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November 21, 2019 - Attached are all public comments received regarding the “Orange is the New Green” Zoning Code Update that have been submitted to OC Planning.

Section 1 includes comments related to Short-Term Rentals.

Section 2 includes comments related to Group Homes.

Section 3 includes all other comments related to the Zoning Code Update.

## Section 1 – Public Comments related to Short-Term Rentals.

## Giang, Steven

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**From:** Vuong, Richard  
**Sent:** Monday, November 4, 2019 3:23 PM  
**To:** 'Katie Cawelti'  
**Cc:** Dea; [REDACTED]; Zeshaan Younus; Chang, Joanna; Giang, Steven  
**Subject:** RE: STR Comments

Thanks Katie,

We'll add the suggestions to our comment list. We already started discussing these items internally after the meeting we had and should have some updated draft language shortly.

Thanks,

**Richard Vuong**

OC Public Works | Development Services

601 N. Ross St. Santa Ana, CA 92703 | (714) 667-8895



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**From:** Katie Cawelti [mailto:[REDACTED]]  
**Sent:** Friday, November 01, 2019 11:22 AM  
**To:** Vuong, Richard  
**Cc:** Dea; [REDACTED] gmail.com; Zeshaan Younus  
**Subject:** STR Comments

Good Morning Richard,

Happy Friday! Thank you so much for your time and collaboration on Wednesday. We really appreciated the ability to talk through some of the updates and recommendations for the Orange is the New Green Zoning Code Update.

We wanted to make sure that we shared with you some suggested language in regards to parking and occupancy. Please let us know your thoughts or if you need any clarification on the language at all.

*(f) (4) The maximum number of vehicles allowed at the short-term rental shall be limited to [the number of vehicles that can legally fit in front of the garage on a regulation driveway as per Orange Parking Ordinance section (NEED NUMBER) of the code (insert residential zoning code for parking language)].*

*(f) (5) The maximum overnight occupancy of the short-term rental shall be limited to two (2) persons [ages 12 and over] per bedroom plus two (2) additional persons within the short-term rental.*

Please know that we are happy to remain as a collaborative partner if you have any further questions. Thank you, again, for your time and all that you do. You have a tough gig!

My best,

**Katie Cawelti**



[www.curtpringle.com](http://www.curtpringle.com)



## Giang, Steven

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**From:** Matt Biel [REDACTED]  
**Sent:** Wednesday, November 6, 2019 8:58 PM  
**To:** Zoning Code Team  
**Subject:** STR's good for Orange County!

When my wife and I travel with our children, we always stay at an STR. When we travel alone, we stay at a hotel. STR's have become an important option for family travelers and for youth sports teams, church leadership retreats, etc. The administrators at our school stay in an STR in Orange County every Fall to bond with each other and plan for the new school year. These are all things that can't be replicated in a hotel. Further, STR's provide an option for people who need extra income to make ends meet. Please don't take away STR's. Taking away STR's is bad for families and erodes property rights.

Thank you,  
Matt Biel

**Giang, Steven**

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**From:** Mervin M [REDACTED]  
**Sent:** Thursday, November 7, 2019 11:23 PM  
**To:** Zoning Code Team  
**Subject:** Property rights matter

As a resident and homeowner in Orange County, I just found out about a proposed change in the OC code regarding STRs that could infringe on the rights of property owners. I am EXTREMELY OPPOSED to any new rules that will take away my rights to do what I wish with my home. Please do not regulate or ban homeowners from renting out our homes to whoever we want to for whatever amount of time we like.

Regards,

Mervin Madolora

**Giang, Steven**

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**From:** Jose Suarez [REDACTED]  
**Sent:** Friday, November 8, 2019 9:19 AM  
**To:** Zoning Code Team  
**Subject:** STR's good for owners, business, and families

Hi, I am in favor of STR's. My family and I stay in them when we travel, and I have friends in Orange County that rent out their home short term and it's an important part of their income. STRs bring more travelers to orange county and that's good for all of us. My vote is don't mess with STRs.

Thank you and have a great day.

**Giang, Steven**

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**From:** Carmen Marti [REDACTED]  
**Sent:** Sunday, November 10, 2019 7:23 PM  
**To:** Zoning Code Team  
**Subject:** SHORT TERM RENTALS IN ORANGE COUNTY CALIFORNIA

I strongly support STR In Orange County for several reasons

it will bring more revenue to the Cities of the County since they will be able to visit and not spending so much money in a hotel, they can bring more members of the family and save money being able to cook in the house like their own and enjoy the Resort Disneyland which is expensive and some families can not afford to pay an expensive hotel that do not allow them to stay more than 3 people per room, so they will see the difference in a private house.

1 it helps families with low income to visit our beautiful Orange County, since they are able to stay in one place one or two families and cook , this can not be done in a regular hotel since they have to rent at least 3 rooms and they do not have the money to eat out in a 3 or four days vacation.



## Giang, Steven

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**From:** Carmen Marti [REDACTED]  
**Sent:** Sunday, November 10, 2019 7:30 PM  
**To:** Zoning Code Team  
**Subject:** apoyo las casas de renta para vacacionistas (STR)

Creo que las familias de otros países u otros estados de la unión americana se verán entusiasmados de visitar Orange County si ven el beneficio del ahorro al poder hospedarse en una casa donde podrán disfrutar de un lugar privado en el que pueden cocinar, tener privacidad como en su propia casa.

Esto es algo que no pueden hacer en un Hotel donde tienen que comer en la calle todos los días de su estadía.

Las Ciudades de Orange County recibirán mas dinero de los turistas que no solo irán a visitar el Disney Resort pero gastaran en otras cosas como comprar despensa y al mismo tiempo van a gastar en hacer compras y otro tipo de servicio que el condado de Orange County les ofrece.

Las casas de Renta de Orange County dan una imagen de modernismo ya que en todos los países del mundo tienen este tipo de Servicio, si no ofrece el condado esto nos dará una imagen de ser un Condado atrasado y alejado del mundo moderno que todos los otros países del mundo ofrece.

Carmen M. montenegro

**Giang, Steven**

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**From:** Marcia Poulin [REDACTED]  
**Sent:** Monday, November 11, 2019 3:36 PM  
**To:** Zoning Code Team  
**Subject:** Deny Short Term Rentals

I'm emailing to express my displeasure with short term rentals in residential areas. They are businesses operating in family oriented neighborhoods. My experience is that they create noise and messy cleanup. They show no regard for the well being and safety of those who live permanently in these neighborhoods. Even if they aren't immediately next door, they discard trash throughout the neighborhood.

Marcia Poulin

Sent from my iPad

**Giang, Steven**

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**From:** Barbara Harlow [REDACTED]  
**Sent:** Monday, November 11, 2019 3:52 PM  
**To:** Zoning Code Team  
**Subject:** No Short TermRentals

Please do not permit short term rentals in our neighborhood off of Stoneybrook in Anaheim.

Barbara Harlow  
[REDACTED]

[Sent from Yahoo Mail for iPhone](#)

**Giang, Steven**

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**From:** mike robbins [REDACTED]  
**Sent:** Wednesday, November 13, 2019 1:03 PM  
**To:** Zoning Code Team  
**Subject:** Short Term Rentals  
**Attachments:** STR 34 people.doc

Mike Robbins  
[REDACTED]

STRs

Short Term Rentals

In our neighborhood we have several STRs and all the neighbors complain constantly about them.

I did some research in a document request and most have at least one or more police reports for noise or parties.

I first noticed the one around the corner a few years ago when I was sitting in front of my house and we live near a park. Walking down the middle of the street towards the park were a few dozen people like some sort of parade. It turned out they were from the STR just 2 doors away around the corner from my house.

Then the neighbor on the other side showed me pictures of lines of cars on his street and in front of his house for this STR. It seemed to be parties all the time. As we noted online they were pitching the STRs as homes for large groups with several beds, pull out futons and even blowup mattresses for the extra people.

Every STR in our track has had nothing but problems for the neighbors.

To gather some political support to limit the STRs in our area I walked around and talked to the neighbors. Most all hated them.

One lady liked them – She said it was better than the crack house that used to be next door.

So let's be clear – STRs are better than a crack house as voted on by my neighbors.

Thank you so much

Mike Robbins

**Giang, Steven**

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**From:** Charlotte Seidnematollah [REDACTED]  
**Sent:** Wednesday, November 13, 2019 3:54 PM  
**To:** Zoning Code Team  
**Subject:** New OC Unincorporated Zoning Code Proposed Updates

Charlotte Seidnematollah  
[REDACTED]

Regarding the Short Term Rental suggested choices for allowing or not allowing in OC County Unincorporated areas.

PLEASE, PLEASE , PLEASE DO NOT ALLOW THESE IN THE NEIGHBORHOODS!!!!!!!!!!

All over the world these business are being allowed to open up in our neighborhoods and are causing enormous problem. Government officials seem to think it is ok to allow them. Ok , you start off with a few. None of the neighbors know what is going on. But then.....they grow and spread all over, like crab grass. And soon the whole neighborhood is full of them. Then the neighbors start complaining to govt officials, city, county, etc. But by then it becomes a nightmare to shut them down. Oh the STR owners say "We have property rights. We can do whatever we want". And very sadly that is the case. They do whatever they want. Like the one behind my home for five years on Greenwich Lane. I have and other neighbors have complained about this house for five years. There is an open case on it currently for a long time. It seems we have no rights. This house has destroyed the peace for the surrounding neighbors. For years we have had to all listen to the screaming and yelling of groups of up to 30 people in the pool installed in the backyard. So many people coming and leaving. Lots of CONSTANT ACTIVITY. As soon as one group goes here comes another huge group. This house is a ten bedroom MOTEL with a Public POOL. This house has been and still is the nightmare from hell. These guest are on vacation. They have paid a lot of money and intent to do as they please. They have no consideration for the neighborhood. They don't care. And the owner lives in LA and certainly does not care. He makes between \$1000.00 and \$1500.00 per night on renting this house depending on the season. And it is booked constantly. He has opened up two other STRs in the OC Unincorporated area also. Also two other STRs have opened up a couple of years ago directly across from the one behind me and many others have been continually opening in the unincorporated area behind me between Broadway ST, Brookhurst St, Katella Ave and Gilbert. If you allow these to become legal they will spread like wildfire and consume our neighborhoods like they did in Anaheim. We are all tired of hearing how they Beautify the neighborhood and increase our property values. Guys.....that is a joke. Oh yes, they remodel and maybe make the house look nice, so do a lot of other people, including myself. But it does not look nice watching the large groups of strangers constantly coming and going. And as for property values. No one is going to buy my house when they find out a STR is behind me. I have to disclose it. A friend of mine tried to sell hers with a STR next to her. No one was interested in living next to an STR. No one wants a motel business next to them. We want neighbors that we are familiar with and feel safe. Not like the STR near Berkeley, Ca. that just had 5 people killed.

Now I am not the only one who does not want an str next to me. A group of us from county local meeting decided to canvas the unincorporated area here and see what the residents think. I would say 97 percent of the people we spoke to were totally against and AirBnB or Short Term rental being next to them. The only people who want them are: Property Investors, Real Estate people, people

who own str's, use str's, manage str's or are thinking of turning their home into one. In other words people who are making money off of them. That also explains why the OC Planning Commissioners wants them. They all fall into these categories. This seems to me to be a huge CONFLICT OF INTEREST. It doesn't seem, so far, to be about what the residents want but what those people who are making money off of them want.

The bottom line is residents everywhere don't want these in the single family residence zoned areas. So the County Planning Commission needs to set aside their wants and do what is good for the residents. Nobody wants a loud motel and public pool next to them. It is totally disruptive. I have to leave my home many times to get away from the stress caused by constant groups of screaming vacationers. It is not like a regular neighbor who gets out several times a year and has a loud pool party. That's fine, No problem. The difference is this.....STRS ARE CONSTANT!!!! There is NO relief. And this is wrong to make the whole neighborhood suffer so an str owner can get rich. This is preying on the neighborhood. They are a constant nuisance.

Now you may think: "Oh it can work. We will just make a few regulations and all will be beautiful and the neighbors will think these houses are a gift from heaven all wrapped up in a pretty bow and that we should be grateful they are among us." The problem is you are making regulations you can not or will not enforce. First you put the responsibility on us residents to report the violation and we have to prove the violation cause you did not see it. If they violate a regulation then we have to watch and report and prove. So are we supposed to run around with a video filming the violations. This is not what we want to spend our lives doing. I can tell you from first hand experience it creates a lot of STRESS when these people violate the rules and we have to call and report them. Oh and believe me they do violate the rules. This house behind me has destroyed the neighborhood peace and quiet in life. Mine has been destroyed. And five years of complaining to the county has got me nowhere. If you can't enforce the nuisance behind me how do you plan on enforcing hundreds or thousands of them. The residence in the unincorporated area here can't even get their streets cleaned for cars that don't move on street sweeping day.

Two weeks ago a group came to the backyard of the house behind me and started having loud conversation. I was trying to enjoy the peace in my backyard while doing gardening. So it seems that every other sentence being spoken by this group was curse words . A lot of F..... words, S..... words and D.... words. Constant. I am sorry but this is not right. My other neighbors all have pools and do not behave like these str visitors. This went on for two hours until I finally had to step to the wall and tell them to stop with the cursing. They laughed. The week before that my other neighbor behind me beside the str calls me at 11:30 at night and is very upset. Says there are four vehicles in the str driveway and eight on the street going to the house all thru the day and evening. He was very distraught. He spoke to the people twice. They ignored him until a county sheriff making a routine patrol check at midnight because the street has restricted parking from 12pm to 5am. Then they began to move cars and or leave. The owner has it posted on his website all cars MUST park only on str property states there is no street parking allowed. But these str people do not follow the rules. They know the owner is not present so they get away with it.. Same thing happened the following week with another group. They do not follow the rules and you cannot enforce it. So what good are rules. Just don't allow them in residential neighborhoods. This is our neighborhood not the neighborhood of some outside investor who doesn't have to live next to what they have created. That is so wrong. In the beginning I would call the owner and complain but his overall attitude was arrogant and said he did not have to answer to anybody and could do what he wants with his property. He and his wife have no soul. All they care about is the money. That is what this is all about. I used to be able to open my doors and windows and save on air conditioning my house. Enjoy the night air. Not anymore. Now I have to close all my windows and drapes and turn up my tv or stereo to drown out the bright lights and screaming and yelling. Sometimes my house shakes from adults body slamming

into the pool. All day yesterday that was going on. Or better yet just leave because I am so upset and stressed that for five years the county has ignored me and my neighbors pleas to stop this nuisance. At a meeting last year, after listening to neighbors testimony on this house, a member of the planning commission stated that "This house is obviously a nuisance". Then why is it still being allowed??????? My point is you have done nothing about one nuisance. How do you think you can control hundreds or thousands????

It does not make any sense to create and allow a problem that you cannot and will not control. You will destroy our neighborhoods. We live here and do not want that. We all did not spend many years paying a mortgage in a nice neighborhood to in the end find we are living a nightmare next to an STR.

So again please do not allow short term rentals in the unincorporated neighborhoods and close down the ones who have sneaked in because they never got permits to operate a motel in our neighborhoods. They knew what they were doing. We the residents don't want them. Don't we have any right to protect our neighborhoods from unscrupulous investors who don't live here? Don't we have a right to a life free of nuisance that alters our neighborhoods adversely. Take your own staffs original advice and not allow these short term rentals from destroying our neighborhoods.

I know this was long but myself and my neighbors have spent five years living with this nightmare. That is a whole lot longer.

Thanks for listening.

Charlotte Seidnematollah



**Giang, Steven**

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**From:** Pam Donelson [REDACTED]  
**Sent:** Wednesday, November 13, 2019 7:37 PM  
**To:** Zoning Code Team  
**Cc:** [REDACTED]  
**Subject:** Str

Sent from my iPhone please do not allow STRs in residential areas. They are not good for neighborhoods. They ruin the structure of a community. Business Do Not BELONG IN NEIGHBORHOODS. STRs are Divisive among residents.

Pam Donelson [REDACTED]



**Giang, Steven**

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**From:** Thomas Mueller [REDACTED]  
**Sent:** Friday, November 15, 2019 8:46 AM  
**To:** Zoning Code Team  
**Cc:** Cox, Terry  
**Subject:** short term rentals

I am a home owner / resident in the unincorporated island and **strongly oppose** short term rentals.

They wrack every city and neighborhood they are permitted in.

Many renters use the houses to party and do not care about making noise, using up all parking and leaving trashing in the neighborhood.

The only people who support short term rentals are the greedy land lords who benefit from selling out neighborhoods.

Sincerely,

Thomas Mueller  
[REDACTED]

**Giang, Steven**

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**From:** Brian Harrington [REDACTED]  
**Sent:** Friday, November 15, 2019 9:33 AM  
**To:** Cox, Terry  
**Cc:** Zoning Code Team  
**Subject:** Re: Formal Comment to the Orange is the New Green Zoning Code Update

Hi Terry and Others,

Please reconsider the over-regulation approach you are taking to short-term rentals on page 20 and following of this document <http://www.ocpublicworks.com/civicax/filebank/blobdload.aspx?blobid=104025>

Count this as a no vote, go back to the drawing board, please don't do this, type of feedback from an average 27 year old Orange County resident and business owner.

Stop making it harder for people to live their lives. Leave people alone and let them do what they want to do with their own property and property that they are renting.

It's unreal how bureaucrats believe they can micromanage the population so hard and that they think they know what is best.

Please reverse course and let people live their lives and do what they want with their private property and property that people pay to use.

Thanks for reading, have a great weekend,

Brian Harrington  
[REDACTED]



CITY OF ANAHEIM  
MAYOR PRO TEM LUCILLE KRING

November 8, 2019

Dear Chairwoman Bartlett, Honorable Orange County Board of Supervisors, Planning Commissioners, and Planning Staff:

The intent of this letter is to state my support in the County's development of sound, reasonable, and enforceable regulations relating to short-term rentals.

I understand first-hand the sensitivities surrounding this but firmly believe that an outright ban is not the answer. Many cities and counties have made such a decision with unfortunate, convoluted, and unenforceable results.

I believe that property owners are to be empowered and should have the opportunity to serve as responsible and accountable short-term rental operators. However, this of course should be determined and guided by a responsible framework. One that I hope the County of Orange will consider when discussing the "Orange is the New Green - Zoning Code Update."

Thank you for your considerations as well as the hard work committed to this endeavor so far.

Sincerely,

Lucille Kring  
Mayor Pro Tem, City of Anaheim  
200 S. Anaheim Boulevard  
7th Floor  
Anaheim, CA 92805

**Giang, Steven**

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**From:** [REDACTED]  
**Sent:** Saturday, November 16, 2019 7:12 AM  
**To:** Zoning Code Team  
**Subject:** Short term rentals

Hello,

My name is Kenny Nguyen, property owner at [REDACTED]  
I voted for option#E: no short term rentals permitted in the residential areas.

Thank you,

Kenny Nguyen

[Sent from Yahoo Mail on Android](#)

**Giang, Steven**

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**From:** [REDACTED]  
**Sent:** Saturday, November 16, 2019 3:15 PM  
**To:** Zoning Code Team  
**Subject:** Short term rentals

I am 100% against short term rentals in Orange County. I live at [REDACTED], and have a short term rental behind me, and across Greenwich from me. The noise from the house on Greenwich has changed the dynamics of our neighborhood. Loud, obnoxious vacationers hoop and holler, enjoying their vacation at the expense of the neighborhood. NEVER IN A MILLION YEARS did I think this would occur in my peaceful neighborhood—and that I'd have to fight to have some peace and quiet! I honestly believe that any public servant that would legalize this SPECIAL INTEREST is serving their own interests and not that of the law abiding residents of Orange County.

-Teri D. Vitters

Sent from my iPhone

**Giang, Steven**

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**From:** Michael Iwai [REDACTED]  
**Sent:** Saturday, November 16, 2019 4:46 PM  
**To:** Zoning Code Team  
**Subject:** REGARDING SHORT TERM RENTALS

TO WHOM IT MAY CONCERN:

I would like to share my concerns about STR existing at [REDACTED] and possible future STR in my neighborhood. I have signed a petition to ban STR in my neighborhood. The petition was brought to my attention by the homeowner who lives directly behind the aforementioned STR at [REDACTED]. She has lived 35 years in her home and the last 5 years with the STR behind her house has ruined her life. The loud party noise at night from people who are paying a lot of money to have a good time. Here today, gone tomorrow and hopefully, back to their quiet neighborhood. My concern is the house next door at [REDACTED] had an estate sale and will likely be for sale in near future. My concern is STR with restrictions do not equal a family who goes to work everyday and desires a quiet and safe neighborhood to come home to every night. Bad neighbors are the worst thing to ruin a person's life: my experience before I came to our wonderful neighborhood in 2009.

Please let me know the status/banning of STR in my neighborhood.

Thank you for your time and consideration.

Sincerely,  
Michael & Kristine Iwai

## Giang, Steven

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**From:** Cox, Terry  
**Sent:** Monday, November 18, 2019 7:53 AM  
**To:** 'Ann Morrison'  
**Cc:** Chang, Joanna; Maldonado, Ruby  
**Subject:** RE: Short term rentals in County islands

Hello Ms. Morrison,

Thank you for your feedback regarding proposed code changes here with the County. Your concerns are important to us and will be passed along to the Planning staff overseeing the code changes. Again, thank you for your input on this important matter.

Warmest regards,

Terry

Terry Cox  
Manager, Neighborhood Preservation  
OC Public Works/OC Development Services  
601 North Ross Street, Santa Ana, CA (3rd Floor) Santa Ana, CA 92702-4048  
phone: (714) 667-8837  
email: Terry.Cox@ocpw.ocgov.com  
website: [www.ocpublicworks.com/ds](http://www.ocpublicworks.com/ds)  
customer portal: [www.MyOCeServices.com](http://www.MyOCeServices.com)

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-----Original Message-----

From: Ann Morrison [REDACTED]  
Sent: Saturday, November 16, 2019 2:46 PM  
To: Cox, Terry <Terry.Cox@ocpw.ocgov.com>  
Subject: Short term rentals in County islands

I am against short term rentals in county islands. They are disruptive to permanent residents and is not fair that those who do not live here can impact other's lives in such a way. Please vote against them. Thank you.

Ann Morrison  
[REDACTED]

## Giang, Steven

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**From:** Cox, Terry  
**Sent:** Monday, November 18, 2019 7:54 AM  
**To:** 'J and D Bailey'  
**Cc:** Chang, Joanna; Maldonado, Ruby  
**Subject:** RE: Short term Rentals and Airbnb

Hello Ms. Bailey,

Thank you for your feedback regarding proposed code changes here with the County. Your concerns are important to us and will be passed along to the Planning staff overseeing the code changes. Again, thank you for your input on this important matter.

Warmest regards,

Terry

### Terry Cox

Manager, Neighborhood Preservation

**OC Public Works/OC Development Services**

601 North Ross Street, Santa Ana, CA (3<sup>rd</sup> Floor)

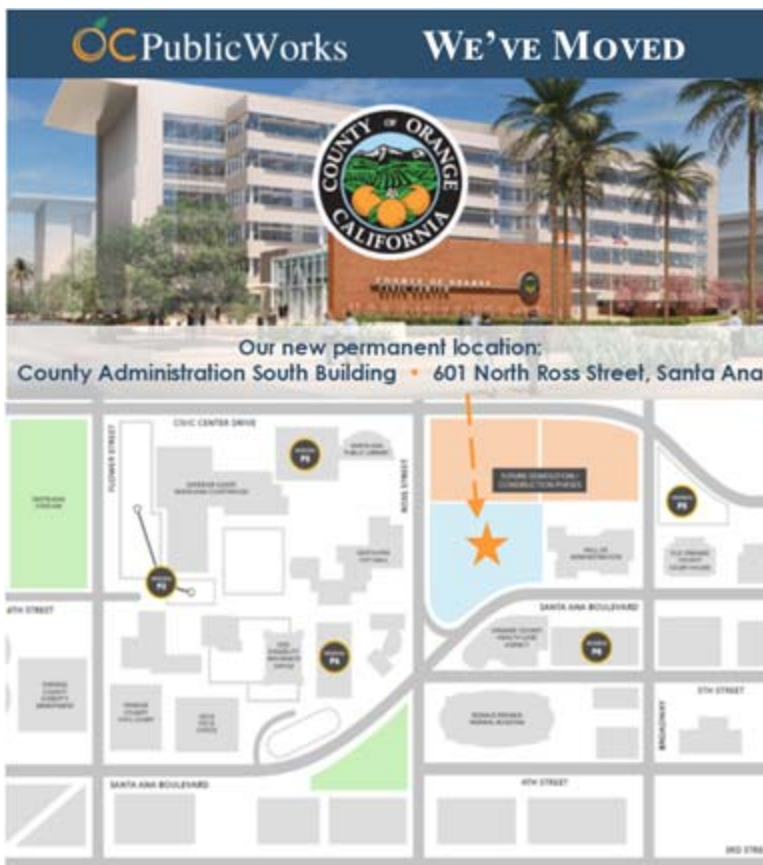
Santa Ana, CA 92702-4048

phone: (714) 667-8837

email: [Terry.Cox@ocpw.ocgov.com](mailto:Terry.Cox@ocpw.ocgov.com)

website: [www.ocpublicworks.com/ds](http://www.ocpublicworks.com/ds)

customer portal: [www.MyOCeServices.com](http://www.MyOCeServices.com)





**From:** J and D Bailey

**Sent:** Saturday, November 16, 2019 2:25 PM

**To:** Cox, Terry

**Subject:** Short term Rentals and Airbnb

I want to let you know that my neighbors, my Husband and I are Very upset! That our Elected or non elected officials whose wages we pay would treat us that way! It is a total slap in our faces! We had a nice quiet Neighborhood and in no time we got overrun by Airbnb and short term Rentals. This is an outrage and we will not stop fighting until these "Motels" are gone! We are a residential neighborhood not a business one! They come and go all night and we have no clue who these people are or where they came from! One night they did this all night! Total disrespect! When the owner was confronted she said "Sorry! she didn't know! "

Also! We are against allowing Fruit and Vegetable Stands in our residential neighborhoods. We already have rats living in the trees and elsewhere. We don't need to attract more of them and other varmints including coyotes which we already have a problem with! Our grocery stores pay a lot for good products and safety! This is so wrong! Seems like "we" the taxpayers are being treated like second class citizens! we aren't even asked for our opinion!

Thank you for your attention in this matter!

James and Dolly Bailey

West Anaheim

Unincorporated area.

## Giang, Steven

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**From:** Ellen-anaheimrealtor [REDACTED]  
**Sent:** Sunday, November 17, 2019 11:35 AM  
**To:** Zoning Code Team  
**Cc:** Cox, Terry  
**Subject:** Allowing Short Term Rentals in Residential Neighborhoods

I don't want them in my neighborhood. Short Term Rentals are a business and belong in a business area.

Even if it is your own Short Term Rental AKA Air B&B, do you want to live next door to it? You probably do, because it is making a HUGE profit. But, I and other residential home owners don't want to live next door to them. Currently, someone told me there are 3 in their immediate neighborhood. How about 1 on each side of you and 1 behind you? EEK!

The people who rent Short Term Rentals AKA Air B&B are on vacation. They want to have FUN. Then, they will go home and live and work like I do while they are living next door. They really do not want to live next door to a Air B&B. People who occupy the Short Term Rentals come and go all hours of the day and night. When they are getting out of their cars they slam the car doors even if it is after 10 p.m. - 4 a.m. They party all night. They yell. They swear. The noise and the lights around the pool & yard areas keep the neighbors awake. The neighbors have to get up the next morning and go to work at 5, drive the freeway and get to work at 8? Do you want to live next door to that? I don't! My neighbors and friends in my neighborhood don't either. They want some peace and quiet. That is why people buy homes in residential areas and not in business areas.

Do you want your children, grandchildren playing in your yard when the Short Term Rental people come home? You know nothing about those people. They may have signed in with wrong names. They may have friends visiting them that no one knows. Someone can just take your child and you won't even know it until it is toooooo late.

I am a Realtor. I have been one in Orange County for over 30 years. So, let's pretend you live next door to a Short Term Rental. You decide you want to sell your property because the noise is too much. Your Real Estate agent asks, "How come are you selling?" You say, "My kids want me to live closer to them. I have decided that is a good idea as I am getting older and they can see me oftener and if necessary provide transportation, etc." Or, any other reason you think would be believable. A few months or even a couple of years after you close escrow, you get sued by the buyers of your home because you didn't tell them your neighbors were Short Term Rental owners. You lose the law suit. You end up paying BIG BUCKS! Maybe, more than the you netted from the sale of your home!!! EEK!!!

If a common ordinary person won't buy your property because you have a Short Term Rental next door, who will? Do you really think another Short Term Rental owner will buy it? If no one buys it, what is going to happen to your property value? EEK! YUK!!!

If you as a Planning Commissioner currently own Short Term Rentals, you have a conflict of interest and should have done or do what an lawyer would and recused yourself from this issue!

I want you to get rid of all the current Short Term Rentals in residential neighborhoods and don't allow anyone to start one.

*Ellen*

Ellen C. Whomsley



Goldenwest Properties - Brea

**Giang, Steven**

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**From:** Ann Buntain [REDACTED]  
**Sent:** Sunday, November 17, 2019 2:10 PM  
**To:** Zoning Code Team  
**Subject:** Short term rentals and fruit stands

Hello,

This email is to voice my disapproval of both short term rentals and fruit stands in my neighborhood. It is a fight to keep this area a lovely place to live. Both short term rentals and fruit stands will degrade the whole area and cause property values to fall over time. I do not want the noise, annoyance, and disruption that short term rentals and fruit stands can cause. There is absolutely no benefit to me to have either one, and, in fact, would be a loss to me in terms of quality of life and property values.

Sincerely,  
Ann Buntain

[REDACTED]

--

Ann

**Giang, Steven**

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**From:** Dea [REDACTED]  
**Sent:** Sunday, November 17, 2019 7:32 PM  
**To:** Zoning Code Team  
**Subject:** Orange is the New Green Zoning Code comment

To whom it may concern,

I am writing in support of Short Term Rental houses ("STRs"). Mounting research shows that STRs offer positive benefits to current & future property owners, community members and local business owners. When families choose a home over a hotel they tend to spend longer on vacation and frequent local-owned businesses. Maintaining property rights and allowing owners the ability to rent their home to families for under 30 days offers flexible options to supplement income. Many STR owners are women, and a large percentage of those are retired. Allowing STRs can greatly assist fixed income retirees and empowers women.

Cities throughout the country that have banned STRs and are unable to enforce the ban. Bans result in good, conscientious owners shuttering their houses and allows for bad operators to flourish as the desire to rent homes short term is here to stay - families demand kitchens, separate bedrooms for their children and washing machines. Good operators maintain their properties, have open communication with neighbors and take pride in their homes. Naturally they rent only to families and avoid party groups as much as to protect their homes and belongings as to maintain neighborhood peace.

In many cities that have passed ordinances to allow and regulate the number of STRs has plateaued. Research shows the rampant increase of the early 2010s has leveled off and the number of houses for rent has stabilized. Both STR owners and travelers have learned to be good stewards and problems stemming from STR houses have decreased dramatically in most cities.

Thank you for your consideration and for maintaining the property rights of home and second home owners in County.  
Dea Abuzzo

Jim Bieber



November 18, 2019

Good Afternoon, Board of Supervisors, Orange County Planning Commissioners and Staff;

My name is Jim Bieber and I am a proud resident of South Orange County. I am writing you this letter today to share my passionate support for the allowance of Short-Term Rentals in the County of Orange.

America is proud to be a country that empowers small business owners and encourages a free economy. This alone is one of the many reasons in which I am supportive of STRs. I personally operated two short-term rentals. Each rental that my wife and I owned did incredible job of maintaining the character of residential neighborhoods. This is the difference between good and bad operators. Good operators maintain good reviews online, have little to no neighborhood complaints, and act as an asset to the nature of the community that they are in.

The former City Council of San Clemente voted to virtually ban all STRs in San Clemente based on poor information and false claims. They did this to appease a tiny minority who were philosophically opposed to property rights. I do not want to see Orange County's Supervisors fall for the same false arguments or succumb to mentality to ban what should be regulated. STRs benefit families who travel and the people in OC they come to visit. OC residents are now able to see relatives who otherwise could never afford a hotel to accommodate a large family.

STRs generate needed tax revenues and they also supplement or are for some the key in provided income. Many people have sunk their life savings into creating a STR based on the assumption that a poor decision by elected officials would not punish them and destroy their investment. Now is the time to set sound policy and to NOT ban short term rentals. I urge you to vote on sound and reasonable regulations that do not over-burden operators, however, they push bad operators out of the County.

Thank you for your time.

Jim Bieber

**Giang, Steven**

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**From:** Charlotte Seidnematollah [REDACTED]  
**Sent:** Monday, November 18, 2019 9:31 AM  
**To:** Zoning Code Team  
**Subject:** New Zoning Codes for Unincorporated Orange County

I am submitting the following for my neighbor on Broadway St in the Unincorporated Island. He brought it to me last night but does not have a computer. He lives between two str.

Thanks  
Charlotte

November 17, 2019

Dear Orange County,

As a resident of the Thistle Island Unincorporated area here in Anaheim, I am writing to the County to oppose the str (short term rentals).

As a homeowner we live next door to an str, and also there is another str one house down from our residence, practically I am in between two str.

The str right next door to me has pool parties non stop day and night at times, which are very loud at times. It is like living next door to a motel. We would never have purchased this property knowing that we would be living next door to ever changing strangers that have no regard as neighbors in a neighborhood setting.

Besides that there is the smell of Marijuana that we have to smell in our yard, which is not right. It is not fair for us to live in this business oriented setting when we purchased this home to live as a family in this so called residential area.

As a property tax payer it is not fair at all to pay such high taxes, when of course we are not benefitting at all as a residential area.

We urge Orange County to consider the facts about living right next door to a short term rental. It is obvious this is inconsiderate to its residents as the owners do not live with the problems. They are unaffected as the actual residents.

I say NO and oppose str.

Thank you  
Carlos Bonilla

[REDACTED]

[Sent from Yahoo Mail on Android](#)

## Giang, Steven

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**From:** Cox, Terry  
**Sent:** Tuesday, November 19, 2019 7:54 AM  
**To:** Chang, Joanna  
**Cc:** Maldonado, Ruby  
**Subject:** FW: Short term Rentals and Airbnb

FYI

Terry Cox  
Manager, Neighborhood Preservation  
OC Public Works/OC Development Services  
601 North Ross Street, Santa Ana, CA (3rd Floor) Santa Ana, CA 92702-4048  
phone: (714) 667-8837  
email: Terry.Cox@ocpw.ocgov.com  
website: [www.ocpublicworks.com/ds](http://www.ocpublicworks.com/ds)  
customer portal: [www.MyOCeServices.com](http://www.MyOCeServices.com)

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-----Original Message-----

From: Bailey's [REDACTED]  
Sent: Monday, November 18, 2019 9:07 PM  
To: Cox, Terry <Terry.Cox@ocpw.ocgov.com>  
Subject: Re: Short term Rentals and Airbnb

The Airbnb problem is actually worse than what we originally discovered. A realtor friend of mine tells me that we actually have 8 short term rentals in our Neighborhood! This is very upsetting! This is very damaging to our home values on top of our peace and safety!

We are organizing to fight this as we are totally disgusted by this direct invasion! Seems like even some officials have invested themselves into this nasty scheme.

Just want to let you know that we will be fighting this!

Thank you for your attention!

The Bailey's

> On Nov 18, 2019, at 7:54 AM, Cox, Terry <Terry.Cox@ocpw.ocgov.com> wrote:

>





CITY OF ANAHEIM  
COUNCIL MEMBER TREVOR O'NEIL  
DISTRICT 6

November 18, 2019

Terry Cox  
Code Enforcement Manager  
OC Public Works  
Via email: [terry.cox@ocpw.ocgov.com](mailto:terry.cox@ocpw.ocgov.com)

Dear Mr. Cox:

I understand that the Planning Commission will soon review a zoning code update to consider multiple options regarding the authorization of short-term rentals (STR). As the Anaheim City Council Member representing District 6, which includes Anaheim Hills, I'm writing to you in support of authorizing STRs in unincorporated areas of the County of Orange.

Earlier this year, the city of Anaheim updated our short-term rental ordinance to allow the majority of currently permitted STRs to continue operating under strict new "good neighbor" rules and regulations. These include having a 24-hour local contact to address neighbors' concerns and the possibility of permit revocation after multiple violations.

In Anaheim, we believe that good STR operators are investing in our neighborhoods and exercising private property rights. In addition, our city receives approximately \$4 million in additional annual tax revenue tied directly to visitors staying in an STR in Anaheim.

More information about our updated program is available at [www.anaheim.net/574/Short-Term-Rental-Program](http://www.anaheim.net/574/Short-Term-Rental-Program). Please feel free to contact me with questions at [toneil@anaheim.net](mailto:toneil@anaheim.net).

Sincerely,

Trevor O'Neil  
Anaheim Council Member, District 6

**Giang, Steven**

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**From:** Stacey Miyahira-Woo [REDACTED]  
**Sent:** Tuesday, November 19, 2019 3:08 PM  
**To:** Zoning Code Team  
**Subject:** Vacation Rentals

To Whom it May Concern,

I am concerned about legislating limitations on vacation rentals. Travelling with kids and sometimes a dog have become much easier for us knowing that vacation rentals are available. We are also able to travel with friends staying with us in the same home which have been great for our families. It's nice being able to get outside and explore local restaurants and do what the locals do.

I do understand the challenges they pose in neighborhoods, however, I believe there are more responsible people who treat the vacation homes as their own.

Kind Regards,  
Stacey Miyahira-Woo

## Section 2 – Public comments related to Group Homes.

## Giang, Steven

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**From:** Cataldi, Colby  
**Sent:** Monday, November 18, 2019 7:22 AM  
**To:** Chang, Joanna  
**Cc:** Vuong, Richard  
**Subject:** Fwd: 1000 Feet of Separation



Sent from my iPhone

Begin forwarded message:

**From:** Advocates for Responsible Treatment  
**Date:** November 17, 2019 at 6:23:47 PM PST  
**To:** "Cataldi, Colby"  
**Cc:** Bradley Donald , Warren Hanselman , "Campbell, Tara [HOA]"  
**Subject:** 1000 Feet of Separation

Hi, Colby,

I read through the zoning tonight, and I wanted to let you know that I had noted the option B's with 1000 feet of separation. Obviously, we hope that they are adopted, and yet, I want you to know that we appreciate seeing it as an option B in the zoning proposal.

Thank you.

Laurie Girand  
Steering Committee Member  
Advocates for Responsible Treatment  
<https://www.responsible-treatment.org>

**Giang, Steven**

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**From:** Emilia Sugiyama [REDACTED]  
**Sent:** Monday, November 18, 2019 6:54 PM  
**To:** Zoning Code Team  
**Cc:** Campbell, Tara [HOA]; Zoning Code Team  
**Subject:** Zoning Issues in Orange

*Dear OC Public Works,*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. Active drug abusers serve as poor supervisors and educators for those seeking sobriety; we request that you require background checks of operators and employees for violent crimes and drug distribution and drug screen those who will be working in residential neighborhoods. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

- - -

Emilia Sugiyama  
[REDACTED]

Sent from my iPhone. Please forgive any typos.

**Giang, Steven**

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**From:** Jenny Nolan Long [REDACTED]  
**Sent:** Monday, November 18, 2019 7:27 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Zoning Changes

*Dear OC Public Works,*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. Active drug abusers serve as poor supervisors and educators for those seeking sobriety; we request that you require background checks of operators and employees for violent crimes and drug distribution and drug screen those who will be working in residential neighborhoods. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

*Kind regards,*

Jenny Long  
Orange Citizen  
[REDACTED]

**Giang, Steven**

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**From:** Capo Cares <capocares@gmail.com>  
**Sent:** Monday, November 18, 2019 8:38 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; =?utf-8?Q?=C2=A0tara=2Ecampbell?=@ocgov.com  
**Subject:** Zoning changes

*Dear OC Public Works,*

*Capo Cares is a non profit advocacy organization for Capistrano Beach. Our tiny, 2 square mile area is one of the most intensely affected by the proliferation of what you are calling "Sober Living Homes" in the entire "Rehab Riviera". Please first, in order to avoid unnecessary confusion, be sure to refer to such operations as "recovery residences" to ensure that your zoning is compatible with terminology used by the State.*

*We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community and prevent it from becoming institutionalized.*

*We request that you protect both vulnerable addicts an our community by requiring background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the County. These common sense modifications in your zoning will protect both vulnerable addicts and the communities in which they reside.*

*Thank you for creating a complete model that we are hopeful with be used by other Orange County cities.*

*Thank you,*

Toni Nelson

Founder and President, Capo Cares

**Giang, Steven**

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**From:** David Weaver [REDACTED]  
**Sent:** Monday, November 18, 2019 9:36 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Recovery Residences Separation

Dear OC Public Works,

Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community.

Active drug abusers serve as poor supervisors and role models for those seeking sobriety; we request that you require background checks of operators and employees for violent crimes and drug distribution and drug screen those who will be working in residential neighborhoods. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories.

Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.

Thank you for creating a complete model that may be used by other Orange County cities!

David Weaver, Architect

**DRW ASSOCIATES**

[REDACTED]



**Giang, Steven**

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**From:** Momma Ha [REDACTED]  
**Sent:** Monday, November 18, 2019 9:45 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Zoning changes

*Dear OC Public Works,*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. Active drug abusers serve as poor supervisors and educators for those seeking sobriety; we request that you require background checks of operators and employees for violent crimes and drug distribution and drug screen those who will be working in residential neighborhoods. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county. Thank you for creating a complete model that may be used by other Orange County cities.*

Angelina Ha  
Amazon Web Services  
Mobile: [REDACTED]

**Giang, Steven**

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**From:** Dannielle Cappellino [REDACTED]  
**Sent:** Tuesday, November 19, 2019 7:21 AM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Zoning Changes

*Dear OC Public Works,*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. We request that you require background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*  
*Dannielle Cappellino*

**Giang, Steven**

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**From:** Scott McGregor [REDACTED]  
**Sent:** Tuesday, November 19, 2019 7:53 AM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Zoning Changes and Separation

Dear OC Public Works,

Our family strongly supports changes in zoning to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. We request that you require background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.

Thank you for creating a model that may be used by other Orange County cities.

Scott McGregor  
San Juan Capistrano

**Giang, Steven**

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**From:** Teresa Huston [REDACTED]  
**Sent:** Tuesday, November 19, 2019 8:13 AM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** zoning changes

Dear OC Public Works,

Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. We request that you require background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.

Thank you for creating a complete model that may be used by other Orange County cities.

Teresa Huston

**Giang, Steven**

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**From:** Shannon Frisch [REDACTED]  
**Sent:** Tuesday, November 19, 2019 10:02 AM  
**To:** Zoning Code Team  
**Cc:** colbi.cataldi@ocpw.ocpw.ocgov.com; Campbell, Tara [HOA]  
**Subject:** zoning changes  
**Attachments:** IMG\_2060.JPG

*Dear OC Public Works,*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. Active drug abusers serve as poor supervisors and educators for those seeking sobriety; we request that you require background checks of operators and employees for violent crimes and drug distribution and drug screen those who will be working in residential neighborhoods. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

*Please help protect residential neighborhoods from large businesses operating in single family zones. I live in Orange Park Acres and a company by the name of Newport Academy has 10 facilities that are now operating in our small community----all of these facilities are within 1 mile of each other and of my house! Please see addresses attached. I can't imagine that this large facility operation is serving the needs of the immediate community with the amount of facilities in a concentrated area.*

*Please help protect Single family zoning for the uses intended.*

*I would love to discuss this further or be a part of any discussion regarding this issue.*

*Warm Regards,  
Shannon Frisch*

[REDACTED]

**Giang, Steven**

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**From:** Diane Kroeker [REDACTED]  
**Sent:** Tuesday, November 19, 2019 10:02 AM  
**To:** Zoning Code Team  
**Cc:** Campbell, Tara [HOA]  
**Subject:** Zoning Changes

*Dear OC Public Works,*

*We live next door to a "Sober Living Home". Our entire lifestyle has changed because of their lifestyle. Our privacy, security, our newly acquired fear, noise, numerous cars on the street, constant smoking in their backyard that wafts into our backyard so we have to go into the house. It is not what we want to experience day to day. It is not why we bought our beautiful home .... to live with a business feet from our bedroom window.*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. Active drug abusers serve as poor supervisors and educators for those seeking sobriety; we request that you require background checks of operators and employees for violent crimes and drug distribution and drug screen those who will be working in residential neighborhoods. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

*Regards,  
~diane kroeker*

[REDACTED]

**Giang, Steven**

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**From:** Erica Cox [REDACTED]  
**Sent:** Tuesday, November 19, 2019 10:48 AM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Zoning changes

Dear OC Public Works,

Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. **We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community.** We request that you require background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.

We have over a dozen of these homes in my neighborhood. I have seen patients leave in body bags. I had one of these home next door to me with 13 people living it, men who smoked constantly, cussed continuously, and leered out of windows at my young teen daughters. I had their reckless driver coming through our neighborhood 5-7 times/day, we had a drug-crazed individual knocking on doors on Christmas throughout the neighborhood, we saw person after person get "curbed" and walk out with the suitcases with nowhere to go, we had drug out strangers try to enter our home because they thought it was the house next door. It was a complete nightmare. These requests above are the LEAST we can do to protect our communities AND the patients who go there.

Thank you for creating a complete model that may be used by other Orange County cities.

Erica and Tony Cox  
San Juan Capistrano

**Giang, Steven**

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**From:** Moyra Eulitz [REDACTED]  
**Sent:** Tuesday, November 19, 2019 12:45 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** SOBER LIVING HOMES

*Dear OC Public Works,*

*I strongly support changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as “Sober Living Homes.” I would like to draw your attention to the fact that the state refers to such operations as “Recovery Residences,” and referring to them otherwise creates unnecessary confusion. I strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. I request that you require background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

*Yours truly,*

*Moyra Ann Eulitz*

[REDACTED]

[REDACTED]



## Giang, Steven

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**From:** Advocates for Responsible Treatment <info@responsible-treatment.org>  
**Sent:** Tuesday, November 19, 2019 1:23 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Vuong, Richard; Campbell, Tara [HOA]; Bartlett, Lisa [HOA]; victor.cao@ocgov.com; Steel, Michelle [HOA]; Warren Hanselman  
**Subject:** Comments on Orange County Zoning Third Draft 11/18/19

To: Orange County Public Works

From: Advocates for Responsible Treatment  
San Juan Capistrano, CA

Re: <http://www.ocpublicworks.com/civicax/filebank/blobdload.aspx?blobid=104025>

Dear Mr. Cataldi,

For nearly five years, Advocates for Responsible Treatment, an all-volunteer, citizens' advocacy group, has represented Southern California residents, working to ensure recovery businesses operate in a safe, humane and legal manner. We address legislation, ordinances and regulation at a city, county, state and federal level. In 2018, our data was quoted in the hearing, "Examining Sober Living Homes," of the House Judiciary Committee's Subcommittee on Constitution and Civil Justice. Our goal is to shine factual light on an issue that is often inflammatory and to address recovery housing in a way that benefits both recovering addicts and neighbors, seeking win-wins for both.

We are writing today with regards to proposed zoning changes. Recent proposed Orange County changes related to group homes demonstrated insufficient research to introduce the quality of zoning needed to protect both recovering addicts and residents. It is absolutely critical that the county get these zoning changes right for four reasons. The first and foremost reason is lives are at stake. The second is to ensure that new zoning and ordinances "play well" with existing regulations and ordinances. The third is that these changes will serve as role models for other cities' zoning ordinances. The last is to reduce the likelihood of creating an impression of discrimination or bias that might lead the county into unnecessary litigation.

What does Orange County's new zoning need to take into consideration?

1) (7-9-95.1) The term used by the State of California to describe unlicensed houses that claim to offer "sober" environments for recovering addicts is "Recovery Residence." This term first emerged in SB 992, which was signed by the governor in September of 2018. While Costa Mesa refers to such operations as "sober living homes," their language is an artifact of the earlier promulgation of their ordinances, and it would be wise for the county to adopt the language of the state. For citizens, it would clarify the distinction between state-licensed houses and unlicensed business operations in their neighborhood; this would help the county communicate more clearly its success in zoning, leading to increased citizen satisfaction. Using the term "Recovery Residence" also creates a distinction between an unlicensed business operating out of a house, and a house where six people dwell under their own contract, which by definition is a family "home," and will not be addressed by this zoning. Calling transient occupancy a "home" belies the nature of the housing the county is zoning.

2) (7-9-95.4) (7-9-95.6(a)(12)) The purpose of separation requirements is to reduce the number of group homes in an area for the benefit of those occupying the homes, so that the group homes do not form enclaves different than neighborhoods available to others. While the City of Costa Mesa has chosen 650 feet of separation, 650 feet is insufficient in county lands. Laguna Niguel has established 1000 feet, and the Department of Justice and HUD agreed in

an investigation of Prescott, Arizona that 800 feet was reasonable.(A) The state has established 300 feet of separation between virtually all of the houses under its Community Care Act domain, so, for example, 300 feet must be between any house regardless of the class served, such as homes for hospice or the cognitively impaired. Presently proposed zoning only addresses separation between recovery-related houses, and other state licensed group homes (for hospice, the cognitively impaired, etc.) can in-fill between them. Likewise, many parts of county land, attractive to operators due to the lack of regulation, have properties that are larger lots, which, under the proposed 650 feet of separation, would enable every other house to become a Recovery Residence, turning a neighborhood into an "enclave." We urge Orange County to adopt 1000 feet between both Recovery Residences AND licensed state houses.

3) Recovering addicts are vulnerable and have been subjected to fraud and abuse in Orange County. Therefore, for the protection of this vulnerable population, the county must establish standards for operators. Operators and employees should be screened for past histories of fraud, drug dealing, and violence, i.e. the crimes that put occupants at risk. Employees who work in neighborhoods should be required to be fingerprinted annually, and drug screened on a quarterly basis for the protection of the occupants.

4) In Orange County, recovering addicts have been both shot and stabbed by other occupants.(B) For the protection of the occupants, client/occupants should be screened for past histories of violence and drug dealing and those with such pasts should be excluded from occupancy in residential neighborhoods.

5) The Recovery Residence must have rules and regulations for prohibiting the use of alcohol and non-prescription drugs. All participants must actively participate in legitimate recovery programs.

6) (7-9-95.6(a)(9)) Prior to eviction, the Recovery Residence should be required to notify the occupant's emergency contact as well as the Orange County Health Care Agency OC Link Referral Line. Transportation back to an occupant's permanent residence should be provided.

7) The Recovery Residence must have a good neighbor policy and must inform neighboring houses of all of their complaint options, including how to reach the operator and the county, which will create a log of their complaints.

8) To reduce transience, all rental contracts must be for 30 days or longer.

9) Especially given fire hazards in county lands, sprinkler systems should be required.(C)

10) Obviously, all such facilities must be registered in the county's database to be of good standing.

Should you seek additional support for the 1000 feet separation requirement, we would urge you to reach out to Jonathan Orduna in the City of Laguna Niguel offices. Should you seek specific language for implementing these changes, we would refer you to the Costa Mesa zoning.

Thank you very much,

Laurie Girand  
Steering Committee Member  
Advocates for Responsible Treatment  
<https://www.responsibeltreatment.org>

(A) "Podracky says the goal is to break up clusters of group homes in one area, not to target and shut down certain homes.

'There was in fact a significant clustering problem of group homes in one area, thus creating the possibility of some sort of institutionalized location for these group homes,' he said.

The DOJ and HUD closed the second investigation on the 800-foot group home buffer finding no violations."

KJZZ, ["DOJ, HUD Close Investigation On Prescott Sober Living Home Regulations,"](#) 2/21/17

(B) Ritchie, Erica, "[Long shower leads to stabbing, arrest at Dana Point sober living facility,](#)" Orange County Register, 1/26/18;

Fasuto, Alma and Whitehead, Brian, "[Man arrested on suspicion of shooting roommate to death at Tustin addiction recovery home,](#)" 1/24/17.

(C) Monahan, Daniel; ["Fitchburg wins appeal over sprinklers in sober houses; Federal appeals court rules sprinklers are required to operate a sober home."](#) Sentinel & Enterprise, 10/20/19

**Giang, Steven**

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**From:** Wendie Pinto [REDACTED]  
**Sent:** Tuesday, November 19, 2019 2:47 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; taracambell@ocgov.com  
**Subject:** Zoning Changes

To Whom it May Concern,

I would like to address the problem of the proliferation of “recovery” businesses in my neighborhood.

Next door I have one with 12 beds in the house and 6 refrigerators in the garage. I have no idea who these men are and for how long they plan to stay. It is a revolving nightmare. Absolutely no oversight on previous criminal records for those living there and those who are the house managers.

In addition to this business, there are two more “recovery” homes behind me. I live in a residential neighborhood but I’m surrounded by businesses I know nothing about and are opened day and night. This all happened after my husband and I moved in 5 years ago.

Please try and understand what we are going through. Getting a decent amount of sleep is only one aspect of my problem. Having my grandchildren enjoy the safety of my house is another.

Looking forward to some regulations.

Wendie Pinto

Sent from my iPhone

**Giang, Steven**

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**From:** Mal [REDACTED]  
**Sent:** Tuesday, November 19, 2019 3:18 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Please support min of 100 feet

*Dear OC Public Works,*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet or more of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. We request that you require background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*I also believe these homes should not be allowed near schools and should have even more distance than 1000 feet. There also should be a limit set to the number of homes allowed per street and neighborhood please.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

Kind Regards

Marilyn Wit  
Sent from my iPhone. Sorry for the errors.

**Giang, Steven**

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**From:** [REDACTED]  
**Sent:** Tuesday, November 19, 2019 8:12 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Zoning changes

*Dear OC Public Works,*

*Our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes."*

*My family would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support at least a 1000 feet of separation between licensed and unlicensed houses providing recovery services.*

*They are not the only group homes in our community, and we must leave room to maintain the diversity of our neighborhoods.*

*Active drug abusers serve as poor supervisors and educators for those seeking sobriety; we request that you require background checks of operators and employees for violent crimes and drug distribution and drug screen those who will be working in residential neighborhoods. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories.*

*Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

Wolfgang Frisch



Sent from my iPhone

**Giang, Steven**

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**From:** Shelley Ho [REDACTED]  
**Sent:** Tuesday, November 19, 2019 8:32 PM  
**To:** Zoning Code Team  
**Cc:** Cataldi, Colby; Campbell, Tara [HOA]  
**Subject:** Zoning Changes

*Dear OC Public Works,*

*We recently had a "sober living home" in a rental next door to us. It was quite disruptive having this 1 house in our neighborhood with the constant noise, smoking(cigarettes and marijuana), parties (yes with alcohol), traffic from comings and goings, whistling at our teenage daughter if she dared to go in our front yard, drug paraphernalia tossed in our backyard along with shoes and other random items, and fights just to name some of the inconveniences. Because of our personal experience, our family strongly supports changes in zoning that have been requested to address encroachment of businesses into residential neighborhoods, and in particular with what the proposed changes refer to as "Sober Living Homes." We would like to draw your attention to the fact that the state refers to such operations as "Recovery Residences," and referring to them otherwise creates unnecessary confusion. We strongly support 1000 feet of separation between licensed and unlicensed houses providing recovery services because they are not the only group homes in our community, and we must leave room for other types to maintain the diversity of our community. We request that you require background checks of operators and employees for violent crimes and drug distribution. Those who will be working in residential neighborhoods should be screened for drug use as active illicit drug use is incompatible with supervision of those seeking sobriety. For the protection of occupants, clients should be screened for violent pasts and drug dealing and excluded if they have such prior histories. Lastly, it is imperative that houses in the vicinity of Recovery Residences be notified by the operators of how to file complaints with both the operator and the county.*

*Thank you for creating a complete model that may be used by other Orange County cities.*

*Sincerely,  
Shelley Ho  
Orange, CA*



Section 3 – Public Comments related to all other sections of the Zoning Code Update.

**Giang, Steven**

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**From:** Cox, Terry  
**Sent:** Wednesday, October 23, 2019 12:07 PM  
**To:** Jay Bullock  
**Cc:** Maldonado, Ruby; Chang, Joanna; Jimenez, Bea Bea  
**Subject:** Re: OC Zoning Code Update - Third Draft and 30-day Review Period

Hi Joanna,

I believe this was meant for you.

Regards,

TC

Sent from my iPhone

On Oct 23, 2019, at 11:32 AM, Jay Bullock [REDACTED] wrote:

OC Zoning Code Update team,

On behalf of Rancho Mission Viejo ("RMV"), we would like to thank you for the opportunity to review and provide comments on the proposed Third Draft OC Zoning Code Update. Upon reviewing the Third Draft, RMV has only one comment -- and request -- in relation thereto. By virtue of the fact that the Ranch Plan Planned Community is the only remaining portion of unincorporated County territory where area plans are still being processed and approved, RMV questions the necessity and propriety of new Section 7-9-1.b, which states that the Board of Supervisors has the authority to initiate an amendment to an area plan.

The Ranch Plan Planned Community Program Text (originally approved November 8, 2004) Section II.B.2 states "The authority for the creation and establishment of an Area Plan is set forth in Zoning Code Section 7-9-150.1(b)", and this portion of the OC Zoning Code states: "The Planning Commission is the approving authority for all area plan applications and amendments." In short: Adoption of the Third Draft in its current form (vis-à-vis Section 7-9-1.b) would conflict with what the Board of Supervisors has previously approved and adopted in connection with the Ranch Plan.

As you will recall, the Ranch Plan Development Agreement assures RMV the right to develop the Ranch Plan in accordance with the rules, regulations, policies, etc. of County in effect on December 8, 2004 (collectively, the "Land Use Regulations," as more particularly defined by DA Section 1.2.25[1]) and that the development will not be affected by new or conflicting ordinances, policies, etc. adopted after the effective date of the Ranch Plan DA (i.e., August 17, 2005). Therefore, even if the County were to adopt the Third Draft, the proposed new OC Zoning Code Section 7-9-1.b would not apply to the Ranch Plan. Nevertheless, in an effort to avoid potential confusion between the Ranch Plan PC Text and the County's regulatory instruments, RMV respectfully requests that the proposed new OC Zoning Code Section 7-9-1.b be consistent with the current OC Zoning Code and the Ranch Plan PC Text by stating only that the Board of Supervisors: "May initiate amendment(s) to the General Plan, Zoning Code, zoning map and specific plans", but remove any reference to area plans.

Please let us know if you have any questions or need additional information.

Jay Bullock

Vice President, Planning & Entitlement

RANCHO MISSION VIEJO  
[REDACTED]



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<sup>[1]</sup> Per DA Section 1.2.25: “Land Use Regulations’ means Regulations of County which govern the permitted uses of land, the density and intensity of use, and the design, improvement, and construction standards and specifications applicable to the Development of the Property, including but not limited to, mitigation measures required in order to lessen or compensate for the adverse impacts of the project on the environment and other public interests and concerns. Land Use Regulations include, but are not limited to, Land Use Ordinances, Development Approvals and Exactions. The term Land Use Regulations does not include, however, Regulations relating to the conduct of business, professions and occupations generally; taxes and assessments other than Development Exactions; Regulations for the control and abatement of nuisances; encroachment and other permits and the conveyances of rights and interests which provide for the use of or entry upon public property; and any exercise of the power of eminent domain.” Note, also, that DA Section 1.2.42 defines the term “Regulations” as follows: “[L]aws, statutes, ordinances, and codes (including the Building and Improvements Standards), resolutions, rules, regulations and orders; approvals, denials and conditional approvals in connection with tentative, vesting tentative and final subdivision maps, parcel maps, conditional and special use permits and other permits of every kind and character; programs; and official policies and actions of County; together with amendments to all of the foregoing.”

**Giang, Steven**

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**From:** Heidi Sauvey [REDACTED]@icloud.com>  
**Sent:** Monday, November 11, 2019 11:51 AM  
**To:** Zoning Code Team  
**Subject:** No food stands

To Whom It May Concern,

I fully support the no food stands in neighborhoods. Please help us to keep our neighborhood free of food carts and allow the community to continue to support family owned small business establishments.

Sincerely,  
Heidi Sauvey

Sent from my iPhone



November 13, 2019  
OC Development Services/Planning  
Via email: OCZoningCode@ocpw.ocgov.com

Re: Comments on the proposed Zoning Code update

Foothills Communities Association (FCA), with a membership of over 5,000 residents in the unincorporated North Tustin area, has the following comments regarding the Third Draft of the proposed Zoning Code update, "Orange is the New Green." North Tustin is by far the largest residential area in unincorporated Orange County that will be affected by the updated Zoning Code.

Some uses not now permitted in base districts in North Tustin would be permitted with a Use Permit. The North Tustin community is nearly built-out, and any infill development could have a negative impact on the surrounding residential area and possibly the entire North Tustin community. FCA has the following specific concerns:

1. **Health Care Facilities:** This use is presently not allowed in North Tustin residential areas. The amendment proposes to allow the use of health care facilities in all residential districts with a Use Permit: *Health care facilities are allowed in residential and agricultural districts and are licensed by the State. These facilities provide treatment on an outpatient basis, or care to patients admitted for a 24-hour stay or longer. This includes acute care hospitals, urgent care clinic, primary care clinics, other clinics, skilled nursing facilities, hospices, and congregate living health facilities* (Sec. 7-9-96). Imposition of this use is totally inappropriate in North Tustin residential neighborhoods, in that: (a) health care facilities would be neither compatible nor harmonious with residential neighborhoods; (b) there would be exterior evidence of such health care facilities; (c) non-residents would be coming into residential neighborhoods and to work at such health care facilities located there; (d) there would likely be signage relating to such health care facilities; and (e) health care facilities would create significantly greater vehicular or pedestrian traffic than normal for residential neighborhoods in which they are located. All of the points in (a) through (e) above are expressly prohibited in the current Section 7-9-146.6 of the Zoning

Code, and should remain prohibited. Accordingly, the use of health care facilities in residential areas should remain prohibited.

2. **Commercial Entertainment and Recreation (Outdoor Only):** The proposed amendment would allow the following with a Use Permit in all districts except R1 and RS: *Outdoor. amusement and theme parks; sports stadiums and arenas; racetracks; amphitheaters; drive-in theaters; driving ranges and golf courses; country clubs; riding, yacht, tennis or swimming clubs; swimming or wave pools; miniature golf courses; archery ranges, paintball field/park; or zipline facility. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons* (Sec. 7-9-134.4 [i] [2]). At present the allowable uses with a Use Permit are restricted to country clubs, golf courses, riding clubs, swimming clubs, and tennis clubs, etc. The proposed amendment would introduce commercial uses incompatible with North Tustin residential neighborhoods.
3. **Seasonal Product and Temporary Outdoor Sales:** The proposed wording in the proposed amendment adds “similar seasonal product sales” (*Temporary Christmas tree, Halloween pumpkin, and similar seasonal product sales facility shall be permitted in any agricultural, commercial, or industrial district or in similar areas of planned communities and specific plans, unless otherwise prohibited, and on all church sites and school sites and on vacant residential property abutting arterial highways subject to the following requirements* [Sec. 7-9-117.8]). The added language may lead to abuse of the original concept of allowing temporary sales for Halloween and Christmas sales. The original language of “Christmas and Halloween” is preferred.

Thank you for your consideration of our comments.

Sincerely,



Richard Nelson, President  
FOOTHILL COMMUNITIES ASSOCIATION



**Giang, Steven**

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**From:** Judith Murphy [REDACTED]  
**Sent:** Saturday, November 16, 2019 2:19 PM  
**To:** Zoning Code Team  
**Subject:** Fruit and Vegetable Stands in residential areas

To the Planning Commission:

I live in an unincorporated area of Anaheim and I am writing to ask you to ban produce stands from residential neighborhoods. We have plenty of grocery stores, markets, 7-11 stores, fast food places, etc. in close proximity to our residences that already sell fruits and vegetables. We already have carts selling drinks in the neighborhood and ice cream trucks that come by and stop to sell ice cream daily. We do not need any more stands to add to the unattractiveness and clutter in our neighborhood. In addition, these produce stands would cause an increase in foot and vehicle traffic, increase the amount of trash in our neighborhoods of which we have plenty due to all of the fast food places around here, and would attract bugs, rats, coyotes, and other varmints. Also I don't know if there would be any inspections to determine compliance with health codes, food safety and sanitary procedures. Fruits and vegetables are already readily available from businesses who are inspected for health and safety compliance and are within walking distance. Also, most stores even have delivery services now. There are many negatives that would come from having these stands and I do not see any benefit or real purpose for having them in residential areas. We don't need them. Please ban them.

Sincerely,  
Judy Murphy  
[REDACTED]

## Giang, Steven

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**From:** Ellen-anaheimrealtor [REDACTED]  
**Sent:** Sunday, November 17, 2019 10:59 AM  
**To:** Zoning Code Team  
**Cc:** Cox, Terry  
**Subject:** Allowing Fruit & Vegetable stands in residential neighborhoods

I don't want fruit & vegetable stands in my neighborhood or in any residential neighborhood. They are a business. They belong in a business area.

When I spoke about this at the Planning Commissioners meeting, the first words out of my mouth were, "Did you run this by the County Health Dept.?" Those are still my first words. When I asked a nurse about allowing them, she said, "Absolutely not!"

When I talk with people in another unincorporated area, they know nothing about this proposal. If you want to change the nature of residential areas, you need to put a notice on every door in unincorporated areas more than once! Plus, because the wind blows paper left on people's door step and people throw things away without looking at them, you need to send notices to them via the USPO.

Do you want to look at a fruit and vegetable stand across the street from you? I don't! If you don't, then why would you want to allow them in my neighborhood? If you want them, you are not upholding the duty you promised when you were voted in which is to put the wants of the people you are representing before your own wishes!!!!

I asked a vegetable stand owner who is licensed if he had varmints and he replied, "Yes!" The Health Dept inspects him every month and if he doesn't pass, he will be closed down. Who is going to inspect the stands in a residential neighborhood every month? Surely, not the County personnel. We are told there is no money to hire more Sheriff's to give tickets to people that are parked on the streets during street sweeping hours!!! If they did, there would be a bunch of money going into the general fund. We have counted more than 700 cars parked on the streets during street sweeping hours! I would think the County would do something about hiring Sheriff's on street sweeping days to give out tickets!

Do you really think people with a fruit & vegetable stand in their front yard is going to always put their leftover food in the frig? I don't! They are human. Some nights they are tired and will just leave it in the stands thinking it will be ok. "I will throw anything away in the morning that is spoiled, or let it rot in the street. The street sweeper is coming tomorrow. I will just throw it in the street." EEK!!!

With rotting food come varmints, i.e. rats, mice, possums, skunks, raccoons, and other varmints, including coyotes. We already have a problem with rats. Ask any gardener. Rats and possums already live in the trees. Have you seen a possum's teeth? Neighbors have asked the County about their rat problem and the County doesn't do anything to get rid of rats. Neighbors are telling me that the coyotes have killed their pets. Anaheim and other cities already have a problem with coyotes.

How many people have fruit trees and when the fruit falls, let it rot on the ground. I see rotting fruit all the time when I walk the dog. What I see are the fruit trees in the front yards. What about the rotting fruit from the trees in the back yards? EEK!!!

Use your brain, and do not allow fruit and vegetable stands in our neighborhoods.



*Ellen*

Ellen C. Whomsley



Goldenwest Properties - Brea



November 15, 2019

**Re: Tree Preservation Ordinance**

Dear Mr. Cataldi:

On behalf of our membership, **I write to express our continued opposition to the Tree Preservation Ordinance.**

The Building Industry Association of Southern California, Orange County Chapter (BIA/OC) is a non-profit trade association of over 1,100 member companies employing over 100,000 people in the home building industry.

Over the course of the Orange to Green Update, BIA/OC has provided comments on Tree Preservation Ordinance drafts, outlining our concerns in detail. Each version has jeopardized the careful balance Orange County has achieved between property rights and preservation. Despite the many alternatives, in all instances, each variation shares a common flaw that makes support unattainable. Each approach directly burdens individual property rights, devalues land, restricts freedoms and places incalculable costs on development.

The proposed language, at this time, is no different. Under consideration is a large and expansive list of trees and shrubs that stands to hopelessly complicate any site assessment without the aid of expert arborists. This will add costs and slow site reviews in a literally incalculable fashion.

The proposed language is also burdensome in that it requires a 15-1 replacement requirement for some trees while others fall on a continuum of 5-12 trees per single removal. Whether it is 15, 5, 8 or 12 per single tree, significant complications will arise from these requirements, not to mention cost and project delays. This is further exacerbated by minimum size requirements on any replacement tree that will undoubtedly result in significant disputes before final approvals are granted.

The proposed language also creates a new governmental hurdle in that it will establish a Tree Preservation Permit application. First an expert will need to be hired to identify tree species, then a property owner will have to explain why “removal and/or encroachment into the Tree Protection Zone is necessary.”

Further, a property owner must explain to the government why “removal and/or encroachment into the Tree Protection Zone is more desirable than alternative project designs.” Finally, the language proposed requires that protected trees, “shall be shielded from damage during construction by a protective fence a minimum of four (4) feet in height” and shall be “installed prior to the commencement of any development on the site and shall remain in place throughout the construction period.”

PRESIDENT  
RICK WOOD  
TRI POINTE HOMES

VICE PRESIDENT  
SUNTI KUMJIM  
MBK HOMES

TREASURER/ SECRETARY  
ERIC NELSON  
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NEWMAYER & DILLION, LLP

MEMBER-AT-LARGE  
PETER VANEK  
FOREMOST COMPANIES

MEMBER-AT-LARGE  
SEAN MATSLER  
COX CASTLE & NICHOLSON, LLP

EXECUTIVE OFFICER  
STEVE LA MOTTE

24 Executive Park, Suite 100  
Irvine, California 92614  
949.553.9500 | biaoc.com

Such requirements dramatically undermine property rights and create significant litigation exposure for anyone doing work on their property.

It is also important to keep in mind that these requirements adhere to a region where no inventory of trees exist. The requirements of this section could make all future development economically infeasible. There is no way to determine the cost and scope of impact this language will have on property owners now and into the future. As mentioned in previous comments on this proposal, staff has done an excellent job of outlining the number of parcels impacted, but without an inventory of trees on those parcels, there is no way to calculate scope, real world costs, or any actual impact this Ordinance could have.

While the scope of the Ordinance has been limited to the Silverado-Modjeska Specific Plan, the policy itself remains deeply troubling. In effect, approval of this language is paramount to asking land owners within the Plan to write a “blank-check” that could grind many opportunities to a halt. At a time when we are faced with a housing crisis caused by a critical lack of supply, now is not the time to add further burdens to land with housing opportunity

Thank you for your thoughtful consideration

Respectfully,

A handwritten signature in dark ink, appearing to read 'S. LaMotte', with a stylized, looping flourish at the end.

Steven C. LaMotte  
Chapter Executive Officer



Welcome Home

November 18, 2019

Ms. Joanna Chang  
Land Use Manager  
OC Development Services/Planning  
601 N. Ross Street  
Santa Ana, CA 92702

**Subject – American Family Housing comments on Orange is the New Green**

Via Electronic Mail

Dear Ms. Chang:

American Family Housing, which is based in Midway City in unincorporated Orange County, appreciates this opportunity to comment on the proposed revisions to the zoning code. Following are our comments to the third draft of the proposed code update:

**1. Encouragement of Mixed-Use Development**

In a changing world, flexibility is key to successful land use regulations. We believe that as innovations in transportation take hold in the coming years, that mixed use development will be integral to sustainably communities. While we greatly appreciate the affordable housing incentives in this update, we believe that greater accommodation for projects that include office and retail space should be built into the zoning code. To that end we suggest the following changes to the draft code:

- Allow up to 100 square feet of ground floor office/retail space per residential unit allowed under the base density for projects taking advantage of the Housing Overlay. This will help to activate the street edge and provide job and shopping opportunities convenient to the residents of the affordable housing.
- For affordable units that qualify for a 0.5 or greater parking ratio under state density bonus law, allow up to 50% of the parking to be shared with the office/retail use since many residents will be at work during the day.
- The above items should be part of the Site Development Permit to the Director.



## Welcome Home

### 2. Height restrictions

- The Housing Opportunities Overlay district will facilitate development of high-density buildings in commercial and industrial zones. The height limit specified (35 feet without density bonus incentives) may limit implementation of that density. Establishing a higher height limit which would allow a five-story building would provide several benefits:
    - Smaller building footprint, with space for landscaping open space and parking
    - Greater diversity of unit plans (more 2- and 3-bedroom units for affordable projects)
    - Greater latitude for design, allowing articulated facades and graduated heights.
- These features will be reviewed by the Director in the Site Development Permit process.

You may contact me by email at [milo@afhusa.org](mailto:milo@afhusa.org) or by telephone at (714) 897-3221, x101 if you want to discuss further.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Milo Peinemann".

Milo Peinemann  
Chief Executive Officer  
American Family Housing

## Giang, Steven

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**From:** Gloria Sefton <gloriasefton@gmail.com>  
**Sent:** Monday, November 18, 2019 3:49 PM  
**To:** Zoning Code Team  
**Cc:** Wagner, Donald [HOA]; Kevin Rice; Chaffee, Doug [HOA]; Ray Chandos; Rich Gomez  
**Subject:** Zoning Code Update - Tree Preservation Ordinance  
**Attachments:** Letter re Tree Ordinance 2019-Nov-18 FINAL.pdf; ATT00001.htm; LetterReZoningCode\_FTSP 2018-Oct-17.pdf; ATT00002.htm

Dear Zoning Code Team -

Please see the attached letter, with attachment, containing the comments of Rural Canyons Conservation Fund, Saddleback Canyons Conservancy, and Friends of Harbors, Beaches and Parks regarding the Tree Preservation Ordinance section of the latest (third draft) Zoning Code Update.

Thank you for considering our comments. Please confirm receipt.

Gloria Sefton  
Attorney at Law  
Co-founder, Saddleback Canyons Conservancy  
(949) 422-3413

**Rural Canyons  
Conservation Fund**



November 18, 2019

OC Development Services/Planning  
Attn: Joanna Chang  
601 N. Ross St.  
P.O. Box 4048  
Santa Ana, CA 92702  
Via Email to: [OCZoningCode@ocpw.ocgov.com](mailto:OCZoningCode@ocpw.ocgov.com)

Re: Tree Preservation Ordinance - Section 7-9-69 in "Orange is the New Green" Zoning Code Update

Dear Ms. Chang:

We continue to support the adoption of the Tree Preservation Ordinance as part of the Zoning Code update and appreciate the County's efforts in bringing this to completion.

As a reminder, the County of Orange has the dubious distinction of being the only county in the six-county Southern California Association of Governments (SCAG) region that does not currently have a tree preservation ordinance. Adopting the tree preservation ordinance will go a long way in demonstrating that Orange County values its tree resources the way neighboring counties do theirs.

We are dismayed, however, that the latest draft continues to omit the Foothill/Trabuco Specific Plan (FTSP) area from the scope of the ordinance, leaving only the Silverado-Modjeska Specific Plan (SMSP) area trees to benefit from the protections. We are at a loss to understand why the trees in the FTSP area do not deserve the same protection as those in the SMSP area, particularly since the Planning Commission directed staff to include both canyon areas. See your email dated September 10, 2018: "Based on the last Planning Commission workshop, the commissioners directed staff to narrow the area of applicability to just the canyon areas (i.e. Silverado-Modjeska Canyon and Foothill Trabuco Canyon)."

Additionally, an overwhelming majority of the numerous supportive comments received on the last draft of the tree ordinance specifically requested that the FTSP area be included in the scope.

Thus, we resubmit our previous letter, which provides a surfeit of reasons why the tree ordinance can and should apply to the FTSP area. We again urge the County to revise the scope of the tree ordinance so that it serves its original intended purpose of protecting our native trees in all canyon areas.

Please revise the first sentence of the preamble to Article 2, Subarticle 4 of Section 7-9-69 as follows (added text in *italics*):

“Sections 7-9-69 through 7-9-69.6 shall apply to all Protected Trees on parcels that are equal or greater than twenty thousand (20,000) square feet within the *Foothill/Trabuco Specific Plan area and the Silverado-Modjeska Specific Plan area* of the County of Orange.”

Please revise Section 7-9-69.2(b) as follows (added text in *italics*):

“In case of a conflict between the provisions of *either the Foothill/Trabuco Specific Plan or the Silverado-Modjeska Specific Plan* and the Zoning Code, the most stringent provisions shall apply.”

Finally, we hope the successful implementation of the tree ordinance for the canyons will result in the ordinance being expanded to other unincorporated areas, particularly the Fourth District, where an abundance of protected tree species also exists.

Sincerely,



Ray Chandos  
Secretary/Treasurer  
Rural Canyons Conservation Fund



Gloria Sefton  
/s/ Rich Gomez  
Co-founders  
Saddleback Canyons Conservancy



Michael Wellborn  
President  
Friends of Harbors, Beaches and Parks

cc: Third District Supervisor Donald P. Wagner  
Third District Planning Commissioner Kevin G. Rice  
Fourth District Supervisor Doug Chaffee

Attachment: Letter from Rural Canyons Conservation Fund, Saddleback Canyons Conservancy, and Friends of Harbors, Beaches and Parks dated October 17, 2018



**Rural Canyons  
Conservation Fund**



Members of the Orange County Planning Commission  
c/o OC Development Services/Planning  
Attn: Joanna Chang  
P.O. Box 4048  
Santa Ana, CA 92702  
Via Email Attachment to: [OCZoningCode@ocpw.ocgov.com](mailto:OCZoningCode@ocpw.ocgov.com)

RE: Tree Preservation Ordinance - Section 7-9-69 in “Orange is the New Green” Zoning Code Update

Dear Commissioners:

We have, from its inception, supported the Orange County Tree Preservation Ordinance, and advocated for it to apply within the Foothill Trabuco Specific Plan (FTSP) area where many, if not most, of the trees proposed for protection exist. We were very disappointed, therefore, to read in the planning staff’s September 12 report to the Planning Commission that the current draft ordinance would apply only within the Silverado-Modjeska Specific Plan area. We were further disappointed and surprised to hear Deputy County Counsel Nicole Walsh say that the Orange County Zoning Code (Zoning Code), which would contain the Tree Preservation Ordinance, cannot be applied within the FTSP area because the FTSP was enacted by ordinance and thus categorically pre-empts all provisions of the Zoning Code there. The purpose of this letter is to dispute the latter contention.

We assert that the Zoning Code does apply to the FTSP area, by its own explicit terms, and in fact has been applied within the FTSP area.

First, the Zoning Code states that it applies to all unincorporated land within the County, with exceptions only as delineated within the Zoning Code itself.

*Property to Which Applicable:* The Zoning Code shall apply to all unincorporated land within the County of Orange, except as otherwise provided by this section. (Zoning Code Section 7-9-20 (a).)

Nowhere within the Zoning Code does it exempt the FTSP area.

Second, the Zoning Code explicitly sets forth how its provisions are to be harmonized with any other provision of law in the event of overlap, duplication or conflict.

*Duplicated Regulation:* Whenever any provision of the Zoning Code and any other provision of law, whether set forth in this Code or in any other law or ordinance, impose overlapping or contradictory requirements, or certain restrictions covering any of the same subject matter, that provision which is more restrictive or imposes higher standards shall control, except as otherwise expressly provided in the Zoning Code. (Zoning Code Section 7-9-20 (b).)

Third, certain provisions of the Zoning Code explicitly apply within the FTSP. For example, the Arroyo Trabuco area within the FTSP is zoned “Floodplain Zone 2” (FP-2) on the Orange County Zoning Code map, as provided for by Section 7-9-113.2:

This district may be combined with any other district. In any district where the district symbol is followed by parenthetically enclosed “(FP-1),” “(FP-2),” or “(FP-3),” the additional requirements, limitations, and standards of this district shall apply. The district symbol shall constitute the base district and the FP suffix shall constitute the combining district. In the event of conflicting provisions between the base district and the combining district, the requirements of the FP-1, FP-2 or FP-3 shall take precedence. (Zoning Code Section 7-9-113.2.)

Similarly, the Zoning Code provides for wireless communication facilities, explicitly overriding any conflicting County ordinance or regulation:

Sec. 7-9-146.13. - Performance and development standards for wireless communications facilities.

...

...

(p) *Conflicting Ordinances.* In the event that any County ordinance or regulation, in whole or in part, conflicts with any provisions in this section, the provisions of this section shall control. (Zoning Code Section 7-9-146.13 (p).)

We note further that the FTSP explicitly incorporates provisions of the Zoning Code. For example:

This document, in conjunction with the Orange County Zoning Code and other applicable ordinances, represents the Specific Plan for the Foothill/Trabuco area. It has been prepared in accordance with California Government Code (Sections 65250, et seq.). Unless otherwise provided for within this document, all future development in the Specific Plan Area must be found consistent with the Specific Plan Components,

the Land Use District Regulations and the Development and Design Guidelines. (FTSP I.A.)

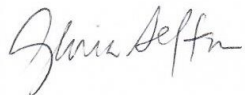
Building setbacks. Per Zoning Code Section 7-9-128 and 7-9-13, except as follows: (FTSP III.D.8.8 b.)

In conclusion, both the Zoning Code and the FTSP currently govern land use within the FTSP area in a harmonious, complementary, and clearly defined manner. As indicated above, other ordinances (e.g., wireless communication facilities) apply in specific plan areas (including the FTSP area), so we see no valid reason why the provisions of the Tree Preservation Ordinance, within the Zoning Code, should not be extended to the FTSP area. We urge that the scope of the Tree Preservation Ordinance be revised to include the FTSP area in addition to the Silverado-Modjeska area so that tree protections will be consistent within the canyon specific plan areas.


Sincerely,



Ray Chandos  
Secretary/Treasurer  
Rural Canyons Conservation Fund



Gloria Sefton  
/s/ Rich Gomez  
Co-founders  
Saddleback Canyons Conservancy



Michael Wellborn  
President  
Friends of Harbors, Beaches and Parks