

11. RECESS TO CLOSED SESSION

The City Council recessed at 5:25 p.m. to a Closed Session for the following purposes:

- a. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

City Negotiators: Jeffrey Freedman, Special Counsel, Rick Otto, Assistant City Manager, Steven Pham, Human Resources/Employee Relations Director, and Mike Harary, Assistant Human Resources Director.

Employee Organizations: City of Orange Police Association, City of Orange Police Management Association, and Executive Directors and Top Management Employees.

- b. To consider and take possible action upon such other matters as are orally announced by the City Attorney, City Manager, or City Council prior to such recess unless the motion to recess indicates any of the matters will not be considered in Closed Session.

ADJOURNMENT – The City Council adjourned at 5:25 p.m. to a Study Session on March 12, 2013 at 5:30 p.m. in the Weimer Room to review the proposed 2013-14 Budget.

7:00 P.M. SESSION**12. PUBLIC COMMENTS - None****13. PUBLIC HEARINGS****13.1 OLD TOWNE ORANGE - ZONE CHANGE 1267-12(D). (Continued from February 12, 2013) (Z1500.0 ZCG-1267-12(D))**

Continued public hearing to consider Ordinance No. 01-13(D) approving Zone Change No. 1267-12(D) rezoning certain properties in “Area D” of the Old Towne Orange focus area (generally located north of La Veta Avenue, south of Palm Avenue, west of the railroad tracks, and east of Batavia Street) to Single Family Residential (R-1) zoning.

Discussion – Senior Planner Jennifer Le provided a staff report.

Principal Planner Anna Pehoushek clarified for Council that when the General Plan Update occurred in 2010, there was a very extensive outreach to inform property owners of future rezoning plans to align the General Plan land use designation and its zoning. In addition, she explained the unlikelihood of second and third units being developed on the properties due to small lot sizes and current building codes.

MAYOR SMITH RE-OPENED THE PUBLIC HEARING.

Speakers -

Jeff Frankel, Old Towne Preservation Association, spoke on effects of the action and its support for establishment of the R-1 zoning that supports the historic district;

Angie Russ, requested confirmation that this does not apply to properties east of Glassell.

13. PUBLIC HEARINGS (Continued)

MAYOR SMITH CLOSED THE PUBLIC HEARING.

Mayor Smith stated her support for this action for the following reasons:

- There is no issue regarding legal non-conforming status for financing purposes;
- Many of the lots are small, and many of the structures contribute to the historic district designation;
- The action ensures the uniqueness of the Old Towne district.

She further stated that the lot sizes would never support the building of three units and that matching zoning to what actually stands on the property is a very good piece of the City's preservation policy, closing with the statement that usually a family can have two units and contributing structures can stay.

Ms. Le addressed Councilmember Bilodeau's concern for the property at 468 S. Pixley, stating that the development standards that apply to accessory second units in R-1 zoning are less restrictive in most instances; and therefore, have a better chance of accommodating an additional unit than a second unit on an R-3 zoned property.

Ms. Le addressed concerns by Mayor pro tem Murphy on 156-158 Clark, stating that she would clarify the existing land use and correct the City's maps as needed.

Councilmember Alvarez spoke of the code limitations that would apply to the small lots in question. He stated the rezoning was important to support the preservation of the historic district, and that the Mills Act allows for non-contributing homes to be brought back to contributing status. He stated that he liked the sensitivity in carving out areas for appropriate zoning.

ORDINANCE NO. 01-13(D) (FIRST READING)

An Ordinance of the City Council of the City of Orange Approving Zone Change No. 1267-12(D) Rezoning Certain Properties in the Old Towne "Focus Area" Generally Located north of La Veta Avenue, South of Palm Avenue, West of the Railroad Tracks, and East of Batavia to Single Family Residential (R-1), in order to Establish Consistency Between the Low Density Residential General Plan Land Use Designation and the Zoning Classification in Accordance with State Law.

MOTION - Alvarez

SECOND - Smith

AYES - Alvarez, Smith, Murphy

NOES - Bilodeau

ABSENT - Whitaker

Moved that Ordinance No. 01-13(D) be read by title only, and same was approved for second reading by the preceding vote.