



Agenda Item

City Council

Item #: 11.3.

9/8/2020

File #: 20-116

TO: Honorable Mayor and Members of the City Council

THRU: Rick Otto, City Manager

FROM: Gary A. Sheatz, City Attorney

1. SUBJECT

Public Hearing to consider Introduction and First Reading of an Ordinance amending sections of Title 12 (Streets, Sidewalks and Public Places), Title 16 (Subdivisions) and Title 17 (Zoning) of the Orange Municipal Code related to the Design Review Committee. Ordinance No. 13-20.

2. SUMMARY

An Ordinance amending sections of Title 12, 16 and 17 of the Orange Municipal Code to revise the duties and responsibilities of the Design Review Committee to focus on projects in historic districts and involving historic properties and effect other minor revisions.

3. RECOMMENDED ACTION

Introduce and approve Ordinance No. 13-20 for First Reading. An Ordinance of the City Council of the City of Orange Amending Title 12, Title 16 and Title 17 of the Orange Municipal Code to Update Duties and Responsibilities of the Design Review Committee Effect Other Minor Revisions.

4. FISCAL IMPACT

None.

5. STRATEGIC PLAN GOALS

Goal 4: Provide Outstanding Public Service

b: Provide facilities and services to meet customer expectations

d: Foster an environment of leadership, teamwork, and innovation

Goal 5: Recognize, Promote, and Preserve Orange's Rich Heritage

b: Expand and strengthen processes and practices related to protection and cultural resources.

6. DISCUSSION AND BACKGROUND

Background

In 1974, the City Council adopted Ordinance No. 4-74, creating a Design Review Board, later renamed the Design Review Committee (DRC). The City Council's stated intent was to promote "appropriate standards for the design of new buildings and design of structures" and the DRC was to "review all development and building projects except those exempted by resolution of the City Council." Over the past 46 years, the purview of the DRC expanded to include review of demolition permits in Old Towne, signs and sign programs, landscaping, recommendations on tentative tract

maps, variances, CUPs and all site plan reviews. Simultaneous with the expansion of DRC responsibilities, there has been an enormous expansion in the population of Orange, with its attendant development. The quantity and complexity of projects falling within the responsibilities of the DRC increased significantly. Concomitant with the increase in the number of projects requiring DRC review, the length and number of meetings needed to accomplish those tasks has also increased significantly.

Earlier in 2020, the City Council requested a thorough review of the development approval process requirements in the Orange Municipal Code with the goal of increasing the efficiency while focusing the efforts of the DRC on one of this City's most valuable resources, namely the historic districts and buildings and structures of historical significance.

Planning Commission Action

The Planning Commission conducted a hearing on the proposed Ordinance on August 17, 2020, (Attachment 3, 4). The Commission considered the entire record, including the staff report and public comments, and adopted Resolution No. PC 23-20, unanimously recommending approval to the City Council by a vote of 4-0.

Analysis

The DRC will continue to review and recommend/approve development projects in historic districts and involving buildings or structures identified as significant in the City's Historic Resources Survey. The Director of Community Development will have approval authority and/or make recommendations to the Planning Commission for projects outside of a historic district. Reorienting the DRC's focus onto historic districts and structures will concentrate their expertise on historical resources. The resulting flow for processing applications will be streamlined and result in shorter turnaround for applicants.

Summary of Amendments

The Ordinance updates the following sections of the Orange Municipal Code:

OMC 12.18.080.O - Streets, Sidewalks and Public Places - Outdoor Dining on Public Walkways - Outdoor Dining Permit Standards

- Approval of outdoor dining signage will be by the Director of Community Development in place of the DRC.

OMC 16.35.060 - Subdivisions - Vesting Tentative Maps - Filing

- Subdividers will obtain plans and drawings approval from the Director in place of the DRC.

OMC 17.08 - Zoning - General Administrative Procedures

- All design review processes will be consolidated (administrative and other) and the Director's responsibilities will reflect this change.
- DRC recommendations on CUPs and variances will be eliminated.
- DRC site plan review will be limited to historic districts.
- DRC review of other land use applications will be limited to those in historic districts or involving a building or structure listed on the City's Historical Resources Survey.
- The DRC will make a recommendation, not a final decision, on temporary uses in historic districts only.
- The Director will be able to refer other projects to the DRC in the Director's discretion.

OMC 17.10 - Zoning - Specific Administrative Procedures

- The DRC will review temporary use permits in historic districts only.
- The DRC will review Minor and Major Site Plans for historic districts only.
- For site plan review of projects in historic districts or involving historic buildings or structures, the DRC may recommend conditions relating to architectural design only.
- Description of the types of projects subject to design review will be revised to be more specific.
- Redundant language regarding CEQA review and findings in historic districts will be deleted.
- Provision for Administrative Design Review will be deleted.

OMC 17.12 - Zoning - General Regulations

- References to the Old Towne Historic District will be updated to include all historic districts.

OMC 17.13 - Zoning - Master Land Use Table

- Mandatory DRC review of CUP for minor use not associated with a historic district will be eliminated.

OMC 17.08 - Zoning - Sign Regulations

- The Director will approve sign programs for multitenant building sign programs and mixed use/major commercial centers, in place of the DRC.
- The Director will make recommendations to the Planning Commission for creative signs and murals located outside of a historic district, in place of the DRC.

Environmental

The subject Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3), because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility it will have a significant effect on the environment, and because it is not a "project" as defined in Section 15378 of the State CEQA Guidelines. As such, no further analysis is warranted or required.

7. ATTACHMENTS

- Ordinance No. 13-20 - CLEAN
- Ordinance No. 13-20 - REDLINED
- Planning Commission Staff Report and Resolution
- Draft Planning Commission Minutes 8/17/20
- Public Comments for Planning Commission meeting on 8/17/20 (not including voicemail from Tony Trabucco, OTPA, in opposition)