

“Orange is the New Green”

County of Orange Zoning Code Update

Zoning Code Amendment CA 16-01



Planning Commission Community Workshop

June 13, 2018

Today's Presentation

- Overview of Zoning Code Update activities
- Article 2, Subarticle 5 – Standards for Specific Users and Activities
- Short Term Rentals
- Residential Care Facilities / Sober Living Homes
- Tree Preservation Ordinance (continued)
- Recommended Actions
- Questions



Overview of Activities

- Comment period ongoing until June 26, 2018
- Revised Zoning Code sections added to webpage
- Presentation to Coto de Caza Planning Advisory Committee on June 6, 2018
- Presentation to Inter-Canyon League on June 12, 2018
- Scheduled presentations to: El Modena Community, Rossmoor Homeowner's Association and Midway City
- Received questions and comments through webpage



Article 2, Subarticle 5

Standards for Specific Uses and Activities (New Sections)

- a) Purpose and Applicability
- b) Density Bonus
- c) Accessory Dwelling Units
- d) Short Term Rentals
- e) Community Assembly Facilities
- f) Community Care Facilities
- g) Congregate Living Health Facilities
- h) Residential Care Facilities
- i) Child Day Care Facilities
- j) Community Gardens
- k) Farmer's Markets
- l) Fruit and Vegetable Gardening
- m) Electric Vehicle Charging Stations
- n) Drive-In and Drive-Through Facilities



Article 2, Subarticle 5

Density Bonus

- Mandated to implement State Density Bonus Law
- Proposing to utilize this tool to facilitate new housing
- Discretion to offer more than required by law:
 - Increase in maximum bonus from 35% to 45%
 - Increase in maximum incentives from 3 to 5
- Added mixed-use project density bonus opportunity

Accessory Dwelling Units

- Previously called “Second Residential Units”
- New State Law
- Revised parking and size requirements
- Allows reuse of existing accessory structures
- One per site



Article 2, Subarticle 5

Community Assembly Facilities

- Comply with regulations of underlying district
- Minimum buffer or setback if adjacent to residential use
- Outdoor recreation will also require buffer
- Will allow shared parking
- Outdoor lighting shall be directed toward site

Child Day Care Facilities

- Additional requirements for family day care homes, child care centers, large family day care homes and ancillary day care homes



Article 2, Subarticle 5

Community Gardens

- Regulations for the establishment and operation of community gardens
- Includes: structures allowed, fencing required, signs allowed, water requirements, handling compost, trash, outdoor lighting and maintenance of site

Farmers Markets

- Regulations for the establishment and operation of farmers markets
- Temporary use or ongoing open air market



Article 2, Subarticle 5

Fruit and Vegetable Gardening

- Gardening for personal use or for use in cottage food operations for off-site sales
- On-site sales, signs, displays and stands prohibited
- Outdoor cultivation of cannabis is prohibited

Electric Vehicle Charging

- Required to comply with Building Code
- Charging stations approved by Building Official

Drive-in and Drive-through Facilities

- Establishes regulations related to: operations, circulation, landscaping/screening, pedestrian walkways, trash, vehicular stacking and site design



Short Term Rentals

- Lodging for less than 30 days
- Commercial use of residential property
- Creates adverse impacts on community
- Proposal:
 - All unincorporated including specific plan areas and planned communities
 - Not allowed in single family residential districts
 - Allowed in multifamily districts with use permit to Zoning Administrator
 - Allowed in commercial districts with site development permit (must be in dwelling unit)



Residential Care Facilities

Community Care Facilities

- Defined in Health and Safety Code, Section 1250
- Currently in Zoning Code
- Allowed in residential and agricultural districts
- Can provide either day care or 24-hour care
- Serving 6 persons or less, permitted use in residential districts (no permit required)
- Serving 7 to 12 persons, subject to use permit by the Planning Commission



Residential Care Facilities

Congregate Living Health Facilities

- Defined in Health and Safety Code, Section 1250
- Previously “Congregate Care Facilities”
- Provides 24-hour medical care
- Licensed by State
- Allowed in residential and agricultural districts
- Serving 6 persons or less, permitted use in residential districts (no permit required)
- Serving 7 to 12 persons, subject to use permit by the Planning Commission



Residential Care Facilities

Residential Care Facilities

- Defined in Health and Safety Code
- Provide permanent living accommodations and 24-hour primarily non-medical care
- Licensed or unlicensed
- Small (6 or fewer) or large (7 or more)
- Includes community care and congregate living health facilities
- Also: hospital, nursing facility, hospice, senior living facility, pediatric day health facility, substance abuse recovery or treatment, and sober living home



Residential Care Facilities

Sober Living Home (County's Definition)

- Not licensed by the State
- Alcohol and drug-free home environment
- Operated as a cooperative living arrangement
- 6 or fewer persons
- Does not provide treatment, counseling, detoxification or recovery planning in home
- Permitted in all residential districts (no permit required)
- Proposed separation requirement of 1,000 feet



Tree Preservation Ordinance

- Areas Subject to Ordinance
- Protected Tree Species
- Parcel Inventory
- Exemptions
- Permit Process
- Tree Preservation Management Plan
 - On-Site, Off-Site, and In-Lieu Fee



Post Installation and Tree Manual

- ➔ Post Installation
- ➔ Tree Manual Contents
 - Terminology and industry methods
 - Protection of Trees during Construction
 - Planting Stock and Materials and Site Preparation
 - Tree Installation
 - Tree Evaluation Checklist
 - Tree Maintenance Guidelines
 - Tips for Selecting an Arborist
- ➔ Enforcement



Public Comments Received

- Development Community
- Environmental Organizations
- Homeowner's Associations
- Individual Homeowners
- Advisory Committees



Recommended Actions

- a. Receive staff report and public testimony.
- b. Provide feedback to staff as appropriate.



QUESTIONS

Richard Vuong, Division Manager

Joanna Chang, Land Use Manager

Brian Kurnow, Land Use Manager

Ruby Maldonado, Contract Senior Planner

