



Modification to Agenda Item

BOARD OF SUPERVISORS
ORANGE COUNTY
CALIFORNIA

2008 DEC -4 PM 3:17

RECEIVED

Date: December 4, 2008
To: Darlene J. Bloom, Clerk of the Board of Supervisors
CC: County Executive Office
From: Thomas G. Mauk, CEO 
RE: Agenda Item(s) # 44 for the December 9, 2008 Board Meeting
ASR Control #(s): 08-002356
Subject: Housing Element Update HE08-01 and Zone Code Revision 08-03

Explanation

County Counsel has requested a modification to the recommended actions to ensure compliance with established process regarding the adoption of an amendment to the County's Codified Ordinances. Minor modifications were also made to the Draft Board Resolution (Attachment A) and Draft Board Ordinance (Attachment B) to ensure consistency with established format requirements.

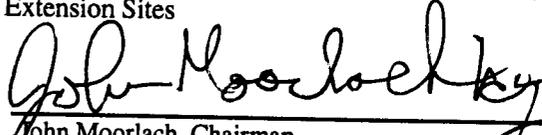
Revised Recommended Action(s)

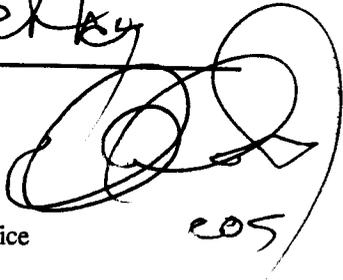
Revise the Recommended Actions to read as follows:

1. Read title of ordinance.
2. Order further reading of the ordinance be waived.
3. Conduct public hearing.
4. Consider the matter and adopt the ordinance (Attachment B).
5. Find that Negative Declaration No. IP08-048 satisfies the requirements of CEQA for this proposed project and this finding reflects the independent judgment of the County and is approved for the proposed project.
6. Approve resolution (Attachment A) which adopts General Plan Amendment HE 08-01.

Revised Exhibits/Attachments (attached)

Attachments A and B have been revised. The attachments replace the documents uploaded in CAMS. Exhibit G is provided as a new document.
 Attachment A - Draft Board Resolution adopting General Plan Amendment HE08-01
 Attachment B - Draft Board Ordinance -- Housing Opportunities Overlay Zone Regulations
 Exhibit G - Housing Element Land Inventory: Housing Opportunities Overlay Zone Eligible Sites and Proposed Extension Sites

Concur: 
 John Moorlach, Chairman
 Board of Supervisors


 cc: Members, Board of Supervisors
 Alisa Drakodaidis, Deputy CEO
 Rob Richardson, County Executive Office
 Ben De Mayo, County Counsel

ATTACHMENT A

DRAFT

RESOLUTION OF THE BOARD OF SUPERVISORS

ORANGE COUNTY, CALIFORNIA

WHEREAS, pursuant to California Government Code Section 65000, et. seq., the County of Orange has adopted the Housing Element of the General Plan which meets all of the requirements of State law; and

WHEREAS, the County is required to adopt and submit for certification a 2008 Housing Element update to the State Department of Housing and Community Development; and

WHEREAS, pursuant to State Planning and Zoning Law, this Board has reviewed General Plan Amendment HE08-01 which proposes to update the Housing Element; and

WHEREAS, in compliance with State law, legally noticed public hearings were held by the Planning Commission on General Plan Amendment HE08-01 on March 26, 2008, April 9, 2008, April 23, 2008 and May 7, 2008; and

WHEREAS, the Planning Commission has reviewed General Plan Amendment HE08-01 and after considering all public testimony recommends Board of Supervisors adoption of General Plan Amendment HE08-01; and

WHEREAS, in compliance with the California Environmental Quality Act (California Public Resources Code, Sections 21000, et. seq.), Negative Declaration IP08-048 was found by the Planning Commission to satisfy the requirements of CEQA; and

ATTACHMENT A

WHEREAS, in compliance with State law, a legally noticed public hearing was held by this Board regarding General Plan Amendment HE08-01.

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby find that Negative Declaration IP08-048 satisfies the requirements of CEQA and is adopted for the proposed project based upon the following additional findings pursuant to Section 21080(c) of the Public Resources Code and CEQA Guidelines Section 15074:

- a. Negative Declaration IP08-048 reflects the independent judgment of the County of Orange.
- b. The Negative Declaration and comments on the Negative Declaration during the public review period process were considered and the Negative Declaration was found adequate in addressing the impacts related to the project.
- c. There is no substantial evidence in the entire record to support a fair argument that the project will have a significant effect on the environment.

BE IT FURTHER RESOLVED THAT this Board adopts General Plan Amendment HE08-01.

Chairman of the Board of Supervisors

ATTACHMENT B

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA, AMENDING SECTION 7-9-148 OF THE CODIFIED ORDINANCES OF THE COUNTY OF ORANGE REGARDING THE HOUSING OPPORTUNITIES OVERLAY REGULATIONS.

The Board of Supervisors of the County of Orange, California, ordains as follows:

SECTION 1. Sec. 7-9-148 through Sec. 7-9-148.7 are hereby amended as follows:

Sec. 7-9-148. Housing Opportunities Overlay Regulations.

All references to this section shall include sections 7-9-148.1 to 7-9-148.7.

Sec. 7-9-148.1. Purpose and intent.

The purpose of this section is to provide for the development of affordable rental housing within commercial and/or industrial districts, and on building sites zoned for high density residential uses adjacent to specified arterial highways, in which all of the housing units are reserved for households which earn 80% or less of the County median income as verified by the County of Orange, and 70% of the units are reserved for low income households and 30% of the units are reserved for very low income households. The intent is to facilitate the realization of affordable housing objectives presented in the Orange County Housing Element of the General Plan.

Sec. 7-9-148.2. Application.

- (a) This section applies to residential projects that are 100 percent affordable which satisfy the purpose and intent stated above and which are located in the following base zoning districts:

- C1 "Local Business" District.
- C2 "General Business" District.
- CC "Commercial Community" District.
- CH "Commercial Highway" District.
- CN "Commercial Neighborhood" District.
- PA "Professional and Administrative Office" District.
- M1 "Light Industrial" District

This section also applies to residential projects that are 100 percent affordable which satisfy the purpose and intent stated above and which are located on building sites adjacent to specified arterial highways in the following districts:

ATTACHMENT B

R2 "Multifamily Dwellings" District
R3 "Apartment" District
R4 "Suburban Multifamily Residential" District
RP "Residential-Professional" District

(b) For this section, the specified arterial highways are those defined on the Master Plan of Arterial Highways (MPAH) as follows:

Principal (8 lane divided)
Major (6 lane divided)
Primary (4 lane divided)
Secondary (4 lane divided)

(c) Residential projects to which this section applies include the following:

- (1) Projects located on building sites and/or within structures without existing residential, commercial and/or industrial uses.
- (2) Projects located on building sites and/or within structures that include residential, commercial and/or industrial uses.
- (3) Projects wherein residential uses replace residential, commercial and/or industrial uses in a pre-existing structure.

In all cases, the residential uses must satisfy these regulations, including the site development standards in section 7-9-148.7.

Any commercial, and/or industrial uses must satisfy the base district regulations.

Sec 7-9-148.3. Site development permit.

The residential projects allowed herein shall be subject to the approval of an administrative site development permit per section 7-9-150.

Sec. 7-9-148.4. Temporary uses permitted.

Certain temporary uses, permitted per section 7-9-136, are allowed.

Sec. 7-9-148.5. Accessory uses permitted.

The following accessory uses and structures are permitted when customarily associated with, and subordinate to, a permitted residential use on the same building site and when consistent with the approved site development permit for the project.

ATTACHMENT B

(a) Uses per section 7-9-137 which include:

- (1) Garages and carports
- (2) Fences and walls
- (3) Patio covers
- (4) Swimming pools

(b) Signs per section 7-9-144 except no roof signs or projecting signs.

(c) Noncommercial keeping of pets and animals per section 7-9-146.3.

(d) Home occupations per section 7-9-146.6.

(e) Manager's unit which is exempt from affordability requirements.

(f) Child day care facility per Housing Opportunities Manual.

(g) Accessory uses and structures which the Director finds consistent with the design of the development project and consistent with the purpose and intent of these regulations.

Sec. 7-9-148.6. Housing Opportunities Manual.

The Planning Commission shall adopt such guidelines, design criteria, and procedures as may be necessary or convenient to administer this section in compliance with the Housing Element. Such guidelines, design criteria, and procedures shall be referred to as the "Orange County Housing Opportunities Manual."

Sec. 7-9-148.7. Site development standards.

(a) The site development standards for residential uses shall be as follows:

(1) Base district site development standards.

(2) Maximum density of 25 dwelling units per gross acre for sites located in commercial or industrial zoning districts.

(3) Off-street parking per the residential requirements of section 7-9-145.

(4) Other standards as may be provided in the Orange County Housing Opportunities Manual.

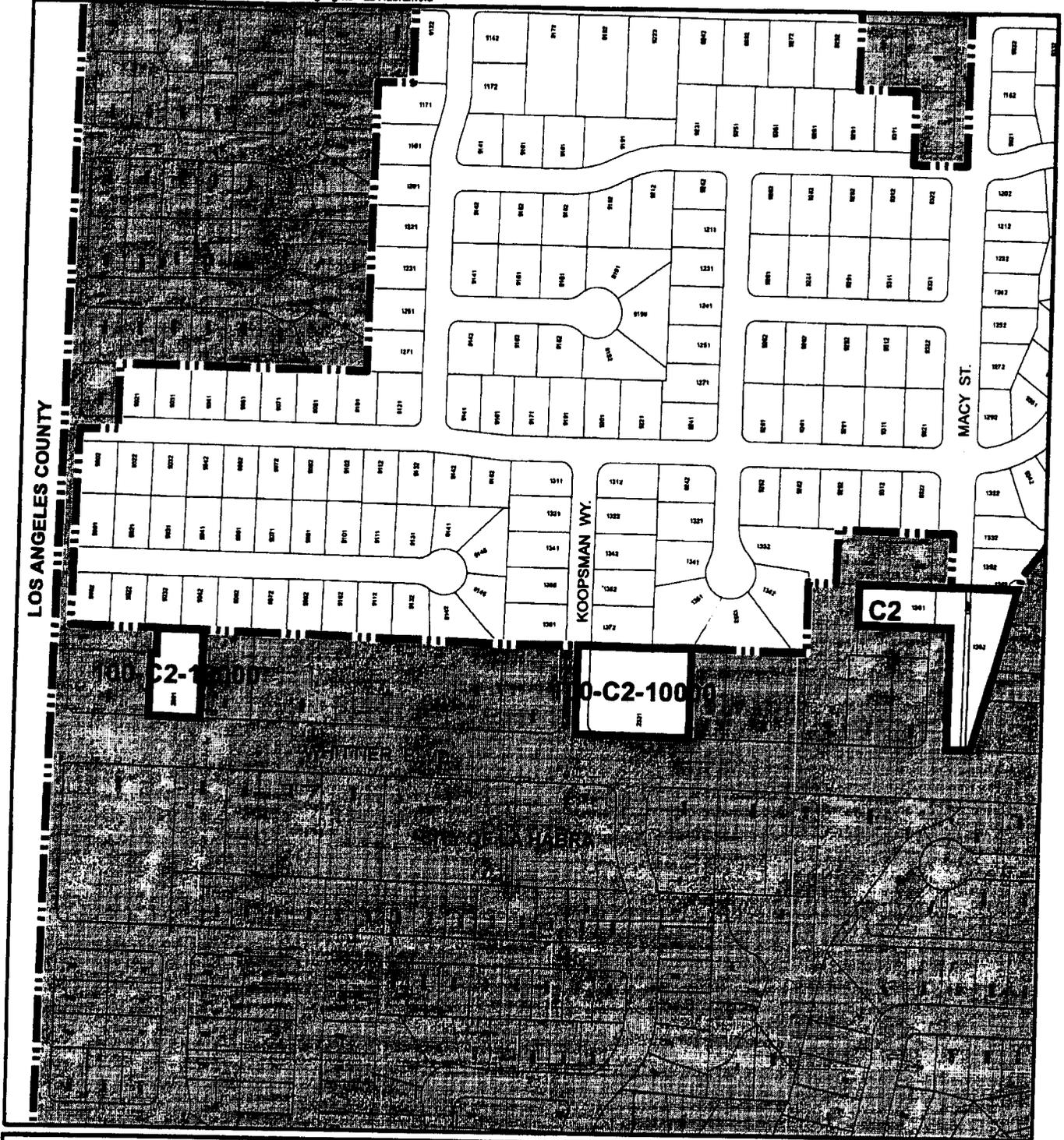
(b) Density bonuses, development incentives, and/or waivers of development standards may be granted pursuant to section 7-9-140.

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Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

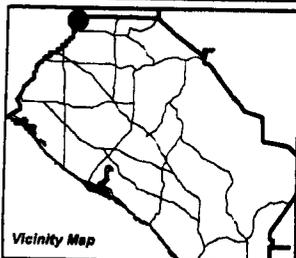
Exhibit G

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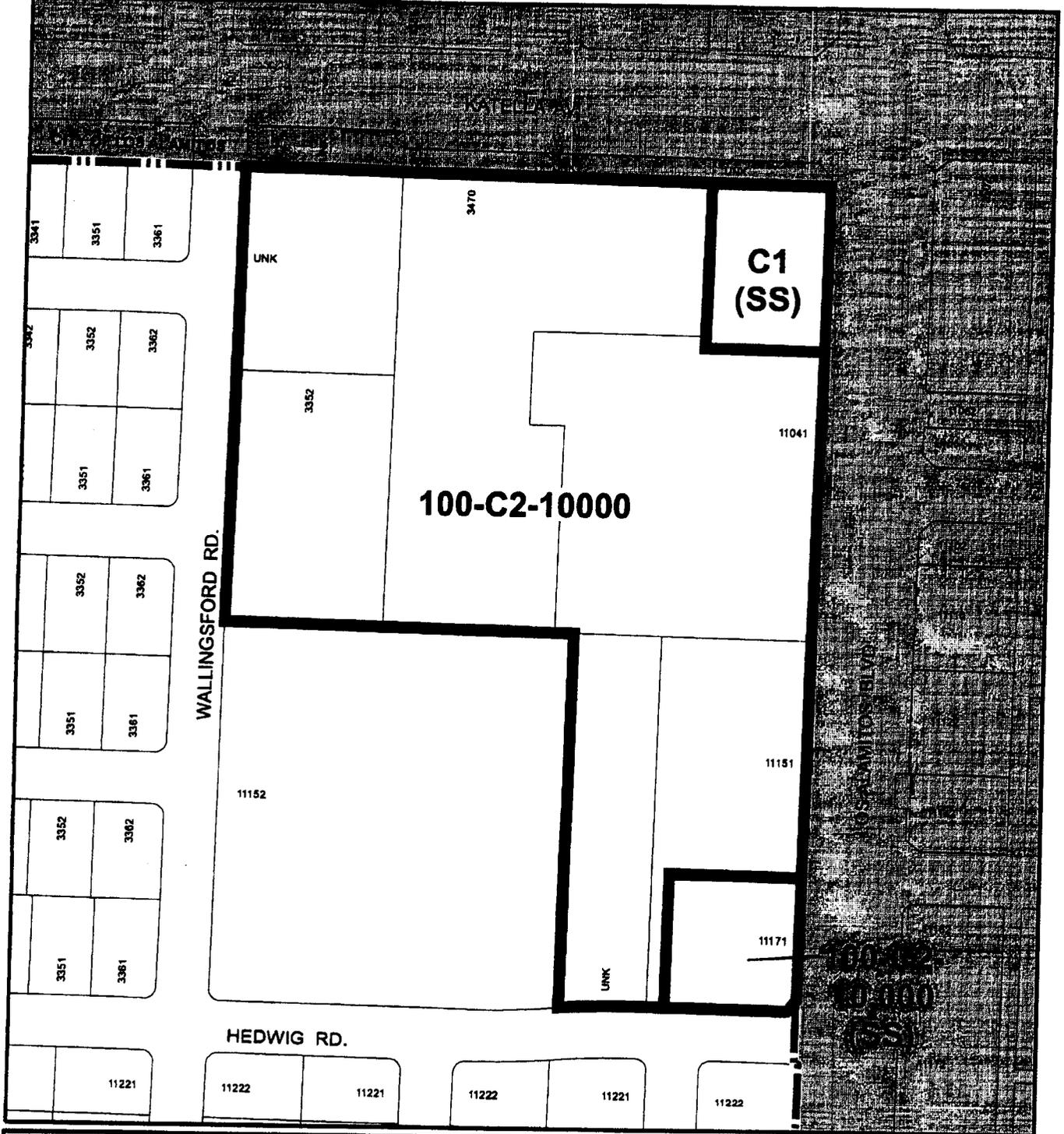
County of Orange/RDMD
Planning & Development Services
Prepared by Planning GIS



Vicinity Map

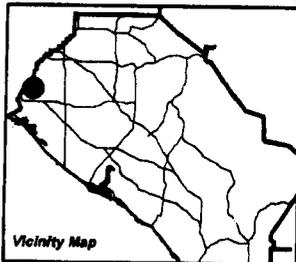
Map 1:
La Habra
Unincorporated area
Supervisorial District 4

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County of Orange/RDMD
Planning & Development Services
Prepared by Planning GIS



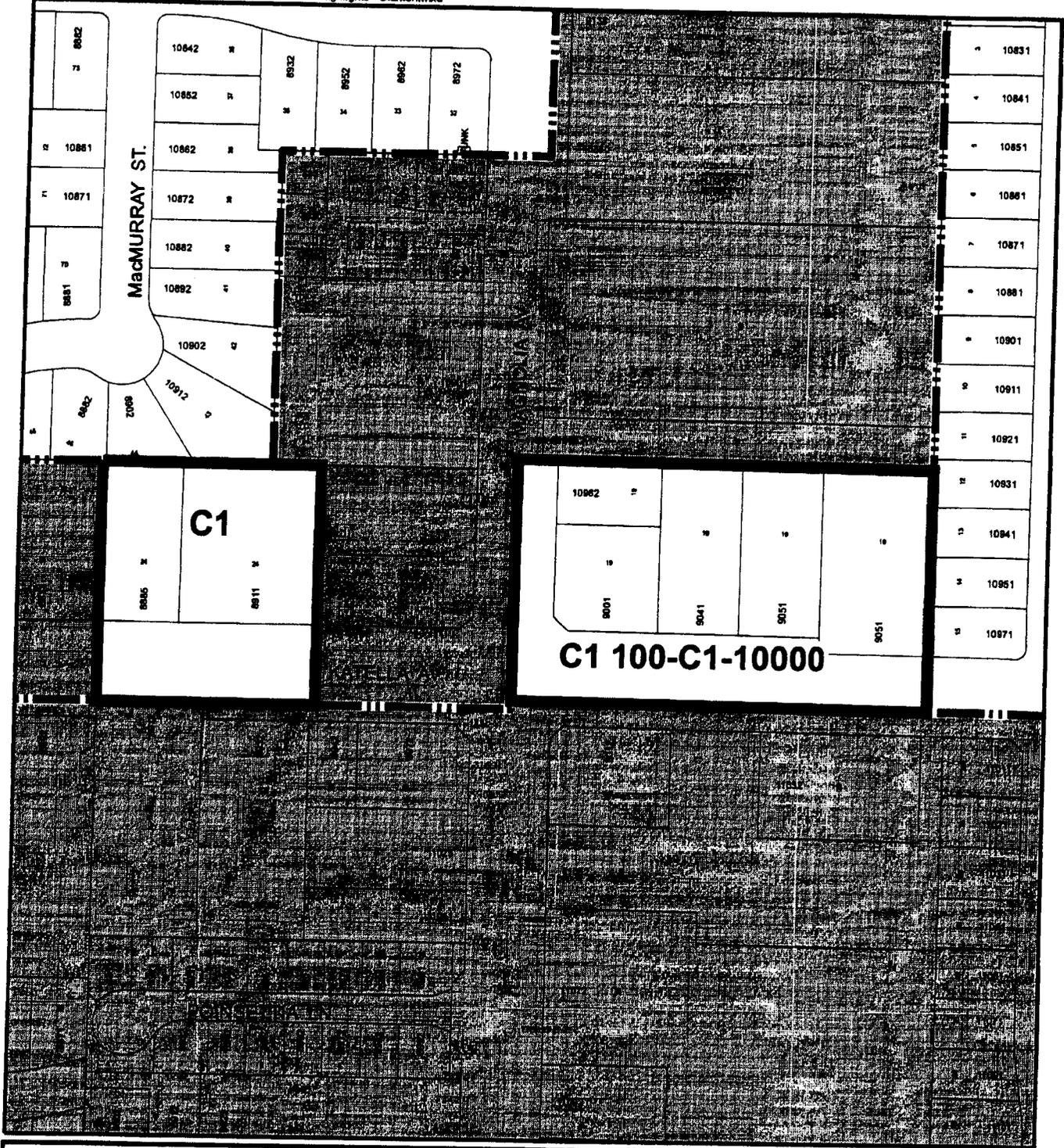
Vicinity Map

Map 2:
Rossmoor
Unincorporated area
Supervisorial District 2

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

Exhibit G

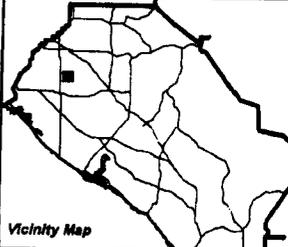
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County of Orange/RDMD
Planning & Development Services
Prepared by Planning GIS



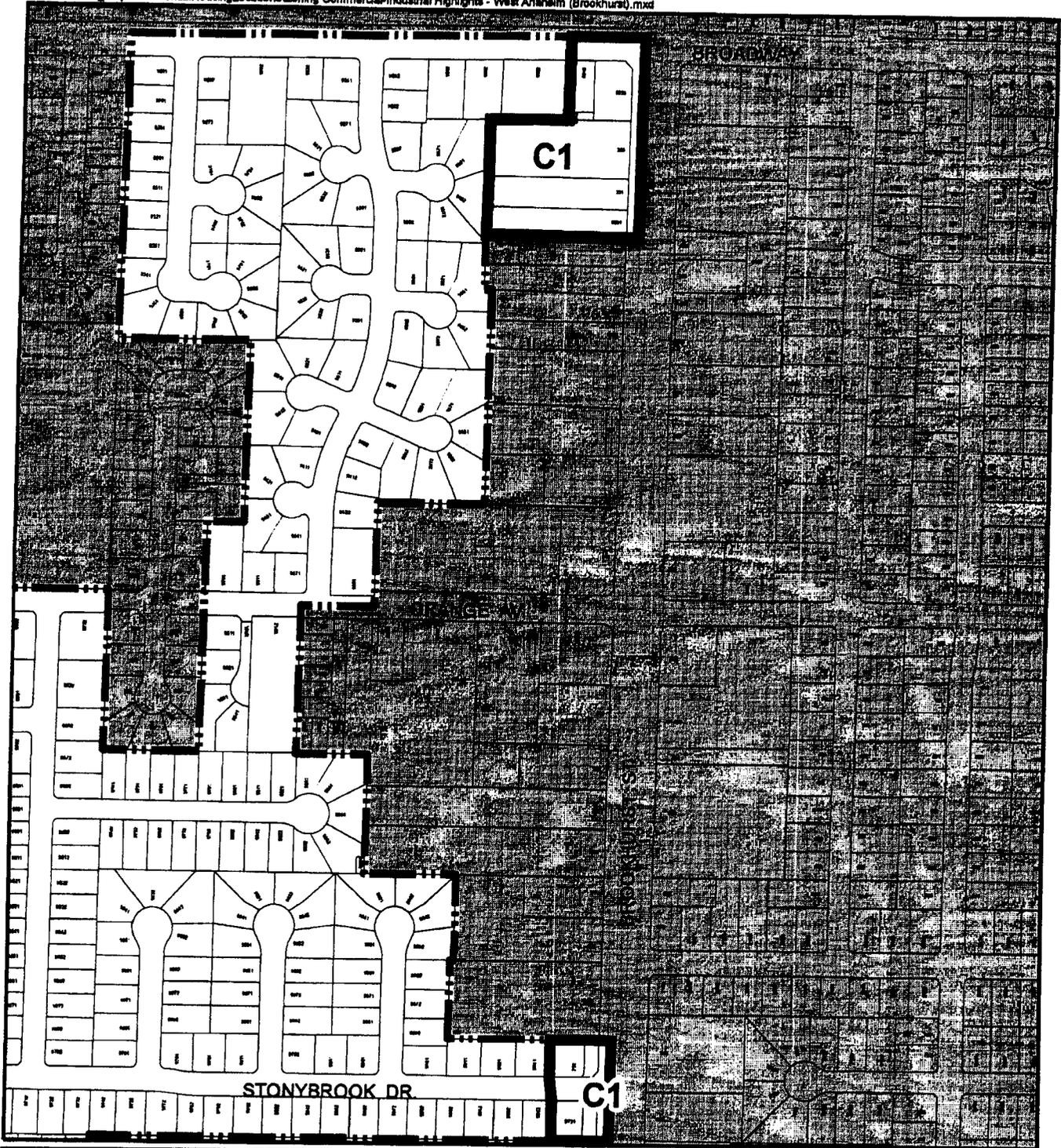
Vicinity Map

Map 3:
Stanton
Unincorporated area
Supervisory District 2

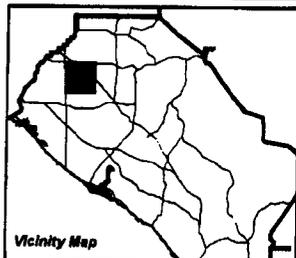
Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

Exhibit G

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County of Orange/RDMD
Planning & Development Services
Prepared by Planning GIS

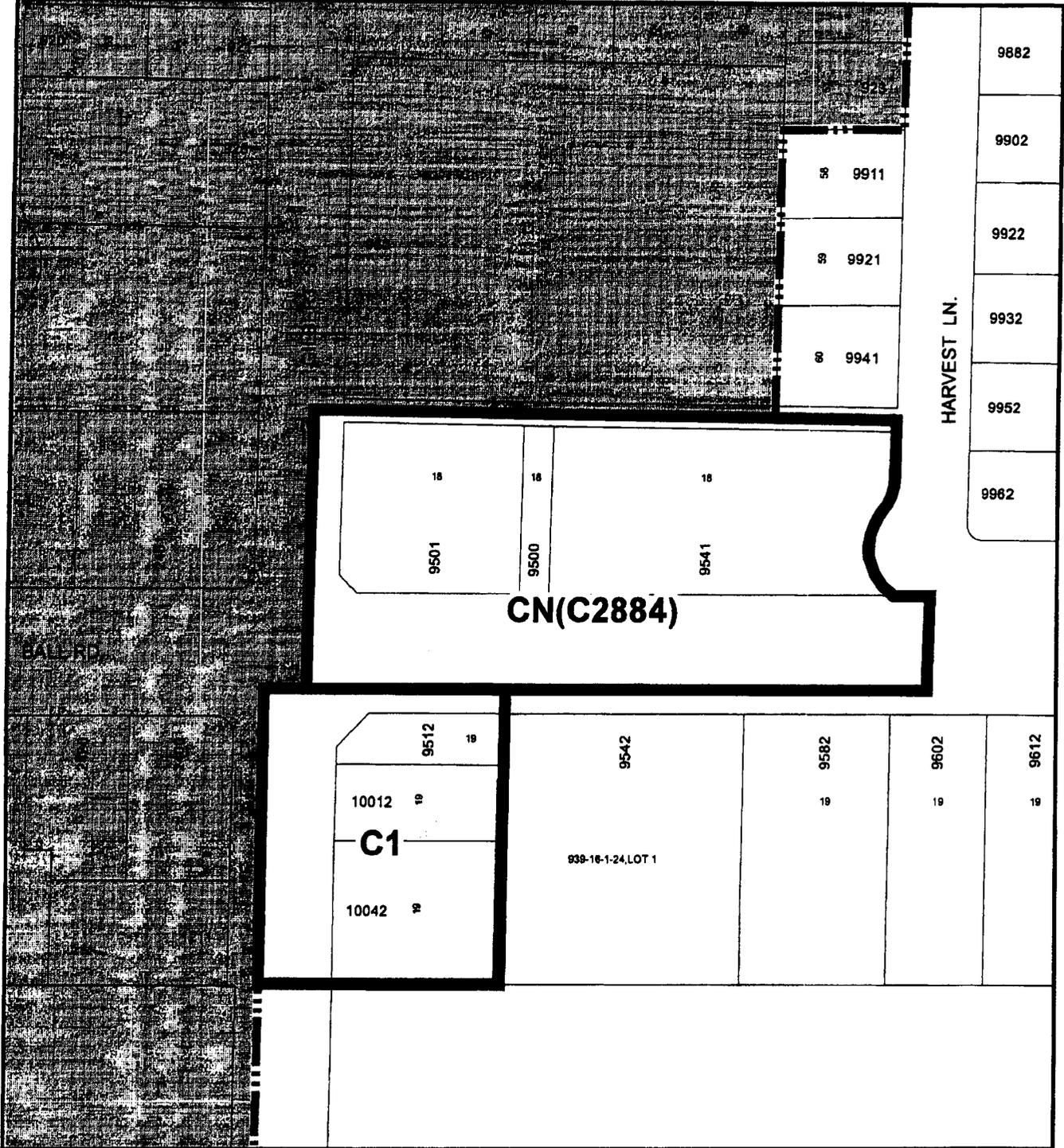

Vicinity Map

Map 4a:
West Anaheim
Unincorporated area
Supervisorial District 4

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

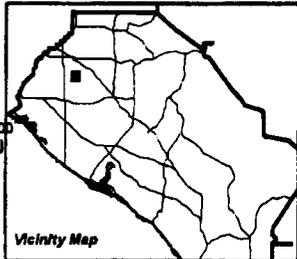
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Planning & Development Services
Prepared by Planning GIS

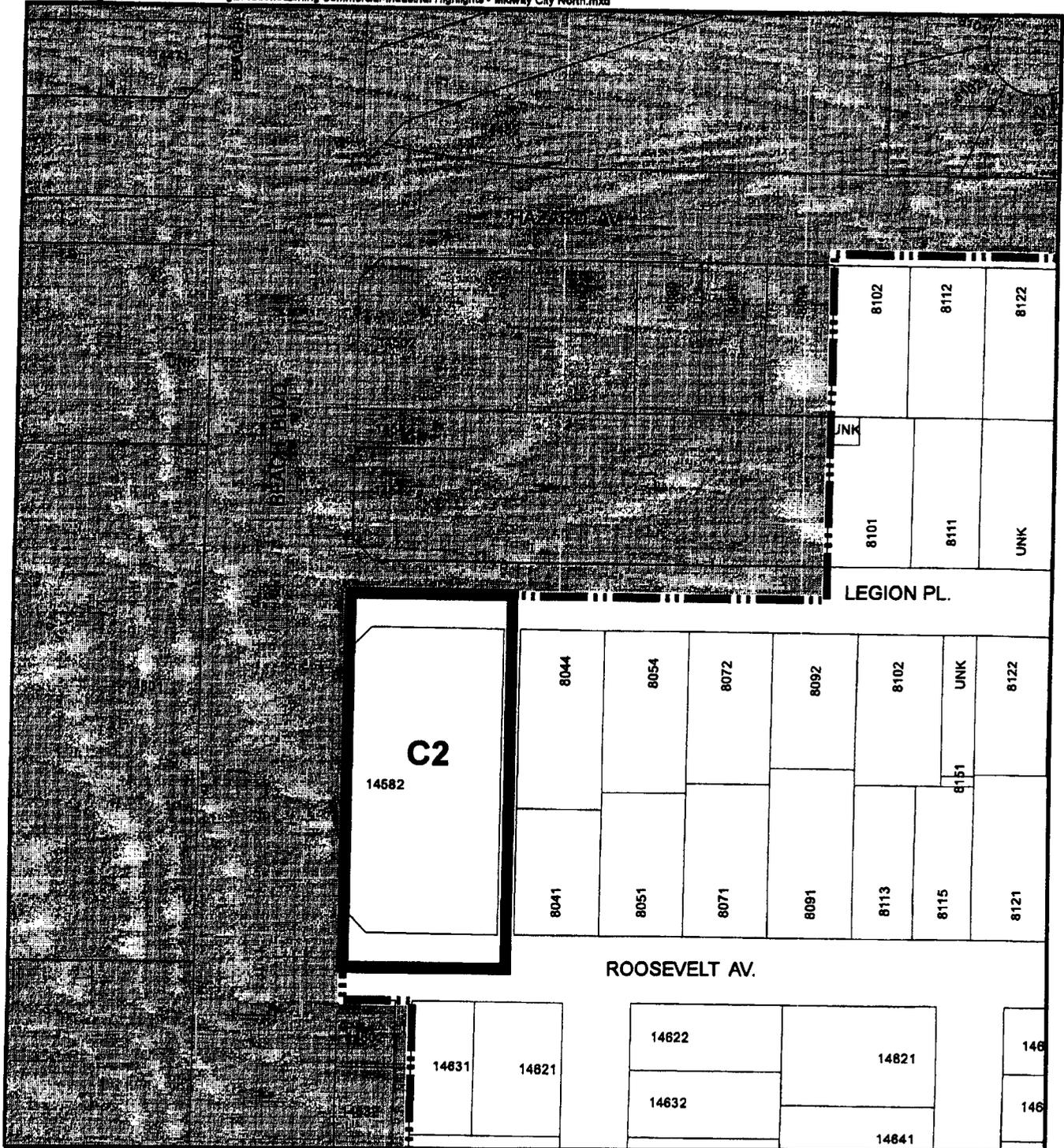


Map 4b:
West Anaheim
Unincorporated area
Supervisorial District 4

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

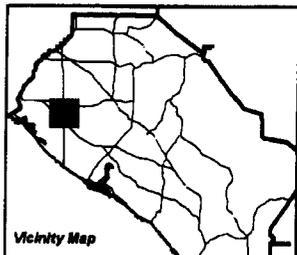
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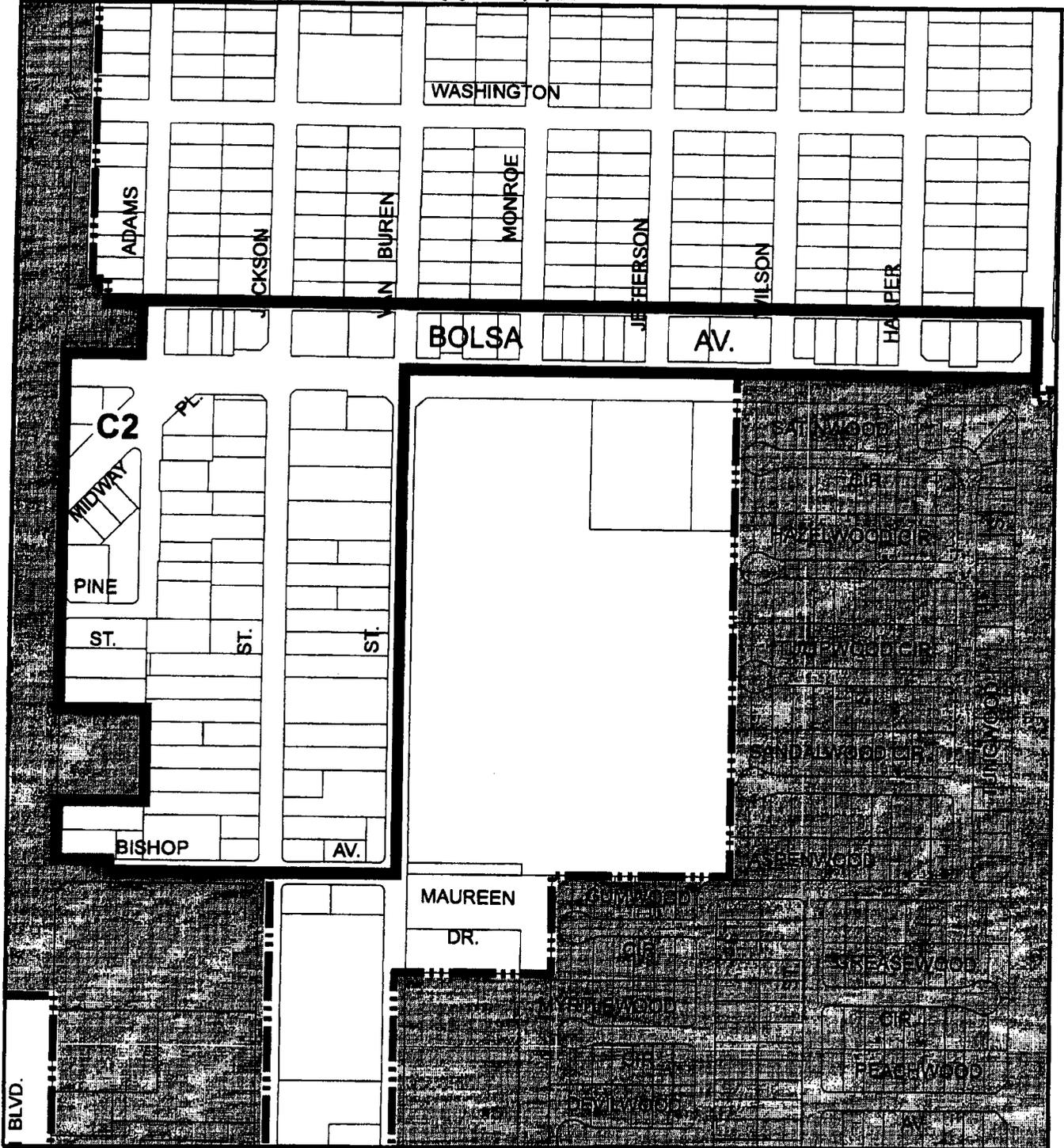


Map 5a:
Midway City
Unincorporated area
Supervisorial District 1

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

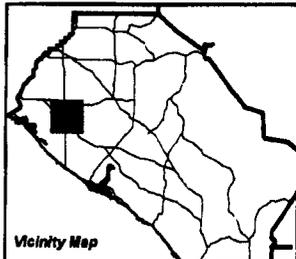
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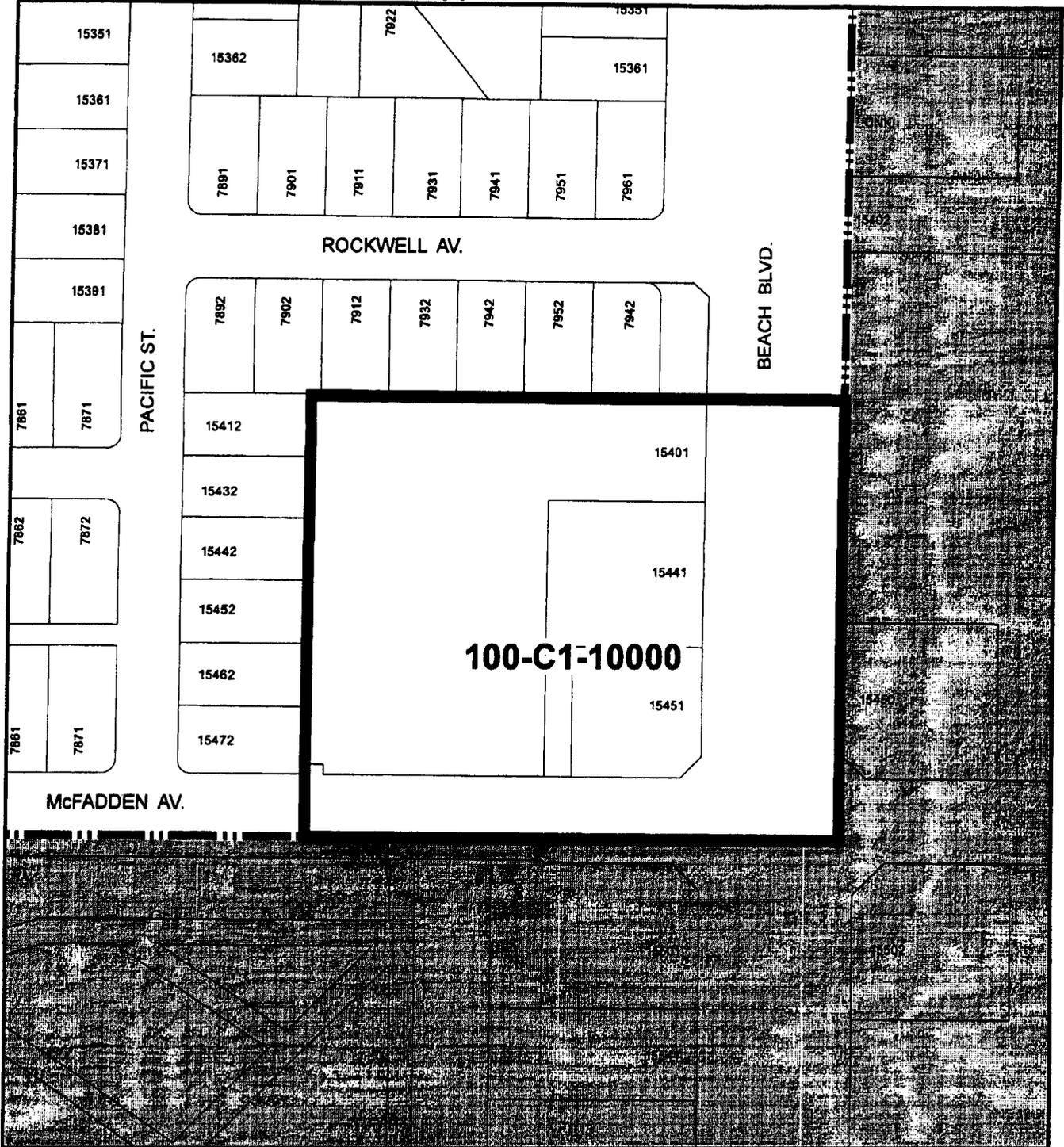
Vicinity Map

Map 5b:
Midway City
Unincorporated area
Supervisorial District 1

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

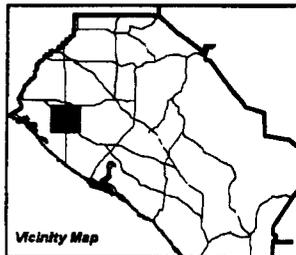
Exhibit G

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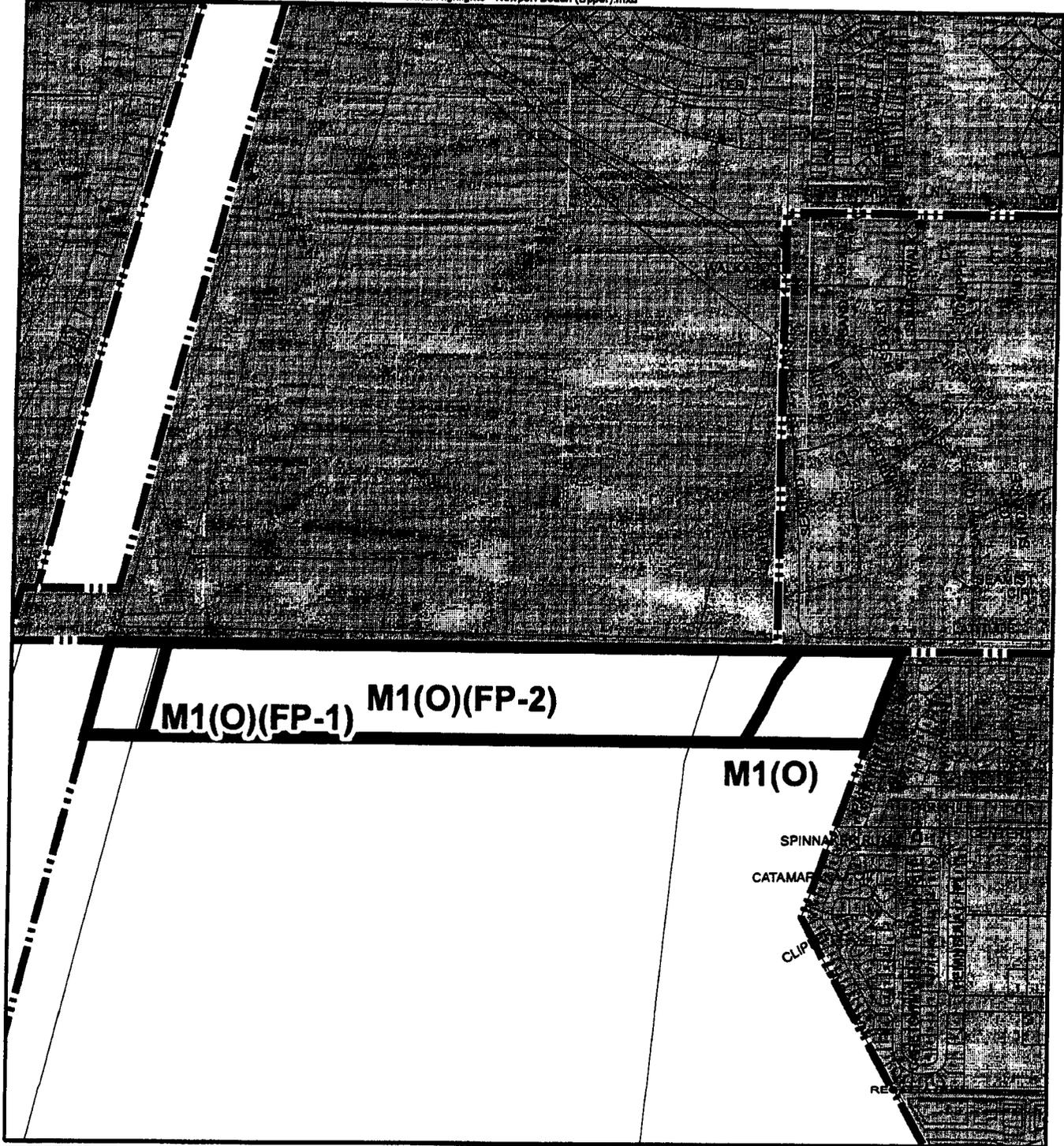


Map 5c:
Westminster
Unincorporated area
Supervisorial District 1

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

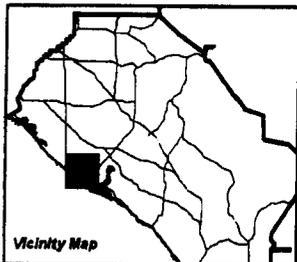
Exhibit G

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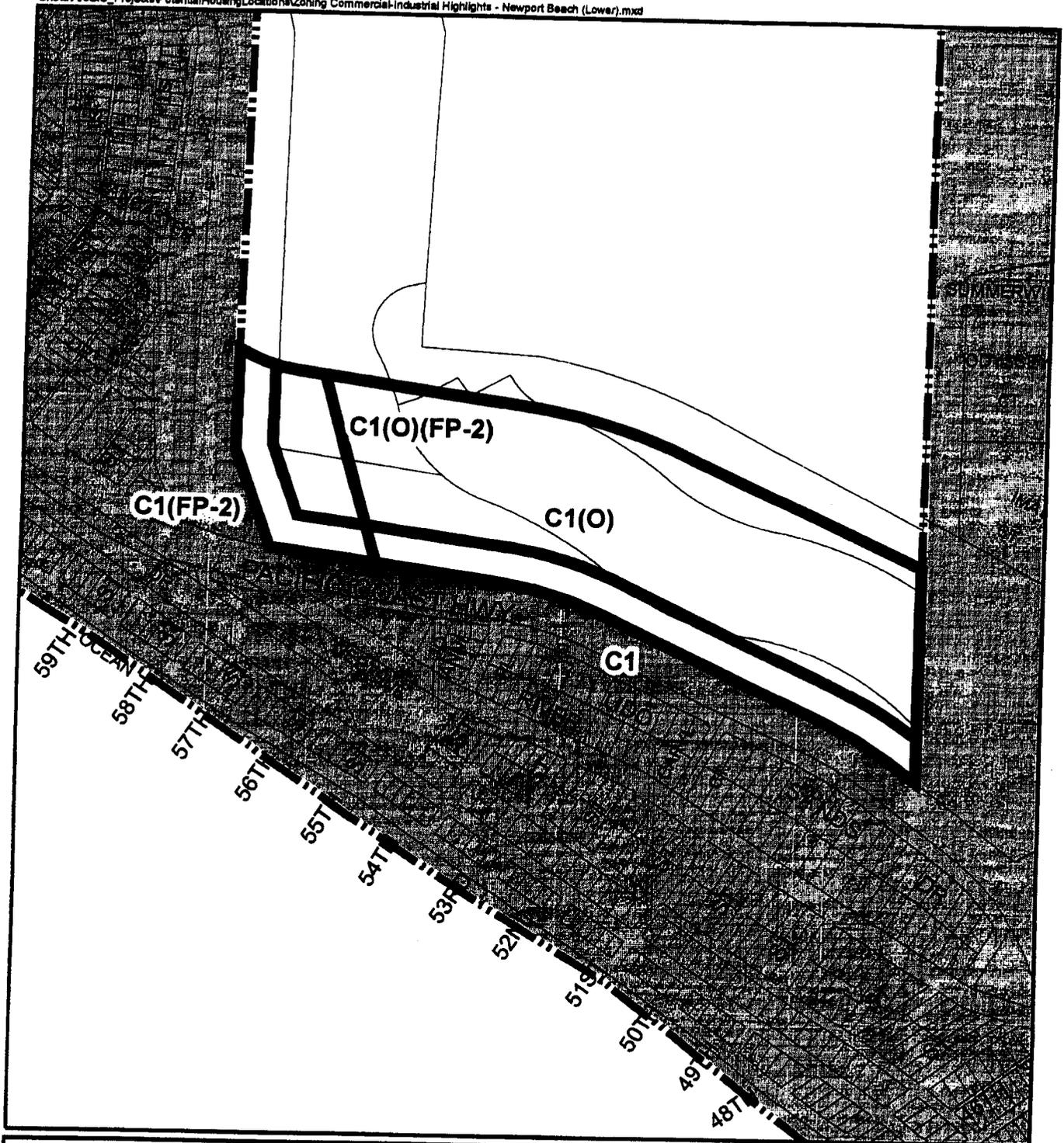
Vicinity Map

Map 7:
Newport Beach
Unincorporated area
Supervisory District 2

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

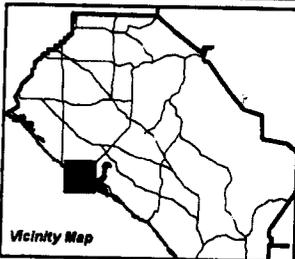
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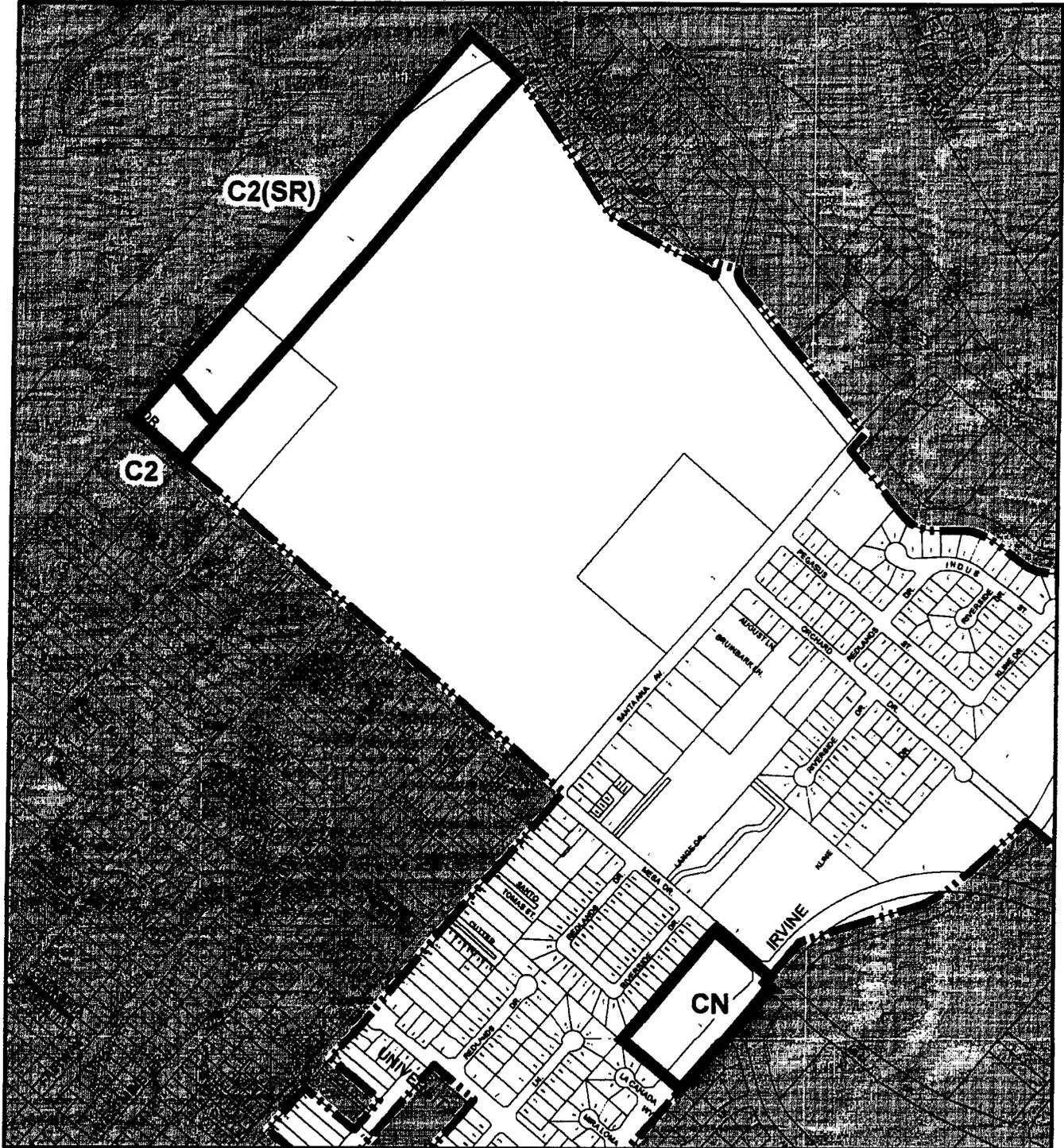
Vicinity Map

Map 8:
Newport Beach
Unincorporated area
Supervisorial District 2

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

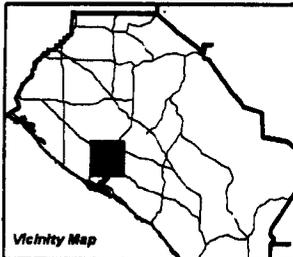
Exhibit G

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Planning & Development Services
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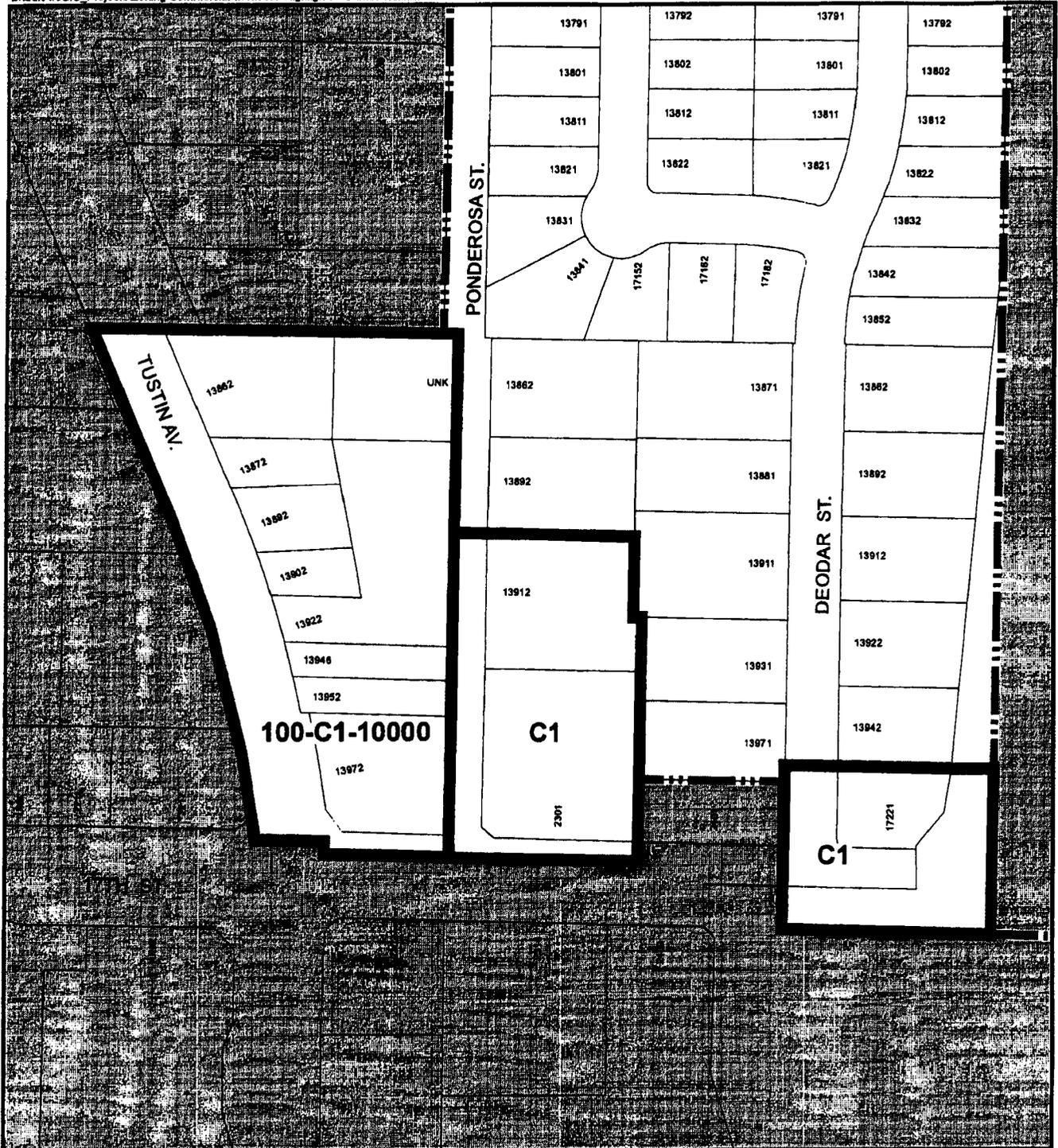
Vicinity Map

Map 9:
Costa Mesa
Unincorporated area
Supervisorial District 2

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

Exhibit G

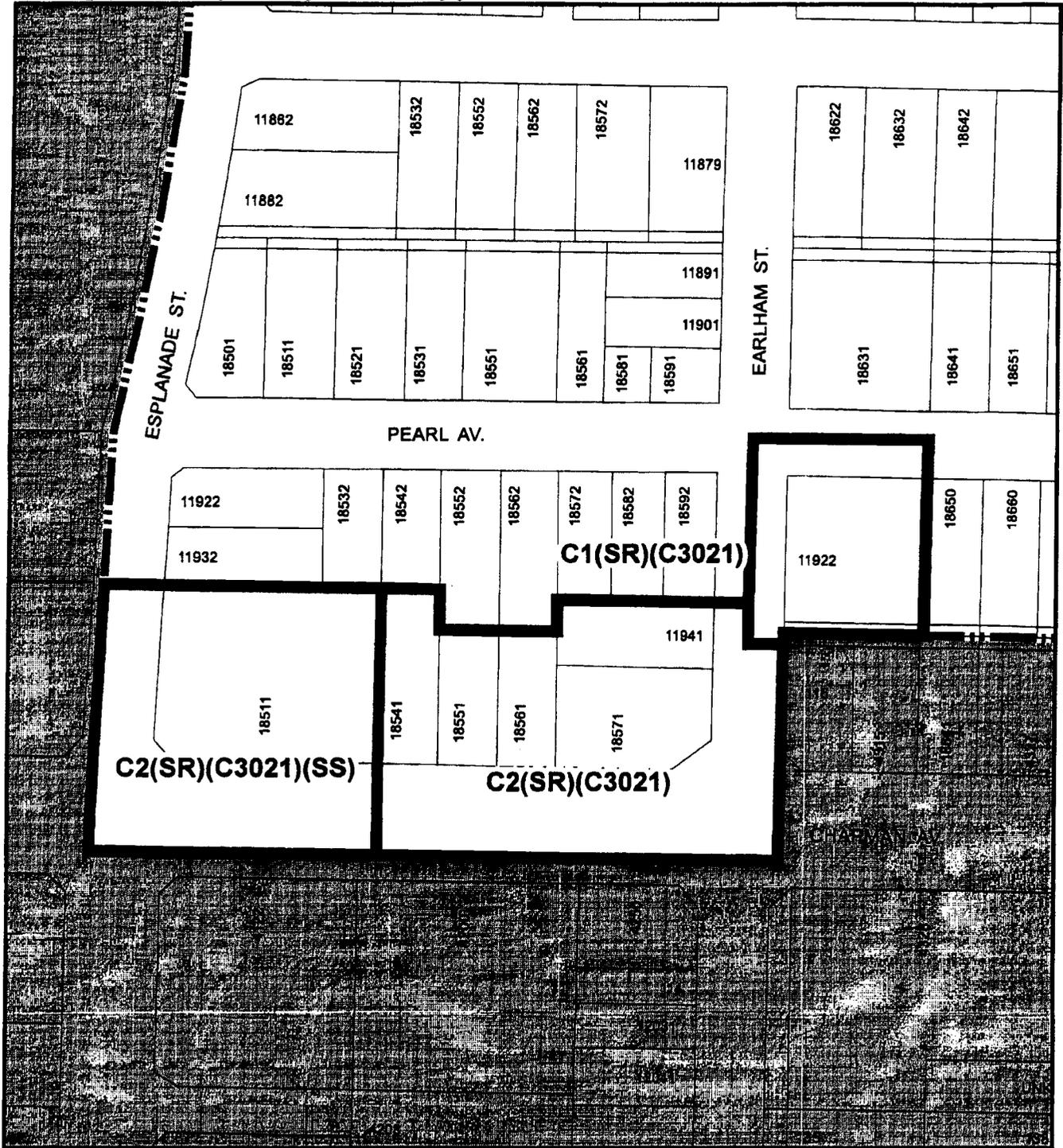
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Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

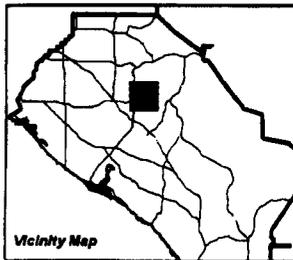
Exhibit G

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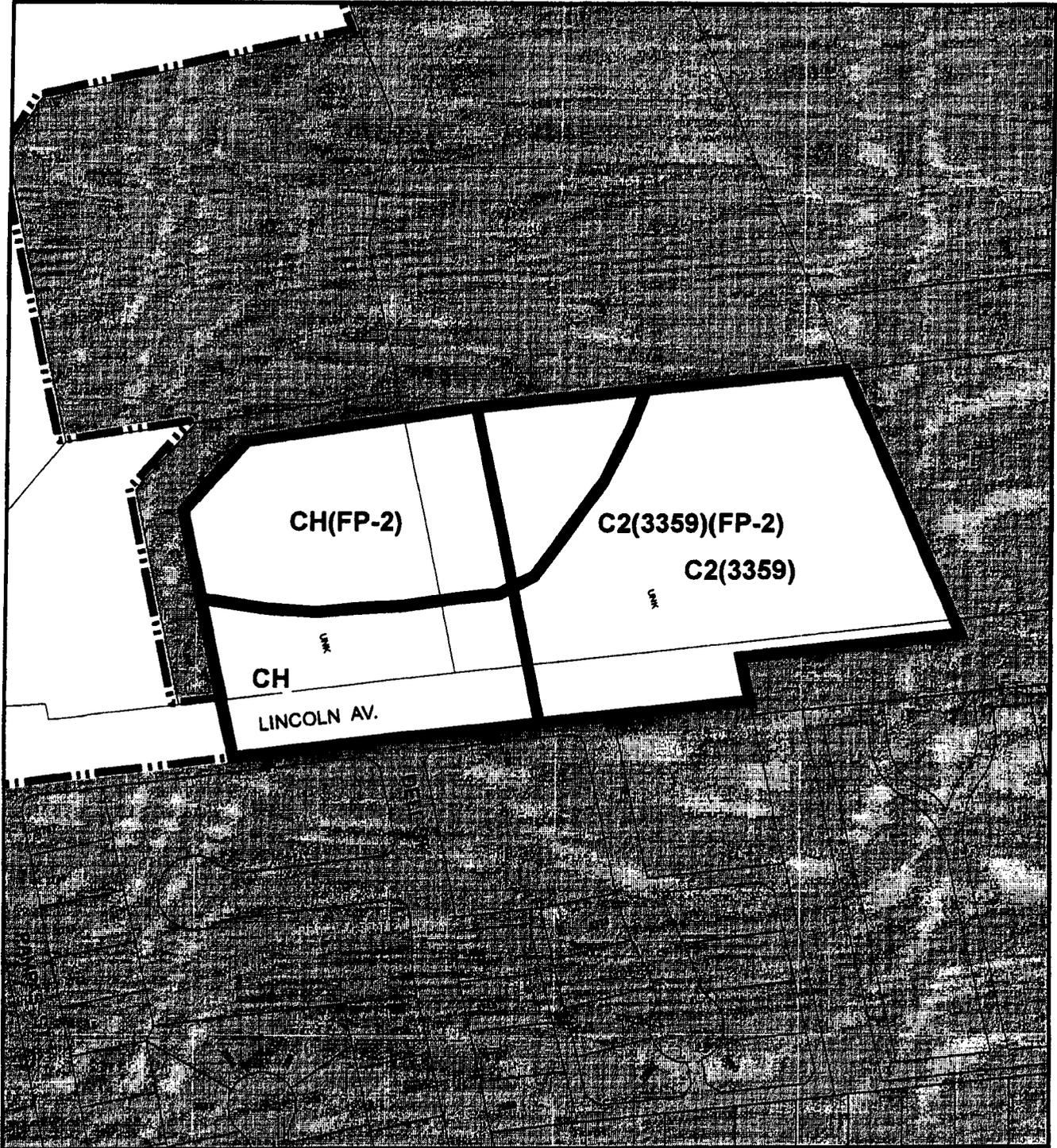


Map 12a:
El Modena
Unincorporated area
Supervisorial District 3

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

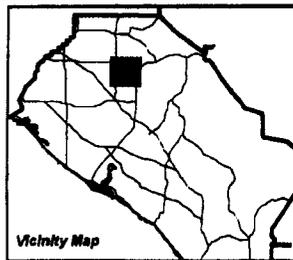
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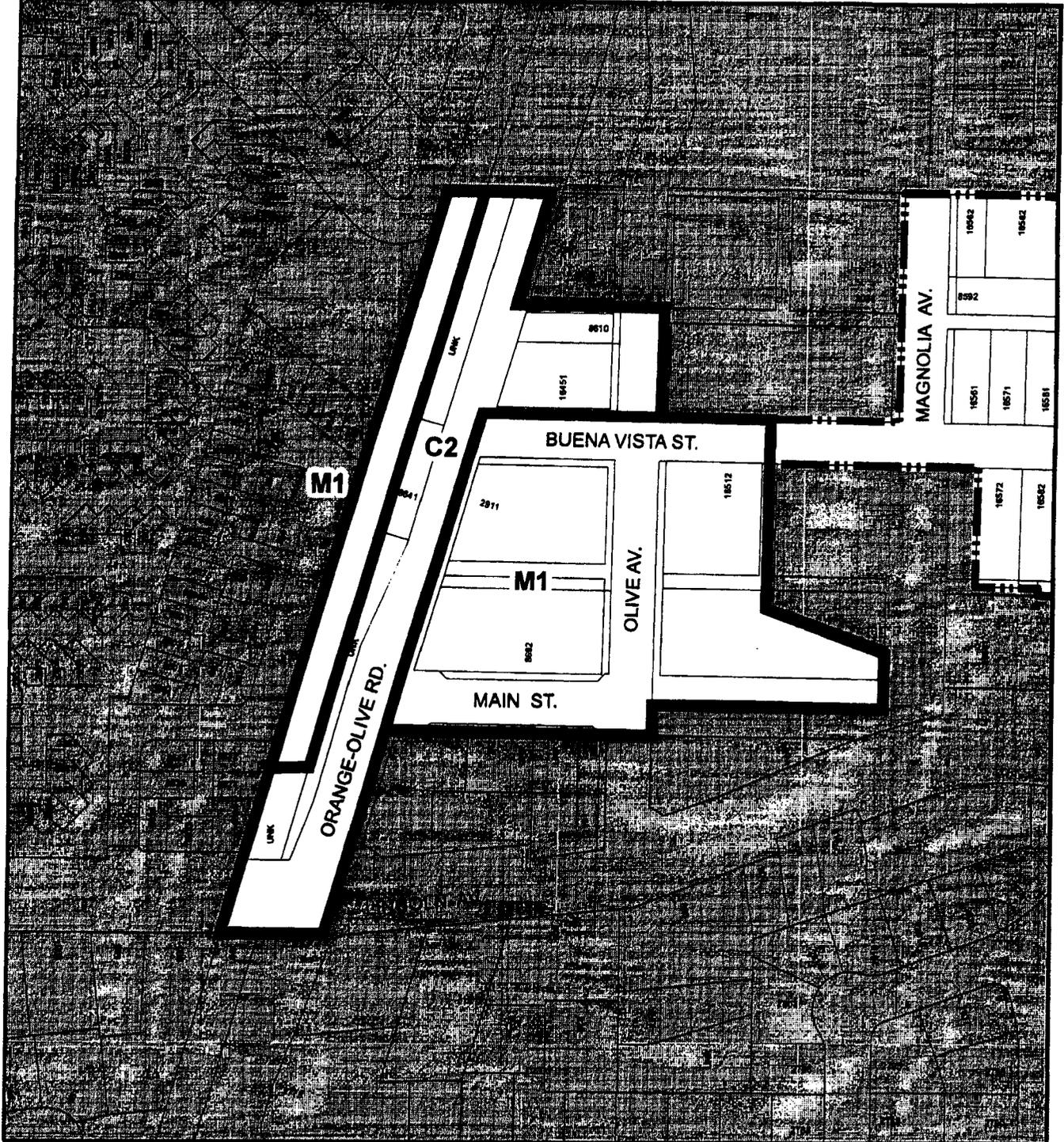
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Vicinity Map

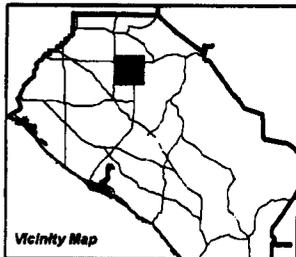
Map 13a:
Del Rio
Unincorporated area
Supervisorial District 3

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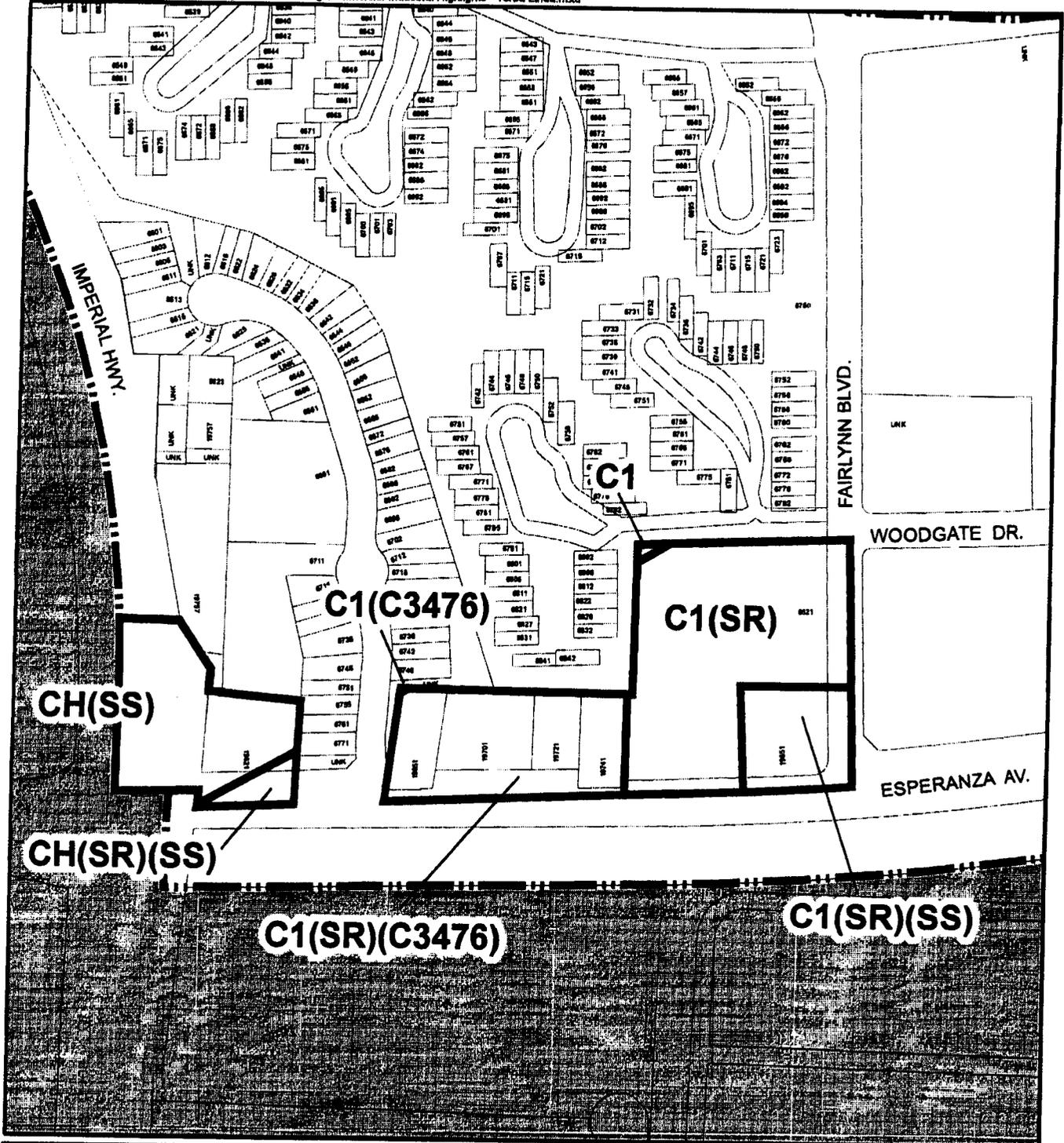


Map 13b:
Olive
Unincorporated area
Supervisorial District 3

Housing Element Land Inventory
Existing Housing Opportunities Overlay Zone Eligible Sites

Exhibit G

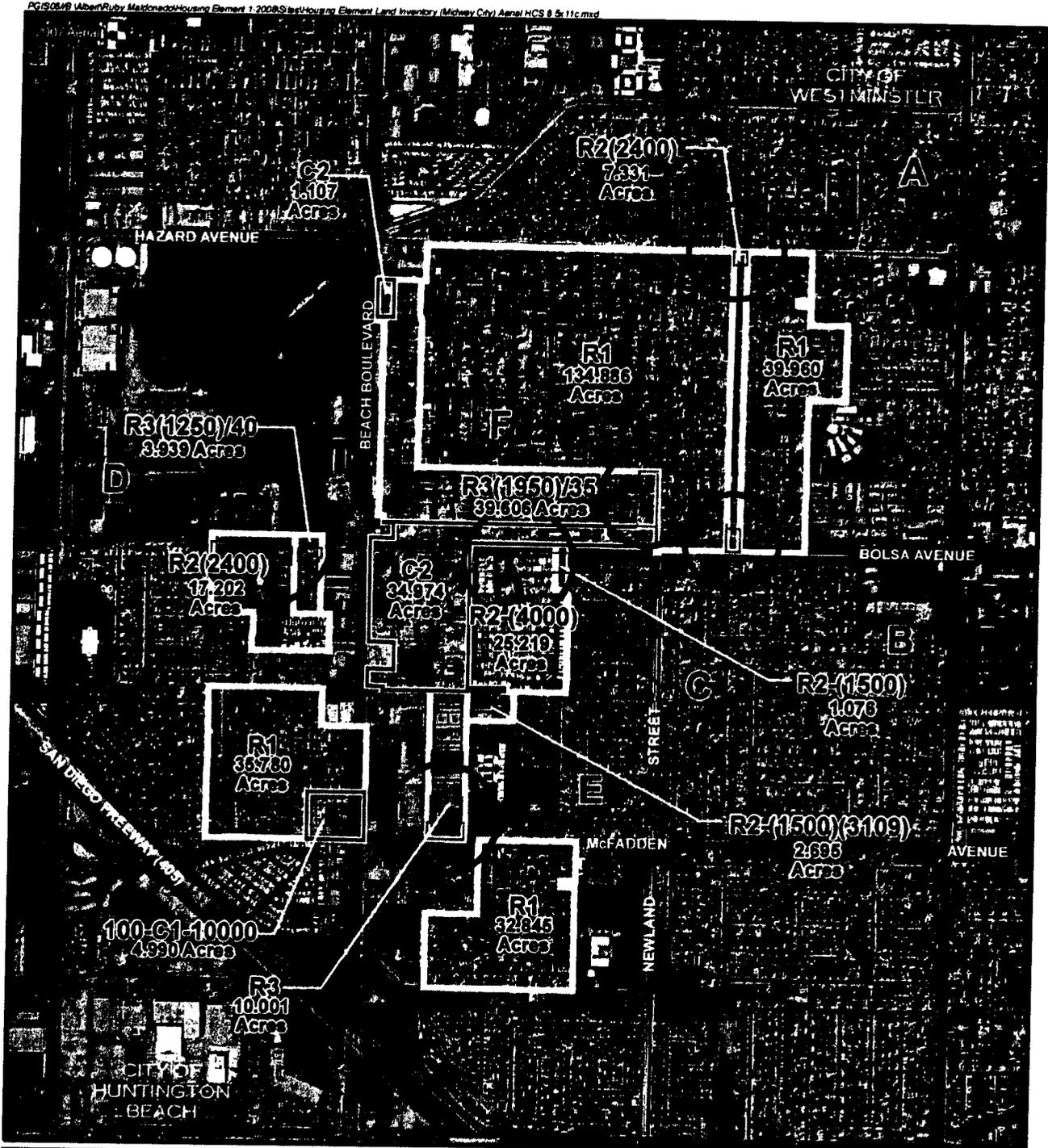
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Vicinity Map

Map 14:
Yorba Linda
Unincorporated area
Supervisorial District 3

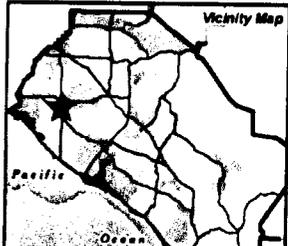




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Vicinity Map



Unincorporated Boundary

Housing Conversion Site

Reuse Site

Proposed Frontage Site

Westminister

Midway City

Unincorporated area

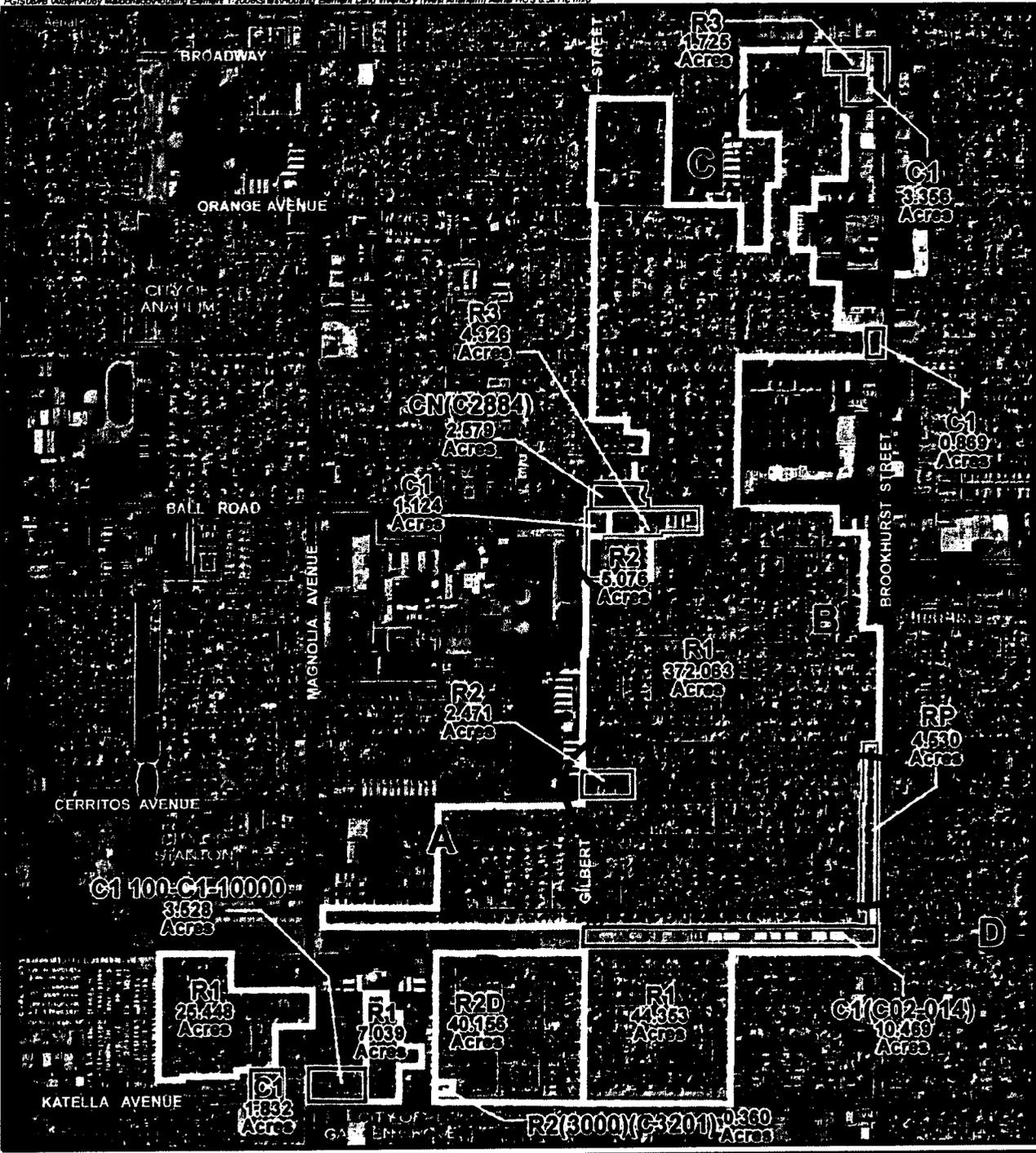
Housing Element Land Inventory

Supervisorial District 1



April 9 2006

PGSDMB UrbanRuby MaklonedoHousing Element 1-2008SistHousing Element Land Inventory (West Anaheim) Aerial HCS 8.5x11c.mxd



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Vicinity Map

Unincorporated Boundary

Housing Conversion Site

Reuse Site

Proposed Frontage Site

Anaheim

West Anaheim
Unincorporated area
Supervisory Districts 2 & 4

April 9 2008