



Agenda Item

Orange City Council

Item #: 9.4.

5/26/2026

File #: 26-0283

TO: Honorable Mayor and Members of the City Council

THRU: Jarad Hildenbrand, City Manager

FROM: Russell Bunim, Community Development Director

1. SUBJECT

Continued Public Hearing to consider the Introduction and First Reading of Ordinance No. 07-26 to update regulations for Residential Care Facilities and Daycare Homes to ensure consistency with State Law and finding of California Environmental Quality Act (CEQA) exemption (Continued from May 12, 2026)

2. SUMMARY

The proposed ordinance amends the Orange Municipal Code to bring the City's regulations regarding Residential Care Facilities and Family Day Care Homes into compliance with State law, specifically the California Community Care Facilities Act (Health and Safety Code Sections 1500-1569.889) and Family Day Care Homes Act (Health and Safety Code Sections 1597.40-1597.46), and updates to related definitions and land use tables for consistency.

3. RECOMMENDED ACTION

1. Conduct and close the Public Hearing.
2. Introduce and conduct First Reading of Ordinance No. 07-26. An Ordinance of the City Council of the City of Orange amending Title 17 of the Orange Municipal Code to comply with State law regarding Residential Care Facilities (Health and Safety Code Sections 1267.16 and 1500-1569.889).
3. Find the ordinance categorically exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Sections 15061(b)(3).

4. FISCAL IMPACT

None.

5. STRATEGIC PLAN GOALS

Goal 3: Enhance Public Communication Strategy and Quality of Life.

6. DISCUSSION AND BACKGROUND

The City of Orange General Plan 2021-2029 Housing Element includes Housing Policy Action 4F, which commits the City to amend the Orange Municipal Code to comply with State law for residential care facilities and day care homes.

The proposed ordinance updates the Orange Municipal Code (OMC) to clarify the treatment of Residential Care Facilities and Family Day Care Homes consistent with State law. It removes

outdated definitions, updates operational standards, and revises land use tables to reflect appropriate permitting requirements.

These amendments clarify the following:

- Residential care facilities serving six or fewer persons are considered a residential use by right in all zones allowing single-family dwellings, subject to the same standards as any other residential use.
- Residential care facilities serving seven or more persons require a Conditional Use Permit pursuant to OMC Section 17.10.030.
- Family day care homes (small and large) are treated as residential uses and allowed in residential zones with updated operational standards reflecting State law. The definition of Small and Large Family day care are changing as follows:
 - Small Family Day Care is now permitted to care for up to eight children.
 - Large Family Day Care is now permitted to care for between nine to 14 children.

The proposed amendment also removes outdated definitions (e.g., 'rest home,' 'sanitarium,' and 'day nurseries') and adds new definitions such as 'Skilled Nursing Facility,' ensuring alignment with current State licensing categories.

Overall, the proposed amendments are primarily technical and are intended to modernize the Zoning Code, eliminate inconsistencies, and ensure full compliance with State law. The ordinance improves clarity for applicants and staff, removes regulatory barriers, and supports the City's housing and equity goals by facilitating housing opportunities for seniors, persons with disabilities, and families.

7. ENVIRONMENTAL REVIEW

The proposed project is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to (1) Section 15061(b)(3) of the state CEQA Guidelines (Common Sense Exemption) because it can be seen with certainty that there is no possibility that it would have a significant effect on the environment.

8. ATTACHMENTS

- Attachment 1 Ordinance No. 07-26
- Attachment 2 Ordinance No. 07-26 (Redlined)
- Attachment 3 Planning Commission Staff Report, February 19, 2026
- Attachment 4 Planning Commission Meeting Minutes, February 19, 2026