

SPECIFIC DEVELOPMENT No. 82
AMENDMENT APPLICATION 08-06
NS-2777

ORDINANCE NO. NS-2777

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING SPECIFIC DEVELOPMENT NO. 82 (SD-82) AND REZONING THE PROPERTY LOCATED AT 2501 WEST FIFTH STREET LIGHT INDUSTRIAL (M1) TO SPECIFIC DEVELOPMENT NO. 82 (SD-82) (AA NO. 2008-06)

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana does hereby find, determine and declare as follows:

- A. Applicant is requesting approval of the Mitigated Negative Declaration and Mitigation Monitoring Program, Environmental Review No. 2004-162; Amendment Application No. 2008-06 rezoning the property from Light Industrial (M1) to Specific Development No. 82 (SD-82); Conditional Use Permit No. 2008-05 to operate a Church and ancillary church uses; Variance No. 2008-04 to reduce on-site parking and Site Plan Review No. 2008-02 for the property located at 2501 West Fifth Street.
- B. On August 25, 2008, the Planning Commission held a duly noticed public hearing and voted unanimously to recommend that the City Council:
 - 1. Approve and adopt the Mitigated Negative Declaration and Mitigation Monitoring Program, Environmental Review No. 2004-162.
 - 2. Adopt an ordinance approving Amendment Application No. 2008-06 for Specific Development No. 82.
 - 3. Adopt a resolution approving Conditional Use Permit No. 2008-05 as conditioned.
 - 4. Adopt a resolution approving Variance No. 2008-04 as conditioned.
 - 5. Adopt a resolution approving Site Plan Review No. 2008-02 as conditioned.
- C. Mitigated Negative Declaration and Mitigation Monitoring Program, Environmental Review No. 2004-162; Amendment Application No. 2008-06 rezoning the property from Light Industrial (M1) to Specific Development No. 82; Conditional Use Permit No. 2008-05 to operate a Church and ancillary church uses; Variance No. 2008-04 to reduce on-site parking and Site Plan Review No. 2008-02 came before the City Council

of the City of Santa Ana for a public hearing October 6, 2008, and at that time the City Council considered all testimony, written and oral.

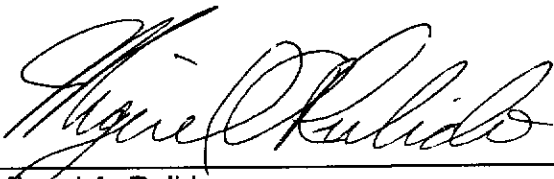
- D. Amendment Application No. 2008-06 has been filed with the City of Santa Ana to adopt Specific Development No. 82 (SD-82) and to rezone the property located at 2501 West Fifth Street from Light Industrial (M1) to Specific Development No. 82 (SD-82). (AA No. 2008-06)
- E. Specific Development No. 82 would allow all of the permitted and conditionally permitted uses currently found in the Light Industrial (M1) with churches and ancillary church uses as an additional conditionally permitted use.
- F. Amendment Application No. 2008-06 is consistent with the General Plan, including but not limited to its goals and policies:
 - 1. Promote a balance of land uses to address basic community needs. Goal 1.0 of the Land Use Element of the General Plan.
 - 2. Protect and enhance development sites and districts which are unique community assets that enhance the quality of life. Goal 4.0 of the Land Use Element of the General Plan.
- G. The City Council has weighed and balanced the general plan's policies and has determined that based upon this balancing that the project at 2501 West Fifth Street is consistent with the purpose of the general plan.
- H. The City Council also adopts as findings all facts presented in the Requests for Council Action dated October 6, 2008 accompanying this matter. For these reasons, and each of them, Amendment Application No. 2008-06 is hereby found and determined to be consistent with the General Plan of the City of Santa Ana and otherwise justified by the public necessity, convenience, and general welfare.
- I. The resolution approving and adopting the amended Mitigated Negative Declaration and Mitigation Monitoring Program for Environmental Review No. 2004-162 which came before the City Council on October 6, 2008. This ordinance incorporates by reference, as though fully set forth herein, that resolution and mitigated negative declaration and mitigation monitoring program.

Section 2. The real property located at 2501 West Fifth Street is hereby reclassified from Light Industrial (M1) to Specific Development No. 82 (SD-82). (AA No. 2008-06) Amended Sectional District Map number 11-5-10 showing the above described change in use district designation, is hereby approved and attached hereto as Exhibit "A" and incorporated by this reference as though fully set forth herein.

Section 3. Specific Development No. 82 (SD-82) as set forth in Exhibit "B," attached hereto and incorporated as though fully set forth herein, is approved and adopted in its entirety.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

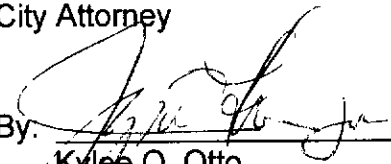
ADOPTED this 20th day of October, 2008.



Miguel A. Pulido
Mayor

APPROVED AS TO FORM:

Joseph W. Fletcher
City Attorney

By: 

Kylee O. Otto
Assistant City Attorney

AYES: Councilmembers: Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

NOES: Councilmembers: None (0)

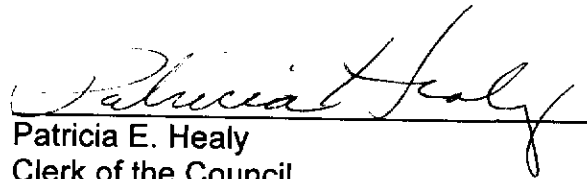
ABSTAIN: Councilmembers: None (0)

NOT PRESENT: Councilmembers: None (0)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, PATRICIA E. HEALY, Clerk of the Council, do hereby attest to and certify the attached Ordinance No. NS-2777 to be the original ordinance adopted by the City Council of the City of Santa Ana on October 20, 2008, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 10/21/08



Patricia E. Healy
Clerk of the Council
City of Santa Ana

EXHIBIT B

TEMPLO CALVARIO ASSEMBLY OF GOD

Specific Development Plan No. 82 (SD-82)

Section 1. Applicability of Ordinance

The specific development zoning district for the Templo Calvario Assembly of God Church, as authorized by Chapter 41, Division 26, Sec. 41-593 et/seq. of the Santa Ana Municipal Code (SAMC), is specifically subject to the standards and regulations contained in this plan for the express purpose of establishing land use regulations and standards. All other applicable chapters, articles and sections of the SAMC shall apply unless expressly stated or superseded by this ordinance.

Section 2. Purpose

The Specific Development Plan No. 82 (SD-82) for Templo Calvario consists of standards and regulations established for the express purpose of protecting the health, safety and general welfare of the people of the City of Santa Ana by promoting and enhancing the value of properties and encouraging orderly development of the property.

Section 3. Uses Permitted

1. The permitted uses in the SD-82 District are the uses permitted in the Light Industrial (M1) zone as specified in SAMC section 41-472, as it may be amended from time to time.
2. The following uses are permitted when ancillary to any use permitted by section 3-1 or to any use permitted subject to a conditional use permit in Section 3-3:
 - (a) The ancillary uses permitted in the Light Industrial (M1) zone as specified in SAMC section 41-472.1, as it may be amended from time to time.
 - (b) Ancillary church uses.
3. The following uses may be permitted in the SD-82 district subject to the issuance of a conditional use permit:
 - (a) The uses subject to a conditional use permit in the Light Industrial (M1) zone as specified in SAMC section 41-472.5, as it may be amended from time to time.

- (b) Churches.

Section 4. Operational and Development Standards for Light Industrial Uses.

The operational and development standards for the permitted and conditionally permitted Light Industrial Uses shall be consistent with the operational and development standards found in SAMC sections 41-473 through 41-481, as they may be amended from time to time.

Section 5. Development Standards for churches and ancillary church uses

1. **Walls and Screening.** Any equipment, whether on the roof, side of building or ground, shall be screened. The method of screening shall be architecturally integrated with the building in terms of materials, color, shape and size.
2. **Landscaping Standards.** All landscaped areas shall be irrigated using an automatic irrigation system. The project shall provide landscaping consistent with the existing landscape theme and existing improvements on-site. A six-inch raised concrete curb shall be required around all landscape planters unless approved by City Landscape Associate.
 - (a) A landscaped area not less than 10 feet wide shall be maintained on the north (OCTA right-of-way) parking lot on Fairview Street.
 - (b) All new landscaped planters and landscaped areas shall meet the commercial landscape planter standards.
 - (c) Vine pockets shall be provided along the north (OCTA right-of-way) block wall every 15 feet.
3. **Architectural and Design Features.**
 - (a) **Exterior Materials:** Changes to the exterior materials and finishes shall be submitted to the Planning Division for review and approval. The materials and finishes shall be consistent with those found on the site.
 - (b) **Trash Enclosures:** Trash enclosures and similar ancillary structures are to match the texture, materials and color palette of the proposed buildings.
 - (c) **Lighting Standards/fixtures:** A minimum of one-foot candle of light shall be provided throughout the parking area. Specifications of light standards/fixtures and photometrics plan shall be submitted to the Planning Division for approval.