

ORDINANCE NO. 07-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE APPROVING ZONE CHANGE NO. 1286-18, CHANGING THE ZONING FROM SAND AND GRAVEL (S-G) AND SINGLE FAMILY RESIDENTIAL 8,000 SQUARE FEET MINIMUM (R-1-8) TO SPECIFIC PLAN (SP) CONSISTING OF SINGLE FAMILY RESIDENTIAL R-1-8 AND R-1-10, AND OPEN SPACE, AND ADOPTING THE TRAILS AT SANTIAGO CREEK SPECIFIC PLAN ON A SITE COMMONLY REFERRED TO AS SULLY MILLER LOCATED AT 6145 E. SANTIAGO CANYON ROAD, PREVIOUSLY IDENTIFIED AS 6118 EAST SANTIAGO CANYON ROAD.

**ZONE CHANGE NO. 1286-18
APPLICANT: MILAN REI X, LLC**

WHEREAS, Zone Change No. 1286-18 was filed for The Trails at Santiago Creek in accordance with the provisions of the City of Orange Municipal Code; and

WHEREAS, Zone Change No. 1286-18 was processed in the time and manner prescribed by state and local law; and

WHEREAS, the City Council has certified and adopted Environmental Impact Report No. 1857-18, which was prepared to analyze the potentially significant environmental impacts of the Trails at Santiago Creek located at 6145 East Santiago Canyon Road (hereinafter referred to as the "Project"), including Zone Change No. 1286-18; and

WHEREAS, the Planning Commission conducted duly advertised public hearings on July 15, 2019, and August 5, 2019, at which time interested persons had an opportunity to testify either in support of or opposition to the Project, including Zone Change No. 1286-18, and recommended approval of the Project by a vote of 4-1; and

WHEREAS, the City Council conducted duly advertised public hearings on September 24, 2019 and October 22, 2019, at which time interested persons had an opportunity to testify either in support of or opposition to the Project, including Zone Change No. 1286-18.

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

SECTION I:

The existing zoning is depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference. The Orange Municipal Code is amended in order to change the zoning

classification by amending the zoning on the sites depicted on the map attached hereto as Exhibit “B” and incorporated herein by reference.

SECTION II:

The proposed zone change described in Section I is related to the public welfare, required by California Government Code Section 65860 and consistent with Environmental Impact Report (EIR) No. 1857-18 (SCH No. 2017031020) for the Trails at Santiago Creek, and prepared in accordance with the California Environmental Quality Act (CEQA). The proposed zone change is adequately described and thoroughly analyzed and reflect the independent judgement and analysis of the City Council for purposes of CEQA.

SECTION III:

The proposed zone change would make the Project zoning consistent with the General Plan Amendment to change the land use designation for the Project site from Low Density Residential (LDR) (approximately 15.4 acres), Resource Area (RA) (approximately 77.3 acres), and Open Space (OS) (approximately 16.5 acres) to Low Density Residential (LDR) (approximately 40.7 acres), and Open Space (OS) (approximately 68.5 acres), as required by law.

SECTION IV:

The proposed zone change would allow the implementation of the proposed Trails at Santiago Creek Specific Plan, dated October 30, 2018, attached hereto as Exhibit “C” and incorporated herein by reference, consisting of Single Family Residential R-1-8 and R-1-10, and Open Space, which contributes to the implementation of the General Plan Amendment. The Specific Plan is hereby adopted.

SECTION V:

Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION VI:

A summary of this ordinance shall be published and a certified copy of the full text of this ordinance shall be posted in the Office of the City Clerk at least 5 days prior to the City Council meeting at which this ordinance is adopted. A summary of this ordinance shall also be published once within 15 days after the ordinance’s passage in a newspaper of general circulation, published, and circulated in the City of Orange. The City Clerk shall post in the Office of the City Clerk a certified copy of the full text of such adopted ordinance along with the names of those City

Councilmembers voting for and against the ordinance in accordance of Government Code Section 36933. This ordinance shall take effect 30 days from and after the date of its final passage.

ADOPTED this ____ day of _____, 2019.

Mark A. Murphy, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the ____ day of _____, 2019, and thereafter at the regular meeting of said City Council duly held on the ____ day of _____, 2019, was duly passed and adopted by the following vote, to wit:

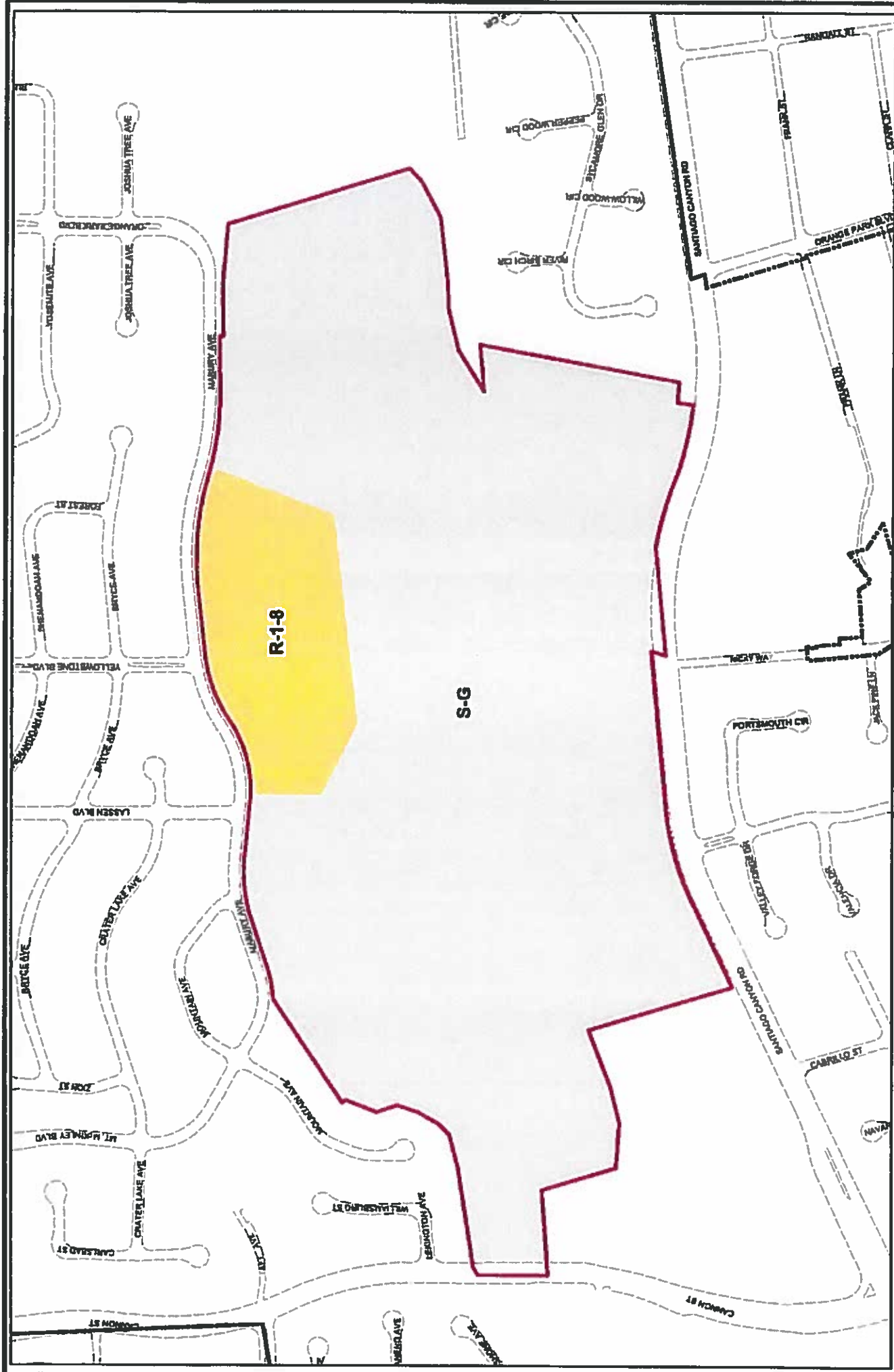
AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange

EXHIBIT "A"

EXISTING ZONING MAP

[Beneath this sheet.]



June 7th 2019

THE TRAILS AT SANTIAGO CREEK EXISTING ZONING

- Legend**
- R-1-8
 - S-G

EXHIBIT "B"

AMENDED ZONING MAP

[Beneath this sheet.]



June 7th 2019

THE TRAILS AT SANTIAGO CREEK PROPOSED ZONING

- Legend**
- R-1-8 / R-1-10 (SP)
 - RO (SP)

EXHIBIT "C"

TRAILS AT SANTIAGO CREEK SPECIFIC PLAN

[The full text of the Trails at Santiago Creek Specific Plan, dated October 18, 2018, is provided herein as Attachment 18 to the City Council Staff Report, dated September 24, 2019, also made available on the City website, provided on compact disc, and available in print upon request in the Office of the City Clerk and the Community Development Department, located at 300 E. Chapman Ave., Orange, California.]