrano, and Steve Ambriz Parks are not included in the re-zoning because their Planned Community zoning is consistent with the General Plan. In the case of Cerro Villa and Pitcher Parks, they both have a Low Density Residential General Plan designation and consistent Single-Family Residential zoning. Killefer Park is a joint use facility that is part of the Orange Unified School District's Richland Continuation High School campus and has a split General Plan Land Use Designation that warrants a separate cleanup effort to establish a single uniform land use designation prior to re-zoning. Similarly, the El Modena basin experiences a split General Plan Land Use Designation for cleanup prior to re-zoning.

7. ADVISORY BOARD ACTION

Planning Commission

The Planning Commission conducted a public hearing for the Zone Change on April 1, 2024 and recommend approval to the City Council by a 5-0 vote. Meeting minutes are provided as Attachment 4.

8. ENVIRONMENTAL REVIEW

Final Program Environmental Impact Report (EIR) No. 1815-09 for the Comprehensive General Plan Update was certified on March 9, 2010 and prepared in accordance with the California Environmental Quality Act (CEQA). The proposed activity is within the scope of the previously approved General Plan and is adequately described in the previously certified General Plan Program EIR for purposes of CEQA.

9. ATTACHMENTS

- Attachment 1 Ordinance No. 15-24
- Attachment 2 Planning Commission Resolution No. 12-24
- Attachment 3 Planning Commission Staff Report, April 1, 2024
- Attachment 4 Planning Commission Minutes, April 1, 2024