

ORDINANCE NO. 20-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE APPROVING ZONE CHANGE 1297-19, CHANGING THE ZONING FROM LIMITED BUSINESS (C-1) TO RESIDENTIAL MULTIFAMILY - SPECIFIC PLAN [R-3 (SP)] AND ASSOCIATED AMENDMENT TO THE ORANGE OLIVE SPECIFIC PLAN FOR PROPERTY LOCATED AT 1997 N. ORANGE OLIVE ROAD AND 301-347 E. GROVE AVENUE.

**ZONE CHANGE NO. 1297-19
APPLICANT: DAVID COHEN
1997 N. ORANGE OLIVE ROAD AND
301-347 E. GROVE AVENUE**

WHEREAS, an application was filed by David Cohen (“Applicant”) requesting a Zone Change for the property addressed 1997 N. Orange Olive Road and 301-347 E. Grove Avenue (“project site”) in accordance with the provisions of the City of Orange Municipal Code; and

WHEREAS, the project site has an existing General Plan land use designation of Low Medium Density Residential (LMDR), which allows for residential development of 6 to 15 dwelling units per acre on the project site; and

WHEREAS, the project site has an existing zoning of Limited Business (C-1); and

WHEREAS, according to Table LU-3 in the General Plan Land Use Element, residential zoning districts including the R-2 and R-3 zones are compatible with the LMDR General Plan land use designation; and

WHEREAS, the project site’s existing C-1 zoning is not consistent with its existing LMDR General Plan land use designation; and

WHEREAS, California Government Code Section 65860 requires consistency between a city’s General Plan and zoning; and

WHEREAS, the Applicant is requesting a Zone Change from C-1 to R-3(SP), which would bring the project site zoning into consistency with the General Plan; and

WHEREAS, the Applicant also proposes an Amendment to the Orange Olive Specific Plan (Specific Plan) to expand the boundaries of the Specific Plan area in order to incorporate the 2.9-acre project site, referred to as Phase II, into the boundaries of the Specific Plan area; and

WHEREAS, the Specific Plan incorporates development standards similar to the R-3 zoning standards but modified to better accommodate a detached condominium product type; and

WHEREAS, the City's interdepartmental Streamlined Multidisciplinary Accelerated Review Team (SMART) conducted reviews of the project on August 14, 2019, March 25, 2020, July 1, 2020 and on August 5, 2020, recommended the applications proceed to the Design Review Committee, subject to specified conditions; and

WHEREAS, on September 16, 2020, the City's Design Review Committee reviewed the project and recommended approval to the Planning Commission, subject to specified conditions, by a 5-0 vote; and

WHEREAS, on November 2, 2020, the Planning Commission reviewed the project at a duly advertised public hearing along with any public comments, and recommended approval to the City Council, subject to specified conditions, by a 5-0 vote; and

WHEREAS, Subsequent MND No. 1865-19 was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) and concluded that potential environmental impacts of the proposed project related to Biological Resources, Cultural Resources, Geology and Soils, Noise, and Tribal Cultural Resources would be less than significant with the incorporation of mitigation measures; and

WHEREAS, a Notice of Intent to Adopt Subsequent Mitigated Negative Declaration No. 1865-19 was circulated for public review and comments for 30 days as required by CEQA, with the comment period beginning August 13, 2020 and ending September 14, 2020; and

WHEREAS, the City Council has reviewed and considered the information presented in Subsequent MND No. 1865-19 including any written comments received during the public review period; and

WHEREAS, the City Council, having considered the proposed Ordinance and Zone Change at a duly advertised public hearing held on December 8, 2020 including review of the staff report and having received public testimony on the item, has determined the proposed Zone Change and Amendment to the Orange Olive Specific Plan are justified and appropriate.

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

SECTION I:

The existing zoning of the project site, as depicted on the map attached hereto as Exhibit "A," is changed from C-1 to R-3(SP) as depicted on the map attached hereto as Exhibit "B." Exhibits A and B are incorporated herein by reference.

SECTION II:

The proposed zone change described in Section I is related to the public welfare as required by California Government Code Section 65860. Furthermore, impacts of the zone change are

adequately described and evaluated in Subsequent MND No.1867-19 in compliance with the California Environmental Quality Act.

SECTION III:

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause 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 _____, 2020.

Mark A. Murphy, Mayor of the City of Orange

ATTEST:

Pamela Coleman, City Clerk of the City of Orange

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 introduced at the regular meeting of the City Council held on the 8th day of December, 2020, and thereafter at the regular meeting of said City Council duly held on the ____ day of _____, 2021, was duly passed and adopted by the following vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

Pamela Coleman, City Clerk of the City of Orange

Exhibit A

Existing Zoning Map

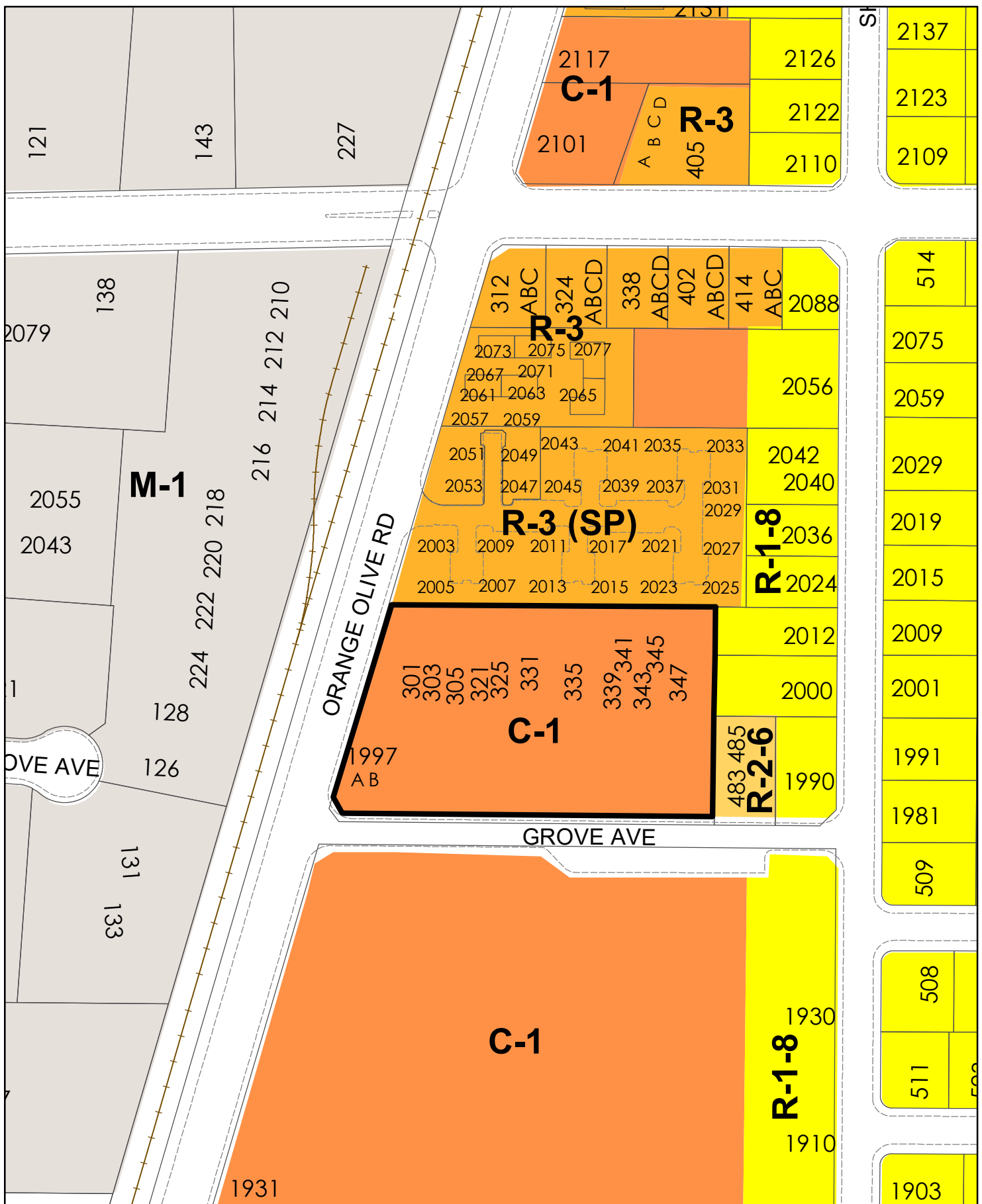


Exhibit B

Proposed Zoning Map

