

RESOLUTION NO. 19-06
RESOLUTION OF THE PLANNING COMMISSION OF
ORANGE COUNTY, CALIFORNIA
RECOMMENDING ADOPTION OF PROPOSED ZONING CODE AMENDMENT CA 16-01
COMPREHENSIVE ZONING CODE UPDATE AND FINDING THAT IP 16-383, CEQA
INITIAL STUDY/NEGATIVE DECLARATION FOR “ORANGE IS THE NEW GREEN”
ZONING CODE UPDATE IS ADEQUATE TO SATISFY THE REQUIREMENTS OF CEQA

December 11, 2019

On Motion of Commissioner Bartlett, duly seconded and carried, the following Resolution was adopted:

WHEREAS, the County of Orange (County) Zoning Code is updated as necessary when State law changes on land uses; and

WHEREAS, the County obtained a \$200,000 Sustainability Planning Grant from the Southern California Association of Governments (SCAG) to identify barriers to healthier communities, explore flexibility in site design regulations, and address cost-effectiveness in the Zoning Code; and

WHEREAS, the consultant firm, Dyett and Bhatia, was selected by the County, in consultation with SCAG, to serve as a Co-Project Manager, along with OC Development Services, for the Comprehensive Zoning Code Update; and

WHEREAS, OC Development Services conducted a robust community engagement program, which included nine (9) Planning Commission workshops and fifteen (15) community workshops to seek input from the public on the Zoning Code Update; and

WHEREAS, OC Development Services prepared and circulated three (3) drafts for public review, and the public comment period for the Third Draft ended on November 19, 2019; and

WHEREAS, the proposed Zoning Code Update includes a new format intended to make the Zoning Code more “user friendly” by clarifying or revising language to limit misinterpretation, as well as, revising and adding exhibits/figures to better depict regulations and/or standards; and

WHEREAS, the Zoning Code Update includes revisions to the organization of the Zoning Code into the following Articles and Subarticles: Decision-Making Bodies (Article 1); Introductory Provisions (Article 2, Subarticle 1); Base Districts, Overlay, Combining, and Other Districts (Article 2, Subarticle 3); Site Development Regulations (Article 2, Subarticle 4); Standards for Specific Uses and Activities (Article 2, Subarticle 5); Administration and Permits (Article 2, Subarticle 6) and General Terms (Article 2, Subarticle 7); and

WHEREAS, the Zoning Code Update includes sustainable best practices, such as the option to use pervious materials in driveways and allowing carport roof solar panels with no additional permit requirements. New sections are also introduced as part of the Comprehensive Zoning Code Update, such as community gardens, farmer's markets, fruit and vegetable gardening, mixed-use overlay district regulations; and

WHEREAS, the Comprehensive Zoning Code Update incorporates some recent trends in planning and development, including updates to regulations pertaining to parking, tree preservation, density bonus, accessory dwelling units, short-term rentals, and group homes; and

WHEREAS, in compliance with the California Environmental Quality Act (California Public Resources Code, Section 21000 *et seq.*) (CEQA) and the CEQA Guidelines (title 14, California Code of Regulations, Section 15000 *et seq.*), the County, as Lead Agency, finds IP 16-383, CEQA Initial Study/Negative Declaration for "Orange is the New Green" Zoning Code Update, is adequate to satisfy the requirements of CEQA for the Zoning Code Update; and

WHEREAS, on April 13, 2016 this Planning Commission approved authorization to initiate proposed Zoning Code Amendment CA 16-01 – Comprehensive Zoning Code Update; and

WHEREAS, on December 11, 2019 this Planning Commission conducted a public hearing regarding proposed Zoning Code Amendment CA 16-01 – Comprehensive Zoning Code Update; and

WHEREAS, the Planning Commission has reviewed and fully considered the proposed Zoning Code Amendment CA 16-01 – Comprehensive Zoning Code Update and has heard and considered the public comments that were presented to it at the public hearing held on this project and has determined after review and consideration to recommend adoption of proposed Zoning Code Amendment CA 16-01 – Comprehensive Zoning Code Update.

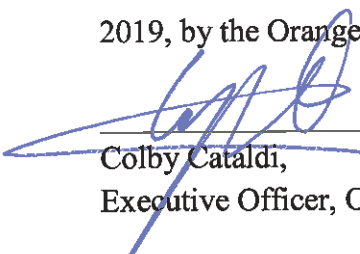
NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Planning Commission finds IP 16-383 CEQA Initial Study/Negative Declaration for “Orange is the New Green” Zoning Code Update is adequate to satisfy the requirements of CEQA for the Comprehensive Zoning Code Update.
2. The Planning Commission recommends the Board of Supervisors adopt the proposed County of Orange Zoning Code Update, Zoning Code Amendment CA 16-01 without the tree preservation regulations [section 7-9-69].
 - a. The Planning Commission recommends the Board of Supervisors adopt Option C related to Short-Term Rental regulations and further recommends revision from three (3) violations to two (2) violations before suspension of the short-term rental permit for one (1) year [Option C, section 7-9-93(e)(3)].
 - b. The Planning Commission recommends the Board of Supervisors adopt the 1,000 feet separation between two alcoholism or drug abuse recovery/treatment facilities (7 persons or more), between an alcoholism or drug abuse recover/treatment facility (7 persons or more) and any sober living home, or between any two sober living homes.

The foregoing resolution was passed and adopted by the following vote of the Orange County Planning Commission, on December 11, 2019 to wit:

Ayes: Commissioners Bartlett, Ha, Harper
Noes: Commissioner(s) Rice (with comment that his “no” was due to recommended deletion of the tree preservation regulations.)

I HEREBY CERTIFY that the foregoing Resolution No. 19-06 was adopted on December 11, 2019, by the Orange County Planning Commission.



Colby Cataldi,
Executive Officer, Orange County Planning Commission

Resolution No. 19-06
Date of Adoption: December 11, 2019