

CITY HALL

CITY OF SANTA ANA PLANNING COMMISSION

February 24, 2025 at 5:30 p.m.

JOIN US ONLINE AT [HTTPS://SANTA-ANA.PRIMEGOV.COM/PUBLIC/PORTAL](https://santa-ana.primegov.com/public/portal)



Slide 1

City of Santa Ana
Planning Commission
February 24, 2025

Item 1: Transit Zoning Code Ordinance and Map Amendments

- **Application:** Zoning Ordinance Amendment (ZOA) No. 2024-02 and Amendment Application (AA) No. AA-2024-03
- **Location & Council Wards:** Transit Zoning Code/ Specific Development (SD) No. 84, Ward 6 and a portion of Ward 5 (Main and Flower Streets between First Street and Civic Center Drive)
- **Description:** The City of Santa Ana is proposing to update the Transit Zoning Code (SD-84) to remove the industrial overlay and make text edits to the code addressing industrial land uses.



Recommended Actions

Recommend that the Planning Commission recommend that the City Council:

- 1) Adopt a resolution to make findings pursuant to Public Resources Code Section 21166 and adopt the Addendum to the Transit Zoning Code Environmental Impact Report (State Clearinghouse Number No. 2006071100);
- 2) Adopt an ordinance to approve Zoning Ordinance Amendment (ZOA) No. 2024-02 amending certain sections of Article XIX (The Transit Zoning Code, Specific Development No. 84 (SD-84)) of Chapter 41 (Zoning) of the Santa Ana Municipal Code; and
- 3) Adopt an ordinance to approve Amendment Application (AA) No. 2024-03 amending the zoning by removing the M1 (Light Industrial) and M2 (Heavy Industrial) suffixes from certain properties within the SD-84 zoning district boundary as designated on the City of Santa Ana Zoning Map



Presentation Overview

- Background
- Project Components:
 - Map Change
 - Nonconforming Provisions and Operating Standards
 - Updates to Permitted Uses
 - New Amortization Process
- Goals of Proposed Regulations
- How We Shared Information
- CEQA and Fiscal Impact
- Recommended Actions
- Discussion





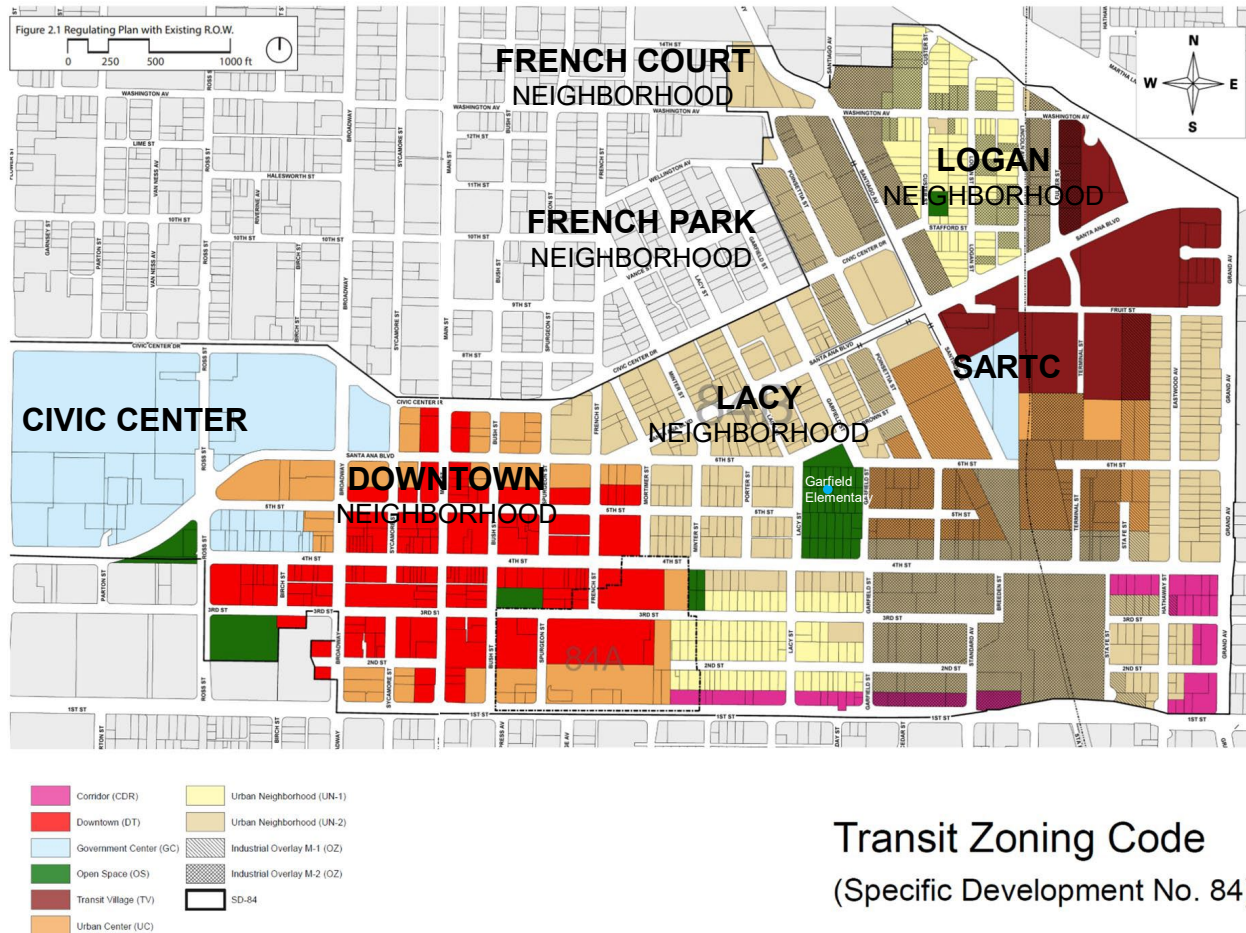
Background



Slide 5

City of Santa Ana
Planning Commission
February 24, 2025

Existing Transit Zoning Code (SD-84) Zoning Designation Map



Transit Zoning Code
(Specific Development No. 84)



Calls for Service

Santa Ana Police Department (SAPD) and OC Fire Authority (OCFA) Calls for Service	Reporting period	Number of Calls	Range of Incidents
SAPD Total Calls for Service (TZC area)	March 2023-July 2024	18,736	Patrol checks, disturbances, traffic-related issues
Collisions, Vehicle Impoundments, Domestic Violence, SAMC Violations	March 2023-July 2024	1909	Traffic collisions, vehicle impoundments, domestic violence, SAMC violations
Calls in Logan & Lacy	April to July 2024	226	Emergency responses within specific neighborhoods
OCFA Advanced Life Support Emergencies in Logan & Lacy	January 2022-August 2024	238	Advanced life support, critical medical emergencies
OCFA Health-Related Calls in Logan & Lacy	2022	29	Respiratory issues, chest pain, cardiac arrest
OCFA Health-Related Calls in Logan & Lacy	2023	31	Increase in health-related emergency calls
OCFA Calls in Logan & Lacy	2024	312 250 62	EMS, traffic and pedestrian accidents, fire responses - High demand for emergency medical services - Traffic accidents, fire incidents, unauthorized burning, alarm activations



Existing Conditions



Location: Second St. and Garfield Ave., looking east.



Existing Conditions



Location: Logan St. from Washington Ave., looking south.



Existing Conditions



Location: Fourth St. and Santa Fe St., looking north.



Existing Conditions



Location: Standard Ave and First St., looking northwest.

Existing Conditions



Location: Sixth St. and Poinsettia St, looking northeast.



Existing Conditions



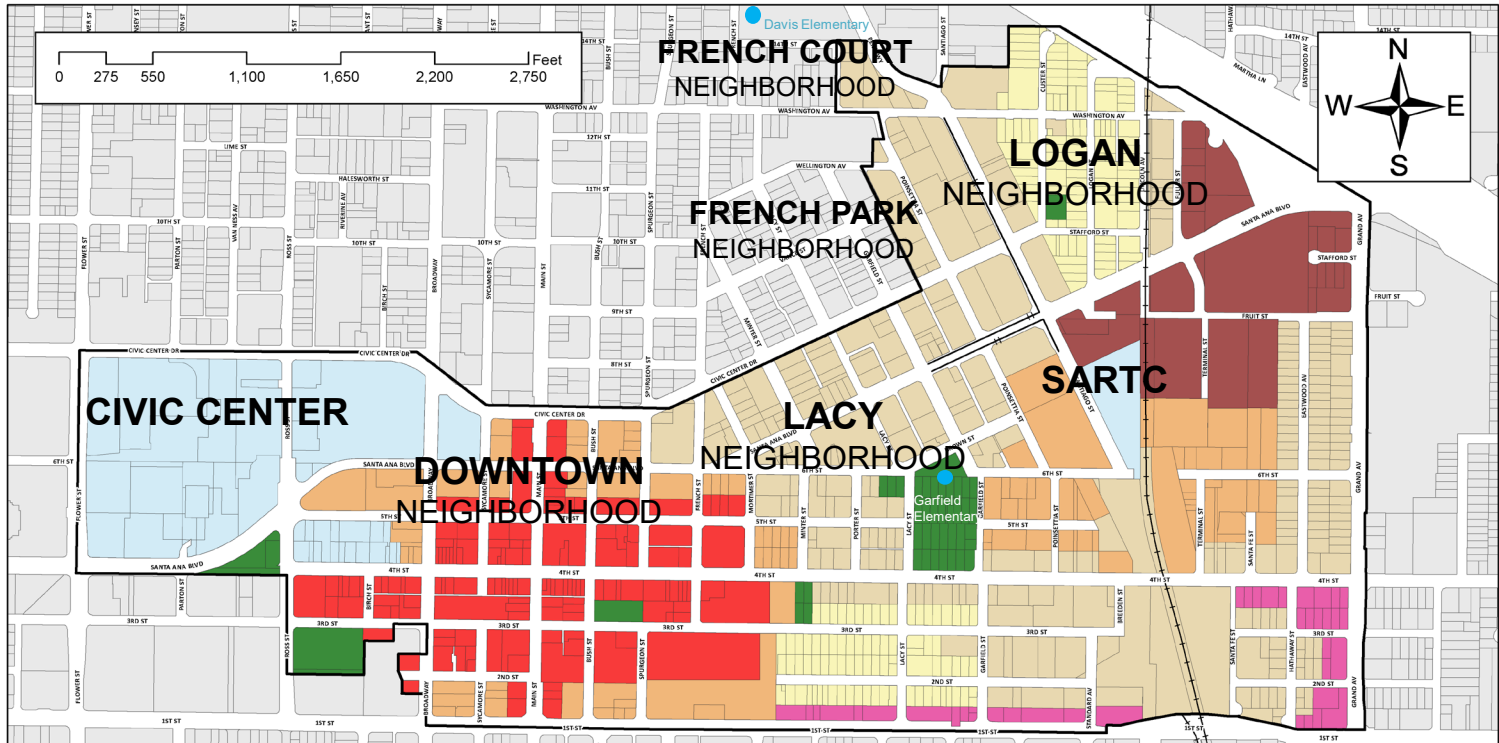
Location: Santiago St and Santa Ana Train Station, looking southwest.



Project Components



Map Change



- Corridor (CDR)
- Downtown (DT)
- Government Center (GC)
- Open Space (OS)
- Transit Village (TV)
- Urban Center (UC)
- Urban Neighborhood (UN-1)
- Urban Neighborhood (UN-2)
- SD-84

Transit Zoning Code SD-84 Proposed Zoning Designations



Industrial Businesses

- Approximately 127 industrial businesses with a range of uses:
 - industrial storage,
 - Manufacturing,
 - auto service and repair,
 - warehouse,
 - recycle center,
 - wholesale,
 - tow yard,
 - industrial retail, and
 - crematory.



Nonconforming Provisions & Operating Standards

- Defining and Regulating Non-Conforming Structures and Uses
 - **Non-Conforming Industrial Use:** a use established on any parcel or within any building located within the boundaries of TZC that is listed in the uses permitted or uses permitted subject to a conditional use permit of Division 18. M1 (Light Industrial) or Division 19. M2 (Heavy Industrial) of this Chapter but that are no longer permissible through the proposed amendment to this Article.
 - **Noxious Use:** a nonconforming industrial use located within one thousand (1,000) linear feet of a public park, school (K-12) as defined by Section 11362.768 of the Health and Safety Code, or property used or zoned for residential purposes whose primary business operations involve any two (2) or more of the following:
 - 1) Emitting, generating, or discharging of particulate materials; exhausting emissions; or handling, storing emitting or discharging regulated compounds, hazardous materials, chemicals, or substances;
 - 2) Operations that are regulated by and require a permit from a federal, state, or regional agency;
 - 3) Storing, processing, or disposing of listed or hazardous waste; or
 - 4) Operations that are not contained within a fully enclosed building.

If an existing industrial business does not meet the criteria included in the definition of a noxious use, then it is considered a nonconforming industrial use.



Nonconforming Provisions & Operating Standards

- Regulations cover the following for the operation of any existing, legally established, nonconforming industrial use:
 - Operating Standards
 - Enclosed Operations
 - Air Emissions and Dust
 - Light, Glare, and Heat
 - Ground vibration
 - Outdoor Storage and Screening
 - Hazardous Materials, Liquid, and Solid Waste
 - Site Maintenance
 - Truck Parking and Loading, and
 - Hours of Operation



Nonconforming Provisions & Operating Standards

- Further limits some rehabilitation of buildings and structures, with specific emphasis on nonconforming industrial uses:
 - Prohibits expansion of a building or structure occupied by a nonconforming industrial use
 - Nonconforming industrial use rehabilitation is allowed for addressing compliance with Section 41-2009, operations standards for nonconforming industrial uses
- Discontinuance of nonconforming noxious uses through thresholds triggered by code violations or through transfer of business to new owner
- Abatement of a Public Nuisance
- Establishes authority for voluntary compliance agreements between the City and nonconforming uses



Updates to Permitted Uses

- New uses must comply with the Permitted Use Table
- Industrial and noxious type uses deleted (e.g., body shops, open-air recycling facilities, and manufacturing).



Updates to Permitted Uses

- New uses consistent with the types of uses permitted that can re-tenant industrial type buildings have been added (*e.g., Trade School and Artisan/craft production with limited on-site production*).
 - Modified definition proposed: Artisan/craft product - limited onsite production: a specialized commercial facility with a retail-facing operation open to the public. Products are typically made by hand or with a restricted level of automation demonstrating an artistic skill. On-site production of artisan/craft product activities include design, production, processing, printing, assembly, treatment, testing, repair, and packaging, as well as any incidental storage. Typical artisan/craft products include, but are not limited to, electronics, food products, furniture-making, beverages, leather products, clocks and watches, jewelry, clothing/apparel, metal work, furniture and fine woodworking, glass, ceramics, paper and paper products, soaps, perfumes, and lotions, together with ancillary training and/or educational program activities.



Updates to Permitted Uses

- Uses not listed in the Permitted Use Table or explicitly listed as not permitted are not allowed
- Examples:
 - Drive-thru facility
 - Crematories
 - Car Washes



New Amortization Process

- Amortization is a legally-established tool that provides a reasonable transition period for owners to phase out a nonconforming use.
 - This "grace period" allows owners to recuperate their investments before the use must cease, and serves as a lawful equivalent to "just compensation."
 - Under the proposed ordinance, the City may consider amortizing certain nonconforming industrial uses based on factors enumerated in the ordinance.
 - If the City elects to eliminate a use through amortization, a reasonable amortization period would be determined by an independent hearing officer based on an individualized assessment.



New Amortization Process

- Eliminate Nonconforming Uses and Structures through Amortization
 - Develop a framework to amortize nonconforming industrial businesses using data, metrics, and operational characteristics.
 - The proposed ordinance requires that any hearing officer retained for the purposes of administering the amortization provisions must possess land use and legal background.
 - An independent Hearing Officer will determine a reasonable amortization period (within the limits of Subsection b) for terminating nonconforming uses or structures.
 - Establishes an amortization period for a nonconforming use or structure to be discontinued and removed from a site or sites
 - Hearing Officer Determination and Compliance.
 - Consequences for Failure to Comply with Hearing Officer's Determination.



New Amortization Process

- Role of the Hearing Officer
 - Possess a background in law, urban planning, public administration, or a related field, and are already on retainer by the City of Santa Ana to adjudicate certain code enforcement appeals and other matters.
 - Utilized by cities to provide a neutral and impartial forum for dispute resolution, thereby increasing procedural fairness and public trust.
 - Hearing officers often bring specialized expertise in navigating complex regulatory frameworks, which can streamline the hearing process and lead to more informed decision-making.
 - The proposed ordinance requires that any hearing officer retained for the purposes of administering the amortization provisions must possess land use and legal background.





Goals of Proposed Regulations



Slide 26

City of Santa Anas
Planning Commission
February 24, 2025

Goals of the Proposed Regulations

- Address incompatible and irreconcilable land uses and their resulting conflicts.
- Lessen the strain on residents and reduce the constant demand of City resources (code enforcement, city police, fire, etc.) responding to calls for service related to problematic industrial operations impacting the health and safety of neighborhoods.
- Protect the health, safety, and welfare of existing and future residents of the TZC through the use of the new amortization process to phase out and discontinue higher-polluting nonconforming industrial uses in the community.



Goals of the Proposed Regulations

- Continue the transition of the TZC started in 2010 to a transit-oriented, mixed-use area primarily focused on compatible residential and commercial development by eliminating incompatible industrial uses and establishing clear operational standards.
- Pursue solutions that foster compatibility between residential and nonresidential land uses within the TZC to enhance livability and improve public health and quality of life.



General Plan Consistency

- Proposed amendments are also consistent with numerous policies of the General Plan. Specifically, these policies include:
 - ✓ Policy LU-1.1 (Compatible Uses),
 - ✓ Policy LU-3.8 (Sensitive Receptors),
 - ✓ Policy LU-3.9 (Noxious, Hazardous, Dangerous, and Polluting Uses),
 - ✓ Policy LU-3.11 (Air Pollution Buffers),
 - ✓ Policy LU-4.3 (Sustainable Land Use Strategies),
 - ✓ Policy LU-4.6 (Healthy Living Conditions),
 - ✓ Policy CM-3.2 (Healthy Neighborhoods),
 - ✓ Policy EP-1.9 (Avoid Conflict of Uses), and
 - ✓ Policy CN-1.5 (Sensitive Receptor Decisions),
- Policies aim to correct past land use planning practices that have placed an unequitable environmental and health burden on certain neighborhoods now termed *disadvantaged communities*. (multiple policies that support staff's implementation of the Council's policy direction)





How We Shared Information



Slide 30

City of Santa Anas
Planning Commission
February 24, 2025

How We Shared Information

- A dedicated project/Moratorium webpage to keep the public informed and updated on new information.
- Draft regulations made available on January 15, 2025—posted to project/Moratorium webpage and emailed to interested parties.
- Study Session and Public Hearing Notice mailed to all property owners/addresses in TZC in English and Spanish.
- Study Session and Public Hearing Notice posted to webpage:
<https://www.santa-ana.org/transit-zoning-code-update/>
- 16 meetings with individuals, business groups, and neighbors, as well as field visits to particular sites at the invitation of business owners.



How We Shared Information

- Study Session and Public Hearing Notice published in the OC Register.
- Weekly Neighborhood Newsletter email broadcast going to over 2,900 community contacts, including neighborhood associations and leaders.
- Updates to the City's Environmental Justice Action Committee and Southwest Cluster EJ Action Committee meeting (November 20, 2024), comprising of resident representatives from each EJ Cluster (Northeast, Central, Southeast, Southwest, and West) and CBO's (GREEN-MPNA and OC EJ).
- February 19th Logan and Lacy neighborhoods meeting and February 20th Industrial Businesses meeting.





CEQA and Fiscal Impact



CEQA and Fiscal Impact

- ZOA No. 2024-02 and AA No. 2024-03 are considered a project as defined by the CEQA. The City, as the Lead Agency, has determined that it is subject to CEQA guidelines and regulations (Public Resources Code (PRC) Sections 21000-21177). An Addendum to the Transit Zoning Code Environmental Impact Report (EIR) (State Clearing House (SCH) No. 2006071100) has been prepared by the City. Based on its independent review and analysis, and the administrative record as a whole, and, in the exercising its independent judgement, hereby finds that pursuant to CEQA Guidelines Section 15162, no subsequent EIR would be required for the proposed project; and pursuant to CEQA Guidelines Section 15164, an addendum to the Transit Zoning Code EIR is required for the adoption of the Ordinances.
- The City, as the Lead Agency, has determined that the proposed ordinance and map amendment are subject to CEQA guidelines and regulations (Public Resources Code (PRC) Sections 21000-21177). An Addendum to the Transit Zoning Code Environmental Impact Report (EIR) (State Clearing House (SCH) No. 2006071100) has been prepared by the City to evaluate the impacts of the proposed ordinance amendments.
- There is no fiscal impact associated with this project





Recommended Actions



Slide 35

City of Santa Anas
Planning Commission
February 24, 2025

Recommended Actions

- 1) Adopt a resolution to make findings pursuant to Public Resources Code Section 21166 and adopt the Addendum to the Transit Zoning Code Environmental Impact Report (State Clearinghouse Number No. 2006071100)
- 2) Adopt an ordinance to approve Zoning Ordinance Amendment (ZOA) No. 2024-02 amending certain sections of Article XIX (The Transit Zoning Code, Specific Development No. 84 (SD-84)) of Chapter 41 (Zoning) of the Santa Ana Municipal Code
- 3) Adopt an ordinance to approve Amendment Application (AA) No. 2024-03 amending the zoning by removing the M1 (Light Industrial) and M2 (Heavy Industrial) suffixes from certain properties within the SD-84 zoning district boundary as designated on the City of Santa Ana Zoning Map





Discussion



Slide 37

City of Santa Anas
Planning Commission
February 24, 2025