

NOTICE: Due to scheduling conflicts, it is expected that this meeting will be adjourned to Tuesday, May 25 at 5:30 P.M.

**Planning Commission
Regular Meeting Agenda Packet**

VIRTUAL MEETING

**May 24, 2021
5:30 P.M.**

In light of COVID-19, this meeting will be conducted in a virtual environment. There will be no in-person meeting location for the community to attend public meetings.

Meetings will be held in virtual setting via Zoom.

Join from your computer: **<https://zoom.us/j/93870609323>**

Join from your mobile phone via Zoom App. **Meeting ID: 93870609323**
Dial in from a mobile phone or landline. **(669) 900- 6833; Meeting ID: 93870609323**

For viewing only: www.youtube.com/cityofsantaanavideos/live

For detailed participation and commenting options, please review the instructions provided at the end of this agenda.

To download or view each item, select either Download PDF or View Item Details to the right of the agenda title.



MARK McLOUGHLIN
Ward 4 Representative

ERIC M. ALDERETE
Citywide Representative

BAO PHAM
Ward 1 Representative

MIGUEL CALDERON
Ward 2 Representative

ISURI S. RAMOS
Ward 3 Representative

ALAN WOO
Ward 5 Representative

THOMAS MORRISSEY
Ward 6 Representative

MinhThai
Executive Director

John Funk
Legal Counsel

Ali Pezeshkpour, AICP
Principal Planner

Sarah Bernal
Recording Secretary



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this Meeting, contact Michael Ortiz, City ADA Program Coordinator, at (714) 647-5624. Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City Council agenda and supporting documentation can be found on the City's website – www.santaana.org/citymeetings.

NOTICE: Due to scheduling conflicts, it is expected that this meeting will be adjourned to Tuesday, May 25 at 5:30 P.M.

CALL TO ORDER

Commissioners:

**Mark McLoughlin, Chair
Thomas Morrissey, Vice Chair
Eric M. Alderete
Miguel Calderon
Bao Pham
Isuri S. Ramos
Alan Woo**

**Executive Director
Senior Asst. City Attorney
Principal Planner
Recording Secretary**

**Minh Thai
John Funk
Ali Pezeshkpour
Sarah Bernal**

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (non agenda items)

CONSENT CALENDAR ITEMS

- a. Excused Absences

Recommended Action: Excuse absent commissioners.

BUSINESS CALENDAR – REPORTS

1. General Plan Consistency Finding for the Fiscal Year 2021-2021 Capital Improvement Program (Non-General Fund)

Recommended Action: Adopt a Resolution finding the Fiscal Year 2021-2022 Capital Improvement Program (CIP) Consistent with the Santa Ana General Plan

BUSINESS CALENDAR – PUBLIC HEARING

The Planning Commission decision on Conditional Use Permits, Variances, Tentative

Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations are final unless appealed within 10 days of the decision by any interested party or group (refer to the Basic Meeting Information page for more information). The Planning Commission recommendation on Zoning and General Plan amendments, Development Agreements, Specific Developments, and Specific Plans will be forwarded to the City Council for final determination. Legal notice for item no. 1 was published in the OC Reporter on May 12 and notices were mailed on said date. Legal notice for item no. 2 was published in the OC Register on May 12. Legal notice for item no. 3 was published in the OC Register on April 14.

2. Conditional Use Permit No. 2021-07 – Pedro Gomez, Case Planner

Project Location: 1951 East Dyer Road, Unit B located in the Specific Development No. 88 (SD-88) zoning district.

Project Applicant: Jaime Hales, representing Avatar Coffee Roasters, on behalf of PR/Broadstone Heritage I, LLC (Property Owner).

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2021-07 to allow a Type 41 Alcoholic Beverage Control (ABC) license for the sale of beer and wine for on-premises consumption at a new eating establishment (Avatar Coffee Roasters).

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines – Class 1/Existing Facilities. Notice of Exemption, Environmental Review No. 2021-41 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2021-07 as conditioned.

3. Zoning Ordinance Amendment (ZOA) No. 2021-01 – Ali Pezeshkpour, Case Planner

Project Location: Citywide

Project Applicant: City of Santa Ana

Proposed Project: The City is requesting adoption of Zoning Ordinance Amendment No. 2021-01 to require a conditional use permit (CUP) for light processing (recycling) facilities in the Light Industrial (M-1) zoning district. The proposal requires adoption of an urgency and standard ordinance to Chapter 41 to enact the code amendments to Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code.

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines – General Rule. Notice of Exemption/Environmental Review No. 2021-50 will be filed for this project.

Recommended Action: Recommend that the City Council adopt an ordinance

approving Zoning Ordinance Amendment 2021-01.

4. Zoning Ordinance Amendment No. 2021-02- Ali Pezeshkpour, Case Planner.

Matter continued from the April 26, 2012 meeting.

Project Location: Citywide

Project Applicant: City of Santa Ana

Proposed Project: The City is requesting adoption of Zoning Ordinance Amendment No. 2021-02 to amend various sections of Chapter 41 (Zoning) of the Santa Ana Municipal Code addressing reasonable accommodations, group homes, and accessory dwelling units (ADUs). Specifically, the proposed amendments include establishing uses permitted by right and a reasonable accommodation process to address other facility types, and ADU ordinance refinements related to definitions, development standards, and size limitations.

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines – General Rule. Notice of Exemption/Environmental Review No. 2021-40 will be filed for this project.

Recommended Action: Recommend that the City Council adopt an Ordinance approving Zoning Ordinance Amendment No. 2021-02.

WORK STUDY SESSION

5. Planning Commission Training – John Funk, Senior Assistant City Attorney

COMMISSIONER COMMENTS

STAFF COMMENTS

ADJOURNMENT

FUTURE AGENDA ITEMS

- Variance 2021-01 to exceed sign code standards for the property located at 3630 Westminster Avenue
- Work Study Session: Housing Information

MEETING INFORMATION

If you would like to learn how to use Zoom before the meeting, visit [Zoom Video Tutorials](#).

1. Connecting directly from your computer:

- Click on the link on top of this agenda OR
- Go to [Zoom.us](#) and click "Join a Meeting" at the top. Enter the Meeting ID. The Meeting ID is listed at the top of this agenda.

To speak during the meeting: When you wish to comment on an item that is being discussed, click on the button next to your name to virtually raise your hand and let us know you wish to speak. You will have 3 minutes.

2. Connecting via the Zoom App:

- Download the free Zoom Cloud Meetings app from your favorite app store.
- Launch the app and click on the blue Join a Meeting button. Enter the Meeting ID, your name, and the blue Join button. The Meeting ID is listed at the top of this agenda.

To speak during the meeting: When you wish to comment on an item that is being discussed, click on the button next to your name to virtually raise your hand and let us know you wish to speak. You will have 3 minutes.

3. Dialing in from a mobile phone or landline:

- Dial (669) 900-9128. When prompted, enter the meeting ID. The Meeting ID is listed at the top of this agenda.

To speak during the meeting: When you wish to comment on an item that is being discussed, press *9 on your phone to virtually raise your hand. You will have 3 minutes.

Submit a written comment

You are invited to submit a written comment in one of the following ways:

Visit the City's [Public Portal](#)

- Scroll down to the list of meetings and locate the meeting you are interested in.
- Select the COMMENT icon to the right of "Meeting Title" (under the Options tab) and follow the prompt

E-mail PBAComments@santa-ana.org and reference the topic in the subject line.

Mail to Sarah Bernal, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza – M20, Santa Ana, CA 92701.

Deadline to submit written comments is 5:00 p.m. on the day of the

meeting. Comments received after the deadline may not be distributed to the Commission but will be made part of the record.

APPEAL INFORMATION

The formal action by the Planning Commission shall become effective after the ten-day appeal period, unless the City Council in compliance with section 41-643, 41-644 or 41-645 holds a public hearing on the matter, then the formal action will become effective on the day following the hearing and decision by the City Council. An appeal from the decision or requirement of the Planning Commission may be made by any interested party, individual, or group. The appeal must be filed with the Clerk of the Council, accompanied by the required filing fee, and a copy sent to the Planning Department, within ten days of the date of the Commission's action, by 5:00 p.m. If the final day to appeal falls on a City Hall observed holiday or a day when City hall is closed, the final day to appeal shall be extended to the next day City Hall is open for public business. Please note: Under California Government Code Sec. 65009, if you challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the Planning Commission or City Council at or before the hearing.



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Planning Commission Staff Report
May 24, 2021

Topic: CIP 2021-2022

RECOMMENDED ACTION

Adopt a Resolution finding the Fiscal Year 2021-2022 Capital Improvement Program (CIP) Consistent with the Santa Ana General Plan

DISCUSSION

A major component of the City's annual budget process is the development of the Capital Improvement Program (CIP). The final approved CIP identifies capital project budgets and is a planning tool that provides a seven-year forecast of future investments in the City's infrastructure.

The FY 21-22 includes project allocations totaling \$57 million. The FY 21-22 CIP includes key funding sources shown below:

• Measure M2	\$5,738,915
• Water and Sewer (including facilities)	\$29,647,000
• Area fees	\$1,050,000
• Gas Tax	\$1,515,000
• A & D Funds/Capital Outlay	\$3,192,200
• Miscellaneous Grants	\$14,018,220

The CIP is developed in accordance with the City's purpose statement to provide quality service that enhances the safety, livability, and prosperity of our community. The proposed FY 21-22 CIP focuses on implementation of rehabilitation for arterial streets and deferred maintenance programs for residential streets in order to maximize the City's previous investments in these facilities. Other capital enhancements are provided for community enjoyment of recreation and open space, including several park facility improvements and installation of splash pads citywide. Lastly, the proposed CIP allocates over \$29 million in water and sewer enterprise funds to invest in the safety and reliable delivery of over 35 million gallons of water per day on average. The planned sewer and facility improvements will enhance and maintain the collection and conveyance of all

wastewater to the region's treatment plant in a sanitary and environmentally conscious manner.

In the selection of projects for the CIP, the primary goal is to ensure consistency with the Strategic Plan, the Circulation Element of the City's General Plan, and use other elements including Conservation, Growth Management, Housing, Land Use, Open Space, Public Facilities and Public Safety. The City's General Plan, having been prepared in accordance with the regional Master Plan of Arterial Highways, provides the basis for compliance with the Measure M2 funding eligibility requirements, as well as funding for other infrastructure improvements.

Overall, The FY 21-22 Capital Improvement Program identifies \$57 million in capital improvements citywide. Continuing planning efforts to ensure appropriate investment in our infrastructure and facilities, the Seven-Year Capital Improvement Program includes project allocations totaling over \$80 million through Fiscal Year 2027-2028. The proposed Seven-Year CIP aims to preserve and improve basic infrastructure, maximizing the useful life of capital investments, identifies future needs, and improves financial planning. The Capital Improvement Program will be presented to the City Council on June 1, 2021 and adopted at a public hearing on June 15, 2021.

ENVIRONMENTAL IMPACT

In accordance with the California Environmental Quality Act (CEQA), the recommended action is Categorically Exempt from CEQA per section 15306. This exemption consists of basic data collection, research and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. Resolution
2. FY 2021-22 Capital Improvement Plan

Submitted By:
Nabil Saba, Executive Director of Public Works

Approved By:
Minh Thai, Executive Director of Planning and Building

EXHIBIT 1

RESOLUTION NO. 2021-XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA FINDING THE FISCAL YEAR 2021-2022 CAPITAL IMPROVEMENT PROGRAM CONSISTENT WITH THE SANTA ANA GENERAL PLAN

WHEREAS, the City of Santa Ana has completed a Capital Improvement Program (CIP) for Fiscal Year 2021-22 that outlines public improvements and estimated expenditures to construct improvements; and

WHEREAS, California Government Code Section 65401 and Santa Ana Municipal Code Section 2-350.2(c) require annual review by the Planning Commission of the City's Capital Improvement Program for consistency with the City's General Plan; and

WHEREAS, on May 24, 2021, for this purpose, the Planning Commission of the City of Santa Ana reviewed and considered all elements of the Fiscal Year 2021-22 CIP.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Santa Ana as follows:

Section 1. The Fiscal Year 2021-22 Capital Improvement Program is consistent with the City's adopted General plan because the projects under the Fiscal Year 2021-22 CIP are consistent with one or more of the following General Plan goals and policies:

Circulation Element:

- i. Policy 1.6 encourages the improvement of intersection capacity on major arterials to accommodate increased traffic demands.
- ii. Policy 1.7 supports the coordination of traffic signal synchronization citywide, and with adjacent jurisdictions.
- iii. Policy 1.9 encourages the use of the Pacific Electric Railroad right-of-way as a transportation corridor.
- iv. Policy 2.2 supports bus turnouts along heavily traveled arterial streets to minimize traffic conflicts.
- v. Policy 2.5 supports the upkeep of the City's streets and parkways based upon an established maintenance schedule.
- vi. Policy 3.5 supports the enhancement of sidewalks and pedestrian systems to promote their use as a means of travel.
- vii. Policy 3.6 supports the maximization of public rights-of-way for pedestrian and bicycle paths.

- viii. Policy 3.8 encourages the development of bicycle paths that maximize access to major activity centers, neighborhoods jurisdictions, and regional bicycle paths.
- ix. Policy 5.3 encourages the development of landscape medians on major arterials.

Conservation Element:

- x. Goal 1 encourages the protection of the public health, safety and welfare through effective management of natural resources.
- xi. Goal 2 supports the preservation, maintenance, and proper use of natural and cultural resources.
- xii. Goal 3 supports the preservation and enhancement of aesthetic and environmental quality of the community for the enjoyment of all residents.

Growth Management Element:

- xiii. Goal 1 supports the reduction of traffic congestion.
- xiv. Goal 2 supports the improvement of adequate transportation and public facilities for existing and future residents.

Housing Element:

- xv. Policy 1.4 encourages the creation and maintenance of parks and open spaces; the planting of trees, green parkways and medians; supports healthy food options; and encourages the maintenance of continuous pattern of pathways that encourage an active healthy lifestyle.
- xvi. Policy 1.5 encourages quality community facilities, physical infrastructure, traffic management and parking control, and other public services to promote the livability, safety, and vitality of neighborhoods.

Land Use Element:

- xvii. Policy 1.7 supports open space in under-served areas.

Open Space, Parks and Recreation Element:

- xviii. Goal 1 encourages sufficient open space to meet the recreational and aesthetic needs of the community.
- xix. Goal 2 supports public access and use of open space facilities.

Public Safety Element:

- xx. Goal 1 encourages the preservation of a safe and secure environment for all Santa Ana residents and workers.

Section 2. This General Plan Consistency Finding is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 because it is not a project as defined under CEQA.

Section 3. The Planning Commission hereby determines that the Fiscal Year 2021-22 Capital Improvement Program is consistent with the goals and policies outlined in the City's General Plan.

ADOPTED this 24th day of May, 2021.

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTIONS: Commissioners:

Mark McLoughlin
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Senior Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2021-XXX to be the original resolution adopted by the Planning Commission of the City of Santa Ana on May 24, 2021.

Date: _____

Recording Secretary
City of Santa Ana

CITY OF SANTA ANA

2021/
2022

CAPITAL IMPROVEMENT PROGRAM



Bush St. Bike Blvd.



Bush St. Water Main Improvements



Pavilion Renovation



San Lorenzo Sewer Lift Station



Center St. Urban Greening





City of Santa Ana

CAPITAL IMPROVEMENT PROGRAM

Infrastructure Improvements City



Center Street Urban Greening

Neighborhood Improvements Arterial Improvements Traffic Improvements Infrastructure Improvements



Bush Street Bike Blvd.



Bush Street Bike Blvd.



Bush Street Water Main Improvements

5/24/2021

Planning Commission



San Lorenzo Sewer Lift Station

Facility Improvements Park Improvements



Civic Center Improvements: Pavilion Renovation

Fiscal Year

2021/2022

DESCRIPTION OF FUNDING SOURCES

ACTIVE TRANSPORTATION PROGRAM (ATP) – The ATP was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. ATP is a federal and state funded program which provides construction and educational grants for projects that increase the proportion of biking and walking, increase traffic safety and mobility for pedestrians and cyclists, and reduce childhood obesity.

ACTIVE TRANSPORTATION PROGRAM SB-1 AUGMENTATION (ATP SB-1) – Most recently, Road Repair and Accountability Act of 2017, enacted by Senate Bill 1 (Chapter 20, Statutes of 2017) added approximately \$100 million per year in available funds for the ATP. This will nearly double the amount of available funds for the Active Transportation Program.

CELL TOWER REVENUE – The City has 20 cell towers in city park sites. The revenue generated from the cell sites originally was budgeted for park improvements (repair work) in the park impacted by the cell tower. A portion of the revenue is transferred to the general fund. The remaining portion is used for the original intent to make park repairs in the park that are impacted by the cell tower.

CIVIC CTR - CAPITAL PROJECT (CIVIC CTR - CAPITAL PROJ)
– Civic Center Funds are generated through parking revenue from the Civic Center parking lots and structures (i.e., Super Block Parking Lot, O.C. Courthouse/Library Parking Structure, and the

Stadium Parking Structure). These funds pay for Civic Center parking structure maintenance, and Civic Center Special Projects.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) – The Housing and Community Development Act of 1974 returns income tax funds to cities and counties to develop viable urban communities, primarily for the benefit of low and moderate income people. This U.S. Department of Housing and Urban Development program gives priority to activities that help to eliminate blight, with emphasis on residential areas. CDBG projects are carried out by several operating departments with the City and by sub-agents. Public hearings are held to plan projects for the next fiscal year. The selected projects are recommended by citizens, commissioners, and staff.

GAS TAX – Gas Tax funds are derived from the Motor Vehicle Fuel Tax (HUTA or Highway Users Tax Account). Motorists pay a tax for fuel consumption. It is apportioned to cities according to population and can only be utilized in the maintenance and construction of the street system. Examples of programs funded by Gas Tax include Roadway Markings/Signs, as well as Traffic Signals, Street Maintenance and Street Rehabilitation.

DESCRIPTION OF FUNDING SOURCES

GENERAL FUND – The general fund is supported by revenue received from sales tax, property tax, utility tax and other miscellaneous tax revenue which provides funding for City operations.

MEASURE M2 COMPETITIVE STREET: ACE (MM2: ACE)– Complements freeway improvement initiatives underway and supplements development mitigation opportunities on arterials throughout the Master Plan of Arterial Highways (MPAH).

MEASURE M2 FAIRSHARE – This local fair share program returns a portion of the Measure M2 Streets and Roads revenues to the cities and the County of Orange once specific program requirements are met. Disbursement amounts are based on a formula that accounts for population, street mileage, and sales tax collected.

OCTA OC STREETCAR FUNDS (OCTA OC STREETCAR FUNDS) – Orange County Transportation Authority (OCTA) funds allocated for the OC Streetcar Project.

PARK ACQUISITION & DEVELOPMENT FUNDS (A & D) – Any person adding a net increase in residential units or converting apartments to condominiums in the City is charged a Residential Development Fee. These fees are used for the acquisition, construction, and renovation of park and recreation facilities. The City Council has established a standard of two acres of park and

recreation facilities per one thousand (1,000) population in the City. Fees vary depending on the type and number of residential units. Fees are paid at the time of application for a building permit, and no building permit is issued until such fees are paid.

SEWER CONNECTION PROJECTS (SEWER CONNECTION PROJECTS)– The Sewer Connection Fee is collected from various types of development based on the number of fixture units and the cost per lineal foot of construction of a main sewer line. All monies received by the City as a fee for connection to the public sewers are deposited into the Sewer Connection Fee Fund and used for the construction of sewers. Fees are paid at the time of application for a sewer connection permit, and no connection permit is issued until such fees are paid.

TRANSPORTATION SYSTEM IMPROVEMENT AREA FUND (AREA FEES) – Ordinance NS-1651, adopted in 1982, established the concept of transportation improvement areas. In addition, the City has executed “Joint Exercise of Powers Agreements” with the cities of Tustin and Orange specifically covering areas adjacent to those cities. These Area Fees are charged to new development to offset the cost of transportation system improvements within that area. The City has six transportation improvement areas. The fee charged is based on the square footage of the proposed development. The fee may be changed from time to time by resolution of the City Council. Fees are paid at the time of application for a building permit.

DESCRIPTION OF FUNDING SOURCES

WATER CAPITAL FUND – The City charges a user fee for providing water services to residents and businesses in Santa Ana. All monies are used to fund operating and maintenance costs, as well as capital improvements of the City's water system. Approximately 10% to 20% of these funds are allocated to water system capital improvements each year.

**CITY OF SANTA ANA
ONE YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2021-22**

PROJECTS	OTHER	CDBG	CAPITAL OUTLAY	WATER CAPITAL	SEWER	AREA FEES	A & D FUNDS	MEASURE M2	GAS TAX	TOTAL
I. STREET IMPROVEMENTS										
FY 21/22 ALLEY REHABILITATION										
1 . Alley Improvement Program								145,915		145,915
<i>Subtotal FY21/22 ALLEY REHABILITATION</i>								<i>145,915</i>		<i>145,915</i>
FY 21/22 PLANNING										
2 . Pavement Management								325,000		325,000
3 . Project Development								125,000		125,000
4 . Right-of-Way Management								350,000		350,000
<i>Subtotal FY21/22 PLANNING</i>								<i>800,000</i>		<i>800,000</i>
FY 21/22 INDUSTRIAL STREET REHABILITATION										
6 . Garnsey Business District Improvements	4,334,666									4,334,666
<i>Subtotal FY21/22 NEIGHBORHOOD STREET REHABILITATION</i>	<i>4,334,666</i>									<i>4,334,666</i>
FY 21/22 LOCAL STREET RESURFACING										
7 . Local Street Preventative Maintenance								3,000,000		3,000,000
<i>Subtotal FY21/22 LOCAL STREET RESURFACING</i>								<i>3,000,000</i>		<i>3,000,000</i>
FY 21/22 ARTERIAL STREET REHABILITATION										
8 . Bristol Street Rehabilitation: Santa Clara to Memory Lane	940,000									940,000
9 . Grand Avenue Rehabilitation: Warner to Edinger	1,668,221									1,668,221
10 . Main Street Rehabilitation: MacArthur Blvd to Dyer Rd	1,680,000									1,680,000
11 . Westminster Avenue Rehabilitation: Newhope St to Harbor Blvd	1,500,000									1,500,000
<i>Subtotal FY21/22 ARTERIAL STREET REHABILITATION</i>	<i>5,788,221</i>									<i>5,788,221</i>
FY 21/22 STREET/BRIDGE IMPROVEMENTS & WIDENING										
12 . Bristol Street and Memory Lane Intersection Widening									400,000	400,000
13 . Bristol Street Improvements and Widening: Phase 4 - Warner to Saint Andrew	50,000									50,000
14 . Fairview Bridge and Street Improvements									830,000	830,000
15 . Warner Avenue Improvements: Phase 2 - Oak to Grand						1,000,000				1,000,000
<i>Subtotal FY21/22 STREET/BRIDGE IMPROVEMENTS & WIDENING</i>	<i>50,000</i>					<i>1,000,000</i>			<i>1,230,000</i>	<i>2,280,000</i>
TOTAL STREET IMPROVEMENTS	10,172,887					1,000,000		3,945,915	1,230,000	16,348,802
II. TRAFFIC IMPROVEMENTS										
FY 21/22 TRAFFIC IMPROVEMENTS										
16 . Bristol Street and Santa Clara Avenue Signal Modification	23,800									23,800
17 . Citywide Speed Limit Study								70,000		70,000
18 . First Street Corridor Traffic Signal Synchronization								380,000		380,000

**CITY OF SANTA ANA
ONE YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2021-22**

19 . Traffic Signal Equipment Replacement			100,000	100,000
<i>Subtotal FY21/22 TRAFFIC IMPROVEMENTS</i>	<i>23,800</i>		<i>550,000</i>	<i>573,800</i>
FY 21/22 TRAFFIC SAFETY / MOBILITY				
20 . Fremont Elementary and Spurgeon Intermediate SRTS	4,849,000 ¹			4,849,000
21 . Legacy Square Transportation Improvements	1,997,865 ²			1,997,865
22 . Pedestrian Improvements			285,000	285,000
23 . Safe Mobility Santa Ana Update	147,000 ⁶		33,000	180,000
<i>Subtotal FY21/22 TRAFFIC SAFETY / MOBILITY</i>	<i>6,993,865</i>		<i>33,000</i>	<i>7,311,865</i>
FY 21/22 PLANNING				
24 . Bike Lane Project Development			80,000	80,000
25 . Traffic Management Plans			50,000	50,000
26 . Traffic Safety Project Development			50,000	50,000
<i>Subtotal FY21/22 PLANNING</i>			<i>180,000</i>	<i>180,000</i>
TOTAL TRAFFIC IMPROVEMENTS	7,017,665		763,000	8,065,665

III. UTILITY/DRAINAGE/LIGHTING IMPROVEMENTS

FY 21/22 SEWER IMPROVEMENTS				
27 . Fairhaven Neighborhood Sewer Main Improvements		300,000		300,000
28 . Industrial Streets Sewer Main Improvements Phase 1		225,000		225,000
29 . Lincoln Avenue Sewer Main Improvements		800,000		800,000
30 . NE Annex Septic to Sewer Conversion		840,000		840,000
31 . Rene Drive Sewer Main Upgrade		590,000		590,000
32 . Santa Ana Memorial Neighborhood Sewer Main Improvements		225,000		225,000
33 . Willard Neighborhood Sewer Main Improvements		130,000		130,000
34 . Wright Street Sewer Main Improvements		737,000		737,000
<i>Subtotal FY21/22 SEWER IMPROVEMENTS</i>		<i>5,547,000</i>		<i>3,847,000</i>
FY 21/22 WATER IMPROVEMENTS				
35 . Bristol Street Water Main Improvements Phase 3A - Civic Center to Washington		50,000		50,000
36 . East & West Reservoirs Chlorine Buildings		1,000,000		1,000,000
37 . Euclid Street Water Main Improvements		2,500,000		2,500,000
38 . Fairview Street Water Main Improvements		2,500,000		2,500,000
39 . Garnsey Street Business District Water Main Improvements		820,000		820,000
40 . Grovemont Street Water Main Improvements		2,100,000		2,100,000
41 . Industrial Streets Water Main Improvements Phase 1		1,500,000		1,500,000
42 . Lincoln Avenue Water Main Improvements		800,000		800,000
43 . NE Annex Septic to Sewer Improvements		1,425,000		1,425,000

**CITY OF SANTA ANA
ONE YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2021-22**

44 . SA-1 Hydropower Generation Project		1,700,000			1,700,000
45 . South Main Street Water Main Improvements		1,100,000			1,100,000
<i>Subtotal FY21/22 WATER IMPROVEMENTS</i>		<i>15,495,000</i>			<i>15,495,000</i>
FY 21/22 STORM DRAIN/WATER QUALITY					
46 . Stormwater Channel Fencing Upgrades	400,000 ⁴				400,000
<i>Subtotal FY21/22 STORM DRAIN/WATER QUALITY</i>	<i>400,000</i>				<i>400,000</i>
FY 21/22 MUNICIPAL FACILITIES					
47 . Pressure Reducing Vault Power & Controls Improvements		1,380,000			1,380,000
48 . Well No. 32 - Rehabilitation		2,250,000			2,250,000
<i>Subtotal FY21/22 MUNICIPAL FACILITIES</i>		<i>8,605,000</i>			<i>3,630,000</i>

TOTAL UTILITY/DRAINAGE/LIGHTING IMPROVEMENTS	400,000	24,100,000	5,547,000		23,372,000
---	----------------	-------------------	------------------	--	-------------------

IV. PARK FACILITY IMPROVEMENTS

FY 21/22 PARK FACILITY					
49 . City of Santa Ana Dog Park		1,100,000			1,100,000
50 . City Park Splash Pads (Various Sites)	5,343,520 ¹⁰				5,343,520
51 . Dan Young Soccer Field Sports Lights		418,200			418,200
52 . El Salvador Park Basketball Court & Court Lighting Renovation			300,000		300,000
53 . New Stadium Scoreboard and Marquee			200,000		200,000
54 . Riverview Park Ballfield Sports Lighting Renovation			200,000		200,000
55 . Santa Anita Park Synthetic Turf & Shade Structure			156,000		156,000
56 . Stadium Synthetic Turf Renovation			818,000		818,000
<i>Subtotal FY21/22 PARK FACILITY</i>	<i>5,343,520</i>	<i>1,518,200</i>	<i>1,674,000</i>		<i>8,535,720</i>

TOTAL PARK FACILITY IMPROVEMENTS	5,343,520	1,518,200	1,674,000		8,535,720
---	------------------	------------------	------------------	--	------------------

V. INFRASTRUCTURE IMPROVEMENTS

FY 21/22 FACILITY					
57 . Project W Bus Shelter Project				1,030,000	1,030,000
<i>Subtotal FY21/22 FACILITY</i>				<i>1,030,000</i>	<i>1,030,000</i>

TOTAL INFRASTRUCTURE IMPROVEMENTS				1,030,000	1,030,000
--	--	--	--	------------------	------------------

GRAND TOTAL ONE YEAR CIP PROJECTS	22,934,072	1,518,200	24,100,000	5,547,000	1,000,000	1,674,000	5,738,915	1,515,000	57,352,187
--	-------------------	------------------	-------------------	------------------	------------------	------------------	------------------	------------------	-------------------

**CITY OF SANTA ANA
ONE-YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2021 - 2022**

"OTHER" FUNDING SOURCES

- (1) ACTIVE TRANSPORTATION PROGRAM - STATE
- (2) AFFORDABLE HOUSING SUSTAINABLE COMMUNITIES
- (3) CONGESTION MANAGEMENT AND AIR QUALITY
- (4) FEDERAL CLEAN WATER ENTERPRISE
- (5) REFUSE - MAINTENANCE
- (6) ACTIVE TRANSPORTATION PROGRAM - FEDERAL
- (7) CELL TOWER REVENUE
- (8) SB-1 ROAD MAINTENANCE AND REHABILITATION ACCOUNT
- (9) DRAINAGE AREA FEE: AREA IV
- (10) PRCSA YOUTH SERVICES


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Alley Improvement Program

PROJECT CATEGORY:
*Street Improvements
Alley Rehabilitation*

PROJECT DESCRIPTION:
This project will provide for the removal of existing damaged pavement and reconstruction with Portland Cement Concrete (PCC) for alleys citywide.

PROJECT NEED:
The Citywide network of Portland Cement Concrete (PCC) and asphalt alleys is in extreme state of deterioration with the presence of numerous potholes, cracking, spalling, and uplifting. PCC pavement will eliminate the drainage problems associated with the asphalt pavement and provide a longer life for the alleys.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	135,115	-	-	-	-	-	-
Engineering	10,800	-	-	-	-	-	-
TOTAL	145,915	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	145,915	-	-	-	-	-	-
TOTAL	145,915	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Design Engineering</i>	CONTACT: <i>Jason Gabriel, Principal Civil Engineer</i>	DATE: <i>10-May-2021</i>
---------------------------------------	---	---	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Pavement Management

PROJECT CATEGORY:
*Street Improvements
Planning*

PROJECT DESCRIPTION:
The City's Pavement Management System was first prepared in 1992. This project provides for a Citywide inventory of street pavement to identify any changes in condition and record any damage.

PROJECT NEED:
The Pavement Management System (PMS) should be current and updated in order to better program projects for the City's CIP and to understand the total deferred maintenance of the network for budgeting purposes. Also, OCTA requires updated PMS reports to continue the City's eligibility for Measure M funds.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Engineering	325,000	250,000	400,000	250,000	400,000	250,000	400,000
TOTAL	325,000	250,000	400,000	250,000	400,000	250,000	400,000

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	325,000	250,000	400,000	250,000	400,000	250,000	400,000
TOTAL	325,000	250,000	400,000	250,000	400,000	250,000	400,000

AGENCY:
Public Works

DIVISION:
Design Engineering

CONTACT:
Kenny Nguyen, Senior Civil Engineer

DATE:
07-May-2021


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Project Development

PROJECT CATEGORY:
*Street Improvements
Planning*

PROJECT DESCRIPTION:
Includes staff coordination related to grant application preparation and submittal. Project Development also entails staff response to City Council, resident, and business inquiries. This includes planning, environmental, preliminary engineering, and right-of-way.

PROJECT NEED:
Staff consistently applies for grant funding to implement the Capital Improvement Program. A significant amount of staff effort is expended in analyzing a project to determine its feasibility and competitiveness. In addition, staff participates in various regional inter-agency forums and responds to Council, resident, and business inquiries.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Engineering	125,000	150,000	150,000	150,000	150,000	150,000	150,000
TOTAL	125,000	150,000	150,000	150,000	150,000	150,000	150,000

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	125,000	150,000	150,000	150,000	150,000	150,000	150,000
TOTAL	125,000	150,000	150,000	150,000	150,000	150,000	150,000

AGENCY: <i>Public Works</i>	DIVISION: <i>Design Engineering</i>	CONTACT: <i>Jason Gabriel, Principal Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	---	---	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Right-of-Way Management

PROJECT CATEGORY:
*Street Improvements
Planning*

PROJECT DESCRIPTION:
This project provides for the management and administration of right-of-way acquisitions/real estate transactions, which requires coordination of activities with the City Attorney's Office and other agencies.

PROJECT NEED:
Each fiscal year, the Public Works Agency undertakes several roadway widening projects which require right-of-way acquisitions. Additionally, the Public Works Agency is responsible for maintaining and coordinating all real estate activities (i.e., City-owned properties, easements, etc.).

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Other	350,000	150,000	150,000	150,000	150,000	150,000	150,000
TOTAL	350,000	150,000	150,000	150,000	150,000	150,000	150,000

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	350,000	150,000	150,000	150,000	150,000	150,000	150,000
TOTAL	350,000	150,000	150,000	150,000	150,000	150,000	150,000

AGENCY: <i>Public Works</i>	DIVISION: <i>Design Engineering</i>	CONTACT: <i>Jason Gabriel, Principal Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	---	---	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:

Garnsey Business District Improvements

PROJECT CATEGORY:

*Street Improvements
Neighborhood Street Rehabilitation*

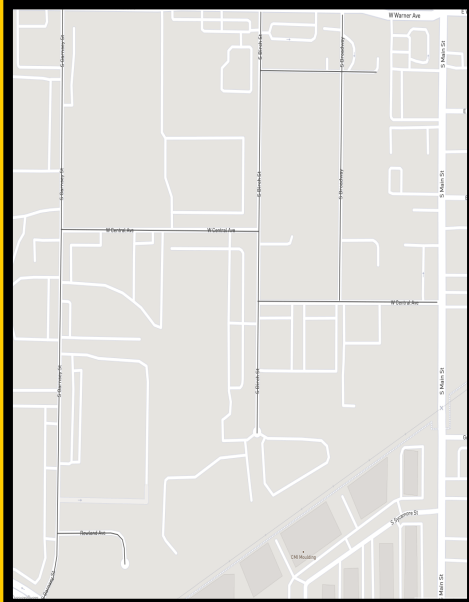
PROJECT DESCRIPTION:

Reconstruct the local interior roadway network within the Garnsey Business District (GBD). The area is bordered by Dyer Road to the north, Flower Street to the east, Main Street to the west, and Warner Avenue to the south. The street segments for this project include Garnsey Street from Dyer Rd to Warner Ave, Central Avenue from Garnsey St to Birch St, Birch Street from End to Warner Ave, Central Ave from Birch St to Main St, Broadway from Central Ave to Warner Ave.

PROJECT NEED:

The interior roadway network of GBD has been identified as a priority by the City's Pavement Management System. The pavement is deteriorating due to weather, age, and heavy usage

LOCATION MAP



PROJECT COSTS		FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction		3,943,666	-	-	-	-	-	-
Engineering		391,000	-	-	-	-	-	-
TOTAL		4,334,666	-	-	-	-	-	-
SOURCE OF FUNDS		FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
RMRA SB1		3,522,332	-	-	-	-	-	-
		812,334	-	-	-	-	-	-
TOTAL		4,334,666	-	-	-	-	-	-

AGENCY:

Public Works

DIVISION:

Design Engineering

CONTACT:

Kenny Nguyen, Senior Civil Engineer

DATE:

07-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:

Local Street Preventative Maintenance

PROJECT CATEGORY:

*Street Improvements
Local Street Resurfacing*

PROJECT DESCRIPTION:

This project provides for the application of crack seal and slurry seal to various streets citywide with minor coldmill and removal and replacement of asphalt concrete pavement.

PROJECT NEED:

The City's Pavement Management Program has been developed to identify the preventative maintenance requirements for the City's street network. The application of a surface seal to streets with improvements constructed in the last 10 years will ensure a high level of service for years to come.

LOCATION MAP



CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	2,778,000	-	-	-	-	-	-
Engineering	222,000	-	-	-	-	-	-
TOTAL	3,000,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	3,000,000	-	-	-	-	-	-
TOTAL	3,000,000	-	-	-	-	-	-

AGENCY:

Public Works

DIVISION:

Design Engineering

CONTACT:

Kenny Nguyen, Senior Civil Engineer

DATE:

07-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

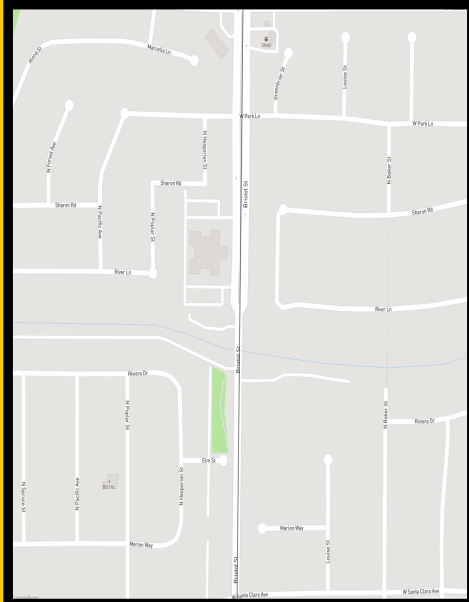
PROJECT TITLE:
Bristol Street Rehabilitation: Santa Clara to Memory Lane

PROJECT CATEGORY:
*Arterial Improvements
Arterial Street Rehabilitation*

PROJECT DESCRIPTION:
Reconstruction/resurfacing of existing pavement and replacement/installation of missing or damaged, curbs, gutters, sidewalks, driveway approaches, and wheelchair ramps along Bristol Street between Santa Clara Avenue and Memory Lane.

PROJECT NEED:
This segment of roadway has been identified as a high priority by the City's Pavement Management System. The pavement is deteriorating due to weather, age, and heavy usage. Some of the adjacent curbs, gutters, driveway approaches, curb ramps, and sidewalks are also in various states of disrepair and require replacement.

LOCATION MAP



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	870,000	-	-	-	-	-	-
Engineering	70,000	-	-	-	-	-	-
TOTAL	940,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
RMRA SB1	940,000	-	-	-	-	-	-
TOTAL	940,000	-	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Design Engineering

CONTACT:
Sean Thomas, Senior Civil Engineer

DATE:
07-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:

*Grand Avenue Rehabilitation:
Warner to Edinger*

PROJECT CATEGORY:

*Street Improvements
Arterial Street Rehabilitation*

PROJECT DESCRIPTION:

Reconstruction/resurfacing of existing pavement and replacement/installation of missing or damaged, curbs, gutters, sidewalks, driveway approaches, and wheelchair ramps within this segment of roadway.

PROJECT NEED:

The City's Pavement Management Program has been developed to identify total deferred maintenance requirements for the City's arterial network and to move toward preventative maintenance. As one of the City's arterial streets, Grand Avenue pavement rehabilitation is identified as a high priority in the Pavement Management Program.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,544,221	-	-	-	-	-	-
Engineering	124,000	-	-	-	-	-	-
TOTAL	1,668,221	-	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
RMRA SB1	1,668,221	-	-	-	-	-	-
TOTAL	1,668,221	-	-	-	-	-	-

AGENCY:

Public Works

DIVISION:

Design Engineering

CONTACT:

Kenny Nguyen, Senior Civil Engineer

DATE:

07-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:

*Main Street Rehabilitation:
MacArthur Blvd to Dyer Rd*

PROJECT CATEGORY:

*Street Improvements
Arterial Street Rehabilitation*

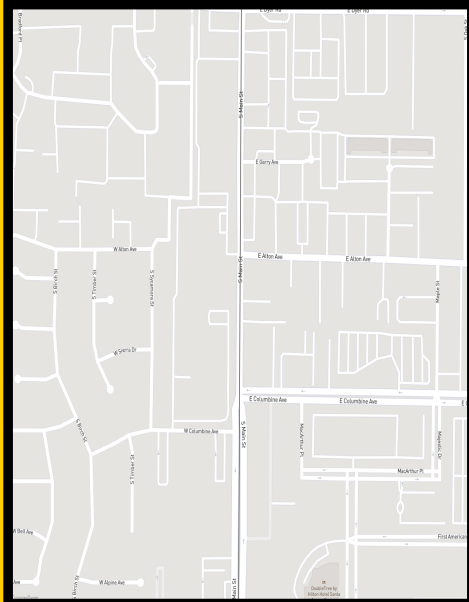
PROJECT DESCRIPTION:

Roadway reconstruction along with miscellaneous concrete repairs to address accessibility and drainage issues along this segment of roadway.

PROJECT NEED:

This segment of Main Street has been identified as a priority by the City's Pavement Management System. The pavement is deteriorating due to weather, age, and heavy usage.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,556,000	-	-	-	-	-	-
Engineering	124,000	-	-	-	-	-	-
TOTAL	1,680,000	-	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
RMRA SB1	1,680,000	-	-	-	-	-	-
TOTAL	1,680,000	-	-	-	-	-	-

AGENCY:

Public Works

DIVISION:

Design Engineering

CONTACT:

Mike Ortiz, Senior Civil Engineer

DATE:

11-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
*Westminster Avenue Rehabilitation:
Newhope St to Harbor Blvd*

PROJECT CATEGORY:
*Street Improvements
Arterial Street Rehabilitation*

PROJECT DESCRIPTION:

Roadway reconstruction along with miscellaneous concrete repairs to address accessibility and drainage issues along this segment of roadway.

PROJECT NEED:

This segment of Westminster Avenue has been identified as a priority by the City's Pavement Management System. The pavement is deteriorating due to weather, age, and heavy usage.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,389,000	-	-	-	-	-	-
Engineering	111,000	-	-	-	-	-	-
TOTAL	1,500,000	-	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
RMRA SB1	1,500,000	-	-	-	-	-	-
TOTAL	1,500,000	-	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Design Engineering

CONTACT:
Mike Ortiz, Senior Civil Engineer

DATE:
11-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
*Bristol Street and Memory Lane
Intersection Widening*

PROJECT CATEGORY:
*Street Improvements
Street/Bridge Improvements &
Widening*

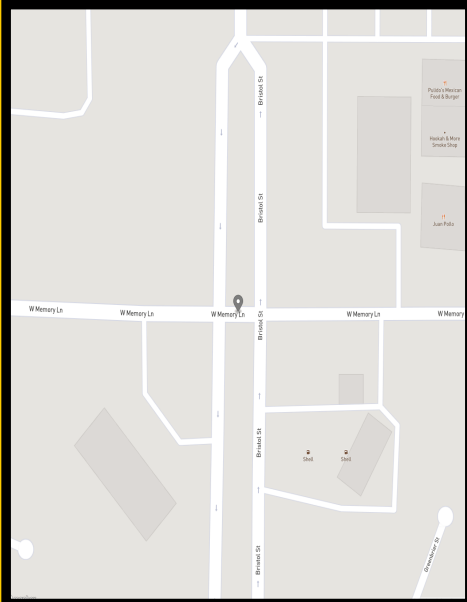
PROJECT DESCRIPTION:

The proposed improvements would involve the widening of Bristol Street just north of Memory Lane to accommodate an additional through southbound lane. Additionally, the proposed improvements would include the construction of sidewalk, curb and gutter, pavement, signal modification, and curb ramps.

PROJECT NEED:

Bristol Street north of Memory Lane has three southbound lanes except at the intersection where only two southbound and one right turn lane exist. An additional southbound through lane is needed to complete the City's plan to widen Bristol Street from Warner Avenue to Memory Lane on the north, which was approved by City Council in 1990 and re-evaluated in 2001.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	400,000	-	-	-	-	-	-
TOTAL	400,000	-	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
GAS TAX	400,000	-	-	-	-	-	-
TOTAL	400,000	-	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Design Engineering

CONTACT:
Kenny Nguyen, Senior Civil Engineer

DATE:
07-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Bristol Street Improvements and Widening: Phase 4 - Warner to Saint Andrew

PROJECT CATEGORY:
*Street Improvements
Street/Bridge Improvements & Widening*

PROJECT DESCRIPTION:
The Bristol Street Improvements project was planned and designed to incorporate complete street concepts with storm water quality features. The improvements include widening of the street from four lanes to six lanes, with bus turnouts, raised median, bike lanes, enhanced storm drain system, and sound walls. The project also brings native and organic landscaping that beautifies a fully developed urban area.

PROJECT NEED:
Bristol Street from Warner Avenue to St. Andrew Place (Phase 4) is part of the City's plan to widen Bristol Street from Warner Avenue to Memory Lane, which was approved by City Council in 1990 and reevaluated in 2015. Existing roadway has only 2 lanes in each direction and is operating at a LOS F. This widening is needed to improve traffic flow and create complete streets features.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	50,000	-	-	-	-	-	-
TOTAL	50,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
DAF: DA-IV	50,000	-	-	-	-	-	-
TOTAL	50,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Design Engineering</i>	CONTACT: <i>Sean Thomas, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	---	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:

Fairview Bridge and Street Improvements

PROJECT CATEGORY:

*Street Improvements
Street/Bridge Improvements &
Widening*

PROJECT DESCRIPTION:

The proposed improvements would include the widening of Fairview Street with a cross section of 100' wide right-of-way and will include 3 lanes in each direction, raised median, Class II bike lane, and 8' wide sidewalk with tree wells. Additionally, the proposed improvements would entail widening of the Fairview Street Bridge, relocation of existing utilities, including several power poles, street lights, and partial acquisition of 2 parcels.

PROJECT NEED:

Fairview Street is currently a four-lane undivided arterial between 9th Street and 16th Street. This segment of Fairview Street currently carries 38,544 vehicles per day (VPD) and has a volume to capacity of (V/C) ratio of 1.03. At this V/C ration, this roadway segment operates at an unacceptable level of service. LOS F exists where the traffic stream is extremely difficult. With the proposed improvements, this roadway segment will improve to acceptable LOS B.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	150,000	-	-	-	-	-	-
Engineering	34,200	-	-	-	-	-	-
Right-Of-Way	645,800	-	-	-	-	-	-
TOTAL	830,000	-	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
GAS TAX	830,000	-	-	-	-	-	-
TOTAL	830,000	-	-	-	-	-	-

AGENCY:

Public Works

DIVISION:

Design Engineering

CONTACT:

Kenny Nguyen, Senior Civil Engineer

DATE:

07-May-2021

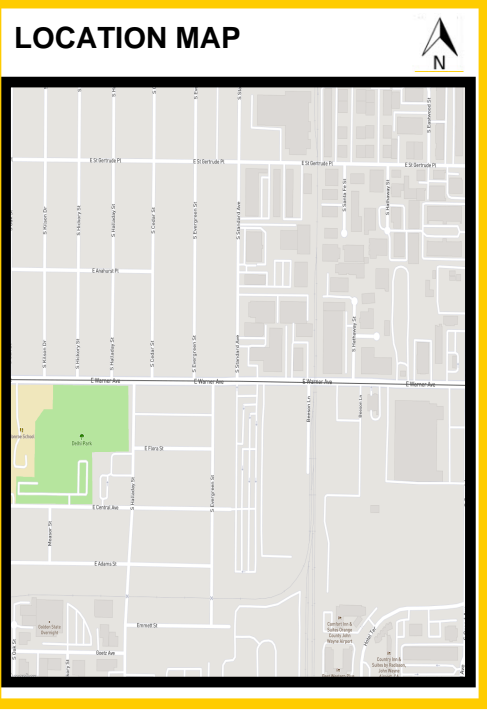
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
*Warner Avenue Improvements:
Phase 2 - Oak to Grand*

PROJECT CATEGORY:
*Street Improvements
Street/Bridge Improvements &
Widening*

PROJECT DESCRIPTION:
This project will widen Warner Avenue between Oak Street and Grand Avenue from 2 to 3 lanes in each direction. The project will also include additional left turn lanes at Grand Avenue, bus pads, raised medians, and a protected bike lane.

PROJECT NEED:
The MPAH (Master Plan of Arterial Highways) Strategic Plan Technical Report identified the need for Warner Avenue to be widened to a six-lane major arterial to meet MPAH requirements. The existing Average Daily Traffic (ADT) is in excess of 29,600 vehicles per day. The proposed improvements will allow the segment to accommodate future traffic volumes at a Level of Service A and increase operational efficiency.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,000,000	-	-	-	-	-	-
TOTAL	1,000,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
TSIA AREA E	1,000,000	-	-	-	-	-	-
TOTAL	1,000,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Design Engineering</i>	CONTACT: <i>Jason Gabriel, Principal Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	---	---	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

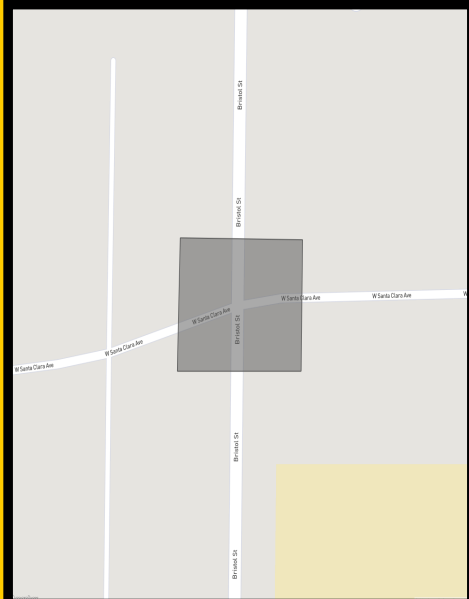
PROJECT TITLE:
Bristol Street and Santa Clara Avenue Signal Modification

PROJECT CATEGORY:
*Traffic Improvements
Traffic Improvements*

PROJECT DESCRIPTION:
Install left turn phasing for north and south directions on Bristol Street at Santa Clara Avenue.

PROJECT NEED:
This project designed to enhanced intersection traffic safety.

LOCATION MAP



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	-	297,100	-	-	-	-	-
Engineering	23,800	-	-	-	-	-	-
TOTAL	23,800	297,100	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
PUB SVS-STREET SAFETY PRO	23,800	297,100	-	-	-	-	-
TOTAL	23,800	297,100	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Traffic Engineering

CONTACT:
Zdenek Kekula, Úřad & Civil Engineer

DATE:
11-May-2021


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Citywide Speed Limit Study

PROJECT CATEGORY:
Traffic Improvements
Traffic Improvements

PROJECT DESCRIPTION:
This project will provide for the hiring of a traffic engineering consultant to conduct an engineering and traffic survey to update speed limits Citywide in accordance with state law requirements. Project scope includes installation of new signs as required.

PROJECT NEED:
In order to use radar enforcement for speed limits, state law requires the City to conduct an engineering and traffic survey every five years.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Engineering	70,000	-	-	-	-	-	-
TOTAL	70,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	70,000	-	-	-	-	-	-
TOTAL	70,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Traffic Engineering</i>	CONTACT: <i>Zdenek Kekula, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

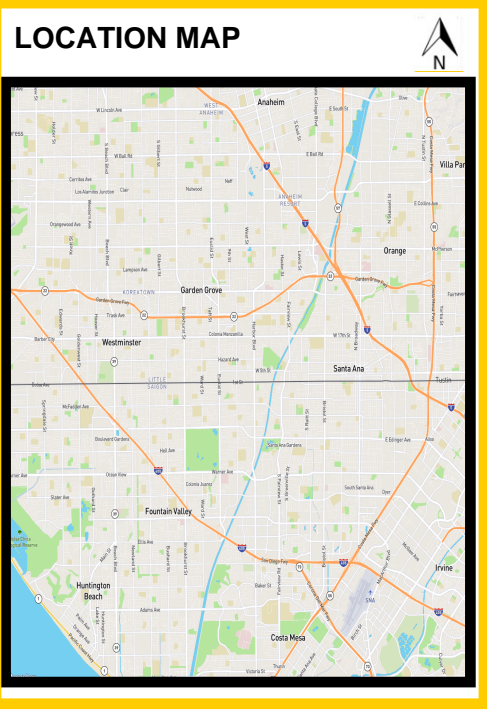
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
First Street Corridor Traffic Signal Synchronization

PROJECT CATEGORY:
*Traffic Improvements
Traffic Improvements*

PROJECT DESCRIPTION:
To provide inter-agency traffic signal coordination and infrastructure upgrades on First Street/ Bolsa Avenue from Bolsa Chica Street in City of Huntington Beach through the Cities of Westminster, Santa Ana and County of Orange to Newport Avenue in City of Tustin. The project involves the Cities of Santa Ana, Huntington Beach, Westminster, Tustin, and County of Orange.

PROJECT NEED:
OCTA Traffic Signal Synchronization Master Plan identified that First Street/ Bolsa Avenue Corridor is part of countywide corridor system that needs multi-jurisdiction synchronization. This project will provide traffic signal upgrades and synchronize traffic signals across jurisdictional boundaries to reduce traffic congestion and maintain the synchronization improvements for 3 years.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	340,000	-	-	-	-	-	-
Engineering	40,000	-	-	-	-	-	-
TOTAL	380,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	380,000	-	-	-	-	-	-
TOTAL	380,000	-	-	-	-	-	-

AGENCY: Public Works **DIVISION:** Traffic Engineering **CONTACT:** Cesar Rodriguez, Senior Civil Engineer **DATE:** 07-May-2021


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Traffic Signal Equipment Replacement

PROJECT CATEGORY:
Traffic Improvements
Traffic Improvements

PROJECT DESCRIPTION:
Replace outdated traffic signal and monitoring equipment, such as cabinets, vehicle heads, Reflective Street Name Signs, conflict monitors, controllers, CCTV, and communication equipment, both in the field and in the traffic management center.

PROJECT NEED:
Much of the traffic signal, pedestrian and monitoring equipment in the City is old and no longer supported by the manufacturers. This equipment needs to be upgraded to maintain operations and to meet current standards.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	100,000	100,000	100,000	100,000	100,000	100,000	100,000
TOTAL	100,000	100,000	100,000	100,000	100,000	100,000	100,000

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	100,000	100,000	100,000	100,000	100,000	100,000	100,000
TOTAL	100,000	100,000	100,000	100,000	100,000	100,000	100,000

AGENCY: *Public Works* **DIVISION:** *Traffic Engineering* **CONTACT:** *Cesar Rodriguez, Senior Civil Engineer* **DATE:** *07-May-2021*

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

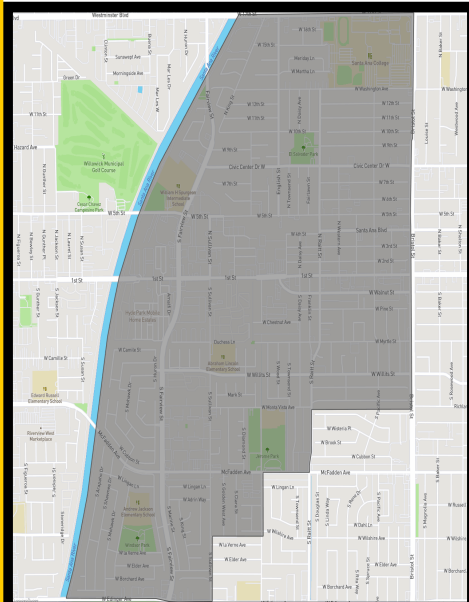
PROJECT TITLE:
Fremont Elementary and Spurgeon Intermediate SRTS

PROJECT CATEGORY:
*Traffic Improvements
Traffic Safety / Mobility*

PROJECT DESCRIPTION:
Installation of bulbouts, traffic circles, missing sidewalks, sidewalk repairs, enhanced marked crosswalks, bike routes, bike lanes, new traffic signal for safe routes to school (SRTS) for Fremont Elementary and Spurgeon Intermediate.

PROJECT NEED:
Project is designed to increase pedestrian/bicyclist safety and mobility.

LOCATION MAP



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	4,849,000	-	-	-	-	-	-
TOTAL	4,849,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
ATP - SB1 Augmentation	4,849,000	-	-	-	-	-	-
TOTAL	4,849,000	-	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Design Engineering

CONTACT:
Sean Thomas, Senior Civil Engineer

DATE:
07-May-2021

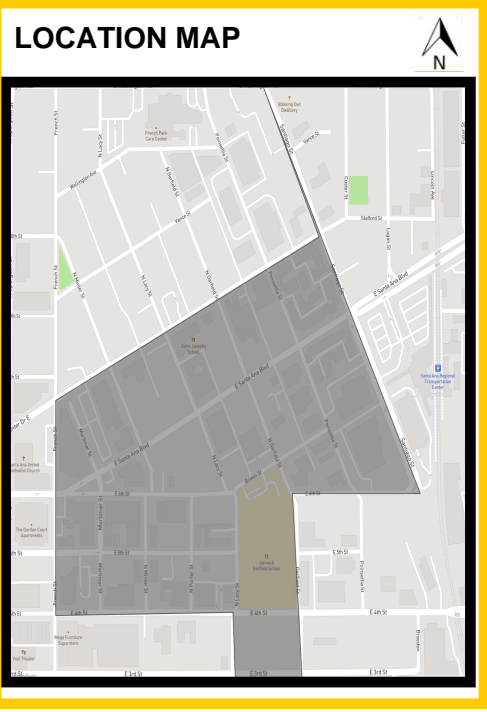
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Legacy Square Transportation Improvements

PROJECT CATEGORY:
*Street Improvements
Traffic Safety / Mobility*

PROJECT DESCRIPTION:
As part of the Legacy Square Mixed-Use Development, the project will fund Mobility Improvements such as installation of Bike Lanes Class II, speed cushions, pocket park, sidewalk repair/construction, crosswalks, curb extensions, traffic circles, and curb ramps in the Transit Zoning Code.

PROJECT NEED:
This project is designed to increase bicyclists' and pedestrian safety and mobility.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,798,079	-	-	-	-	-	-
Engineering	199,787	-	-	-	-	-	-
TOTAL	1,997,865	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
AHSC Program	1,997,865	-	-	-	-	-	-
TOTAL	1,997,865	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Design Engineering</i>	CONTACT: <i>Sean Thomas, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	---	--	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Pedestrian Improvements

PROJECT CATEGORY:
*Traffic Improvements
Traffic Safety / Mobility*

PROJECT DESCRIPTION:
Pedestrian improvements to enhance pedestrian traffic safety, accessibility and mobility. Improvements will include wheelchairs improvements and other improvements to enhance pedestrian traffic safety.

PROJECT NEED:
Pedestrian improvements are needed to enhance pedestrian traffic safety, mobility and accessibility.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	285,000	-	-	-	-	-	-
TOTAL	285,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
GAS TAX	285,000	-	-	-	-	-	-
TOTAL	285,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Traffic Engineering</i>	CONTACT: <i>Zdenek Kekula, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Safe Mobility Santa Ana Update

PROJECT CATEGORY:
*Traffic Improvements
Traffic Safety / Mobility*

PROJECT DESCRIPTION:
Safe Mobility Santa Ana Update will re-evaluate citywide traffic safety. The study will analyze traffic collisions, identify contributing factors or patterns, recommend improvements, develop cost estimates and prioritize recommended improvements.

PROJECT NEED:
Traffic safety is a priority for the City of Santa Ana. This study will identify priority traffic safety projects. Furthermore, this study is a requirement to qualify for Highway Safety Improvement Program grants.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Engineering	180,000	-	-	-	-	-	-
TOTAL	180,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	33,000	-	-	-	-	-	-
PUB SVS-STREET SAFETY PRO	147,000	-	-	-	-	-	-
TOTAL	180,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Traffic Engineering</i>	CONTACT: <i>Zdenek Kekula, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Bike Lane Project Development

PROJECT CATEGORY:
*Traffic Improvements
Planning*

PROJECT DESCRIPTION:
Provides for the engineering services that are necessary for grant applications, development/preparation of plans, specifications, bike hut maintenance and estimates related to bike lane projects. In addition, provides City matching funds for grant funded bicycle facilities projects and allows for bicycle facilities improvements.

PROJECT NEED:
This project is designed to increase bicyclists' safety and mobility.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Engineering	80,000	80,000	80,000	80,000	80,000	80,000	80,000
TOTAL	80,000	80,000	80,000	80,000	80,000	80,000	80,000

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	80,000	80,000	80,000	80,000	80,000	80,000	80,000
TOTAL	80,000	80,000	80,000	80,000	80,000	80,000	80,000

AGENCY:
Public Works

DIVISION:
Traffic Engineering

CONTACT:
Zdenek Kekula, Senior Civil Engineer

DATE:
07-May-2021


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Traffic Management Plans

PROJECT CATEGORY:
Traffic Improvements Planning

PROJECT DESCRIPTION:
Conduct a variety of traffic counts at various locations Citywide to collect data needed for the traffic management planning, signal priority studies, signal timing, etc., preparation of aerial maps, and to maintain the storage and management of accident and traffic investigations records.

PROJECT NEED:
1) To collect traffic data for traffic signal timing, arterial traffic studies, preparation of traffic flow maps, and to conduct new traffic signal and left turn signal needs analysis to request state and federal grants. 2) To reduce the City's liability related to traffic safety issues by maintaining the storage of and access to traffic investigations records in the computer database.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Engineering	50,000	50,000	50,000	50,000	50,000	50,000	50,000
TOTAL	50,000	50,000	50,000	50,000	50,000	50,000	50,000

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	50,000	50,000	50,000	50,000	50,000	50,000	50,000
TOTAL	50,000	50,000	50,000	50,000	50,000	50,000	50,000

AGENCY: <i>Public Works</i>	DIVISION: <i>Traffic Engineering</i>	CONTACT: <i>Zdenek Kekula, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Traffic Safety Project Development

PROJECT CATEGORY:
*Traffic Improvements
Planning*

PROJECT DESCRIPTION:
Provides for the engineering design services that are necessary for the grant applications, environmental documents, development/preparation of plans, specification, and estimates related to traffic safety improvement projects. In addition, provides City matching funds for grant funded traffic safety projects.

PROJECT NEED:
This project is designed to increase traffic safety for all users in the City.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Engineering	50,000	50,000	50,000	50,000	50,000	50,000	50,000
TOTAL	50,000	50,000	50,000	50,000	50,000	50,000	50,000

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
M2 LOCAL FAIRSHARE	50,000	50,000	50,000	50,000	50,000	50,000	50,000
TOTAL	50,000	50,000	50,000	50,000	50,000	50,000	50,000

AGENCY: <i>Public Works</i>	DIVISION: <i>Traffic Engineering</i>	CONTACT: <i>Zdenek Kekula, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

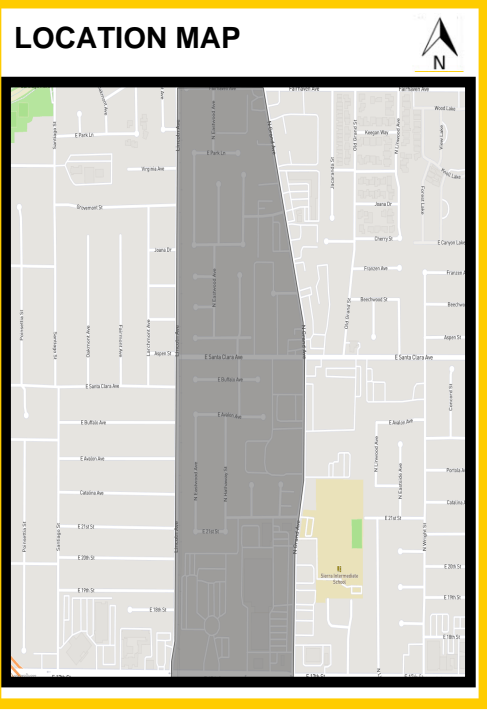
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Fairhaven Neighborhood Sewer Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Sewer Improvements*

PROJECT DESCRIPTION:
This project will replace existing deteriorated and over capacity sewer mains, and related sewer assets, such as manholes and laterals.

PROJECT NEED:
This project is required to maintain effective operation of the City's sanitary sewer system, eliminate sewer main obstructions, reduce sewer maintenance requirements, and prevent sewer spills.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	300,000	-	-	-	-	-	-
TOTAL	300,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
SEWER	300,000	-	-	-	-	-	-
TOTAL	300,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

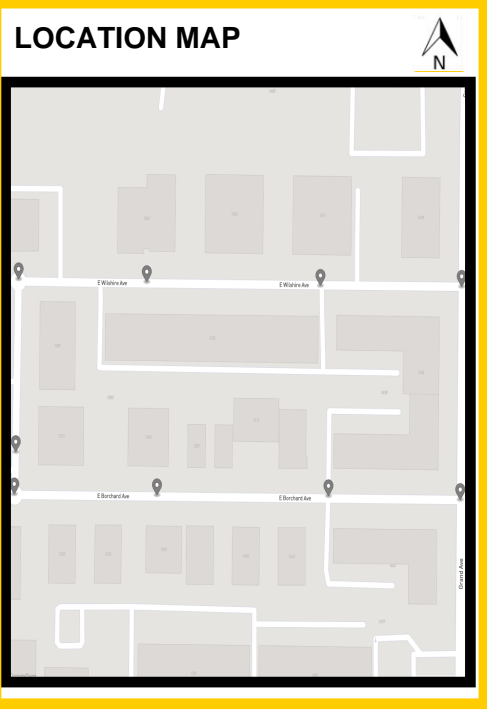
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Industrial Streets Sewer Main Improvements Phase 1

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Sewer Improvements*

PROJECT DESCRIPTION:
This project will replace existing deteriorated and over capacity sewer mains, and related sewer assets, such as manholes and laterals.

PROJECT NEED:
This project is required to maintain effective operation of the City's sanitary sewer system, eliminate sewer main obstructions, reduce sewer maintenance requirements, and prevent sewer spills.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	225,000	-	-	-	-	-	-
TOTAL	225,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
SEWER	225,000	-	-	-	-	-	-
TOTAL	225,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>11-May-2021</i>
---------------------------------------	--	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Lincoln Avenue Sewer Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Sewer Improvements*

PROJECT DESCRIPTION:

This project will replace existing deteriorated and over capacity sewer mains, and related sewer assets, such as manholes and laterals.

PROJECT NEED:

This project is required to maintain effective operation of the City's sanitary sewer system, eliminate sewer main obstructions, reduce sewer maintenance requirements, and prevent sewer spills.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	800,000	-	-	-	-	-	-
TOTAL	800,000	-	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
SEWER	800,000	-	-	-	-	-	-
TOTAL	800,000	-	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Water Resources

CONTACT:
Armando Fernandez, Senior Civil Engineer

DATE:
07-May-2021

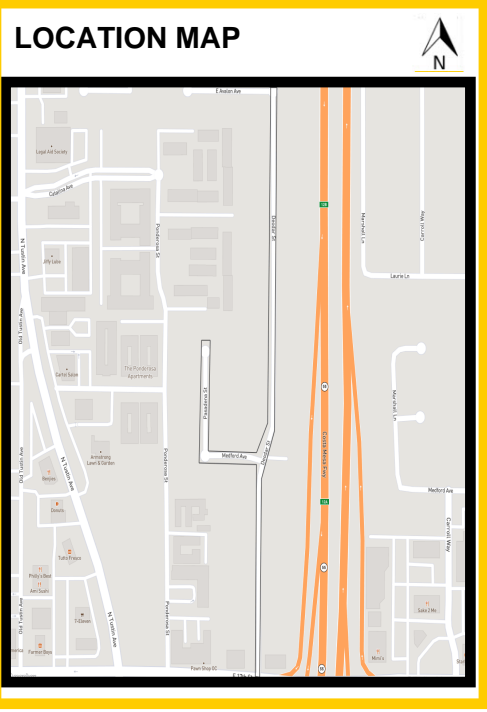
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
NE Annex Septic to Sewer Conversion

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Sewer Improvements*

PROJECT DESCRIPTION:
Install sanitary sewer mains and laterals for conversion from septic to sewer connections in the annexed County island northeast of 17th St and Tustin Ave.

PROJECT NEED:
Connection to City's sewer system from individual septic systems.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	840,000	400,000	-	-	-	-	-
TOTAL	840,000	400,000	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
SEWER CONNECTION PROJECTS	840,000	400,000	-	-	-	-	-
TOTAL	840,000	400,000	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Rene Drive Sewer Main Upgrade

PROJECT CATEGORY:
*Utility/Drainage/Lighting
Improvements
Sewer Improvements*

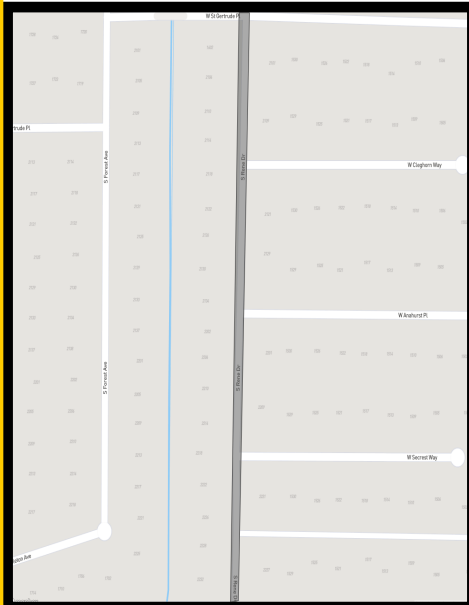
PROJECT DESCRIPTION:

This project will replace existing deteriorated and over capacity sewer mains, and related sewer assets, such as manholes and laterals.

PROJECT NEED:

This project is required to maintain effective operation of the City's sanitary sewer system, eliminate sewer main obstructions, reduce sewer maintenance requirements, and prevent sewer spills.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	590,000	625,000	-	-	-	-	-
TOTAL	590,000	625,000	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
SEWER CONNECTION PROJECTS	590,000	625,000	-	-	-	-	-
TOTAL	590,000	625,000	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Water Resources

CONTACT:
Armando Fernandez, Senior Civil Engineer

DATE:
07-May-2021

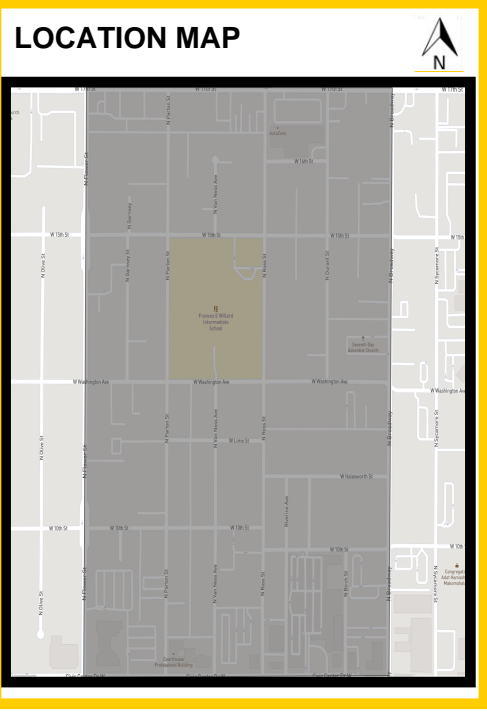
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Willard Neighborhood Sewer Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Sewer Improvements*

PROJECT DESCRIPTION:
Sewer main improvements involve replacing old, deteriorating sewer mains, laterals and manholes.

PROJECT NEED:
This project is required to maintain effective operation of the City's sanitary sewer system, eliminate sewer main obstructions, reduce sewer maintenance requirements and prevent sewer spills.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	2,140,000	-	-	-	-	-	-
TOTAL	2,140,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
SEWER	2,140,000	-	-	-	-	-	-
TOTAL	2,140,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

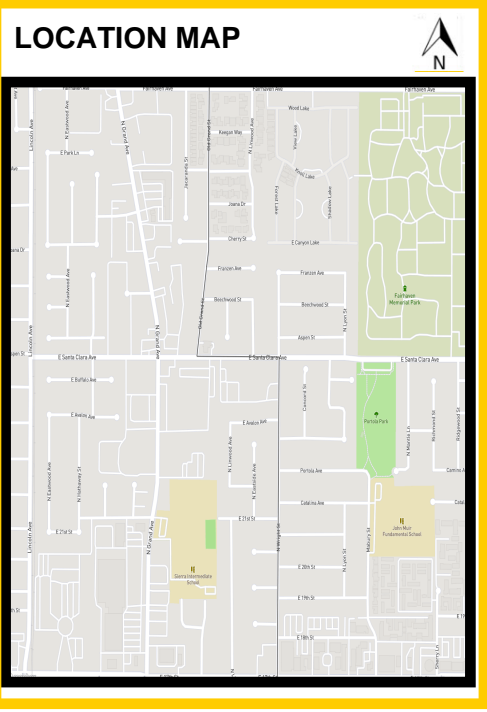
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Wright Street Sewer Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Sewer Improvements*

PROJECT DESCRIPTION:
Construction of sanitary sewer pipe lines to replace obsolete and undersized facilities.

PROJECT NEED:
This project is required to maintain effective operation of the City's sanitary sewer system, eliminate sewer main obstructions, reduce sewer maintenance requirements, and prevent sewer spills.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	737,000	2,000,000	-	-	-	-	-
TOTAL	737,000	2,000,000	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
SEWER CONNECTION PROJECTS	737,000	2,000,000	-	-	-	-	-
TOTAL	737,000	2,000,000	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

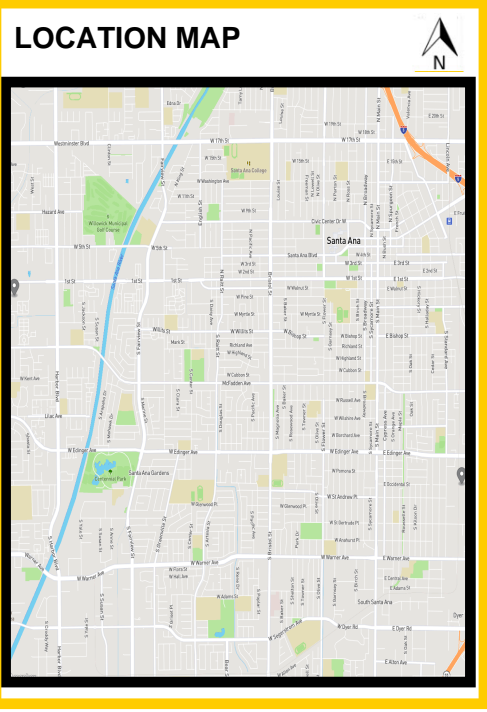
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
East & West Reservoirs Chlorine Buildings

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

PROJECT DESCRIPTION:
This project include the construction of a building dedicated to hold all water treatment equipment and related appurtenances.

PROJECT NEED:
This project is required to ensure water treatment compliance with all water treatment regulations and water availability to the City's customers.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,000,000	500,000	-	-	-	-	-
TOTAL	1,000,000	500,000	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	1,000,000	500,000	-	-	-	-	-
TOTAL	1,000,000	500,000	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Euclid Street Water Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

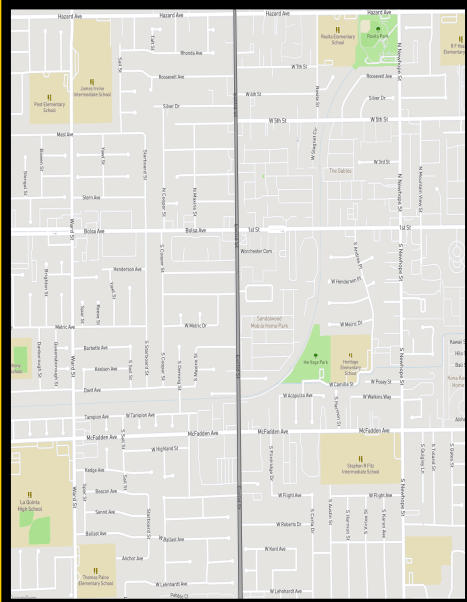
PROJECT DESCRIPTION:

This project will replace aging water distribution pipelines and related appurtenances including fire hydrants and valves along Euclid Street from Lehnhardt Ave to Hazard Ave.

PROJECT NEED:

Replacement of obsolete water mains to ensure system reliability and to protect water quality.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	2,500,000	2,000,000	-	-	-	-	-
TOTAL	2,500,000	2,000,000	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	2,500,000	2,000,000	-	-	-	-	-
TOTAL	2,500,000	2,000,000	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Water Resources

CONTACT:
Armando Fernandez, Senior Civil Engineer

DATE:
07-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
*Garnsey Street Business District
Water Main Improvements*

PROJECT CATEGORY:
*Utility/Drainage/Lighting
Improvements
Water Improvements*

PROJECT DESCRIPTION:
This project will replace aging water distribution pipelines and related appurtenances including fire hydrants and valves along Garnsey St between Warner Ave and Dyer Rd.

PROJECT NEED:
Replacement of obsolete water mains to ensure system reliability and to protect water quality.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	820,000	-	-	-	-	-	-
TOTAL	820,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	820,000	-	-	-	-	-	-
TOTAL	820,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Grovemont Street Water Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

PROJECT DESCRIPTION:
Install water mains for customers in the annexed County island northeast of 17th St and Tustin Ave.

PROJECT NEED:
Convert customers in annexed area from City of Tustin water to City of Santa Ana water.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	2,100,000	350,000	-	-	-	-	-
TOTAL	2,100,000	350,000	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	2,100,000	350,000	-	-	-	-	-
TOTAL	2,100,000	350,000	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

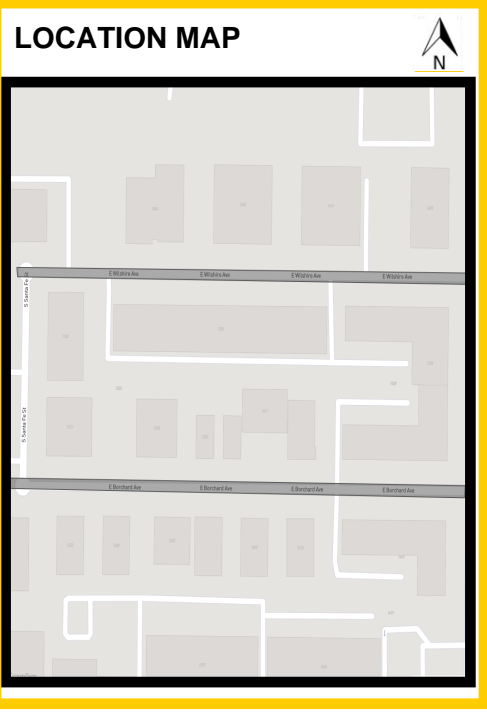
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Industrial Streets Water Main Improvements Phase 1

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

PROJECT DESCRIPTION:
This project will replace aging water distribution pipelines and related appurtenances including fire hydrants and valves along Wilshire Ave and Borchard Ave, west of Grand Ave

PROJECT NEED:
Replacement of obsolete water mains to ensure system reliability and to protect water quality.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,500,000	-	-	-	-	-	-
TOTAL	1,500,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	1,500,000	-	-	-	-	-	-
TOTAL	1,500,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

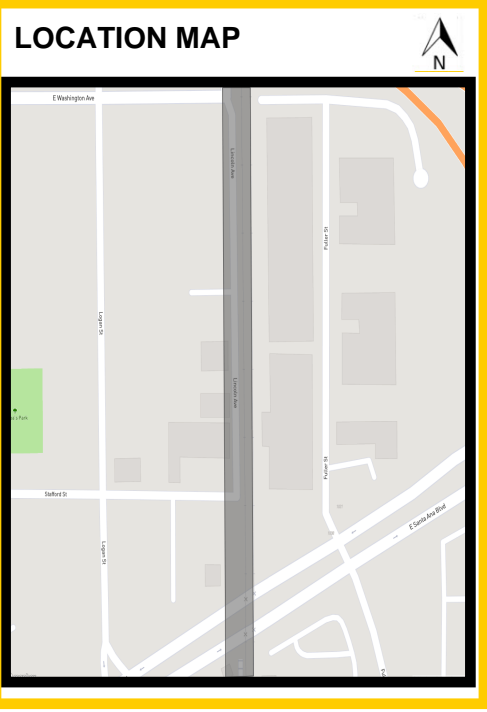
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Lincoln Avenue Water Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

PROJECT DESCRIPTION:
This project will replace aging water distribution pipelines and related appurtenances including fire hydrants and valves along Lincoln Ave from Washington Ave to Santa Ana Blvd.

PROJECT NEED:
Replacement of obsolete water mains to ensure system reliability and to protect water quality.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	800,000	-	-	-	-	-	-
TOTAL	800,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	800,000	-	-	-	-	-	-
TOTAL	800,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

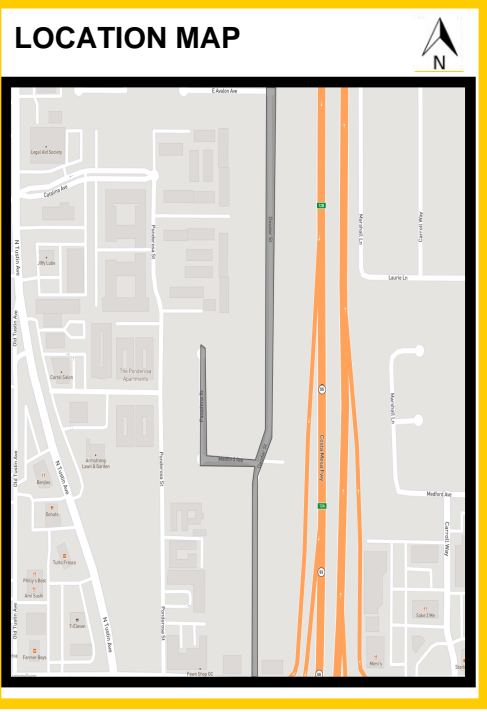
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
NE Annex Septic to Sewer Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

PROJECT DESCRIPTION:
Install water mains for customers in the annexed County island northeast of 17th St and Tustin Ave.

PROJECT NEED:
Convert customers in annexed area from City of Tustin water to City of Santa Ana water.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,425,000	700,000	-	-	-	-	-
TOTAL	1,425,000	700,000	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	1,425,000	700,000	-	-	-	-	-
TOTAL	1,425,000	700,000	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

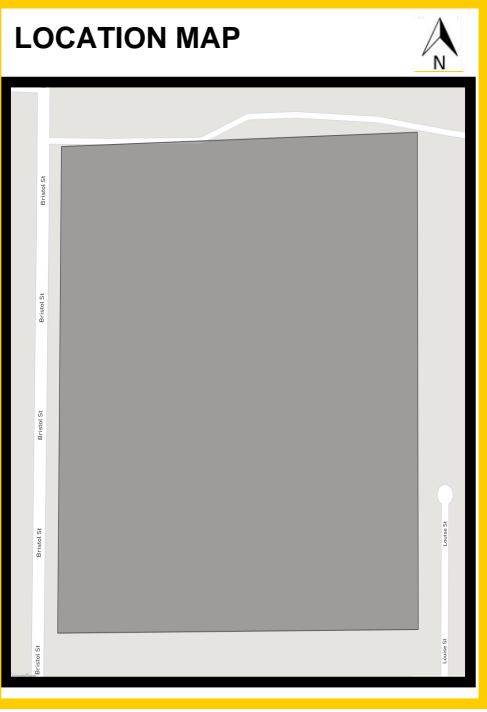
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
SA-1 Hydropower Generation Project

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

PROJECT DESCRIPTION:
Replace the hydro turbine generator at the SA-1 connection at Garthe Station.

PROJECT NEED:
The existing hydro turbine generator has exceeded its useful life.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,700,000	-	-	-	-	-	-
TOTAL	1,700,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	1,700,000	-	-	-	-	-	-
TOTAL	1,700,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

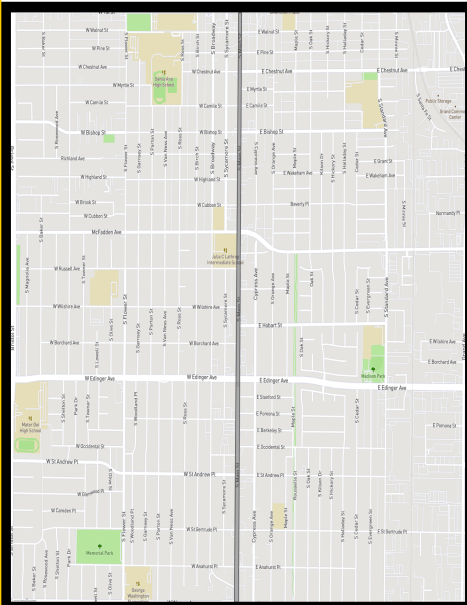
PROJECT TITLE:
South Main Street Water Main Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Water Improvements*

PROJECT DESCRIPTION:
This project will replace aging water distribution pipelines and related appurtenances including fire hydrants and valves along South Main St from 1st St to Warner Ave.

PROJECT NEED:
Replacement of obsolete water mains to ensure system reliability and to protect water quality.

LOCATION MAP



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,100,000	1,100,000	-	-	-	-	-
TOTAL	1,100,000	1,100,000	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	1,100,000	1,100,000	-	-	-	-	-
TOTAL	1,100,000	1,100,000	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Water Resources

CONTACT:
Armando Fernandez, Senior Civil Engineer

DATE:
07-May-2021

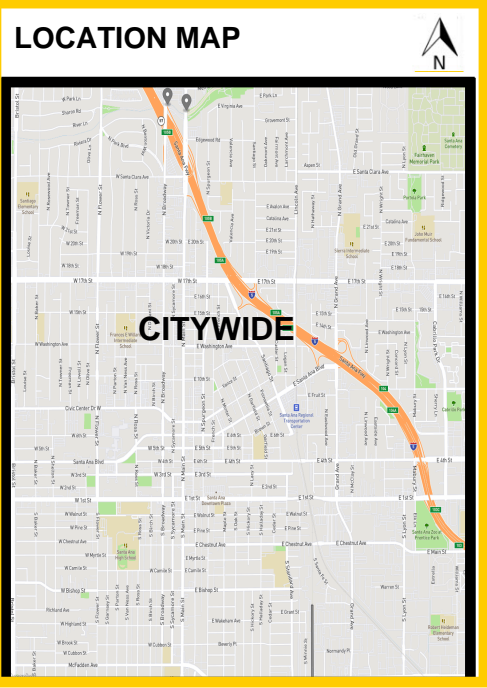
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
*Stormwater Channel Fencing
Upgrades*

PROJECT CATEGORY:
*Utility/Drainage/Lighting
Improvements
Storm Drain/Water Quality*

PROJECT DESCRIPTION:
*Installation of Securifor-4D and wrought iron fencing along various
City stormwater channels.*

PROJECT NEED:
*The installation of new fencing will prohibit access to the City's
stormwater channels, thereby reducing trash/debris from entering the
stormdrain system. This project will improve water quality and reduce
maintenance costs incurred from routine channel cleanings.*



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	400,000	-	-	-	-	-	-
TOTAL	400,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
FED CLEAN WATER	400,000	-	-	-	-	-	-
TOTAL	400,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Construction Engineering</i>	CONTACT: <i>Jason Gabriel, Principal Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	---	---	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Pressure Reducing Vault Power & Controls Improvements

PROJECT CATEGORY:
*Utility/Drainage/Lighting Improvements
Municipal Facilities*

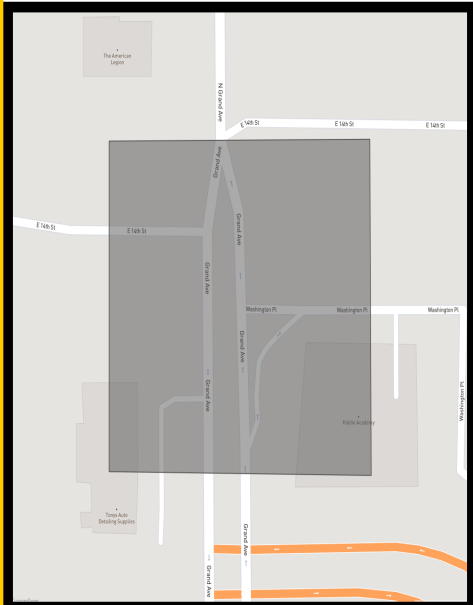
PROJECT DESCRIPTION:

This project will replace the existing obsolete Pressure Reducing Vault structure. Improvements include a new vault structure, new piping, new flow control valves, power controls and new communications equipment.

PROJECT NEED:

The existing structure and equipment is obsolete and non-functional.

LOCATION MAP



PROJECT COSTS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,380,000	-	-	-	-	-	-
TOTAL	1,380,000	-	-	-	-	-	-

SOURCE OF FUNDS

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	1,380,000	-	-	-	-	-	-
TOTAL	1,380,000	-	-	-	-	-	-

AGENCY:
Public Works

DIVISION:
Water Resources

CONTACT:
Armando Fernandez, Senior Civil Engineer

DATE:
07-May-2021

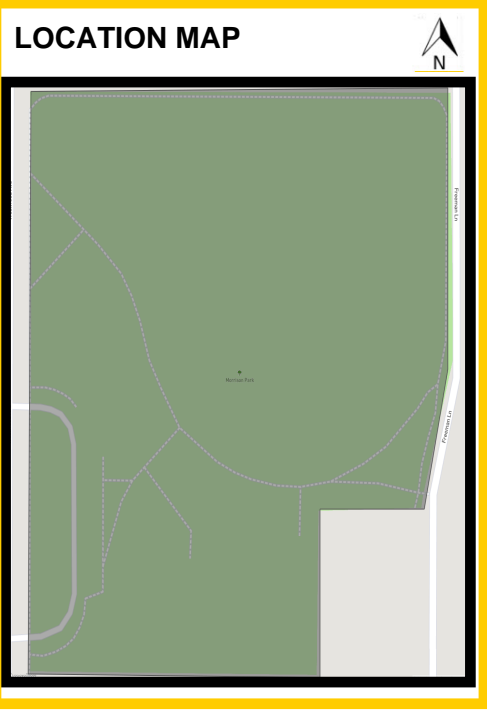
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Well No. 32 - Rehabilitation

PROJECT CATEGORY:
*Utility/Drainage/Lighting
Improvements
Municipal Facilities*

PROJECT DESCRIPTION:
Rehabilitate the well and bring facility up to current codes and standards. Improvements include upgrading the power supply, motor control systems, Supervisory Control and Data Acquisition (SCADA) system, and constructing new discharge pipeline.

PROJECT NEED:
This project is required to maintain effective operation of the City's water system and to provide reliability to the City water supply.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	2,250,000	6,000,000	-	-	-	-	-
TOTAL	2,250,000	6,000,000	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
WTR UTY CAPITAL PROJECTS	2,250,000	6,000,000	-	-	-	-	-
TOTAL	2,250,000	6,000,000	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Water Resources</i>	CONTACT: <i>Armando Fernandez, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	--	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
City of Santa Ana Dog Park

PROJECT CATEGORY:
*Bikeway/Park Improvements
Park Facility*

PROJECT DESCRIPTION:
Design and construct a new Dog Park on the S/W side of Centennial Park

PROJECT NEED:
There is not currently a dog park in the City. This new site will provide Santa Ana residents with a location specifically designed for this type of use.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	864,290	-	-	-	-	-	-
Engineering	235,710	-	-	-	-	-	-
TOTAL	1,100,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
CAPITAL OUTLAY	1,100,000	-	-	-	-	-	-
TOTAL	1,100,000	-	-	-	-	-	-

AGENCY: <i>Parks, Rec. & Community Services</i>	DIVISION: <i>Administration</i>	CONTACT: <i>Ron Ono, Administrative Services Manager</i>	DATE: <i>07-May-2021</i>
---	---	--	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
City Park Splash Pads (Various Sites)

PROJECT CATEGORY:
*Bikeway/Park Improvements
Park Facility*

PROJECT DESCRIPTION:
Design and construct 6 splash pads at various city parks to provide a water play experience for anyone with or without the ability to swim. Splash Pads are planned for the following locations: Santa Ana Zoo, Memorial Park, Cesar Chavez/Campesino Park, Thornton Park, El Salvador Park and Madison Park.

PROJECT NEED:
In order to provide an additional amenity to Santa Ana residents, the City is pursuing the design and construction of 6 splash pads at various city parks. The splash pads will provide an opportunity for aquatic recreational activity. The splash pads are also a more cost feasible alternative to regular pool construction.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	4,198,480	-	-	-	-	-	-
Engineering	1,145,040	-	-	-	-	-	-
TOTAL	5,343,520	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
	5,343,520	-	-	-	-	-	-
TOTAL	5,343,520	-	-	-	-	-	-

AGENCY: <i>Parks, Rec. & Community Services</i>	DIVISION: <i>Administration</i>	CONTACT: <i>Ron Ono, Administrative Services Manager</i>	DATE: <i>07-May-2021</i>
---	---	--	------------------------------------

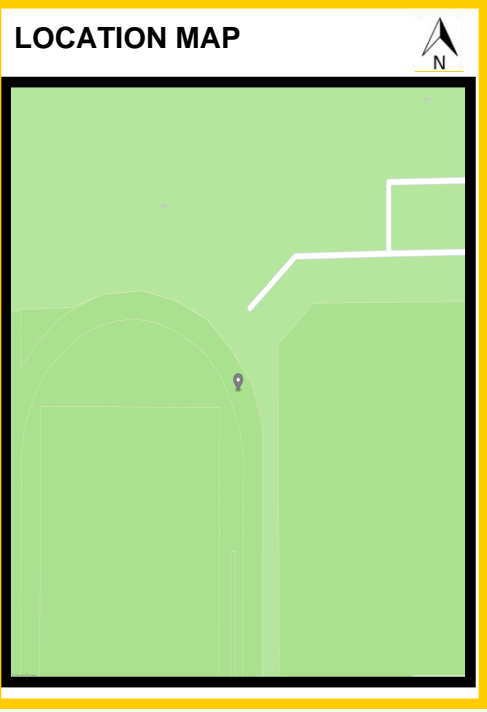
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Dan Young Soccer Field Sports Lights

PROJECT CATEGORY:
*Bikeway/Park Improvements
Park Facility*

PROJECT DESCRIPTION:
Purchase and Installation of LED lighting at Dan Young Soccer Field #2 (Field #3, if available funding)

PROJECT NEED:
In order to improve the efficiency and lighting lumens at the Dan Young Soccer Fields, the City will purchase and install LED Lighting at this location. The new lighting will reduce monthly electrical costs as well as provide brighter more even lighting.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	418,200	-	-	-	-	-	-
TOTAL	418,200	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
CAPITAL OUTLAY	418,200	-	-	-	-	-	-
TOTAL	418,200	-	-	-	-	-	-

AGENCY: <i>Parks, Rec. & Community Services</i>	DIVISION: <i>Administration</i>	CONTACT: <i>Ron Ono, Administrative Services Manager</i>	DATE: <i>07-May-2021</i>
---	---	--	------------------------------------

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

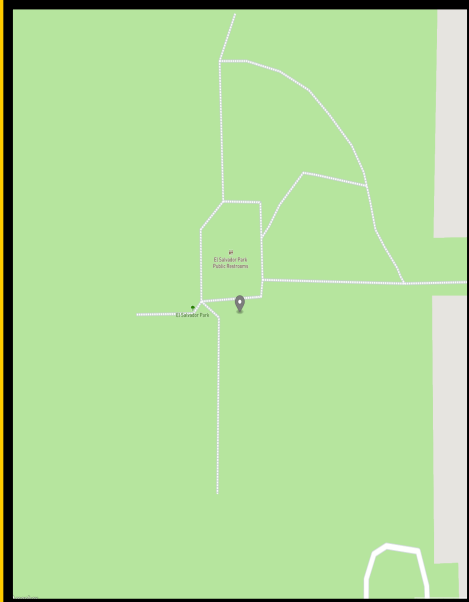
PROJECT TITLE:
El Salvador Park Basketball Court & Court Lighting Renovation

PROJECT CATEGORY:
*City Facility Improvements
Park Facility*

PROJECT DESCRIPTION:
Reconstruct existing basketball court and install new basketball LED sports court lighting.

PROJECT NEED:
The existing asphalt basketball court at El Salvador Park is deteriorating and cracking in various locations. The entire court needs to be removed and replaced with a concrete surface. The court will be color coated and the basketball goals renovated. The project will also include removal of the old center flood lighting and replaced with LED sports lighting.

LOCATION MAP



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	300,000	-	-	-	-	-	-
TOTAL	300,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
A & D District 1	300,000	-	-	-	-	-	-
TOTAL	300,000	-	-	-	-	-	-

AGENCY:
Parks, Rec. & Community Services

DIVISION:
Administrative Services

CONTACT:
Ron Ono, Administrative Services Manager

DATE:
07-May-2021

**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

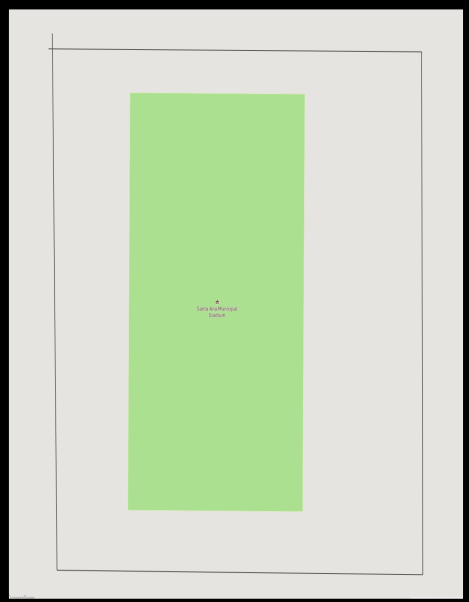
PROJECT TITLE:
New Stadium Scoreboard and Marquee

PROJECT CATEGORY:
*Park Facility Improvements
Park Facility*

PROJECT DESCRIPTION:
Design and construct a new scoreboard and Marquee at the Santa Ana Stadium

PROJECT NEED:
The current scoreboard and marquee have past their useful life.

LOCATION MAP



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	157,142	-	-	-	-	-	-
Engineering	42,858	-	-	-	-	-	-
TOTAL	200,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
A & D District 2	200,000	-	-	-	-	-	-
TOTAL	200,000	-	-	-	-	-	-

AGENCY:
Parks, Rec. & Community Services

DIVISION:
Administration

CONTACT:
Ron Ono, Administrative Services Manager

DATE:
07-May-2021

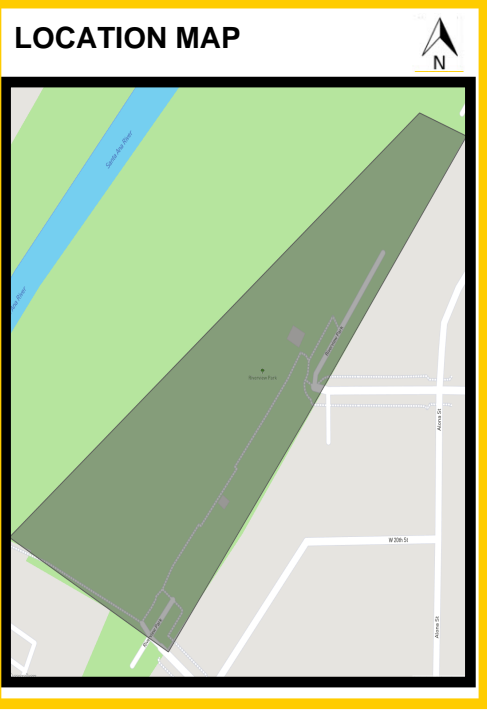
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Riverview Park Ballfield Sports Lighting Renovation

PROJECT CATEGORY:
*City Facility Improvements
Park Facility*

PROJECT DESCRIPTION:
Design and installation of new LED sports lighting the on two north ballfields.

PROJECT NEED:
The two west ballfields at Jerome Park does not have sports lighting. The proposed project will install LED sports lighting on the two ballfields. The lighting will also be designed to accommodate soccer activity. The lighting of the ballfields will help increase field reservations for both softball and soccer.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	200,000	-	-	-	-	-	-
TOTAL	200,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
A & D District 1	200,000	-	-	-	-	-	-
TOTAL	200,000	-	-	-	-	-	-

AGENCY: <i>Parks, Rec. & Community Services</i>	DIVISION: <i>Administrative Services</i>	CONTACT: <i>Ron Ono, Administrative Services Manager</i>	DATE: <i>07-May-2021</i>
---	--	--	------------------------------------

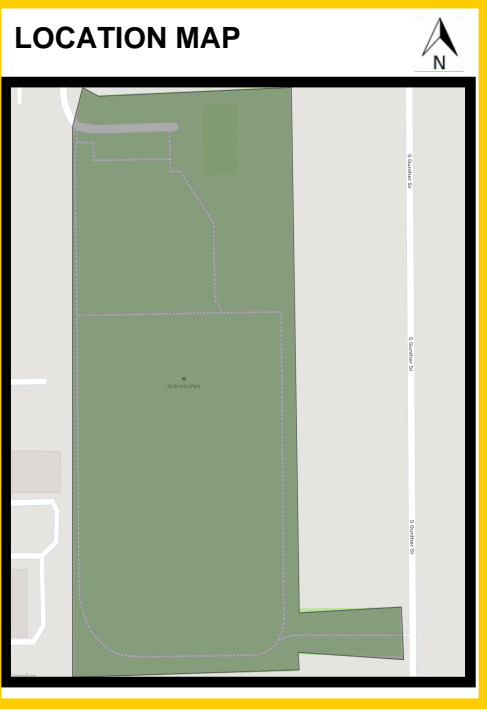
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Santa Anita Park Synthetic Turf & Shade Structure

PROJECT CATEGORY:
*Park Facility Improvements
Park Facility*

PROJECT DESCRIPTION:
Removal of existing grass in the multi-purpose sports field and installation of synthetic sports turf, subsurface drainage, and drought tolerant landscaping.

PROJECT NEED:
PRCSA regulates the amount of play on Santa Anita grass sports field in order to maintain the turf and prevent it from becoming a dirt field. With the lack of sports fields in the City, the installation of synthetic turf will help increase the amount of play on the field. The sports field already has sports lighting and is completely fenced. The field is used for youth soccer. The perimeter of the field will be planted with drought tolerant landscaping to help reduce water usage. In addition, a Shade Structure will be installed over the bleacher area.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	122,570	-	-	-	-	-	-
Engineering	33,430	-	-	-	-	-	-
TOTAL	156,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
A & D District 1	156,000	-	-	-	-	-	-
TOTAL	156,000	-	-	-	-	-	-

AGENCY: <i>Parks, Rec. & Community Services</i>	DIVISION: <i>Administrative Services</i>	CONTACT: <i>Ron Ono, Administrative Services Manager</i>	DATE: <i>07-May-2021</i>
---	--	--	------------------------------------

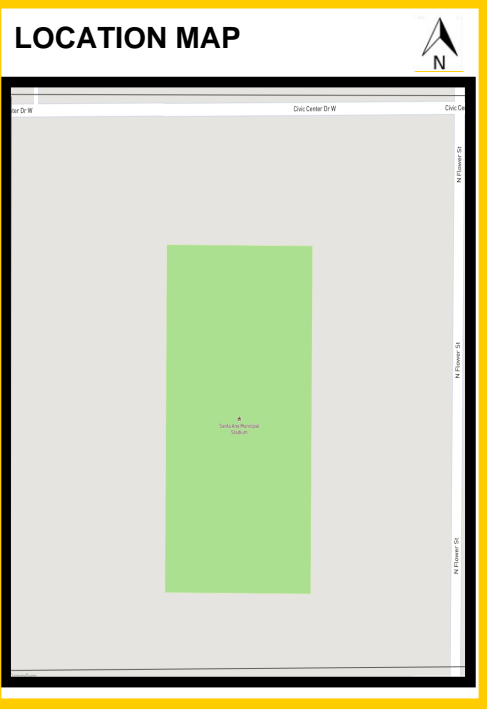
**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Stadium Synthetic Turf Renovation

PROJECT CATEGORY:
*Park Facility Improvements
Park Facility*

PROJECT DESCRIPTION:
Funding for renovation of the synthetic turf at the Santa Ana Stadium.

PROJECT NEED:
The current state of the synthetic turf is in need of renovation.



PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	818,000	-	-	-	-	-	-
TOTAL	818,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
A & D District 3	764,000	-	-	-	-	-	-
A & D District 3 In-Lieu	54,000	-	-	-	-	-	-
TOTAL	818,000	-	-	-	-	-	-

AGENCY: <i>Parks, Rec. & Community Services</i>	DIVISION: <i>Administration</i>	CONTACT: <i>Ron Ono, Administrative Services Manager</i>	DATE: <i>07-May-2021</i>
---	---	--	------------------------------------


**CITY OF SANTA ANA FY 21/22CIP
CAPITAL IMPROVEMENT PROJECT WORKSHEET**

PROJECT TITLE:
Project W Bus Shelter Project

PROJECT CATEGORY:
*Infrastructure Improvements
Facility*

PROJECT DESCRIPTION:
Install new bus shelters with integral benches, trash receptacles and advertisement panels.

PROJECT NEED:
The Orange County Transportation Authority conducted a ridership study and has identified the 100 busiest transit stops in Orange County. Thirty Five of these locations occur in Santa Ana.

LOCATION MAP 

CITYWIDE

PROJECT COSTS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
Construction	1,030,000	-	-	-	-	-	-
TOTAL	1,030,000	-	-	-	-	-	-

SOURCE OF FUNDS	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27	FY 27/28
	1,030,000	-	-	-	-	-	-
TOTAL	1,030,000	-	-	-	-	-	-

AGENCY: <i>Public Works</i>	DIVISION: <i>Construction Engineering</i>	CONTACT: <i>Mike Ortiz, Senior Civil Engineer</i>	DATE: <i>07-May-2021</i>
---------------------------------------	---	---	------------------------------------

**CITY OF SANTA ANA
SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM**

FY 2022 - FY 2028

PROJECTS	OTHER	CDBG	CAPITAL OUTLAY	WATER CAPITAL	SEWER	AREA FEES	A & D FUNDS	MEASURE M2	GAS TAX	TOTAL
I. STREET IMPROVEMENTS										
FY 21/22 ALLEY REHABILITATION										
1 . Alley Improvement Program								145,915		145,915
<i>Subtotal FY21/22 ALLEY REHABILITATION</i>								<i>145,915</i>		<i>145,915</i>
FY 21/22 PLANNING										
2 . Pavement Management								325,000		325,000
3 . Project Development								125,000		125,000
4 . Right-of-Way Management								350,000		350,000
<i>Subtotal FY21/22 PLANNING</i>								<i>800,000</i>		<i>800,000</i>
FY 21/22 NEIGHBORHOOD STREET REHABILITATION										
5 . Garnsey Business District Improvements	4,334,666									4,334,666
<i>Subtotal FY21/22 NEIGHBORHOOD STREET REHABILITATION</i>										<i>4,334,666</i>
FY 21/22 LOCAL STREET RESURFACING										
6 . Local Street Preventative Maintenance								3,000,000		3,000,000
<i>Subtotal FY21/22 LOCAL STREET RESURFACING</i>								<i>3,000,000</i>		<i>3,000,000</i>
FY 21/22 ARTERIAL STREET REHABILITATION										
7 . Bristol Street Rehabilitation: Santa Clara to Memory Lane	940,000									940,000
8 . Grand Avenue Rehabilitation: Warner to Edinger	1,668,221									1,668,221
9 . Main Street Rehabilitation: MacArthur Blvd to Dyer Rd	1,680,000									1,680,000
10 . Westminster Avenue Rehabilitation: Newhope St to Harbor Blvd	1,500,000									1,500,000
<i>Subtotal FY21/22 ARTERIAL STREET REHABILITATION</i>								<i>5,788,221</i>		<i>5,788,221</i>
FY 21/22 STREET/BRIDGE IMPROVEMENTS & WIDENING										
11 . Bristol Street and Memory Lane Intersection Widening									400,000	400,000
12 . Bristol Street Improvements and Widening: Phase 4 - Warner to Saint Andrew	50,000									50,000
13 . Fairview Bridge and Street Improvements									830,000	830,000
14 . Warner Avenue Improvements: Phase 2 - Oak to Grand						1,000,000				1,000,000
<i>Subtotal FY21/22 STREET/BRIDGE IMPROVEMENTS & WIDENING</i>								<i>50,000</i>	<i>1,000,000</i>	<i>1,230,000</i>
FY 22/23 PLANNING										
15 . Pavement Management								250,000		250,000
16 . Project Development								150,000		150,000
17 . Right-of-Way Management								150,000		150,000
<i>Subtotal FY22/23 PLANNING</i>								<i>550,000</i>		<i>550,000</i>
FY 23/24 PLANNING										
18 . Pavement Management								400,000		400,000

**CITY OF SANTA ANA
SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2022 - FY 2028**

19 . Project Development		150,000	150,000
20 . Right-of-Way Management		150,000	150,000
<i>Subtotal FY23/24 PLANNING</i>		<i>700,000</i>	<i>700,000</i>
FY 24/25 PLANNING			
21 . Pavement Management		250,000	250,000
22 . Project Development		150,000	150,000
23 . Right-of-Way Management		150,000	150,000
<i>Subtotal FY24/25 PLANNING</i>		<i>550,000</i>	<i>550,000</i>
FY 25/26 PLANNING			
24 . Pavement Management		400,000	400,000
25 . Project Development		150,000	150,000
26 . Right-of-Way Management		150,000	150,000
<i>Subtotal FY25/26 PLANNING</i>		<i>700,000</i>	<i>700,000</i>
FY 26/27 PLANNING			
27 . Pavement Management		250,000	250,000
28 . Project Development		150,000	150,000
29 . Right-of-Way Management		150,000	150,000
<i>Subtotal FY26/27 PLANNING</i>		<i>550,000</i>	<i>550,000</i>
FY 27/28 PLANNING			
30 . Pavement Management		400,000	400,000
31 . Project Development		150,000	150,000
32 . Right-of-Way Management		150,000	150,000
<i>Subtotal FY27/28 PLANNING</i>		<i>700,000</i>	<i>700,000</i>
FY 27/28 ARTERIAL STREET REHABILITATION			
33 . Bristol Street and 1st Street Improvements		3,000,000	3,000,000
<i>Subtotal FY27/28 ARTERIAL STREET REHABILITATION</i>		<i>3,000,000</i>	<i>3,000,000</i>
TOTAL STREET IMPROVEMENTS	10,172,887	1,000,000	10,695,915
			1,230,000
			23,098,802

II. TRAFFIC IMPROVEMENTS

FY 21/22 TRAFFIC IMPROVEMENTS

34 . Bristol Street and Santa Clara Avenue Signal Modification	23,800 ⁷		23,800
35 . Citywide Speed Limit Study		70,000	70,000
36 . First Street Corridor Traffic Signal Synchronization		380,000	380,000
37 . Traffic Signal Equipment Replacement		100,000	100,000
<i>Subtotal FY21/22 TRAFFIC IMPROVEMENTS</i>	<i>23,800</i>	<i>550,000</i>	<i>573,800</i>

FY 21/22 TRAFFIC SAFETY / MOBILITY

**CITY OF SANTA ANA
SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2022 - FY 2028**

38 . Fremont Elementary and Spurgeon Intermediate SRTS	4,849,000 ¹			4,849,000
39 . Legacy Square Transportation Improvements	1,997,865 ²			1,997,865
40 . Pedestrian Improvements			285,000	285,000
41 . Safe Mobility Santa Ana Update	147,000 ⁷		33,000	180,000
<i>Subtotal FY21/22 TRAFFIC SAFETY / MOBILITY</i>	<i>6,993,865</i>		<i>33,000</i>	<i>285,000</i>
FY 21/22 PLANNING				
42 . Bike Lane Project Development			80,000	80,000
43 . Traffic Management Plans			50,000	50,000
44 . Traffic Safety Project Development			50,000	50,000
<i>Subtotal FY21/22 PLANNING</i>			<i>180,000</i>	<i>180,000</i>
FY 22/23 TRAFFIC IMPROVEMENTS				
45 . Bristol Street and Santa Clara Avenue Signal Modification	297,100 ⁶			297,100
46 . Traffic Signal Equipment Replacement			100,000	100,000
<i>Subtotal FY22/23 TRAFFIC IMPROVEMENTS</i>	<i>297,100</i>		<i>100,000</i>	<i>397,100</i>
FY 22/23 PLANNING				
47 . Bike Lane Project Development			80,000	80,000
48 . Traffic Management Plans			50,000	50,000
49 . Traffic Safety Project Development			50,000	50,000
<i>Subtotal FY22/23 PLANNING</i>			<i>180,000</i>	<i>180,000</i>
FY 23/24 TRAFFIC IMPROVEMENTS				
50 . Traffic Signal Equipment Replacement			100,000	100,000
<i>Subtotal FY23/24 TRAFFIC IMPROVEMENTS</i>			<i>100,000</i>	<i>100,000</i>
FY 23/24 PLANNING				
51 . Bike Lane Project Development			80,000	80,000
52 . Traffic Management Plans			50,000	50,000
53 . Traffic Safety Project Development			50,000	50,000
<i>Subtotal FY23/24 PLANNING</i>			<i>180,000</i>	<i>180,000</i>
FY 24/25 TRAFFIC IMPROVEMENTS				
54 . Traffic Signal Equipment Replacement			100,000	100,000
<i>Subtotal FY24/25 TRAFFIC IMPROVEMENTS</i>			<i>100,000</i>	<i>100,000</i>
FY 24/25 PLANNING				
55 . Bike Lane Project Development			80,000	80,000
56 . Traffic Management Plans			50,000	50,000
57 . Traffic Safety Project Development			50,000	50,000
<i>Subtotal FY24/25 PLANNING</i>			<i>180,000</i>	<i>180,000</i>
FY 25/26 TRAFFIC IMPROVEMENTS				
58 . Traffic Signal Equipment Replacement			100,000	100,000
<i>Subtotal FY25/26 TRAFFIC IMPROVEMENTS</i>			<i>100,000</i>	<i>100,000</i>
FY 25/26 PLANNING				
59 . Bike Lane Project Development			80,000	80,000

**CITY OF SANTA ANA
SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2022 - FY 2028**

60 . Traffic Management Plans		50,000	50,000
61 . Traffic Safety Project Development		50,000	50,000
<i>Subtotal FY25/26 PLANNING</i>		<i>180,000</i>	<i>180,000</i>
FY 26/27 TRAFFIC IMPROVEMENTS			
62 . Traffic Signal Equipment Replacement		100,000	100,000
<i>Subtotal FY26/27 TRAFFIC IMPROVEMENTS</i>		<i>100,000</i>	<i>100,000</i>
FY 26/27 PLANNING			
63 . Bike Lane Project Development		80,000	80,000
64 . Traffic Management Plans		50,000	50,000
65 . Traffic Safety Project Development		50,000	50,000
<i>Subtotal FY26/27 PLANNING</i>		<i>180,000</i>	<i>180,000</i>
FY 27/28 TRAFFIC IMPROVEMENTS			
66 . Traffic Signal Equipment Replacement		100,000	100,000
<i>Subtotal FY27/28 TRAFFIC IMPROVEMENTS</i>		<i>100,000</i>	<i>100,000</i>
FY 27/28 PLANNING			
67 . Bike Lane Project Development		80,000	80,000
68 . Traffic Management Plans		50,000	50,000
69 . Traffic Safety Project Development		50,000	50,000
<i>Subtotal FY27/28 PLANNING</i>		<i>180,000</i>	<i>180,000</i>
TOTAL TRAFFIC IMPROVEMENTS	7,314,765	2,443,000	285,000
		10,042,765	

III. UTILITY/DRAINAGE/LIGHTING IMPROVEMENTS

FY 21/22 SEWER IMPROVEMENTS

70 . Fairhaven Neighborhood Sewer Main Improvements	300,000	300,000
71 . Industrial Streets Sewer Main Improvements Phase 1	225,000	225,000
72 . Lincoln Avenue Sewer Main Improvements	800,000	800,000
73 . NE Annex Septic to Sewer Conversion	840,000	840,000
74 . Rene Drive Sewer Main Upgrade	590,000	590,000
75 . Santa Ana Memorial Neighborhood Sewer Main Improvements	225,000	225,000
76 . Willard Neighborhood Sewer Main Improvements	130,000	130,000
77 . Wright Street Sewer Main Improvements	737,000	737,000
<i>Subtotal FY21/22 SEWER IMPROVEMENTS</i>	<i>5,547,000</i>	<i>3,847,000</i>

FY 21/22 WATER IMPROVEMENTS

78 . Bristol Street Water Main Improvements Phase 3A - Civic Center to Washington	50,000	50,000
79 . East & West Reservoirs Chlorine Buildings	1,000,000	1,000,000
80 . Euclid Street Water Main Improvements	2,500,000	2,500,000
81 . Fairview Street Water Main Improvements	2,500,000	2,500,000

**CITY OF SANTA ANA
SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2022 - FY 2028**

82. Garnsey Street Business District Water Main Improvements	820,000		820,000
83. Grovemont Street Water Main Improvements	2,100,000		2,100,000
84. Industrial Streets Water Main Improvements Phase I	1,500,000		1,500,000
85. Lincoln Avenue Water Main Improvements	800,000		800,000
86. NE Annex Septic to Sewer Improvements	1,425,000		1,425,000
87. SA-1 Hydropower Generation Project	1,700,000		1,700,000
88. South Main Street Water Main Improvements	1,100,000		1,100,000
<i>Subtotal FY21/22 WATER IMPROVEMENTS</i>	<i>15,495,000</i>		<i>15,495,000</i>
FY 21/22 STORM DRAIN/WATER QUALITY			
89. Stormwater Channel Fencing Upgrades	400,000 ⁴		400,000
<i>Subtotal FY21/22 STORM DRAIN/WATER QUALITY</i>	<i>400,000</i>		<i>400,000</i>
FY 21/22 MUNICIPAL FACILITIES			
90. Pressure Reducing Vault Power & Controls Improvements	1,380,000		1,380,000
91. Well No. 32 - Rehabilitation	2,250,000		2,250,000
<i>Subtotal FY21/22 MUNICIPAL FACILITIES</i>	<i>3,630,000</i>		<i>3,630,000</i>
FY 22/23 SEWER IMPROVEMENTS			
92. Flower Street Sewer Main Improvements		1,000,000	1,000,000
93. NE Annex Septic to Sewer Conversion		400,000	400,000
94. Rene Drive Sewer Main Upgrade		625,000	625,000
95. Wright Street Sewer Main Improvements		2,000,000	2,000,000
<i>Subtotal FY22/23 SEWER IMPROVEMENTS</i>		<i>4,025,000</i>	<i>4,025,000</i>
FY 22/23 WATER IMPROVEMENTS			
96. Bristol Street Water Main Improvements Phase 3A - Civic Center to Washington	250,000		250,000
97. East & West Reservoirs Chlorine Buildings	500,000		500,000
98. Euclid Street Water Main Improvements	2,000,000		2,000,000
99. Fairview Street Water Main Improvements	1,000,000		1,000,000
100. Grovemont Street Water Main Improvements	350,000		350,000
101. NE Annex Septic to Sewer Improvements	700,000		700,000
102. South Main Street Water Main Improvements	1,100,000		1,100,000
<i>Subtotal FY22/23 WATER IMPROVEMENTS</i>	<i>5,900,000</i>		<i>5,900,000</i>
FY 22/23 MUNICIPAL FACILITIES			
103. Well No. 32 - Rehabilitation	6,000,000		6,000,000
<i>Subtotal FY22/23 MUNICIPAL FACILITIES</i>	<i>6,000,000</i>		<i>6,000,000</i>
TOTAL UTILITY/DRAINAGE/LIGHTING IMPROVEMENTS	400,000	42,300,000	12,292,000
			39,297,000

IV. PARK FACILITY IMPROVEMENTS

**CITY OF SANTA ANA
SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM
FY 2022 - FY 2028**

FY 21/22 PARK FACILITY

104 . City of Santa Ana Dog Park		1,100,000							1,100,000
105 . City Park Splash Pads (Various Sites)	5,343,520 ⁶								5,343,520
106 . Dan Young Soccer Field Sports Lights		418,200							418,200
107 . El Salvador Park Basketball Court & Court Lighting Renovation						300,000			300,000
108 . New Stadium Scoreboard and Marquee						200,000			200,000
109 . Riverview Park Ballfield Sports Lighting Renovation						200,000			200,000
110 . Santa Anita Park Synthetic Turf & Shade Structure						156,000			156,000
111 . Stadium Synthetic Turf Renovation						818,000			818,000
<i>Subtotal FY21/22 PARK FACILITY</i>	<i>5,343,520</i>	<i>1,518,200</i>				<i>1,674,000</i>			<i>8,535,720</i>

TOTAL PARK FACILITY IMPROVEMENTS	5,343,520	1,100,000				1,674,000			8,535,720
---	------------------	------------------	--	--	--	------------------	--	--	------------------

V. INFRASTRUCTURE IMPROVEMENTS

FY 21/22 FACILITY

112. Project W Bus Shelter Project						1,030,000			1,030,000
<i>Subtotal FY21/22 FACILITY</i>						<i>1,030,000</i>			<i>1,030,000</i>

TOTAL INFRASTRUCTURE IMPROVEMENTS						1,030,000			1,030,000
--	--	--	--	--	--	------------------	--	--	------------------

GRAND TOTAL SEVEN YEAR CIP PROJECTS	23,231,172	1,518,200	31,025,000	9,572,000	1,000,000	1,674,000	14,168,915	1,515,000	82,004,287
--	-------------------	------------------	-------------------	------------------	------------------	------------------	-------------------	------------------	-------------------

**CITY OF SANTA ANA
SEVEN-YEAR CAPITAL IMPROVEMENT
PROGRAM FY 2021 – 2028**

"OTHER" FUNDING SOURCES

- (1) ACTIVE TRANSPORTATION PROGRAM - STATE
- (2) AFFORDABLE HOUSING SUSTAINABLE COMMUNITIES
- (3) CONGESTION MANAGEMENT AND AIR QUALITY
- (4) FEDERAL CLEAN WATER ENTERPRISE
- (5) REFUSE - MAINTENANCE
- (6) ACTIVE TRANSPORTATION PROGRAM - FEDERAL
- (7) CELL TOWER REVENUE
- (8) SB-1 ROAD MAINTENANCE AND REHABILITATION ACCOUNT
- (9) DRAINAGE AREA FEE: AREA IV
- (10) PRCSA YOUTH SERVICES



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Planning Commission Staff Report
May 24, 2021

Topic: CUP No. 2021-07 – Avatar Coffee Roasters

RECOMMENDED ACTION

Adopt a resolution approving Conditional Use Permit No. 2021-07 as conditioned.

EXECUTIVE SUMMARY

Jaime Hales, representing Avatar Coffee Roasters, on behalf of PR/Broadstone Heritage I, LLC (Property Owner), is requesting approval of Conditional Use Permit (CUP) No. 2021-07 to allow the sale of alcoholic beverages for on-premise consumption (Type 41-Beer and Wine) at a new establishment located at 1951 East Dyer Road, Unit B. Pursuant to Section 41-196 of the Santa Ana Municipal Code (SAMC), establishments wishing to sell alcoholic beverages for on-premise consumption require approval of a CUP. Staff is recommending approval of the applicant's request due to the site being developed as a mixed-use commercial/residential building. The multi-use nature of the site ensures an environment where commercial uses are a compatible use supported by the residential units surrounding it.

DISCUSSION

Project Description

The applicant is proposing to occupy 2,211 square feet of tenant space in a mixed-used commercial/residential development. The subject unit will undergo interior tenant improvements, including a new kitchen facility, tasting room, and lounge area. Tenant improvement plans have not been submitted to the Building Division for the proposed work. However, once the tenant improvements are finalized, the establishment will accommodate 40 patrons within its dining area and operate Monday through Sunday between the hours of 6:00 a.m. and 9:00 p.m. The establishment will sale coffee, coffee drinks, tea, beer, wine, salads, sandwiches, and other baked goods. The sale, service, and consumption of alcoholic beverages is proposed between the hours of the 8:00 a.m. and 9:00 p.m. (Monday – Saturday). All alcoholic beverages will be stored within the restaurant's kitchen area, which will be less than eight square feet. The alcohol storage

and display area will make up less than five percent of the total restaurant floors area as required by the SAMC.

Table 1: Project and Location Information

Item	Information	
Project Address and Council Ward	1951 E Dyer Road, Unit B – Ward 1	
Nearest Intersection	Dyer Road and Red Hill Avenue	
General Plan Designation	District Center (DC)	
Zoning Designation	Specific Development No. 88 (SD-88)	
Surrounding Land Uses	North	Warehouse and Manufacturing
	East	Hotel and City of Tustin
	South	Warehouse and Manufacturing
	West	Warehouse and Manufacturing
Property Size	18.84 acres	
Existing Site Development	The subject site contains an existing mixed used development	
Unit Size	2,211 square feet	
Use Permissions	Allowed with a conditional use permit (CUP)	
Zoning Code Sections Affected	Uses	Section 41-412 SAMC
	Operational Standards	Section 41-196(g) SAMC

Table 2: Operational Standards

Standards	Permissible by SAMC	Provided
Eating Establishment Type	Bona-Fide	Bona-Fide
Hours of Operation for ABC Sales	8:00 a.m. to 12:00 a.m.	8:00 a.m. to 9:00 p.m.
Window Display	25% of Window Coverage	Complies
Alcohol Storage and Display	5% of G.F.A	0.8% of G.F.A
Exterior Telephone	Prohibited	None

Project Background

The subject site is more commonly known as The Heritage and contains three mixed used commercial/residential buildings, with 1,221 residential units, 12,900 square feet of retail space, 5,500 square feet of restaurant space, 56,000 square feet of office space, and onsite parking structures. The existing residential component is composed of studios, one-bedroom, and two-bedroom units. The subject tenant space is proposed to be one of two commercial spaces within three commercial shells that have yet to be developed with identified tenants.

Avatar Coffee Roasters, a Montclair-based business, was founded in 2019. The company specializes in high-end coffee for the consumer while giving back a portion of sales to those in need. The company is proposing to expand their roasting facility with an additional location in Santa Ana that will focus on the education of home brewing

processes. This is currently the first tenant to utilize the commercial/restaurant component of Unit B located at The Heritage. No entertainment is proposed at this time. Should the applicant seek to provide onsite entertainment, approval of a separate entertainment permit will be required.

Project Analysis

CUP requests are governed by Section 41-638 of the SAMC. CUPs may be granted when it can be shown that the proposed project will not adversely impact the community. If these findings can be made, then it is appropriate to grant the CUP. Conversely, the inability to make these findings would result in a denial. The purpose of regulating establishments that sell alcoholic beverages is to set forth operating practices and procedures and to minimize impacts to surrounding areas. Staff has reviewed the applicant's request to expand the sale and consumption of sell beer and wine and has determined that the proposed CUP will not be detrimental to the health, safety, and welfare of the community.

The proposed sale of alcoholic beverages for on-premises consumption will provide an ancillary service to the establishment's customers by allowing them the ability to purchase a variety of alcoholic beverages with their meal and will allow Avatar Coffee Roasters to be economically viable and compete with nearby full-service establishments that offer that same services to their patrons. The proposed sale of alcoholic beverages at the establishment is consistent with other coffee and juice bars in the region that sell similar products. In Santa Ana, two CUPs (Nos. 2017-27 and 2017-28) were approved in 2017 for a juice bar and coffee establishment, respectively, at the Nineteen01 development to allow the sale of alcoholic beverages for on-premises consumption. Similarly, a Starbucks location in Rancho Santa Margarita was approved to offer alcoholic beverages for on-premises consumption in 2012.

In addition, the operational standards applicable to an ABC license will mitigate any potential impacts created by the use and will ensure that the use will not negatively affect the surrounding community. The subject unit is part of The Heritage mixed-use community, which was entitled to provide a highly-amentized community with "live, work, and play" options all onsite through residential, office, retail, and restaurant components. Furthermore, the subject site is not located within immediate proximity to parks, playgrounds, schools, or religious institutions. As a result, the granting of the CUP will not negatively impact any sensitive land uses that may be nearby.

Approval of the CUP will be consistent with several goals and policies of the General Plan. Policy 2.2 of the Land Use Element encourages land uses that accommodate the City's needs for goods and services. Providing a variety of establishments that offer alcoholic beverages as part of their menu offers additional dining options for Santa Ana residents and visitors. Furthermore, Policy 2.9 of the Land Use Element supports

developments that create a business environment that is safe and attractive. Operational standards for the proposed Alcohol Beverage Control (ABC) license will maintain a safe and attractive environment in the neighborhood. Finally, Policy 5.5 of the Land Use Element encourages development that is compatible with and supporting of surrounding land uses. Avatar Coffee Roasters is located within a mixed use development and its operations will be compatible with the surrounding land uses.

Police Department Analysis

The Police Department reviews CUP applications for the sale and service of alcoholic beverages in order to ensure that the potential crime and nuisance behaviors associated with alcohol consumption are mitigated to the greatest extent possible. For on-sale licenses, the Police Department analyzes the crime rate in the area using the standards and definitions contained in the Business and Professions Code Section 23948.4(c)(2), which are also utilized by the State Department of Alcoholic Beverage Control. This section defines “reported crimes” as criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.

Table 3: Police Department Analysis and Criteria for Recommendation

Police Department Analysis and Criteria for Recommendation	
Police Grid No. and Rank	Police Grid No. 249; ranked 73 out of 102 Police Reporting Grids (71st percentile)
Threshold for High Crime	This reporting district is well below the 20 percent threshold established by the State for high crime
Police Department Recommendation	The Police Department is satisfied that the operational standards applicable to on-premise ABC licenses will mitigate any potential impacts to the surrounding community and therefore does not oppose the granting of a CUP.

The Police Department then compares the number of such crimes in the reporting district as compared to the number of crimes in other reporting districts. In keeping with the standard used by the State Department of Alcoholic Beverage Control and Business and Professions Code, should the Police Department determine that the reporting district has a 20 percent greater number of reported crimes than the average number found in all reporting districts, the Police Department will consider this information in making its recommendation. As part of the application process, the application was reviewed by the Police Department. Based on its review, the Police Department has no issues of concern regarding this application.

Public Notification and Community Outreach

Project notifications were posted, published, and mailed in accordance with City and State regulations. Copies of the public notice, including a 500-foot notification radius map, and the site posting are provided in Exhibit 7. In addition to these measures, representatives of the Delhi Neighborhood Association were contacted to identify any areas of concern due to the proposed request. At the time this report was printed, no issues of concern were raised regarding the proposed CUP.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review pursuant to Section 15301 of the CEQA Guidelines (Class 1/Existing Facilities) because the project involves negligible expansion of an existing use. Based on this analysis, Notice of Exemption, Environmental Review No. 2021-41 will be filed for this project.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. Resolution
2. Vicinity Zoning and Aerial View
3. Site Photo
4. Site Plan
5. Floor Plan
6. 3D Renderings
7. Copy of Public Notices

Submitted By:
Liana Arechiga, Planning Intern

Approved By:
Minh Thai, Executive Director of Planning and Building Agency, Planning and Building Agency

RESOLUTION NO. 2021-XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2021-07 AS CONDITIONED TO ALLOW ON-PREMISES SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT AVATAR COFFEE ROASTERS LOCATED AT 1951 EAST DYER ROAD, UNIT B.

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds, determines, and declares as follows:

- A. Jamie Hales (“Applicant”), representing Avatar Coffee Roasters, is requesting approval of Conditional Use Permit (“CUP”) No. 2021-07 to allow on-premises consumption of alcoholic beverages at a new eating establishment located at 1951 East Dyer Road, Unit B.
- B. Santa Ana Municipal Code (“SAMC”) Section 41-196 requires approval of a CUP for establishments wishing to sell alcoholic beverages for on-premises consumption.
- C. On May 24, 2021 the Planning Commission held a duly noticed public hearing on CUP No. 2021-07.
- D. The Planning Commission determines that the following findings, which must be established in order to grant a CUP pursuant to SAMC Section 41-638, have been established for CUP No. 2021-07 to allow the sale of alcoholic beverages for on-premises consumption at 1951 East Dyer Road, Unit B.
 1. That the proposed use will provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed sale of alcoholic beverages for on-premises consumption at this location will provide an ancillary service to the eating establishment’s customers by allowing them the ability to purchase alcoholic beverages with their meal. This will thereby benefit the community by providing an eating establishment with an additional and complementary food related amenity. Operational standards applicable to the alcoholic beverage control (“ABC”) license and conditions of approval will mitigate any potential impacts created by the use and will ensure that the use will not negatively affect the surrounding community.

2. That the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.

The proposed sale of alcoholic beverages for on-premises consumption at this location will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity because the operational standards applicable to the alcoholic beverage control license and conditions of approval will address any potential negative or adverse impacts created by the use. The granting of the CUP will not negatively impact any sensitive land uses that may be nearby.

3. That the proposed use will not adversely affect the present economic stability or future economic development of properties surrounding the area.

The proposed use will not adversely affect the economic stability of the area, but will instead allow the eating establishment to compete with other nearby eating establishments that offer a full selection of alcoholic beverages for sale to their customers. Moreover, the offering of alcoholic beverages will allow the eating establishment to be economically viable and compete with nearby full-service eating establishments in Santa Ana and will contribute to the overall success of the City.

4. That the proposed use will comply with the regulations and conditions specified in Chapter 41 for such use.

The proposed conditional use permit will be in compliance with all applicable regulations and operational standards imposed on an eating establishment selling alcoholic beverages for on-premises consumption pursuant to Chapter 41 of the SAMC. The facility will be maintained as a full-service, bona-fide eating establishment, having suitable kitchen facilities and supplying an assortment of foods. Additionally, the eating establishment will utilize less than five (5%) percent of the gross floor area for display and storage of alcoholic beverages, which is the maximum threshold established by the SAMC. In addition, operational standards will ensure the project remains in compliance with all applicable codes and regulations related to alcohol sales to ensure that the use does not impact neighboring properties or create an attractive nuisance

5. That the proposed use will not adversely affect the General Plan of the city or any specific plan applicable to the area of the proposed use.

The proposed sale of alcoholic beverages for on-premises consumption at this location will not adversely affect the General Plan or any specific plan. The granting of CUP No. 2021-07 supports several policies contained in the General Plan. Policy 2.2 of the Land Use Element encourages land uses that accommodate the City's needs for goods and services. Providing a variety of full-service eating establishments that provide alcoholic beverages as part of their menu offers additional dining options for Santa Ana residents and visitors. Furthermore, Policy 2.9 of the Land Use Element supports developments that create a business environment that is safe and attractive. Operational standards for the proposed ABC license will maintain a safe and attractive environment in the neighborhood. Policy 5.5 of the Land Use Element encourages development that is compatible with and supporting of surrounding land uses. Avatar Coffee Roasters is located within a mixed-use building and its operation is compatible with the surrounding residential use and commercial businesses.

Section 2. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is categorically exempt from further review per Section 15301 (Class 1 – Existing Facilities). Class 1 exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project proposes to allow the operation of an alcoholic beverage control license to sell alcoholic beverages at a bona-fide eating establishment. Based on this analysis, a Notice of Exemption, Environmental Review No. 2021-41, will be filed for this project.

Section 3. The Applicant shall indemnify, protect, defend and hold the City and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, referendum, and other proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and such other procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown

Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure sections 1085 or 1094.5, or any other federal, state or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve the legal counsel providing the City's defense, and that Applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant of any Action brought and City shall cooperate with Applicant in the defense of the Action.

Section 4. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves Conditional Use Permit No. 2021-07, as conditioned in Exhibit A, attached hereto and incorporated herein, for the project located at 1951 East Dyer Road, Unit B. This decision is based upon the evidence submitted at the above-referenced hearing, including but not limited to: The Request for Planning Commission Action dated May 24, 2021, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 24th day of May, 2021 by the following vote.

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTIONS: Commissioners:

Mark McLoughlin
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Sr. Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2021-XXX to be the original resolution adopted by the Planning Commission of the City of Santa Ana on May 24, 2021.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Conditional Use Permit No. 2021-07

Conditional Use Permit No. 2021-07 for on-premises consumption of alcoholic beverages is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with all applicable sections of the Santa Ana Municipal Code, the California Building Standards Code, and all other applicable regulations:

The Applicant must comply with each and every condition listed below prior to exercising the rights conferred by this conditional use permit.

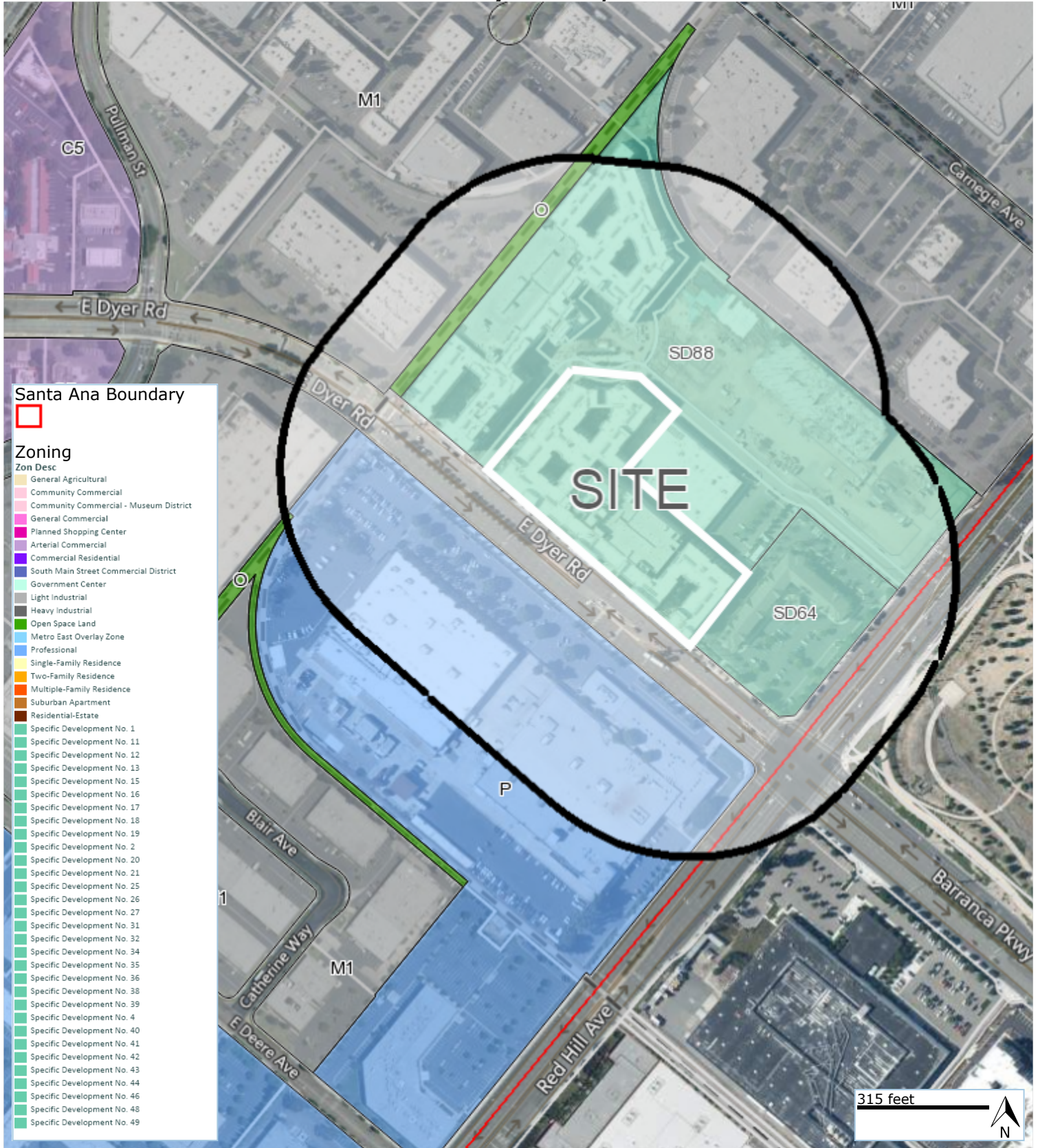
The Applicant must remain in compliance with all conditions listed below throughout the life of the conditional use permit. Failure to comply with each and every condition may result in the revocation of the conditional use permit.

1. The sale, service, and consumption of alcoholic beverages shall be permitted in accordance with the operational standards for on-sale establishments pursuant to Section 41-196(g) of the SAMC, in accordance with the provisions of an on-premises alcohol license by the California Department of Alcoholic Beverage Control (ABC), and in accordance with the site and floor plans attached to the staff report documenting the approved scope of the project.
2. The sale, service, and consumption of alcoholic beverages shall be limited from 8:00 a.m. to 12:00 a.m. (midnight) Monday through Sunday, unless modified through a subsequent and separate conditional use permit application for after-hours operations pursuant to SAMC Section 41-196(g)(3).
3. Within 90 days of adoption of this resolution, a Property Maintenance Agreement shall be recorded against the property. The agreement will be subject to review and applicability by the Planning and Building Agency, the Community Development Agency, the Public Works Agency, and the City Attorney to ensure that the property and all improvements located thereupon are properly maintained. Applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a maintenance agreement with the City of Santa Ana which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:
 - a) Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.);
 - b) Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation,

security requirements, the proper storage and disposal of trash and debris, enforcement of the parking management plan, and/or restrictions on certain uses);

- c) Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
- d) Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);
- e) If Applicant and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms;
- f) The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties, obligations and responsibilities set forth under the maintenance agreement;
- g) The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City; and
- h) The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of the ABC license.

CUP No. 2021-07 - Avatar Coffee Roasters 1951 East Dyer Road, Unit B



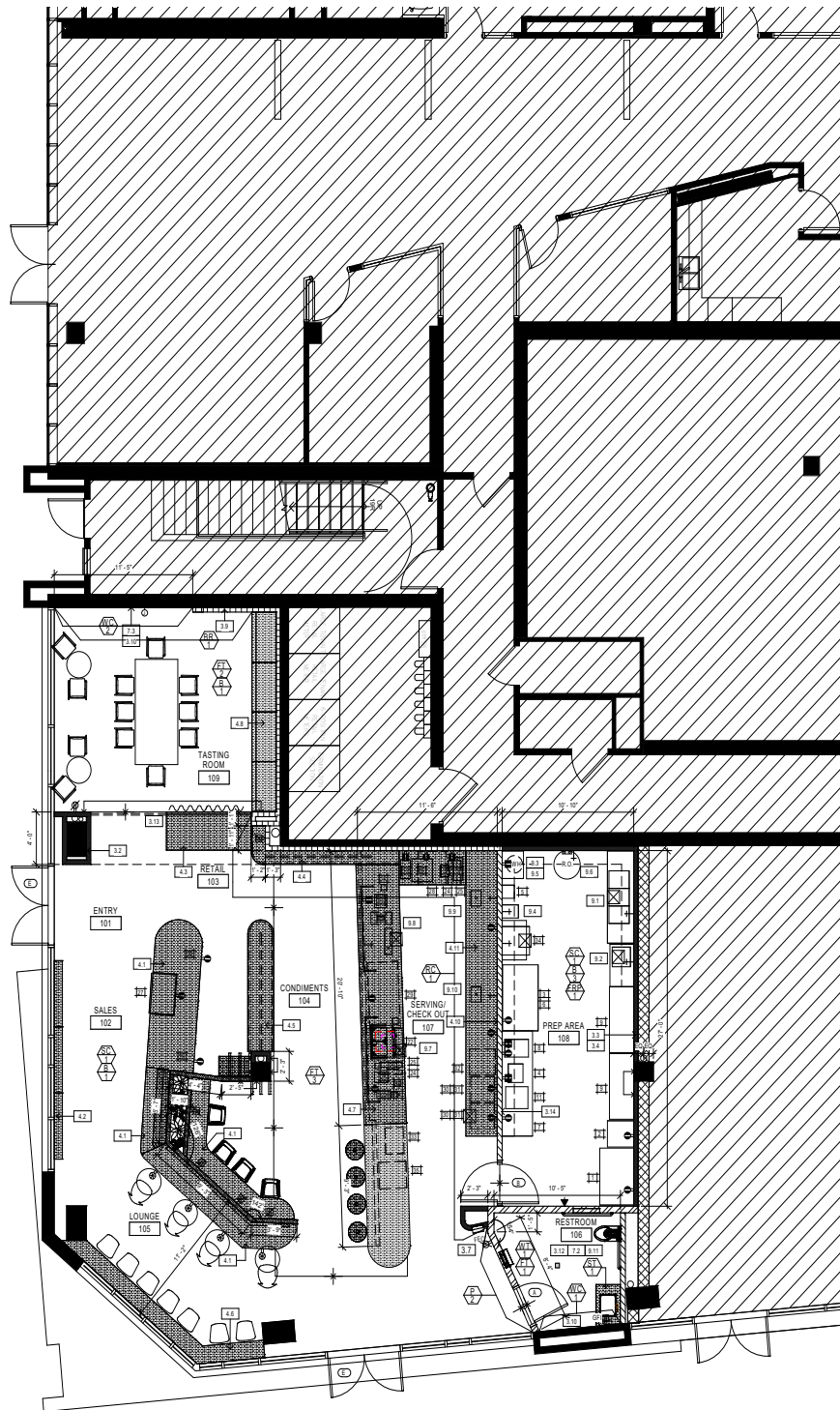
5/24/2021

**CUP No. 2021-07 – Avatar Coffee Roasters
1951 East Dyer Road, Unit B**



5/24/2021
Planning Commission

Exhibit 3 – Site Photo
2 – 14



1.1	1.2	1.3	1.4	1.5	1.6
1.7	1.8	1.9	2.0	2.1	2.2
2.3	2.4	2.5	2.6	2.7	2.8
2.9	2.10	2.11			

TYPICAL THROUGHOUT U.S.G.

2 - 16

5/24/2021
Planning Commission

Hendy

HHENDY.COM
T (949) 851-3080
4770 Campus Dr., Suite 100
Newport Beach, CA 92660



ADDRES: _____
ACCEPTED THIS _____ DAY OF _____, 2021
TENANT: _____
BY: _____
TITLE: _____

NOTE: UPON SIGNING THIS PRICING PLAN, I ACKNOWLEDGE THAT ALL OF MY REQUIREMENTS HAVE BEEN ADDRESSED AND I HAVE FULL AUTHORITY TO BIND MY ORGANIZATION TO THIS PRICING PLAN. ANY CHANGES TO THE SCOPE OF THE PROJECT AFTER THIS DATE WILL INCUR ADDITIONAL DESIGN AND DRAWING COSTS TO MY ORGANIZATION.

ISSUES AND REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUE PRICING PLAN	03/09/21

Architectural, Planning, Contract, Design, and Graphics professionals and other related personnel have not been licensed in the State of California. The use of the word "architect" in this document is for identification purposes only and does not constitute an offer of architectural services in the State of California.

©2021 HENDY COMPANY
JOB NUMBER: 01206.000.20
SCALE: 1/4" = 1'-0"
TEAM: S/D/S/R

PROJECT
AVATAR COFFEE
BREWERS

2001 EAST DYER ROAD
SANTA ANA, CA 90705

PRELIMINARY PRICING PLAN
PP-1.1



TASTING ROOM & ENTRY SCALE 12" = 1'-0" 3



CUSTOM BRASS AVATAR LOGO AT 48" H SECURED TO CUSTOM 12" X 12" STEEL FRAME WITH PERFORATED METAL SHELVING

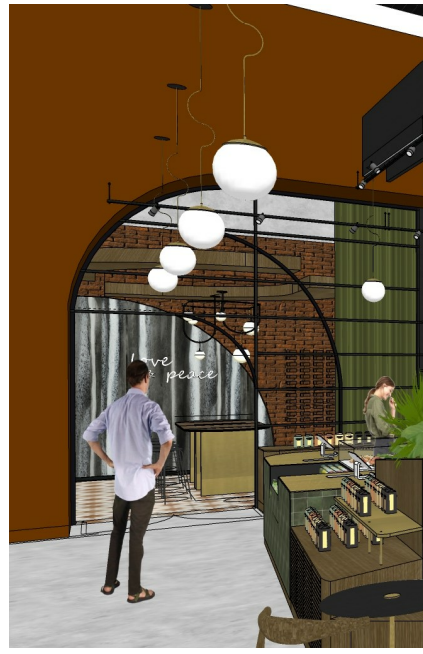
18" X 12" STEEL FRAME DECORATIVE STRUCTURE WITH (6) 12" DIAMETER BRASS INLAYS

SALES & SERVING/CHECK OUT SCALE 12" = 1'-0" 2



30" X 2" THICK PAINTED MILLWORK paneled ARCHES SECURED TO STRUCTURE ABOVE.

LOUNGE SCALE 12" = 1'-0" 1



AGREED: _____
 ACCEPTED THIS _____ DAY OF _____, 2021
 TENANT: _____
 BY: _____
 TITLE: _____
 NOTE: UPON USING THIS PRICING PLAN, I ACKNOWLEDGE THAT ALL OF MY REQUIREMENTS HAS BEEN ADDRESSED AND I HAVE FULL AUTHORITY TO BID BY ORGANIZATION TO THIS PRICING PLAN. ANY CHANGES TO THE SCOPE OF THE PROJECT AFTER THIS DATE WILL INCUR ADDITIONAL DESIGN AND DRAWING COSTS TO MY ORGANIZATION.

ISSUES AND REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUE PRICING PLAN	03/09/21

Job Number: 01206.000.20
 SCALE: NONE
 TEAM: SD/SR

PROJECT
AVATAR COFFEE BREWERS
 2001 EAST DYER ROAD
 SANTA ANA, CA 90705

ORANGE COUNTY REPORTER

~SINCE 1921~

Mailing Address : 600 W SANTA ANA BLVD, SANTA ANA, CA 92701
Telephone (714) 543-2027 / Fax (714) 542-6841
Visit us @ www.LegalAdstore.com

CITY OF SANTA ANA PLANNING
SANTA ANA/PLANNING & BUILDING
20 CIVIC CENTER PLAZA 2ND FLR
SANTA ANA, CA 92702

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description

Conditional Use Permit No. 2021-07

To the right is a copy of the notice you sent to us for publication in the ORANGE COUNTY REPORTER. Thank you for using our newspaper. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

05/12/2021

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$128.65
Total	\$128.65

Daily Journal Corporation

Serving your legal advertising needs throughout California.

ORANGE COUNTY REPORTER, SANTA ANA	(714) 543-2027
BUSINESS JOURNAL, RIVERSIDE	(951) 784-0111
DAILY COMMERCE, LOS ANGELES	(213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES	(213) 229-5300
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO	(800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE	(408) 287-4866
THE DAILY RECORDER, SACRAMENTO	(916) 444-2355
THE DAILY TRANSCRIPT, SAN DIEGO	(619) 232-3486
THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747

OR# 3470556

NOTICE OF PUBLIC HEARING BEFORE THE SANTA ANA PLANNING COMMISSION

The City of Santa Ana encourages the public to participate in the decision-making process. We encourage you to contact us prior to the Public Hearing if you have any questions.

Planning Commission Action: The Planning Commission will hold a Public Hearing to receive public testimony, and will take action on the item described below. Decision on this matter will be final unless appealed within 10 calendar days of the decision by any interested party or group.

Project Location: 1951 East Dyer Road, Unit B located in the Specific Development No. 88 (SD-88) zoning district.

Project Applicant: Jaime Hales, representing Avatar Coffee Roasters, on behalf of PR/Broadstone Heritage I, LLC (Property Owner).

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2021-07 to allow a Type 41 Alcoholic Beverage Control (ABC) license for the sale of beer and wine for on-premises consumption at a new eating establishment (Avatar Coffee Roasters).

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines – Class 1/Existing Facilities. Notice of Exemption, Environmental Review No. 2021-41 will be filed for this project.

Meeting Details: This matter will be heard on **Monday, May 24, 2021 at 5:30 p.m.** In light of COVID-19, this meeting will be conducted in a virtual environment. For the most up to date information on how to participate virtually in this meeting, please visit www.santa-ana.org/pb/meeting-participation.

Written Comments: If you are unable to participate in the virtual meeting, you may send written comments by e-mail to PBACComments@santa-ana.org (reference the Agenda Item # in the subject line) or mail to Sarah Bernal, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza – M20, Santa Ana, CA 92701. Deadline to submit written comments is **5:00 p.m.** on the day of the meeting. Comments received after the deadline may not be distributed to the Commission but will be made part of the record.

Where To Get More Information: Additional details regarding the proposed action(s), including the full text of the discretionary item, may be found on the City website 72 hours prior to the public hearing at: www.santa-ana.org/cc/city-meetings

Who To Contact For Questions: Should you have any questions, please contact

Pedro Gomez with the Planning and Building Agency at PGomez@santa-ana.org.

Note: If you challenge the decision on the above matter, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council of the City of Santa Ana at, or prior to, the public hearing.

Si tiene preguntas en español, favor de llamar a Narcedalia Perez al (714) 667-2260.

Nếu cần liên lạc bằng tiếng Việt, xin điện thoại cho Tony Lai số (714) 565-2627.

5/12/21

OR-3470556#



* A 0 0 0 0 0 5 7 1 7 0 7 9 *

5/24/2021

Planning Commission



CITY OF SANTA ANA Planning and Building Agency

20 Civic Center Plaza • P.O. Box 1988
Santa Ana, California 92702
www.santa-ana.org/pba

NOTICE OF PUBLIC HEARING BEFORE THE SANTA ANA PLANNING COMMISSION

Planning Commission Action: The Planning Commission will hold a Public Hearing to receive public testimony, and will take action on the item described below. Decision on this matter will be final unless appealed within 10 calendar days of the decision by any interested party or group.

Project Location: 1951 East Dyer Road, Unit B located in the Specific Development No. 88 (SD-88) zoning district.

Project Applicant: Jaime Hales, representing Avatar Coffee Roasters, on behalf of PR/Broadstone Heritage I, LLC (Property Owner),

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2021-07 to allow a Type 41 Alcoholic Beverage Control (ABC) license for the sale of beer and wine for on-premises consumption at a new eating establishment (Avatar Coffee Roasters).

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines – Class 1/Existing Facilities. Notice of Exemption, Environmental Review No. 2021-41 will be filed for this project.

Meeting Details: This matter will be heard on **Monday, May 24, 2021 at 5:30 p.m.** In light of COVID-19, this meeting will be conducted in a virtual environment. For the most up to date information on how to participate virtually in this meeting, please visit www.santa-ana.org/pb/meeting-participation.

Written Comments: If you are unable to participate in the virtual meeting, you may send written comments by e-mail to PBACeComments@santa-ana.org (reference the Agenda Item # in the subject line) or mail to Sarah Bernal, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza – M20, Santa Ana, CA 92701. Deadline to submit written comments is **5:00 p.m.** on the day of the meeting. Comments received after the deadline may not be distributed to the Commission but will be made part of the record.

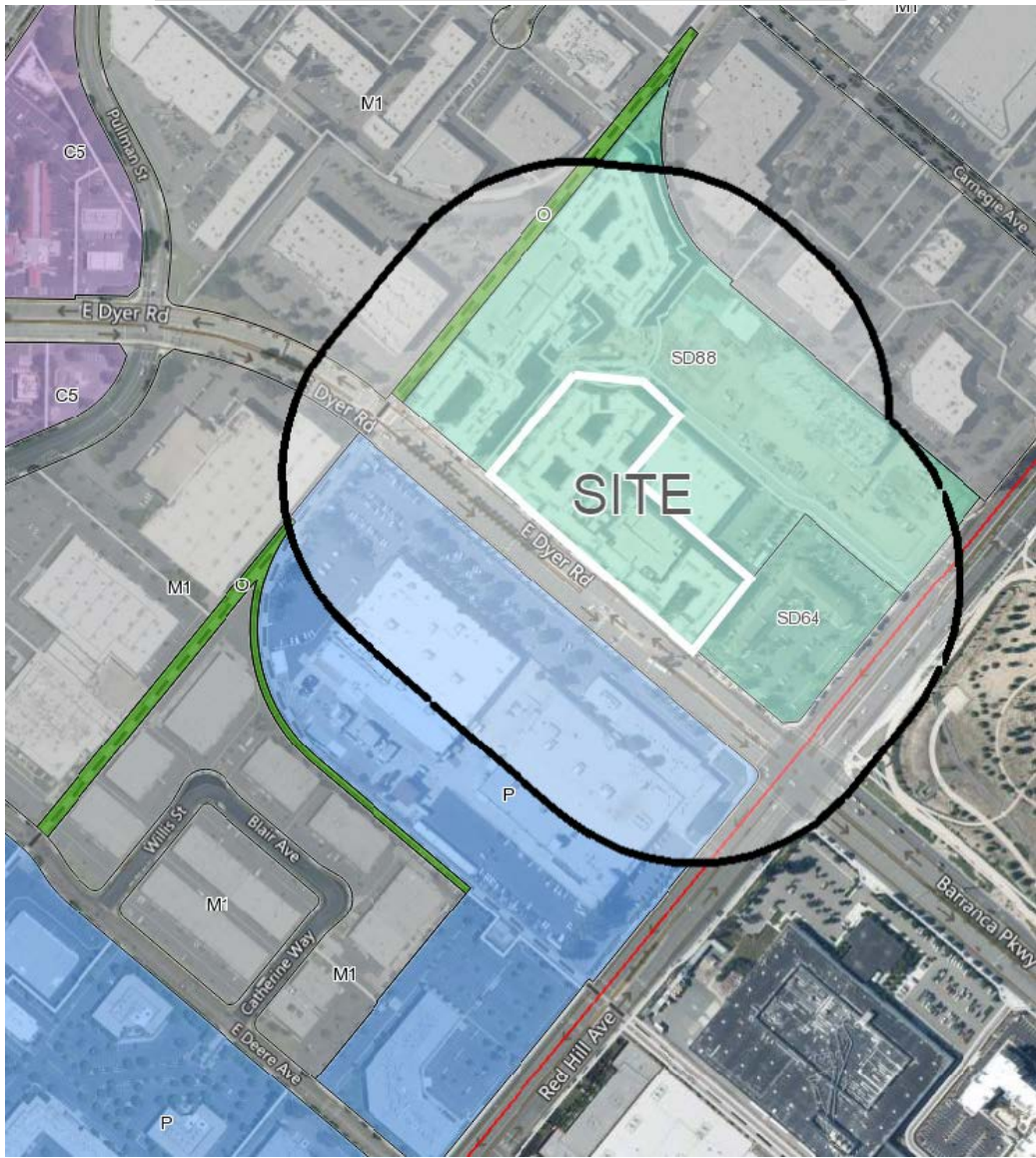
Where To Get More Information: Additional details regarding the proposed action(s), including the full text of the discretionary item, may be found on the City website 72 hours prior to the public hearing at: www.santa-ana.org/cc/city-meetings

Who To Contact For Questions: Should you have any questions, please contact Pedro Gomez with the Planning and Building Agency at PGomez@santa-ana.org.

Note: If you challenge the decision on the above matter, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council of the City of Santa Ana at, or prior to, the public hearing.

Si tiene preguntas en español, favor de llamar a Narcedalia Perez al (714) 667-2260.
Nếu cần liên lạc bằng tiếng Việt, xin điện thoại cho Tony Lai số (714) 565-2627.

500' RADIUS NOTIFICATION MAP



Publish: OC Reporter – Legal Section
Date: May 12, 2021



**City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Planning Commission Staff Report
May 24, 2021**

Topic: Zoning Ordinance Amendment (ZOA) No. 2021-01 – Light Processing (Recycling) Facilities

RECOMMENDED ACTION

Recommend that City Council approve ZOA No. 2021-01 to adopt an ordinance amending Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code (SAMC) to require a conditional use permit (CUP) for Light Processing Facilities in the Light Industrial (M-1) zoning district.

EXECUTIVE SUMMARY

The proposed ordinance would amend Section 41-472 of the SAMC to remove light processing facilities as a use permitted by right in the Light Industrial (M-1). The ordinance would also amend Section 41-472.5 of the SAMC to add light processing facilities as a conditionally-permitted use in the same zoning district, thereby allowing the Planning Commission and City Council to approve, conditionally approve, or deny applications for such facilities.

DISCUSSION

On January 19, 1988, the City Council adopted Ordinance NS-1946, adding Article XIV to Chapter 41 of the Santa Ana Municipal Code (SAMC) to regulate recycling facilities. The ordinance created a regulatory framework to define, allow, and regulate recycling facilities and related uses in Santa Ana, including recycling facilities, collection facilities, and processing facilities. A subsequent ordinance, Ordinance NS-2333, was adopted on October 6, 1997 to update and bring the City's existing recycling facilities ordinance into conformance with State laws in place at the time.

Recycling uses range from smaller drop-off (collection) facilities and reverse vending machines at the various commercial centers throughout Santa Ana, to processing facilities where recyclable materials are bailed, compacted, flattened, grinded and crushed, sorted, shredded, cleaned, and remanufactured. These more complex

Zoning Ordinance Amendment (ZOA) No. 2021-01 – Light Processing (Recycling) Facilities

May 24, 2021

Page 2

operations are defined as processing facilities, further broken down into two categories: Light and Heavy, and are permitted in Santa Ana's Industrial (M-1 and M-2) zoning districts.

Processing facilities are defined in SAMC Section 41-1250 (d). As defined in the SAMC, a processing facility is a building or enclosed space used for the collection and processing of recyclable materials. Pursuant to the SAMC, a light processing facility occupies an area of under forty-five thousand (45,000) square feet of gross collection, processing and storage area and has up to an average of two (2) outboard truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to quality as a certified processing facility. Light processing facilities may not shred, compact, or bale ferrous metals other than food and beverage containers. Further, the SAMC states that a heavy processing facility is any processing facility other than a light processing facility. As presently written, the SAMC requires a CUP for heavy processing facilities, which are only permitted in the Heavy Industrial (M-2) zoning district.

Section 41-1255 of the SAMC contains operational standards for all processing facilities, whether light or heavy, one of which is that such facilities may not abut a property zoned or used for residential purpose. However, due to the City's age, development patterns, and past zoning practices, there exist multiple areas of the City where Industrial (M-1 and M-2) zoning districts directly abut residentially-zoned or used properties, now identified as Environmental Justice Communities pursuant to California Senate Bill (SB) 1000. These Communities include the Delhi, Logan, Cornerstone Village, Lacy, French Park, Artesia Pilar, Casa Bonita, and other residential properties near Harbor Mixed-Use Transit Corridor Specific Plan (SP-2), Santa Anita, and Mar-Les neighborhoods that are not part of an established Neighborhood Association. In these areas and under the current SAMC regulations, a light processing facility may operate just one property away from a residential land use, without any CUP requirement.

Operations typical of light processing facilities, which include preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing, are known to have detrimental effects on surrounding properties due to the noise, odor, vibration, vermin infestation, visual, and traffic impacts caused by inbound and outbound truck movements. The absence of a CUP requirement does not allow the City to evaluate each submitted application for consistency with surrounding properties and neighborhoods, as well as the General Plan, to therefore recommend approval or denial of such applications subject to a discretionary review process. Moreover, the current by-right review prevents the Planning Commission and City Council from imposing conditions of approval to ensure compatible and unimpactful operations of such facilities with surrounding properties and neighborhoods.

There currently exist 12 light processing facilities in the City. Of these, six are located in the Light Industrial (M-1) zoning district and five are operating without a Conditional Use Permit. Out of the 12 light processing facilities, 11 are within 1,000 feet of property zoned or used for residential purposes. The proposed SAMC amendment would ensure continued consistency of the Zoning Code's regulations with SAMC Section 41-1, which articulates the purpose of the City's Zoning Code. The absence of a Conditional Use Permit requirement for light processing facilities is inconsistent with the goals expressed by SAMC Section 41-1 in that discretion by the Planning Commission and City Council may not be exercised to ensure that the location and operation of such facilities are compatible with the scale, character, and nature of surrounding properties and neighborhoods as specified in SAMC Sections 41-1 (a), (b), (e), and (f). Specifically, these include goals to encourage the most appropriate use of land; conserve and stabilize property value; lessen congestion on streets and highways, and; promote the health, safety and the general welfare of the people, all as part of the Santa Ana General Plan.

General Plan Consistency

The amendments proposed by this Ordinance are consistent with numerous Goals and Policies of the existing General Plan. These include: 1. Land Use Element Goals 1 (Promote a balance of land uses to address basic community needs), 3 (Preserve and improve the character and integrity of neighborhoods), and 5 (Ensure that the impacts of development are mitigated); 2. Noise Element Goal 1 (Prevent significant increases in noise levels in the community and minimize the adverse effects of currently-existing noise sources); 3. Public Safety Element Goal 1 (Preserve a safe and secure environment for all Santa Ana residents and workers); and 4. Urban Design Element Goals 1 (Improve the physical appearance of the City through development of districts that project a sense of place, positive community image, and quality environment) and 2 (Improve the physical appearance of districts through development that is proportional and aesthetically related to its district setting).

The City is in the process of comprehensively updating its General Plan. Proposed new or updated Elements of the General Plan include Community, Economic Prosperity, Noise, Safety, Land Use, and Urban Design. These proposed new or updated Elements contain draft policies that have been identified and thoroughly reviewed by members of the Santa Ana community through surveys, workshops, meetings, and public hearings. Consistent with SB 1000, the City is considering changes to its goals, policies, and actions to take into consideration the topic of environmental justice that will improve existing and future conditions for all of Santa Ana, with a focus on those in Santa Ana in greatest need of help and protection. These draft policies are intended to improve and maintain a high quality of life for residents, businesses, and visitors of Santa Ana and address deleterious land uses such as Processing Facilities, both Light and Heavy, in the City.

Prior Urgency Ordinance

Pursuant to Charter Section 415 of the Santa Ana Municipal Code and California Government Code Section 65858, the City Council is authorized to adopt an interim (urgency) ordinance, without following the procedures otherwise required for the adoption of an ordinance. On May 4, 2021, the City Council voted unanimously to adopt an urgency ordinance approving ZOA No. 2021-01. Concurrent with this effort, the Planning Division has prepared the proposed permanent ordinance that requires Planning Commission review before reconsideration by the City Council. Upon adoption, the permanent ordinance would become effective 30 days after the City Council's second reading.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act ("CEQA") and the state CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review pursuant to California Code of Regulations section 15061(b)(3), which is applicable if it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. As a result, a Notice of Exemption will be filed upon adoption of this ordinance.

FISCAL IMPACT

There is no direct fiscal impact associated with this action. However, adoption of this Ordinance would result in a CUP application requirement for light processing facilities. The current CUP application review fee is \$6,150.89.

EXHIBIT(S)

1. Ordinance
2. Map of Processing Facilities Operating in Santa Ana with Zoning Districts Indicated
3. Copy of Public Notice

Submitted By:
Ali Pezeshkpour, AICP, Principal Planner

ORDINANCE NO. NS-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING SECTIONS 41-472 AND 41-472.5 OF THE SANTA ANA MUNICIPAL CODE TO REQUIRE A CONDITIONAL USE PERMIT FOR PROCESSING FACILITIES AS DEFINED IN SANTA ANA MUNICIPAL CODE SECTION 41-1250

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

A. On January 19, 1988, the City Council adopted Ordinance NS-1946, adding Article XIV to Chapter 41 of the Santa Ana Municipal Code (SAMC) to regulate recycling facilities.

B. Ordinance NS-1946 established definitions, zoning, regulations, and operational standards for a variety of recycling-related uses, including recycling facilities, collection facilities, and processing facilities.

C. On October 6, 1997, the City Council adopted Ordinance NS-2333, amending various sections of the SAMC regarding recycling regulations to update and bring the City's existing recycling facilities ordinance into conformance with State laws in place at the time. Ordinance NS-2333 remains in full effect.

D. Pursuant to SAMC Section 41-1250 (d), a Processing Facility is a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Such facilities are distinguished between Light Processing Facilities or Heavy Processing Facilities, as defined in SAMC Sections 41-1250 (d) (1) and 41-1250 (d) (2), respectively.

E. A Light Processing Facility is permitted as a use in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts pursuant to Sections 41-472 (y) (3) and 41-489 of the SAMC, respectively, without the need for a conditional use permit.

F. SAMC Section 41-1 (Purpose) articulates the purpose and intent of the City's Zoning Code, that because of the necessity of segregating the location of

residences, businesses, trades and industries; and regulating the use of buildings, structures, and land; and regulating the location, height, bulk, and size of buildings and structures, the size of yards and other open spaces; the city is divided into land-use districts of such number, shape and area as may be considered best suited to carry out these regulations and provide for their enforcement. The City's zoning regulations are considered necessary in order to: (a) encourage the most appropriate use of land; (b) conserve and stabilize property value; (c) provide adequate open spaces for light and air and to prevent and fight fires; (d) prevent the undue concentration of population; (e) lessen congestion on streets and highways, and (f) promote the health, safety and the general welfare of the people, all as part of the General Plan of the City.

G. The absence of a Conditional Use Permit requirement for Light Processing Facilities is inconsistent with the goals expressed by SAMC Section 41-1 (Purpose) in that discretion by the Planning Commission and City Council cannot be exercised to ensure that the location and operation of such facilities are compatible with the scale, character, and nature of surrounding properties and neighborhoods as specified in SAMC Sections 41-1 (a), (b), (e), and (f).

H. Heavy Processing Facilities are currently required to obtain approval of a Conditional Use Permit and are only permitted in the City's Heavy Industrial (M-2) zoning district, pursuant to SAMC Section 41-489.5.

I. Due to the City's age, development patterns, and past zoning practices, there exist multiple areas of the City where Industrial (M-1 and M-2) zoning districts directly abut residentially-zoned or used properties, now identified as Environmental Justice Communities pursuant to California Senate Bill (SB) 1000. These Communities include the Delhi, Logan, Cornerstone Village, Lacy, French Park, Artesia Pilar, Casa Bonita, and other residential areas near Harbor Mixed-Use Transit Corridor Specific Plan (SP-2), and also the Santa Anita and Mar-Les neighborhoods that are not part of an established Neighborhood Association.

J. There currently exist 12 Light Processing Facilities in the City. Of these, six are located in the Light Industrial (M-1) zoning district, five of which are operating without a Conditional Use Permit. Out of the 12 light processing facilities, 11 are within 1,000 feet of property zoned or used for residential purposes.

K. Due to the nature of their operations, Light Processing Facilities often operate in outdoor settings, creating dust, noise, odor, and negative aesthetic impacts on surrounding properties and neighborhoods that generate calls for code enforcement and police services. Since 2010, the Code Enforcement Division has received and reviewed 48 complaints for such facilities. The nature of these complaints includes unpermitted storage and construction; sanitation, health, or safety concerns; operating beyond approved operations or operating standards

specified by the SAMC; outdoor business activity; debris, trash, and litter; graffiti; homeless encampments; and unpermitted or excess signage.

L. The amendments proposed by this Ordinance are consistent with numerous Goals and Policies of the existing General Plan. These include:

1. Land Use Element: Goals 1 (Promote a balance of land uses to address basic community needs), 3 (Preserve and improve the character and integrity of neighborhoods), and 5 (Ensure that the impacts of development are mitigated);
2. Noise Element: Goal 1 (Prevent significant increases in noise levels in the community and minimize the adverse effects of currently-existing noise sources);
3. Public Safety Element: Goal 1 (Preserve a safe and secure environment for all Santa Ana residents and workers); and
4. Urban Design Element: Goals 1 (Improve the physical appearance of the City through development of districts that project a sense of place, positive community image, and quality environment) and 2 (Improve the physical appearance of districts through development that is proportional and aesthetically related to its district setting).

M. The City is in the process of comprehensively updating its General Plan. Proposed new or updated Elements of the General Plan include Community, Economic Prosperity, Noise, Safety, Land Use, and Urban Design. These proposed new or updated Elements contain draft policies that have been identified and thoroughly reviewed by members of the Santa Ana community through surveys, workshops, meetings, and public hearings. Consistent with SB 1000, the City is considering changes to its goals, policies, and actions to take into consideration the topic of environmental justice that will improve existing and future conditions for all of Santa Ana, with a focus on those in Santa Ana in greatest need of help and protection. These draft policies are intended to improve and maintain a high quality of life for residents, businesses, and visitors of Santa Ana and address deleterious land uses such as Processing Facilities, both Light and Heavy, in the City.

N. If Light Processing Facilities remain a use permitted in the Industrial (M-1 and M-2) zoning districts without a conditional use permit, they will pose a serious threat to the public interest, health, safety and welfare for the following reasons:

1. Such uses may continue to locate in the City's Industrial zoning (M-1 and M-2) districts without appropriate and thorough review by the City's Planning Commission and City Council. Such uses would remain subject to the City's administrative review process for administrative development projects,

pursuant to Article V, Division 3 of Chapter 41 of the SAMC. This administrative review process ensures consistency with adopted development standards and design guidelines, but (1) does not allow the City to evaluate each submitted application for consistency with surrounding properties and neighborhoods, as well as the General Plan, and to therefore recommend approval or denial of such applications subject to a discretionary review process, and (2) prevents the Planning Commission and City Council from imposing conditions of approval to ensure compatible and harmonious operations of such facilities with surrounding properties and neighborhoods.

2. Operations typical of Light Processing Facilities, which include preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing, are known to have detrimental effects on surrounding properties due to the noise, odor, vibration, vermin infestation, visual, and traffic impacts caused by inbound and outbound truck movements to and from such facilities. The absence of a Conditional Use Permit requirement for such facilities severely circumscribes the City's ability, through its administrative review process, to impose conditions on such operations that would otherwise protect the health, welfare, and safety of residents and visitors to properties abutting or in the vicinity of Light Processing Facilities.

O. Prevention of detrimental impacts to residents, the public interest, health, safety and welfare requires the enactment of this Ordinance. The absence of this Ordinance will create a serious threat to the orderly and effective implementation of any code amendments, General Plan amendments or specific plan amendments which may be adopted by the City. Light Processing Facilities permitted by-right may be in conflict with or frustrate other provisions of the SAMC intended to guarantee or preserve the public peace, health, or safety. Moreover, permitting such facilities without requiring a Conditional Use Permit would create impacts on the public health, safety and welfare that the City Council, in adopting this ordinance, has found to be unacceptable.

P. On May 4, 2021 the City Council unanimously adopted Urgency Ordinance No. NS-3004 amending sections 41-472 and 41-472.5 to the identical effect prescribed by this Ordinance, ZOA No. 2021-01. In accordance with California Government Code section 65858, Urgency Ordinance No. NS-3004 is an interim ordinance that remains effective for up to 45 days from the date of its adoption (subject to extension) to allow the Planning Commission further opportunity to study the matter.

Q. On May 24, 2021 the Planning Commission held a duly noticed public hearing on ZOA No. 2021-01.

R. The Request for City Council Action for this ordinance dated June 15, 2021 and duly signed by the Executive Director of the Planning and Building Agency shall, by this reference, be incorporated herein, and together with this ordinance, any amendments or supplements, and oral testimony constitute the necessary findings for this ordinance.

S. The City Council of the City of Santa Ana intends that nothing in this article shall be deemed to conflict with State or Federal law, nor to otherwise permit any activity that is prohibited under the California Beverage Container Recycling & Litter Reduction Act or other applicable law.

Section 2. The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of the CEQA Guidelines.

Section 3. Section 41-472 of Article III, Division 18 of Chapter 41 of the Santa Ana Municipal Code is hereby amended to read in full as follows:

Sec. 41-472. - Uses permitted in the M1 district.

The following uses are permitted in the M1 district:

- (a) The compounding, processing, or treatment of raw or previously treated materials into a finished or semi-finished product, excluding those uses specified in section 41-489.5.
- (b) The manufacture of products from raw or previously treated materials, excluding those uses specified in section 41-489.5.
- (c) The assembly of products from raw or previously treated materials, excluding those uses specified in section 41-489.5.
- (d) The packaging or distribution of previously prepared products or materials, excluding those uses specified in section 41-489.5.
- (e) Wholesale establishments where the primary trade is business to business sale of products, supplies, and equipment.
- (f) Storage of previously prepared goods, products or materials for eventual distribution or sales where the goods, products or materials are the property of the owner or operator of the building or structure.
- (g) Machine shop or other metal working shops.
- (h) Warehousing.
- (i) Impound yards (storage only) with no office or dispatching operations.
- (j) Laundry and dry cleaning establishments in conjunction with plant operation for such establishment on the premises.
- (k) Eating establishments not specified in section 41-472.5.

- (l) Research laboratories that do not generate hazardous waste materials.
- (m) Service stations with no more than two thousand (2,000) square feet of the gross floor area devoted to non-automotive related product sales.
- (n) Truck, boat and heavy equipment sales, rental, and service.
- (o) Movie, photography, musical or video production studios.
- (p) Bulk products sales (twenty-five (25) cubic feet or greater) when such products are the primary sales activity.
- (q) Public utility structures.
- (r) Blueprinting, photoengraving, screen printing and other reproduction processes.
- (s) Wholesale nursery and plant storage.
- (t) Contractor's yard.
- (u) Automotive repair and service, including body and fender repair, painting, and engine replacement.
- (v) Home improvement warehouse store.
- (w) Sales of industrial products, supplies and equipment used for final product manufacture.
- (x) Lumberyard, including mill and sash work if conducted entirely within an enclosed building.
- (y) Recycling facilities not in excess of forty-five thousand (45,000) gross square feet and in compliance with section 41-1253 of this Code including:
 - (1) Small collection facilities.
 - (2) Large collection facilities.
 - ~~(3) Light processing facilities.~~
- (z) Adult entertainment businesses, subject to compliance with the requirements of article XVII of this chapter.
 - (aa) Storage and distribution of hazardous materials.
 - (bb) Passenger transportation services.

Section 4. Section 41-472.5 of Article III, Division 18 of Chapter 41 of the Santa Ana Municipal Code is hereby amended to read in full as follows:

Sec. 41-472.5. - Uses subject to a conditional use permit in the M1 district.

The following uses may be permitted in the M1 district subject to the issuance of a conditional use permit:

- (a) Principal industrial uses if occupying less than seventy (70) per cent of the gross floor area with the remainder of the floor area allocated to office use only.
- (b) Storage of new or used buildings or houses.
- (c) Child care facilities other than as permitted by section 41-472.1.
- (d) Trade schools which provide instruction which requires the operation of heavy equipment or machinery normally associated with manufacturing operations such as woodworking or machine shops.

- (e) Kennels for the temporary care and lodging of dogs and other domesticated household animals.
- (f) Eating establishments permitted in section 41-472 which operate between 12:00 and 5:00 a.m. and which are within one hundred fifty (150) feet of a residential use.
- (g) Eating establishments with drive-through window service.
- (h) Petroleum and gas storage.
- (i) Freight, bus and truck terminal.
- (j) Industrial medical clinics which offer medical services by referral only and do not offer overnight stays.
- (k) Administrative office use ancillary to a permitted industrial use occupying more than thirty (30) per cent of the gross floor area.
- (l) Light processing facilities and Heavy processing recycling uses facilities.
- (m) Car wash facility.
- (n) Banquet facilities as an ancillary use to a restaurant or eating establishment, subject to development and operational standards set forth in section 41-199.1.
- (o) Commercial storage not within five hundred (500) feet of an arterial street (as defined in the city's circulation element) or freeway or within one thousand (1,000) feet of a freeway intersection.
- (p) Mini-warehouse uses; provided that no conditional use permit shall be granted unless a written finding is made that the parcel on which the use is proposed is not within five hundred (500) feet of an arterial street (as defined in the city's circulation element) or freeway, or within one thousand (1,000) feet of a freeway intersection.
- (q) Recreational vehicle, vehicle and/or boat storage yard; provided that no conditional use permit shall be granted unless a written finding is made that the parcel on which the use is proposed is: not within five hundred (500) feet of an arterial street (as defined in the city's circulation element) or freeway, or within one thousand (1,000) feet of a freeway intersection.
- (r) Data center uses; provided that no conditional use permit shall be granted unless a written finding is made that the parcel on which the use is proposed is: not within five hundred (500) feet of an arterial street (as defined in the city's circulation element) or freeway, or within one thousand (1,000) feet of a freeway intersection.
- (s) Indoor sport facility, subject to development and operational standards set forth in section 41-482.

Section 5. 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.

Section 6. The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

ADOPTED this _____ day of _____, 2021.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Sr. Assistant City Attorney

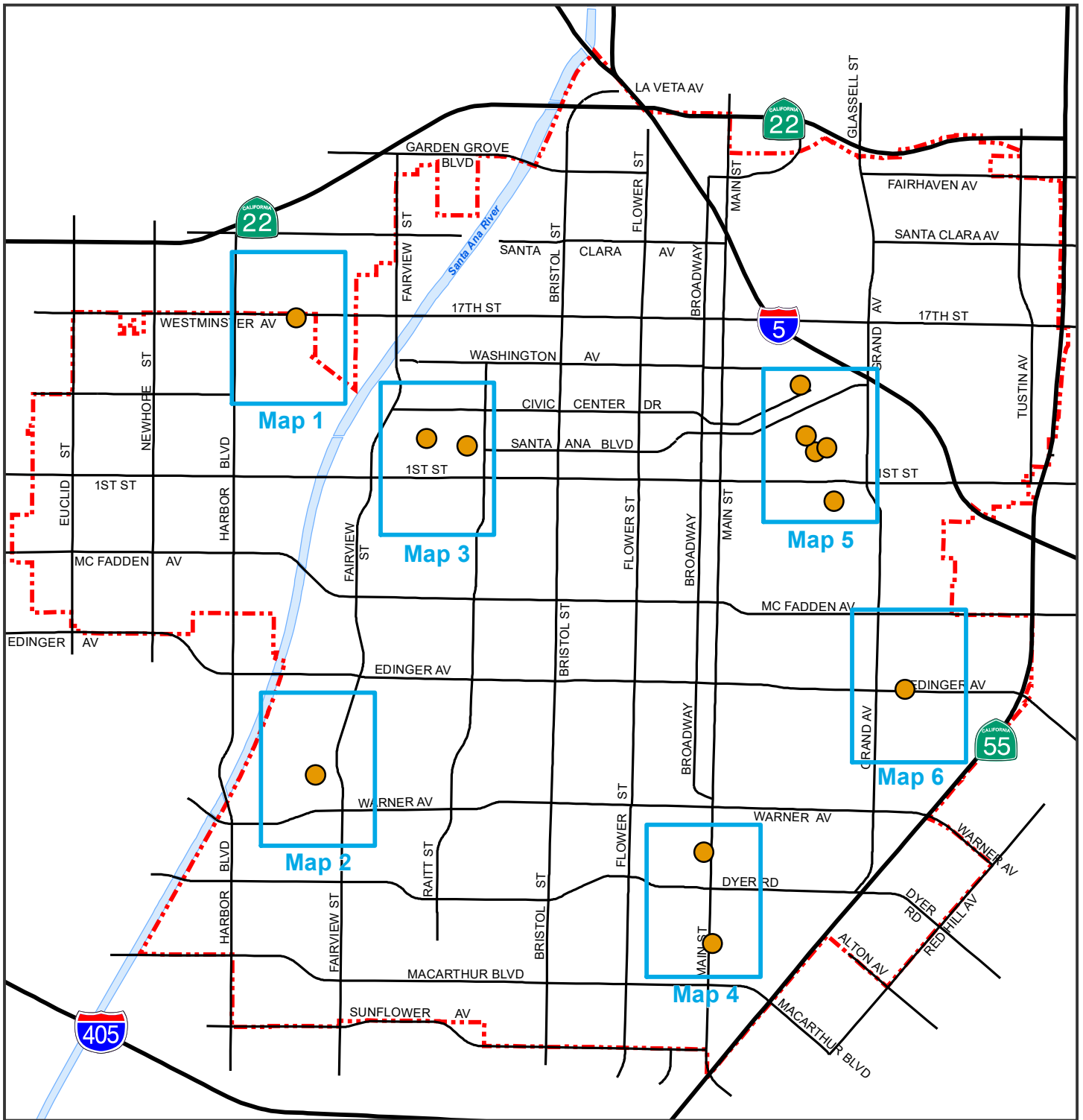
AYES: Councilmembers: _____
NOES: Councilmembers: _____
ABSTAIN: Councilmembers: _____
NOT PRESENT: Councilmembers: _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

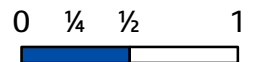
I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-_____ to be the original ordinance adopted by the City Council of the City of Santa Ana on _____, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: _____

Clerk of the Council
City of Santa Ana



Processing Facilities Index Map

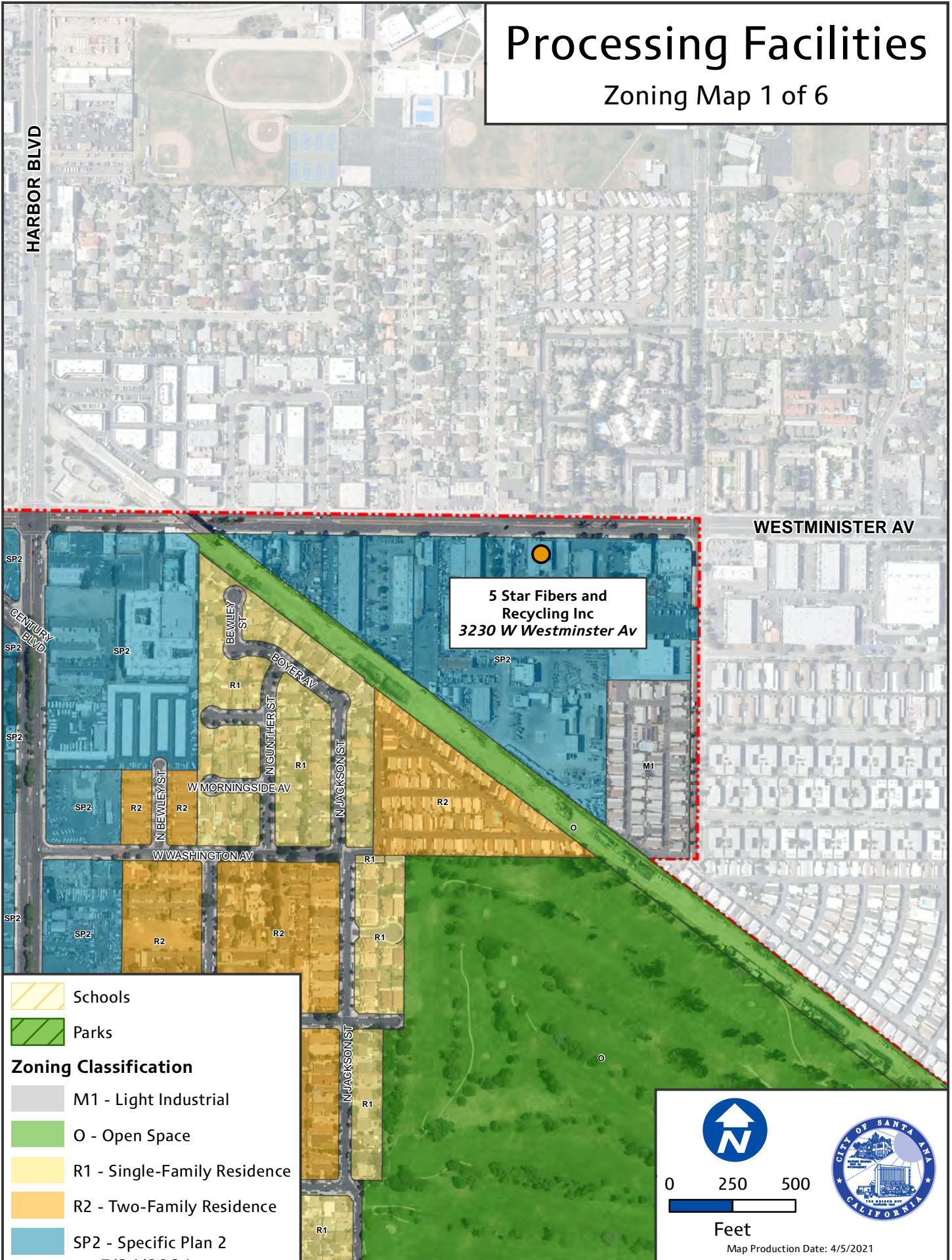


Miles

Map Production Date: 4/5/2021

Processing Facilities

Zoning Map 1 of 6



Legend

- Schools
- Parks

Zoning Classification

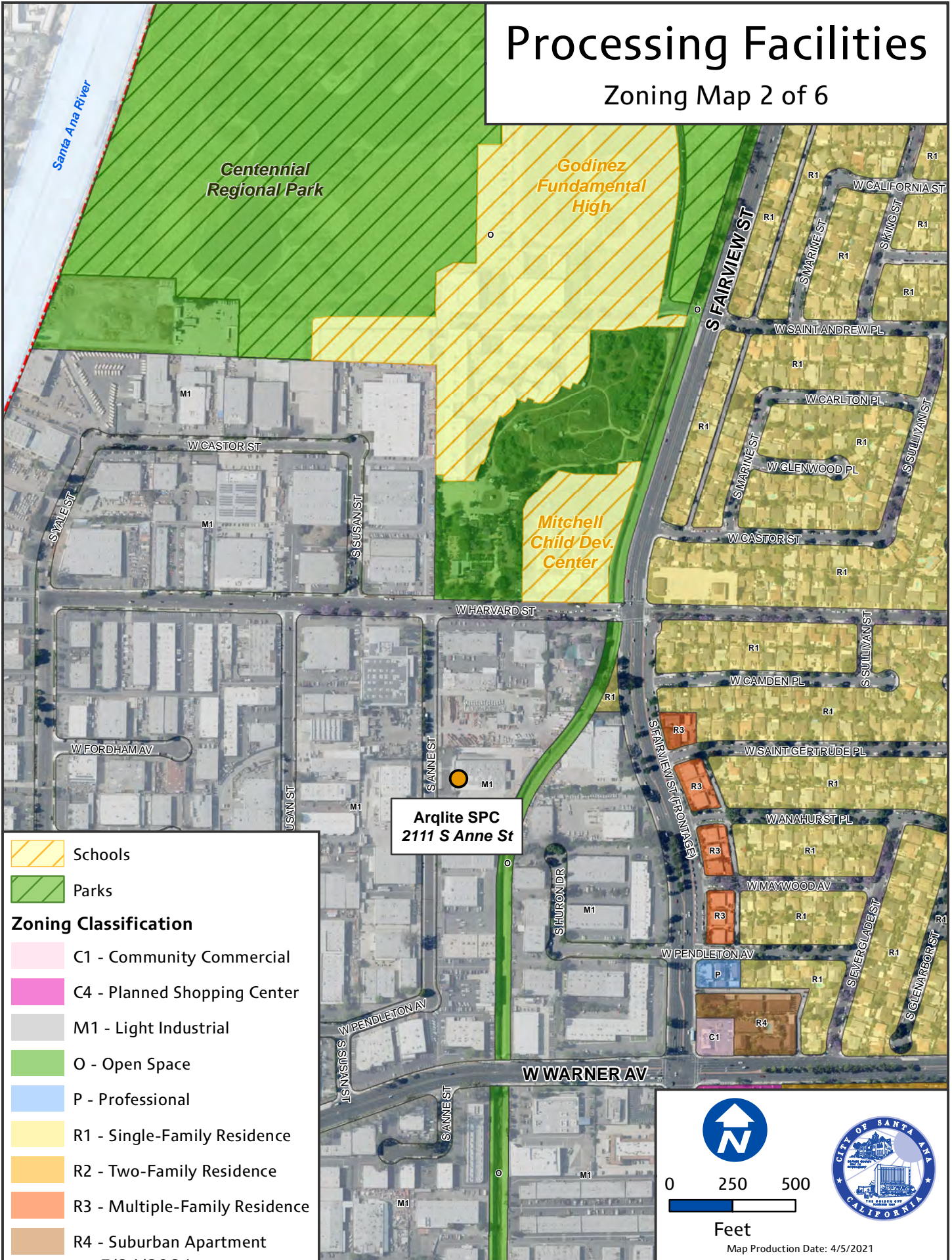
- M1 - Light Industrial
- O - Open Space
- R1 - Single-Family Residence
- R2 - Two-Family Residence
- SP2 - Specific Plan 2

0 250 500
Feet

Map Production Date: 4/5/2021

Processing Facilities

Zoning Map 2 of 6



Schools

Parks

Zoning Classification

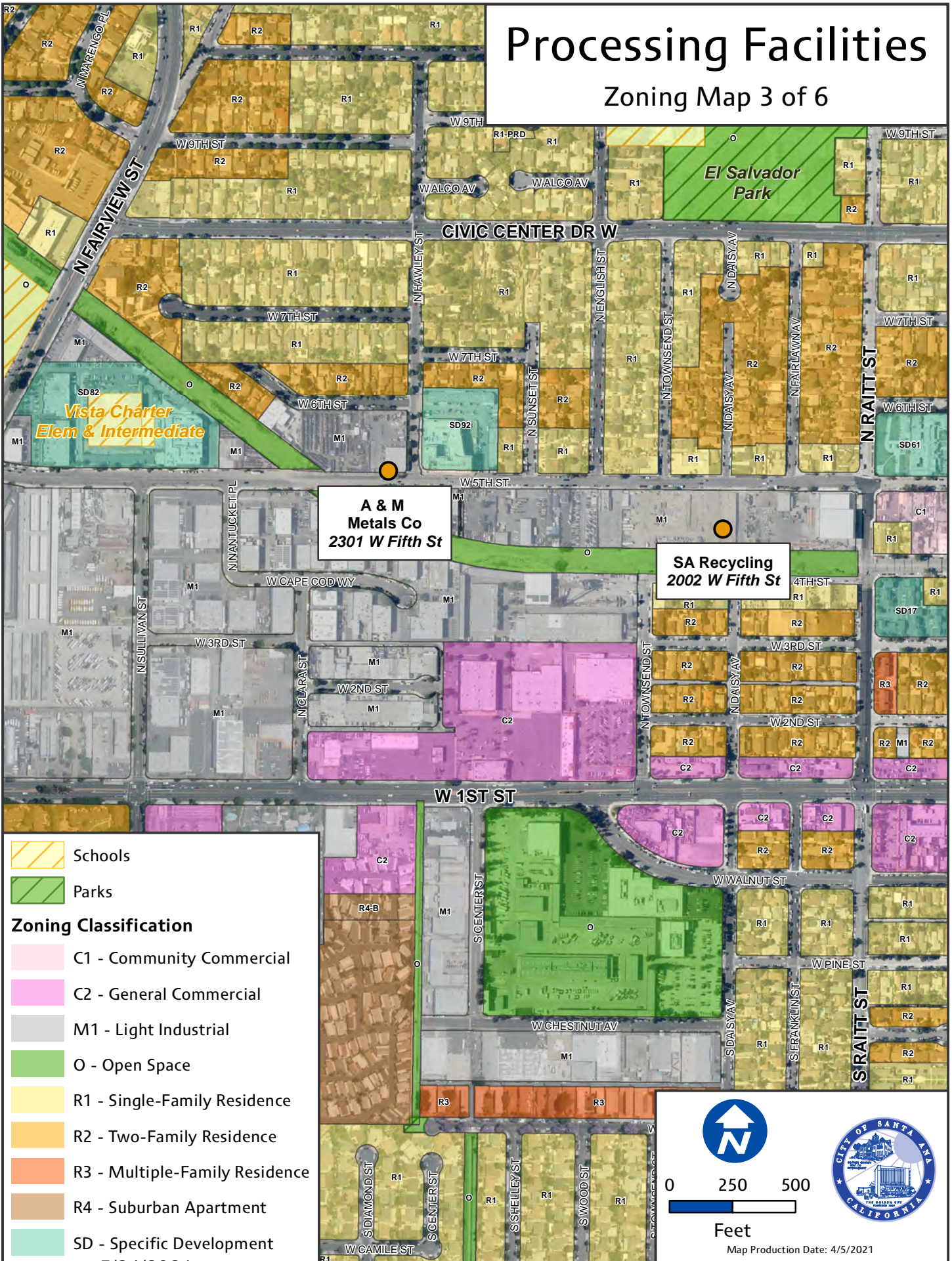
- C1 - Community Commercial
- C4 - Planned Shopping Center
- M1 - Light Industrial
- O - Open Space
- P - Professional
- R1 - Single-Family Residence
- R2 - Two-Family Residence
- R3 - Multiple-Family Residence
- R4 - Suburban Apartment

0 250 500
Feet

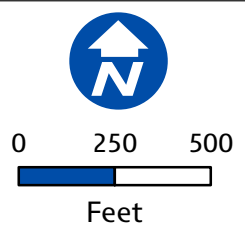
Map Production Date: 4/5/2021

Processing Facilities

Zoning Map 3 of 6



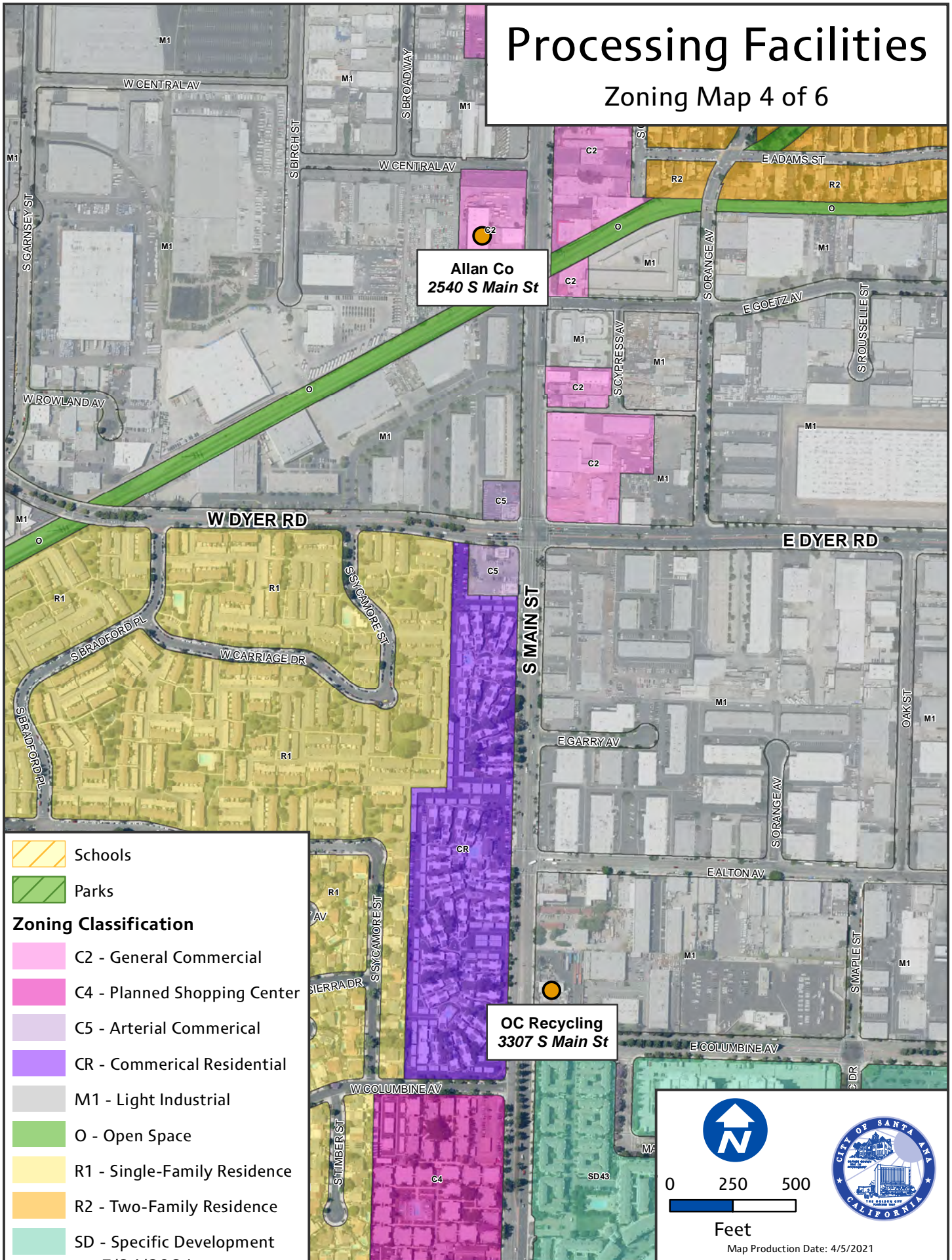
- Schools
- Parks
- Zoning Classification**
- C1 - Community Commercial
- C2 - General Commercial
- M1 - Light Industrial
- O - Open Space
- R1 - Single-Family Residence
- R2 - Two-Family Residence
- R3 - Multiple-Family Residence
- R4 - Suburban Apartment
- SD - Specific Development



Map Production Date: 4/5/2021

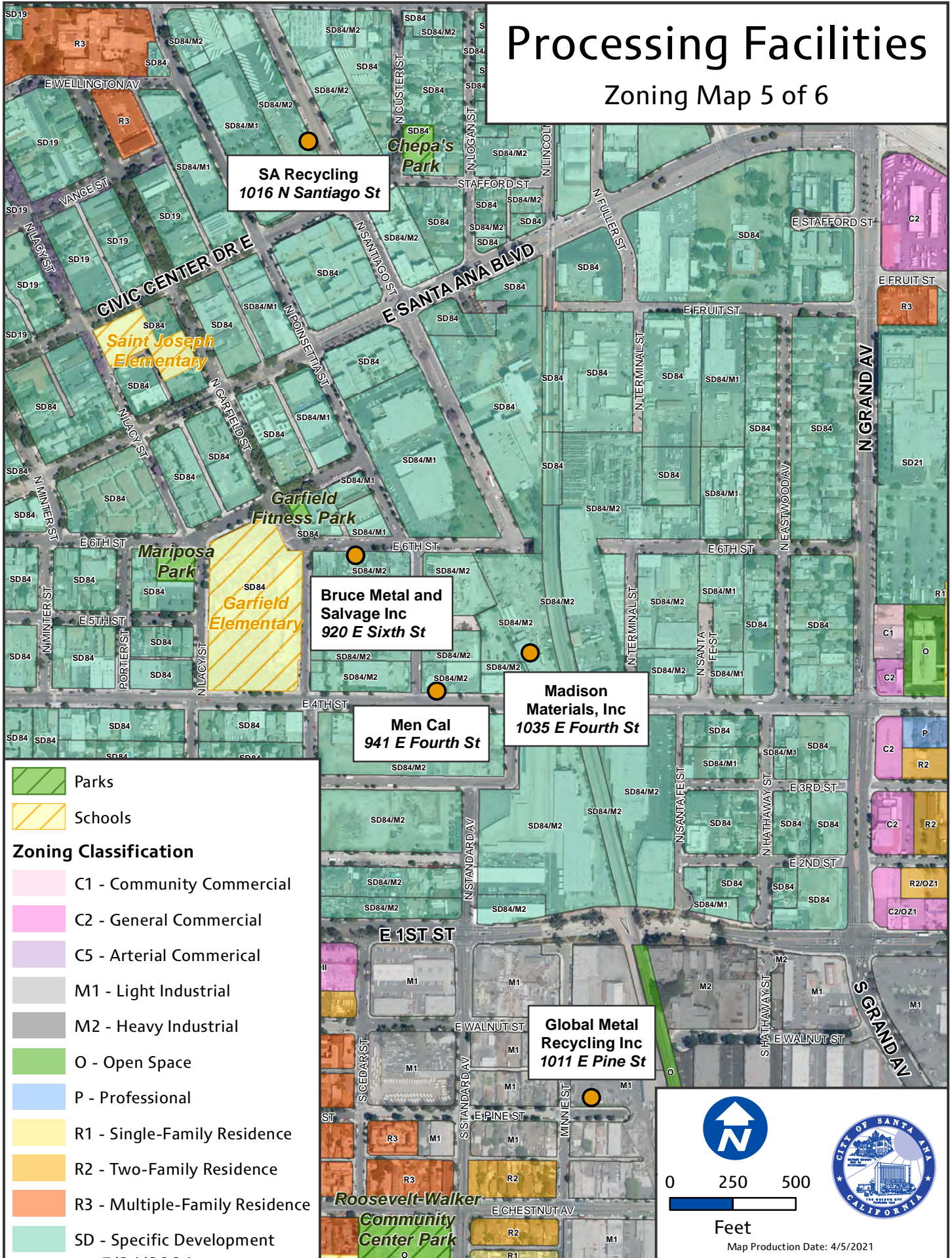
Processing Facilities

Zoning Map 4 of 6



Processing Facilities

Zoning Map 5 of 6



Legend

- Parks
- Schools

Zoning Classification

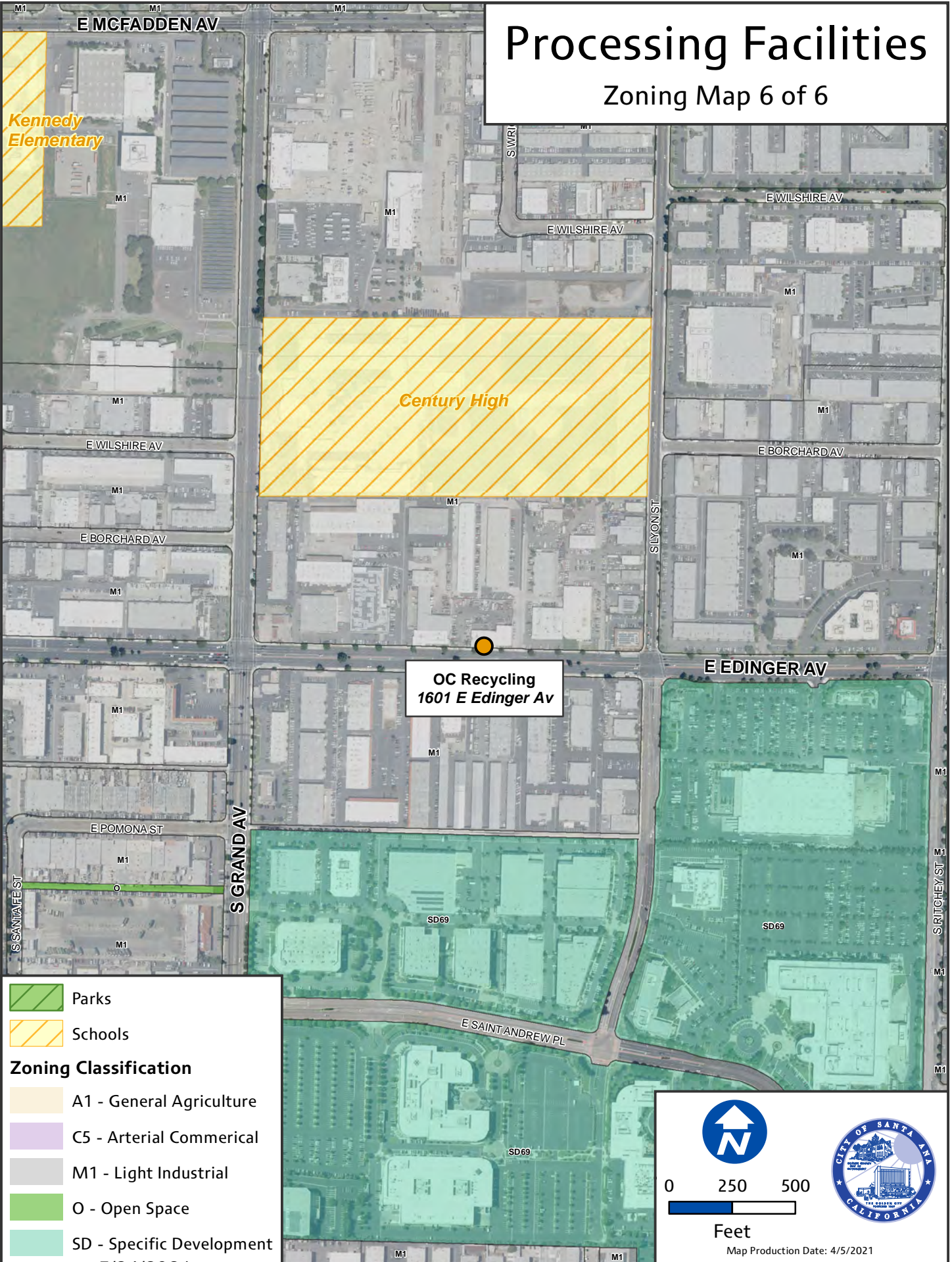
- C1 - Community Commercial
- C2 - General Commercial
- C5 - Arterial Commercial
- M1 - Light Industrial
- M2 - Heavy Industrial
- O - Open Space
- P - Professional
- R1 - Single-Family Residence
- R2 - Two-Family Residence
- R3 - Multiple-Family Residence
- SD - Specific Development

0 250 500
Feet

Map Production Date: 4/5/2021

Processing Facilities

Zoning Map 6 of 6



- Parks
 - Schools
- Zoning Classification**
- A1 - General Agriculture
 - C5 - Arterial Commercial
 - M1 - Light Industrial
 - O - Open Space
 - SD - Specific Development

0 250 500
Feet

Map Production Date: 4/5/2021

CALIFORNIA NEWSPAPER SERVICE BUREAU

DAILY JOURNAL CORPORATION

Mailing Address : 915 E FIRST ST, LOS ANGELES, CA 90012
Telephone (213) 229-5300 / Fax (213) 229-5481
Visit us @ WWW.LEGALADSTORE.COM

CITY OF SANTA ANA PLANNING
SANTA ANA/PLANNING & BUILDING
20 CIVIC CENTER PLAZA 2ND FLR
SANTA ANA, CA 92702

CNS 3470529

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description: ZOA 2021-01

To the right is a copy of the notice you sent to us for publication in the ORANGE COUNTY REGISTER. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

05/12/2021

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Daily Journal Corporation

Serving your legal advertising needs throughout California. Call your local

BUSINESS JOURNAL, RIVERSIDE	(951) 784-0111
DAILY COMMERCE, LOS ANGELES	(213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES	(213) 229-5300
ORANGE COUNTY REPORTER, SANTA ANA	(714) 543-2027
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO	(800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE	(408) 287-4866
THE DAILY RECORDER, SACRAMENTO	(916) 444-2355
THE DAILY TRANSCRIPT, SAN DIEGO	(619) 232-3486
THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747

NOTICE OF PUBLIC HEARING BEFORE THE SANTA ANA PLANNING COMMISSION

The City of Santa Ana encourages the public to participate in the decision-making process. We encourage you to contact us prior to the Public Hearing if you have any questions.

Planning Commission Action Items - The Planning Commission will hold a Public Hearing at a Regular meeting to receive public testimony and will make a recommendation on the items described below. Their recommendation will be forwarded to the City Council at a later date for final determination.

Project Location: Citywide

Project Applicant: City of Santa Ana

Proposed Project: The City is requesting adoption of Zoning Ordinance Amendment No. 2021-01 to require a conditional use permit (CUP) for light processing (recycling) facilities in the Light Industrial (M-1) zoning district. The proposal requires adoption of an urgency and standard ordinance to Chapter 41 to enact the code amendments to Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code.

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA)

pursuant to Section 15061(b)(3) of the CEQA Guidelines - General Rule. Notice of Exemption/Environmental Review No. 2021-50 will be filed for this project.

Meeting Details: This matter will be heard on **Monday, May 24, 2021 at 5:30 p.m.** In light of COVID-19, this meeting will be conducted in a virtual environment. For the most up to date information on how to participate virtually in this meeting, please visit <https://www.santa-ana.org/pb/planning-and-building-meetings/planning-and-building-meeting-participation>.

Written Comments: If you are unable to participate in the virtual meeting, you may send written comments by e-mail to PBACComments@santa-ana.org (reference the Agenda Item # in the subject line) or mail to Sarah Bernal, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza - M20, Santa Ana, CA 92701. **Deadline to submit written comments is 5:00 p.m. on the day of the meeting.** Comments received after the deadline may not be distributed to the Commission but will be made part of the record.

Where To Get More Information: Additional details regarding the proposed action(s), including the full text of the discretionary item, may be found on the City website 72 hours prior to the public hearing at: www.santa-ana.org/cc/city-meetings

Who To Contact For Questions: Should you have any

questions, please contact Ali Pezeshkpour with the Planning and Building Agency at APezeshkpour@santa-ana.org or 714-647-5882.

Note: If you challenge the decision on the above matter, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council of the City of Santa Ana at, or prior to, the public hearing.

Si tiene preguntas en español, favor de llamar a Narcedalia Perez al (714) 667-2260. Nếu cần liên lạc bằng tiếng Việt, xin liên hệ cho Tony Lai's (714) 565-2627.
5/12/21
CNS-3470529#
ORANGE COUNTY REGISTER



* 5/24/2021 005717050 * 3-21
Planning Commission



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
May 24, 2021

TOPIC: Zoning Ordinance Amendment (ZOA) No. 2021-02 – Lodging-Related Land Use Definitions and Reasonable Accommodations

AGENDA TITLE:

Zoning Ordinance Amendment (ZOA) No. 2021-02 to amend various sections of Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC) relating to lodging-related land use definitions and reasonable accommodations.

RECOMMENDED ACTION

Recommend that the City Council adopt an ordinance approving ZOA No. 2021-02 to amend various sections of Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC) relating to lodging-related land use definitions and reasonable accommodations.

EXECUTIVE SUMMARY

In order to further the purposes of the Fair Housing Act (FHA), the Americans with Disabilities Act (ADA), the California Fair Employment and Housing Act (FEHA) and the Lanterman Development Disabilities Act (Lanterman Act), and to preserve the residential neighborhoods of the City, the Planning and Building Agency (PBA) of the City of Santa Ana is recommending approval of several amendments to the City's Zoning Code relating to lodging-related land use definitions and reasonable accommodation process.

DISCUSSION

The City of Santa Ana is proposing to update its reasonable accommodations process and definitions relating to lodging-related land uses, often known as group living arrangements or GLAs. These updates are intended to reflect current State and Federal laws, described in more detail in subsequent sections of this report, and to implement best practices for local governments charged with defining, implementing, and enforcing reasonable accommodations processes and GLAs. The City's effort parallels proposed Ordinance Amendment (OA) No. 2021-01, which would update Chapter 1 of the SAMC to enact a new reasonable accommodations process. That OA is scheduled for City Council consideration in June and July 2021. Table 1 on the following page of this report illustrates the amendments proposed by both ZOA No. 2021-02 and by OA No. 2021-01. The City is requesting that the Planning Commission recommend approval of ZOA No. 2021-02 to the City Council, while OA No. 2021-01 will be scheduled for City Council on a separate but concurrent path. The amendments proposed in OA No. 2021-01, outside the Zoning Code, are not under the purview of the Planning Commission. However, the background and

analyses in the subsequent sections of this staff report are intended to provide holistic background on these topics, which are closely related.

Table 1: ZOA No. 2021-02 and OA No. 2021-01 Comparison

Topic	ZOA No. 2021-02 (Requires Planning Commission Recommendation to the City Council)	OA No. 2021-01 (Requires City Council Review)
Definitions	Deletes, updates, and/or establishes new definitions and zoning district uses permitted addressing lodging-related land uses/GLAs	Establishes new definitions in Chapter 1 of the SAMC pertaining to reasonable accommodations
Reasonable Accommodations	Deletes existing reasonable accommodations provisions from the Zoning Code	Updates the reasonable accommodations ordinance, including application and review process, by adding a new article to Chapter 1 of the SAMC

Reasonable Accommodations

The existing reasonable accommodations ordinance, adopted in March 2011, is contained within Sections 41-652 through 41-655 of the SAMC. These sections provide for a process by which a request may be submitted for relief from certain development standards, regulations, policies, or procedures to accommodate an individual with a disability to provide an equal opportunity to the use and enjoyment of their dwelling. The present ordinance is contained within the City’s zoning code in Chapter 41 of the SAMC and provides relief for land use and zoning-related matters.

The proposed ordinance amendment in ZOA No. 2021-02 would delete the existing reasonable accommodations ordinance in its entirety. Parallel to this effort, OA No. 2021-01, subject to City Council review, would adopt a new reasonable accommodation ordinance in Chapter 1 of the SAMC. The new ordinance would be consistent with current State and Federal practices and would provide a process by which a request may be submitted for relief from certain development standards, regulations, policies, or procedures that may include more than just land use and zoning-related standards. Common examples include requests for additional driveway widths to accommodate larger vehicles that have been retrofit for individuals with alternative mobility needs (Planning and Building Agency-related) to painting a blue curb in front of a residence or place of business for parking for persons with disabilities (Public Works Agency-related).

Lodging-Related Land Use Definitions/Group Living Arrangements

ZOA No. 2021-02 would also update definitions and zoning district uses permitted that address lodging-related land use Definitions and GLAs.

Background

Like many other cities in California, Santa Ana has experienced a rise in the number of GLAs within single family residential neighborhoods. The proliferation of GLAs has led to an increasingly amount of code enforcement complaints and police calls for service from residents and neighborhood association representatives relating to secondary impacts associated with such uses. Since 2016, the City's Code Enforcement Division has received 50 complaints regarding such uses. Reported impacts of group living arrangements include excessive amounts of noise, loitering, second-hand smoke, trash and debris, and increased parking demands within residential neighborhoods. Of particular concern is how these GLAs may impact single family neighborhoods where existing development patterns and infrastructure were put in place for single-family occupancy.

The Federal FHA, ADA and the California FEHA, prohibit discrimination against individuals on the basis of race, color, religion, sex, national origin, family status and disability through zoning or other land uses practices. Because of these laws, cities cannot develop zoning or land use regulations that would discriminate against individuals with disabilities. As defined by the FAH and FEHA, persons with disabilities are individuals with mental or physical impairments that substantially limit one or more major life activities. Such disabilities include but are not limited to blindness, mobility impairment, mental illness, learning disabilities, and alcoholism and drug addiction.

Present Status in Santa Ana

The City's ability to limit the impacts of group homes on the community are regulated by State and Federal legislation. Current provisions of the SAMC do not clearly define group homes and do not regulate the external impacts of such uses. In addition, the SAMC does not expressly identify or allow these uses; rather, the SAMC only specifies residential uses in general terms and such facilities have been approved in residential zones without any type of zoning permit approval. Because of this, the City's Code Enforcement Division has encountered challenges in its efforts to regulate group homes. Furthermore, the City has witnessed an increasing amount of clustered group homes locating within the City's residential neighborhoods that are functioning similarly to that of an institutionalized facility which can disrupt the neighborhood character envisioned by the City's General Plan.

Based on State and City data, there are approximately 113 groups homes in Santa Ana, of which 72 are licensed facilities and 41 are unlicensed facilities. Included in those 72 licensed facilities, 38 are adult residential care facilities, 15 are adult alcoholism or drug recovery or treatment facilities, 9 are residential care facilities for the elderly, 7 are social rehabilitation facilities, and 3 are residential health facilities. The unlicensed 41 facilities are assumed to be sober living facilities, but because of their unlicensed status, their operations are not certain. These estimations do not include facilities located within the City's commercial zoning districts and foster and family day care facilities, which amount to an additional 213 facilities.

State Licensing and Requirements

The State has established a licensing system for certain group homes that provide certain type of care and supervision. These State licensed facilities are designed to accommodate individuals who may require 24-hour supervision but who do not need extensive medical care. These facilities provide services to a diverse group of individuals and vary in size and capacity. Such facilities include intermediate care facilities for the developmentally disabled, community care facilities, residential care facilities for the elderly, residential care facilities for the chronically ill, alcoholism and drug abuse facilities, pediatric day health and respite care facilities, residential health care facilities(including congregate living health facilities), family care homes, foster homes, and group homes for the mentally disordered or otherwise disabled persons or dependent and neglected children.

These type of licensed facilities are regulated by the Department of Social Services (DSS), Department of Health Care Services (DHCS) or Department of Public Health (CDPH), which fall under the supervision of the Health and Human Services Agency (CHHS) of the State of California. Each department has its own review and application process and such facilities are inspected annually. In addition, the State requires a 300-foot separation between most community care facilities, but this separation can be waived by the State in special circumstances. Such separation requirement does not apply to foster homes, transitional shelter care facilities, elderly facilities, health facilities, and Alcoholism or Drug Abuse Treatment Facilities (ADP). A 1,000-foot separation between licensed congregated living health facilities is also required. Congregated living health facilities provide onsite medical care, have medical professional staff onsite to administer care, and can write and administer medicinal prescriptions.

State law makes it clear that cities cannot regulate state licensed group homes that provide care and services to six (6) or fewer individuals. In addition, cities cannot regulate living arrangements in which the occupants operate as a “single housekeeping unit.” Licensed group homes and single housekeeping units must be treated like single-family residences for zoning purposes. Therefore, these types of facilities must be permitted in all residential zones in which single-family residences are allowed, with the same development and parking standards of a single-family residence. In addition, no conditional use permit or special use permit can be required for these facilities unless the same permit is required for a single-family residence. However, local jurisdictions do have the ability to regulate (subject to some state and federal limitations) unlicensed group homes and licensed residential care facilities that care for seven (7) or more individuals. Exhibit 3 contains a short but informative report on how group homes are defined and regulated at the State and Federal level.

Planning Commission Work-Study Session

The proposed ordinance provides new and/or strengthens definitions relating to lodging-related land uses. These definitions will allow the City to better categorize group homes,

since the SAMC currently lacks definitions that hinder the City’s abilities to identify such facilities and enforce its relevant ordinances. The proposed ordinance follows a similar regulatory approach as adopted by the cities of Aliso Viejo, Lake Forest, San Clemente, and San Juan Capistrano. To date, no known legal challenge has been filed against these jurisdictions to challenge the new ordinances, since they are facially neutral and not based on an individual’s disability status.

During the April 26, 2021 public hearing for ZOA No. 2021-02, the Planning Commission provided feedback on unanticipated consequences of the proposed ordinance, namely how the proposed *boarding house* definition might affect shared living arrangements. The Commission continued the public hearing to May 24, 2021, and requested a work-study session on May 10, 2021 to further discuss GLAs and whether the original proposed *boarding house* definition’s specifying the number of rental agreements per residence or dwelling as two (2) or more separate rental agreements (written, oral, or implied) would potentially lead to enforcement against all shared living arrangements citywide.

Enforcement of City Regulations

The proposed ordinance will enable the City to regulate the use of a residential dwelling based solely upon the number of rental agreements within a dwelling unit. The ordinance will also provide a clear metric for the City to use when assessing and responding to a community complaint regarding the improper use of a residential dwelling. The ordinance does not permit or enable the City to violate privacy and rights protected under the fourth amendment, to conduct unreasonable searches, or to enter a property without the consent of the occupant. Similar to many cities throughout California and nationally, the City of Santa Ana code enforcement approach is responsive to the community and relies upon complaints from the public. In addition, City has historically adopted an enforcement approach that seeks voluntary compliance. The City has found that having the cooperation of the violating party is the most effective and timely approach to achieving compliance.

Refining the Definition

Also responsive to the Commission’s feedback, staff is proposing two refinements to the original definition of *boarding house*. First, the proposed definition removes “operate as a single housekeeping unit” altogether. The removal of this distinction from the definition would allow the City to regulate and define the use solely based on the number of rental agreements and would not impact living arrangements by individuals or families that may or may not function as a single housekeeping unit.

Second, the number of rental agreements qualifying a *boarding house* has been modified from two (2) to five (5). Under this proposed refinement, any dwelling with five (5) or more rental agreements, instead of two (2) or more rental agreements, would be defined as a

boarding house. This modification is equally important as the removal of the single housekeeping unit distinction for the following reasons:

- Increasing the rental agreements number from two (2) to five (5) addresses the vast majority of shared living arrangements by individuals and families taking place in many Santa Ana residences. Information provided by the Housing Division shows that this revision captures over 89 percent of shared living arrangements within the City. Specifically, the data available to the City is based on the following measures:
 - Average Owner Occupied Household Size (2015-2019): The estimated average size of an owner-occupied household, between 2015-2019, is 4.25.
 - Average Renter Occupied Household Size (2015-2019): The estimated average size of a renter-occupied household, between 2015-2019 is 4.32
 - Percent of Seven (7) or More Person Households (2015-2019): The estimated percent of all households that are seven or more person households (2015-2019) is 10.9 percent.
- Increasing the rental agreements number qualifying a *boarding house* from two (2) to five (5) minimizes impacts to shared living arrangements and would prevent commercialization of residential dwellings that were not designed or intended for use for commercial lodging purposes while allowing multiple lessees to share a dwelling on a scale that is relatively compatible with the design and purpose of the dwelling and the neighborhood.

The proposed ordinance would formalize and allow shared living arrangements with up to four (4) leasehold interests of a dwelling *by-right* and ensure that this important housing resource be conducted openly and lawfully. Moreover, the proposed ordinance would encourage residential uses operating as a boarding house with five or more separate rental agreements within a dwelling to seek State licensure.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act (“CEQA”) and the state CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a “project”, as defined in Section 15378 of the CEQA Guidelines. As a result, a Notice of Exemption, Environmental Review No. 2021-40 will be filed upon adoption of this ordinance.

FISCAL IMPACT

There is no direct fiscal impact associated with this action.

EXHIBIT(S)

1. Ordinance for ZOA No. 2021-02
2. Ordinance for OA No. 2021-01 (for reference only)

ZOA No. 2021-02 – Lodging-Related Land Use Definitions and Reasonable
Accommodations
May 24, 2021
Page 7

3. Summary of State & Federal Regulations
4. Copy of Public Notice

Submitted By:

Ali Pezeshkpour, AICP, Principal Planner
Jerry Guevara, Assistant Planner I

Approved By: Minh Thai, Executive Director

ORDINANCE NO. NS-XXX

ZONING ORDINANCE AMENDMENT NO. 2021-02 – AN
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA AMENDING PORTIONS OF CHAPTER 41
(ZONING) OF THE SANTA ANA MUNICIPAL CODE
RELATING TO LODGING-RELATED LAND USE
DEFINITIONS AND REASONABLE ACCOMMODATIONS

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS
FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines
and declares as follows:

- A. The Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act require local jurisdictions to establish a process by which persons with disabilities can request reasonable accommodations to the jurisdiction's codes, rules, policies, practices or services, necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling.
- B. In tandem with the separate creation of updated protocols for requests for reasonable accommodations in the general application of the City's programs, including its zoning and land-use regulations, it is necessary to amend certain land-use definitions to clarify the circumstances under which reasonable accommodations may be sought for purposes that exceed those definitions, including group living scenarios.
- C. State law otherwise requires the City to treat group living situations as a single-family residential use if they are licensed by the state or have six or fewer disabled residents. Beyond these circumstances, reasonable accommodations may be sought in accordance with state and federal disability laws and city policy.
- D. Concurrent with Zoning Ordinance Amendment (ZOA) No. 2021-02, the City is seeking approval of Ordinance Amendment (OA) No. 2021-01 to establish a new Reasonable Accommodation Ordinance in Chapter 1 of the Santa Ana Municipal Code.
- E. OA No. 2021-01 updates the Reasonable Accommodation Ordinance in full accordance with California Government Code section 65583 and the Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act.
- F. OA No. 2021-01 and ZOA No. 2021-02 are consistent with various goals and policies of the General Plan. Specifically, these actions are consistent with Housing Element (HE) Goal 2 (A diversity of quality housing, affordability levels, and living experiences that accommodate Santa Ana's residents and workforce of all

household types, income levels, and age groups to foster an inclusive community), Policy HE-2.4 (diverse housing types), and Goal 4 (Adequate rental and ownership housing opportunities and supportive services for seniors, people with disabilities, families with children, and people needing emergency, transitional, or supportive housing), Policies HE-4.3 and HE-4.7 (provide housing for disabled people and provide regulatory oversight).

- G. On April 26, 2021, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning ZOA No. 2021-02. The Planning Commission continued the public hearing and conducted an interim work-study session on the matter on May 10, 2021. The Planning Commission held a continued public hearing on May 24, 2021, at which time the Planning Commission recommended that the City Council adopt the proposed ordinance.
- H. On June 15, 2021, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning ZOA No. 2021-02.

Section 2. The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of the CEQA Guidelines.

Section 3. Section 41-27.3 (Boarding House) of Chapter 41 of the SAMC is hereby added to read as follow:

Sec. 41-27.3. – Boarding House.

A primary residence or dwelling unit, or any portion thereof, where occupants occupy the residence or dwelling unit under five or more separate rental agreements, either written, oral, or implied. For the purpose of this definition, separate rental agreements for the occupancy of an accessory dwelling unit (ADU) or junior accessory dwelling unit (JADU), either written, oral, or implied, are counted toward this number.

Section 4. Section 41-41.5 (Care Home) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-41.5. – Care Home Reserved.

~~A care home is any facility, place, or building, social rehabilitation facility or similar facility which is maintained and operated to provide living accommodations for and twenty-four-hour nonmedical care to persons in need of personal services, supervision, assistance, guidance, or training essential for sustaining the activities of daily living or for the protection of the individual, such as the elderly, convalescents, invalids, dependent or neglected children, or physically handicapped, mentally impaired or incompetent persons.~~

Section 5. Section 41-51 (Dwelling, One-Family) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-51. – Dwelling, one-family.

~~A residential building containing one (1) or more habitable rooms with only one (1) kitchen, designed for occupancy by one (1) independent household unit with common access to, and common use of all living, kitchen and bathroom areas~~ The use of a structure or portion thereof approved for and used for human habitation by a single housekeeping unit.

Section 6. Section 41-51.1 (Dwelling, One-Family) of Chapter 41 of the SAMC is hereby added to read as follows:

Sec. 41-51.1. – Dwelling, One-Family.

A residential building approved for and containing one (1) dwelling.

Section 7. Section 41-52 (Dwelling, Two-Family) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-52. – Dwelling, Two-Family.

~~A two-family dwelling is a single building containing not more than two (2) families living independently of each other in separate living areas, which has a common roof and common interior or party walls, and which contains no more than two (2) kitchens wherein the occupants of each individual unit are living and functioning together as a single housekeeping unit.~~ A residential building approved for and containing two (2) dwellings.

Section 8. Section 41-53 (Dwelling, Multi-Family) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-53. – Dwelling, Multi-Family.

~~For definitions of multiple-family dwelling see definition of apartment house~~ A residential building approved for and containing three (3) or more dwellings.

Section 9. Section 41-59.5 (Family) of Chapter 41 of the SAMC is hereby added to read as follows:

Sec. 41-59.5. – Family.

One or more persons who are functioning as a single-housekeeping unit.

Section 10. Section 41-77 (Hotel / Motel) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41 – 77. – Hotel/Motel.

A hotel/motel is any building, or portion of a building, ~~other than a care home, which~~ that is designed, occupied, used or intended to be used, rented or hired out as temporary or overnight accommodations for tourists or transients. Such hotel/motel shall contain more than five (5) guest rooms. A hotel/motel that contains a kitchen (as defined in Section 310.7(3) of the California Building Code) in guest rooms shall be deemed to be a long-term stay business hotel. A hotel/motel that meets the criteria of Section 41-139 of this Code shall be deemed to be a transient/residential hotel.

Section 11. Section 41-78 (Reserved) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-78. – Reserved Household.

Household means all the individuals occupying a dwelling.

Section 12. Section 41-103 (Lodging House) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-103. – Lodging House Reserved.

~~A lodging house is any building, or portion of a building, other than a care home or motel, containing not more than five guest rooms which are used by not more than five (5) guests in total, where lodging which does not include an individual kitchen, but which may or may not include the provision of meals, is provided for compensation; except that the rental of a room in a residential dwelling unit to not more than one person in addition to the family in occupancy of such dwelling shall be permitted as an incidental subordinate residential use of such dwelling, and shall not be deemed to constitute use of such dwelling as a boardinghouse.~~

Section 13. Section 41-141 (Reasonable Accommodation) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-141. – Reserved.

~~A modification or exception to the standards, regulations, policies, and procedures contained in this title for the siting, development, and use of housing or housing-related facilities, that would eliminate regulatory barriers and provide an individual with a disability equal opportunity for the use and enjoyment of housing of their choice, and that does not impose undue financial or administrative burdens on the city or require a fundamental or substantial alteration of the city's planning and zoning programs.~~

Section 14. Section 41-145 (Rooming House) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-145. – Rooming House Reserved.

~~For definition of rooming house see definition of boarding house.~~

Section 15. Section 41-152.5 (Single Housekeeping Unit) of Chapter 41 of the SAMC is hereby added to read as follows:

Sec. 41-152.5. – Single Housekeeping Unit.

Single housekeeping unit means a household whose members are an interactive group of persons jointly occupying a dwelling unit, including joint access to and use of all common areas including living, kitchen, and eating areas within the dwelling unit, and sharing household activities and responsibilities such as meals, chores, expenses and maintenance, and whose makeup is determined by the members of the unit rather than by the landlord, property manager, or other third party. If the unit is rented, all residents over the age of 18 have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility of the premises. Additional indicia that a household is not operating as a single housekeeping unit include but are not limited to: the occupants do not share a lease agreement or ownership of the property; members of the household have separate, private entrances from other members; members of the household have locks on their bedroom doors; members of the household have separate food storage facilities, such as separate refrigerators.

Section 16. Section 41-158.5 (Supportive Housing) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-158.5. – Supportive HousingReserved.

~~Housing with no limit on length of stay, that is occupied by persons and families who were homeless when approved for tenancy in the supportive housing project in which they currently reside, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community; as defined by Section 50675.14 of the Health and Safety Code.~~

Section 17. Section 41-163. (Transitional Housing) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-163. – Transitional HousingReserved.

~~A building or buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months; as defined in Section 50675.2 of the Health and Safety Code. Transitional Housing does not include state licensed residential care facilities, also referred to as care homes.~~

Section 18. Section 41-247.5 (Uses subject to a conditional use permit in the R2 district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-247.5 – Uses subject to a conditional use permit in the R2 district.

The following uses may be permitted in the R2 district subject to the issuance of a conditional use permit:

- (a) Any use which may be permitted in the R1 district subject to the issuance of a conditional use permit pursuant to Section 41-232.5 may likewise be permitted in the R2 district subject to a conditional use permit.
- ~~(b) Care homes, as defined by section 41-41.5 of this Code, which previously were permitted pursuant to a validly issued conditional use permit and subsequently lost the permitted use pursuant to the provisions of this Code.~~

Section 19. Section 41-259.5 (Uses subject to a conditional use permit in the R3 district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-259.5. – Uses subject to a conditional use permit in the R3 district.

The following uses may be permitted in the R3 district subject to the issuance of a conditional use permit:

- (a) Any use which may be permitted in the R2 district subject to the issuance of a conditional use permit pursuant to Section 41-247.5.
- ~~(b) Lodging house, care homes, fraternity houses, and sorority houses.~~
- (b) Sanitariums and hospitals.

Section 20. Section 41-292.5 (Uses subject to a conditional use permit in the R4 district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-292.5. – Uses subject to a conditional use permit in the R4 district.

The following uses may be permitted in the R4 district subject to the issuance of a conditional use permit:

- (a) Any use that may be permitted in the R1 district subject to the issuance of a conditional use permit pursuant to Section 41-232.5.
- ~~(b) Care homes.~~

Section 21. Section 41-365.5 (Uses subject to a conditional use permit in the C1 district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-365.5. – Uses subject to a conditional use permit in the C1 district.

The following uses may be permitted in the C1 district subject to the issuance of a conditional use permit:

- (a) Clubs.

- (b) Outdoor and indoor recreational or entertainment uses other than those set forth in Section 41-365.
- (c) ~~Hotels, and motels, lodging houses, care homes, fraternity houses and sorority houses.~~
- (d) Thrift shops, purchase and loan, pawn shops.
- (e) Eating establishments with drive-through window service.
- (f) Eating establishments open at any time between the hours of 12:00 a.m. and 5:00 a.m. and located within one hundred fifty (150) feet of residentially zoned or used property, measured from property line to property line.
- (g) Laundromats, subject to the development and performance standards set forth in Section 41-199.
- (h) Retail markets having less than twenty thousand (20,000) square feet of floor area which are open at any time between the hours of 12:00 midnight and 5:00 a.m.
- (i) Check cashing facilities, as defined by Section 41-42.7.
- (j) Banquet facilities, subject to development and operational standards set forth in Section 41-199.1.
- (k) Banquet facilities as an ancillary use, subject to development and operational standards set forth in Section 41-199.1.
- (l) Adult day care facilities.
- (m) Superstores.
- (n) Tattoo and/or body art establishments open at any time between the hours of 12:00 a.m. and 7:00 a.m., subject to the development and operational standards set forth in Section 41-199.3.

Section 22. Section 41-412.5 (Uses subject to a conditional use permit in the C4 district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-412.5. – Uses subject to a conditional use permit in the C4 district.

The following uses may be permitted in the C4 district subject to the issuance of a conditional use permit:

- (a) ~~Hotels, and motels, lodging houses, care homes, fraternity houses and sorority houses.~~

- (b) Indoor swap meets, bulk merchandise stores, and home improvement warehouse stores.
- (c) Eating establishments with drive-through window service.
- (d) Eating establishments open at any time between the hours of 12:00 a.m. and 5:00 a.m. and located within one hundred fifty (150) feet of residentially zoned or used property, measured from property line to property line.
- (e) Laundromats, subject to the development and performance standards set forth in Section 41-199.
- (f) Retail markets having less than twenty thousand (20,000) square feet of floor area which are open at any time between the hours of 12:00 midnight and 5:00 a.m.
- (g) Check cashing facilities, as defined by Section 41-42.7 of this Code.
- (h) Banquet facilities, subject to development and operational standards set forth in section 41-199.1.
- (i) Banquet facilities as an ancillary use, subject to development and operational standards set forth in Section 41-199.1.
- (j) Adult day care facilities.
- (k) Superstores.
- (l) Tattoo and/or body art establishments open at any time between the hours of 12:00 a.m. and 7:00 a.m., subject to the development and operational standards set forth in Section 41-199.3.

Section 23. Section 41-424.5 (Uses subject to a conditional use permit in the C5 district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-424.5. – Uses subject to a conditional use permit in the C5 district.

The following uses may be permitted in the C5 district subject to the issuance of a conditional use permit:

- (a) ~~Hotels, and motels, lodging houses, care homes, fraternity houses, and sorority houses.~~
- (b) Dwelling units when erected above the ground floor of a commercial structure when the ground floor is devoted exclusively to nonresidential uses.
- (c) Hospitals.

- (d) Public utility structures, including electric distribution and transmission substations.
- (e) Eating establishments with drive-through or walk-up window service.
- (f) Service stations and automobile servicing.
- (g) Car wash establishments, provided they are wholly enclosed.
- (h) Laundries.
- (i) Indoor swap meets, bulk merchandise stores, and home improvement warehouse stores.
- (j) Eating establishments open at any time between the hours of 12:00 a.m. and 5:00 a.m. and located within one hundred fifty (150) feet of residentially zoned or used property, measured from property line to property line.
- (k) Laundromats, subject to the development and performance standards set forth in Section 41-199.
- (l) Retail markets having less than twenty thousand (20,000) square feet of floor area which are open at any time between the hours of 12:00 midnight and 5:00 a.m.
- (m) Banquet facilities, subject to development and operational standards set forth in Section 41-199.1.
- (n) Banquet facilities as an ancillary use, subject to development and operational standards set forth in section 41-199.1.
- (o) Adult day care facilities.
- (p) Superstores.

Section 24. Section 41-442.5 (Uses subject to a conditional use permit in the CR district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-442.5. – Uses subject to a conditional use permit in the CR district.

The following uses may be permitted in the CR district subject to the issuance of a conditional use permit:

- (a) ~~Hotels, and motels, lodging houses, care homes, fraternity houses and sorority houses.~~
- (b) Service stations, provided they are integrated into a larger development site and accessible only by limited access ways serving the larger site as a whole.

- (c) Indoor swap meets, bulk merchandise stores, and home improvement warehouse stores.
- (d) Eating establishments open at any time between the hours of 12:00 a.m. and 5:00 a.m. and located within one hundred fifty (150) feet of residentially zoned or used property, measured from property line to property line.
- (e) Retail markets having less than twenty thousand (20,000) square feet of floor area which are open at any time between the hours of 12:00 midnight and 5:00 a.m.
- (f) Banquet facilities, subject to development and operational standards set forth in Section 41-199.1.
- (g) Banquet facilities as an ancillary use, subject to development and operational standards set forth in Section 41-199.1.

Section 25. Section 41-522 (Uses subject to a conditional use permit in the C-SM district) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-522. – Uses subject to a conditional use permit in the C-SM district.

The following uses may be permitted in the C-SM district subject to the issuance of a conditional use permit:

- (a) Clubs, lodges and fraternal organizations.
- (b) Outdoor and indoor recreational or entertainment uses including night clubs, other than those set forth in Section 41-521.
- (c) ~~Hotels, and motels, lodging houses, care homes, fraternity houses and sorority houses.~~
- (d) Thrift and resale stores, antique shops and collectable stores, excluding pawn shops and auction houses.
- (e) Eating establishments open at any time between the hours of 12:00 midnight and 5:00 a.m. and located within one hundred fifty (150) feet of residentially zoned or used property, measured from property line to property line.
- (f) Laundromats.
- (g) Ancillary outdoor dining facilities located in the front yard area.
- (h) Banquet facilities, subject to development and operational standards set forth in section 41-199.1.

- (i) Banquet facilities as an ancillary use, subject to development and operational standards set forth in section 41-199.1.
- (j) Automobile repair and automobile servicing.
- (k) Retail markets having less than twenty thousand (20,000) square feet of floor area which are open at any time between the hours of 12:00 midnight and 5:00 a.m.
- (l) Churches and accessory church buildings.

Section 26. Section 41-601.5 (Uses Prohibited) of Chapter 41 of the SAMC is hereby added to read as follows:

Sec. 41-601.5. – Uses Prohibited.

In accordance with Section 41-190 (a) and for the purpose of conserving public health, safety and general welfare, land uses listed in this section are prohibited within any zone in the City. These uses shall be prohibited outright and not subject to Section 41-601 (c) of this Article. The following land uses and business activities are prohibited in all zones within the City:

- (a) Boarding Houses
- (b) Cyber Cafés
- (c) Hookah Parlors

Section 27. Section 41-603 (Area – Generally) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-603. - Area—Generally.

- (a) Any lot shown upon an official subdivision map duly approved by the city council and recorded in the office of the county recorder, or any lot for which a recorded contract of sale was in full force and effect prior to June 3, 1954, and the deed is so recorded in the office of the county recorder, may be used as a legal building site, subject to the conditions, limitations, and restrictions governing the district in which it is located.
- (b) The following exception to yard requirements shall be applied with respect to all buildings, structures, and uses permitted in the A1, RE, R1, R2, R3, and P districts: Where forty (40) per cent or more of the lots along any block, excluding reverse corner lots and key lots, are developed with buildings, the required front yard for any new building or alteration to an existing building shall be not less than the arithmetical average of the front yards of said buildings. In computing said average front yard, main buildings situated entirely on the rear one-half (½) of any lot along said block shall not be

included. Notwithstanding this subsection, no front yard shall be less than twenty (20) feet from a front property line.

- (c) In any commercial district, the front and side yards required for dwellings, apartments, and hotels and boardinghouses may be waived when such uses are erected above the ground floor of a building when said ground floor has no required front and side yard.

Section 28. Sections 41-652, 41-653, 41-654, and 41-655 of Chapter 41 of the SAMC are hereby repealed in their entirety.

~~Sec. 41-652. – Reasonable accommodation—Application process.~~

- ~~(a) *Notice to the public of availability of accommodation process.* The agency shall prominently display in both city hall and the planning and building agency a notice advising those with disabilities or their representatives that they may request a reasonable accommodation in accordance with the procedures established in this division.~~
- ~~(b) *Applicability.* To make specific housing available to an individual with a disability, any person may request reasonable accommodation under this division to modify a land use or zoning standard, regulation, policy, and procedure of the city as may be necessary to afford the individual with a disability equal opportunity to the use and enjoyment of their dwelling. A request for reasonable accommodation shall be made by filing an application under this section.~~
- ~~(c) *Application.* An application for reasonable accommodation shall be submitted on a form prescribed by the executive director of the planning and building agency, or in the form of a letter addressed to the executive director.~~
- ~~(d) *Privacy.* Any information related to a disability status and identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.~~
- ~~(e) *Assistance.* If an individual needs assistance in making the request for reasonable accommodation, the city will provide assistance to ensure that the process is accessible.~~
- ~~(f) *Timing.* A request for reasonable accommodation may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.~~
- ~~(g) *Filing fees.* There shall be no fee imposed in connection with a request for reasonable accommodation under the provisions of this division.~~

~~Sec. 41-653. – Same – Review.~~

- ~~(a) – Executive director review. An application for reasonable accommodation shall be reviewed by the executive director of the planning and building agency, or his or her designee, as appropriate.~~
- ~~(b) – Decision. Within sixty (60) days of acceptance of the application as complete, the executive director shall issue a written decision to grant, grant with modifications, or deny an application for reasonable accommodation in accordance with section 41-654 and shall notify the applicant of the decision. The written decision shall explain in detail the basis of the decision, including the executive director's findings on the factors stated in section 41-654. If necessary to reach a determination on the request for reasonable accommodation, the executive director may request additional information from the applicant consistent with the Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, specifying in detail the information that is required. If a request for additional information is made, the sixty-day period to issue a decision is stayed until the applicant responds to the request.~~
- ~~(c) – Referral to other reviewing authority. The executive director shall have the authority, upon his or her sole discretion, to refer any reasonable accommodation application to any other reviewing authority, including, but not limited to, the planning commission, the zoning administrator, or the historic resources commission, to review the reasonable accommodation application and make a determination on the same in accordance with the applicable sections.~~

~~Sec. 41-654. – Same – Standards.~~

- ~~(a) – Findings. The decision to grant, grant with modifications, or deny an application for reasonable accommodation shall be based on a finding of consistency with the Acts and shall take into consideration all of the following factors:
 - ~~1. – Whether the housing or housing related facilities, which are the subject of the request, will be used by an individual with a disability under the Acts.~~
 - ~~2. – Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.~~
 - ~~3. – Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city.~~~~

- ~~4. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including but not limited to land use and zoning.~~
 - ~~5. Whether the requested reasonable accommodation would be contrary to the public health, safety, or welfare, or be injurious to the property or improvements of adjacent properties.~~
 - ~~6. Whether the requested reasonable accommodation adequately considers the physical attributes of the property and structures.~~
 - ~~7. Whether alternative reasonable accommodations could provide an equivalent level of benefit.~~
 - ~~8. Whether the property is in compliance with the then existing laws and regulations otherwise applicable to the property that is the subject of the request. If any non-compliance is through no fault of the applicant or unrelated to the request for reasonable accommodation, the executive director may waive this requirement. However, such a waiver shall not preclude the city from requiring that the existing violations be corrected in accordance with the Santa Ana Municipal Code.~~
- ~~(b) *Conditions of approval.* In granting a request for reasonable accommodation, the executive director of the planning and building agency may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation will comply with the findings required by this section. Conditions may be imposed to ensure that any removable structures or physical design features that are constructed or installed in association with the reasonable accommodation be removed once those structures or physical design features are unnecessary to afford the individual with a disability for whom the reasonable accommodation was granted the use and enjoyment of the dwelling.~~
- ~~(c) *Restrictive covenant.* When applicable, the city shall enter into a restrictive covenant with the owner of the property which provides that prior to any sale, transfer, lease or other conveyance of the property, or at the time the need for the reasonable accommodation is no longer necessary, that the owner of the property shall bring the property into conformance with the city's zoning code to the extent that relief was provided under the zoning code as part of the request for reasonable accommodation. The restrictive covenant shall be recorded against the property being granted the reasonable accommodation. The restrictive covenant shall provide that the reasonable accommodation does not run with the land and shall terminate upon any sale, transfer, lease or other conveyance of the property. Upon submittal of a new application for a successor in interest to the property, the executive director may consider a continuation of the reasonable accommodation if it is consistent with and does not extend the original approval.~~

Sec. 41-655. – Same – Miscellaneous provisions.

- (a) ~~Time extension; voidance; revocation.~~ Any reasonable accommodation approved in accordance with the terms of this article may be extended, voided, or revoked for the same reasons and in the same manner as a conditional use permit, as detailed in article V of this chapter, or for any violations of this article, or for any violations of the terms and conditions of the reasonable accommodation, or if any law is violated in connection with the use of the reasonable accommodation.
- (b) ~~Resubmittal of applications.~~ No request for reasonable accommodation that has been denied in whole or in part shall be filed again within six (6) months from the date of such denial except upon proof of changed conditions or by permission of the executive director of the planning and building agency.
- (c) ~~Modifications.~~ A request to modify an approved reasonable accommodation shall be treated as a new application, unless in the opinion of the executive director the requested modification results in only a minor change, is within the authority of the executive director to approve, and is consistent with the original approval.
- (d) ~~Appeals.~~ The applicant requesting the accommodation may appeal an adverse determination or any conditions or limitations imposed in the written determination as provided in Chapter 3 of this Code.

Section 29. Sections 41-1323 (Care Homes) and 41-1324 (Lodging Houses) of Chapter 41 of the SAMC are hereby amended to read as follows:

Sec. 41-1323 – 41-1324. - Care Homes Reserved.

~~The minimum off-street parking requirements for care homes are as follows: one (1) space for each three (3) beds.~~

Sec. 41-1324. – Lodging houses.

~~The minimum off-street parking requirements for lodging houses are as follows: one (1) space for each guest room or one (1) space for each one hundred fifty (150) square feet of sleeping area, whichever is greater, plus two (2) enclosed spaces for use by the operator of the lodging house and two (2) guest spaces.~~

Section 30. Section 41-1327 (Fraternity and Sorority Houses and Dormitories) of Chapter 41 of the SAMC is hereby amended to read as follows:

Sec. 41-1327. - Fraternity and sorority houses and dormitories Reserved.

~~The minimum off-street parking requirements for fraternity and sorority houses and dormitories are as follows: one (1) space for each two (2) beds or one (1) space for each eighty (80) square feet of sleeping area, whichever is greater.~~

Section 31. Table 2A of Section 41-2007 (Use Standards) of the Transit Zoning Code (Specific Development No. 84) is hereby amended as per Exhibit A of this Ordinance.

Section 32. Table 3-2 of (Permitted Uses) of the Harbor Mixed Use Transit Corridor Specific Plan (Specific Plan No. 2) is hereby amended as per Exhibit B of this Ordinance.

Section 33. 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.

Section 34. The City Council of the City of Santa Ana hereby adopts an ordinance amending various sections of Chapter 41 (Zoning) of the Santa Ana Municipal Code pertaining to lodging-related land use definitions and deleting the reasonable accommodation ordinance from Chapter 41 of the SAMC. This approval was based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for City Council Action dated June 15, 2021, and exhibits attached thereto; and the public testimony, all which are incorporated herein by reference.

Section 35. This ordinance shall become effective thirty (30) days after its adoption.

Section 36. The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

ADOPTED this _____ day of _____, 2021.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Sr. Assistant City Attorney

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSTAIN: Councilmembers: _____

NOT PRESENT: Councilmembers: _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-_____ to be the original ordinance adopted by the City Council of the City of Santa Ana on _____, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: _____

Clerk of the Council
City of Santa Ana

Sec. 41-2007. Uses Permitted.

(a) Allowable Land Use Types. A parcel or building within the Specific Development area shall be occupied by only the land uses allowed by the table entitled Use Standards (hereinafter Use Standards Table) within the zone applied to the site by the Regulating Plan.

(b) Garage sales are allowed in compliance with Section 41-193.

(c) Temporary outdoor activities are allowed in compliance with Section 41-195.5.

(d) Youth amusement rides are permitted in compliance with Section 41-366 for C1 districts.

(e) Drive-through facilities shall not be permitted.

Sec. 41-2008. Operational Standards.

(a) All property shall be maintained in a safe, sanitary and attractive condition including, but not limited to, structures, landscaping, parking areas, walkways, and trash enclosures.

(b) All business activities shall be conducted and located within an enclosed building, except as allowed by Section 41-195 of the SAMC and except that the following business activities may be conducted outside of an enclosed building:

- (1) Newsstands
- (2) Flower Stands

(c) There shall be no manufacturing, processing, compounding, assembling or treatment of any material or product, other than that which is clearly incidental to a particular retail and service general enterprise, and where such goods are sold on the premises.

(d) There shall be no work inside of a structure that generates noise that exceeds 60 dB CNEL measured at the exterior wall of the unit.

(e) Storage of goods and supplies shall be limited to those sold at retail on the premises or utilized in the course of business.

(f) Public utility structures, including electric distribution and transmission substations shall be screened by a solid wall at least eight (8) feet high, except as restricted by Sections 36-45, 36-46, and 36-47.

(g) Any activity permitted shall be conducted in such a manner as not to have a detrimental effect on permitted adjacent uses by reason of refuse matter, noise, light, or vibration.

(h) Small scale industry uses shall require a solid wall or fence not less than eight (8) feet in height along any rear or side lot line.

(i) All business activities, including, but not limited to, compounding, processing, packaging or assembly of articles of merchandise and treatment of products shall be conducted within a completely enclosed building. No ancillary vehicle maintenance or repair shall be allowed on site.

(j) Loading areas shall not be visible from streets. Loading areas not facing a street shall be setback at least thirty-five (35) feet from the property line.

Table 2A - Use Standards						
Land Use Type	Permit Required by Zone					
	TV	DT	UC	CDR	UN-2	UN-1

Refer to Key to Zone Symbols table on following page for zone description and use notations

RESIDENTIAL

Live-Work Use / Joint living-working quarters	P (2)	P (2)	P (2)	P (2)	CUP	CUP
Care Homes	CUP ---	CUP ---	CUP ---	CUP ---	CUP ---	CUP ---
Single Dwelling	---	---	---	---	P	P
Multi-Family Dwellings	P (1)	P (1)	P (1)	P (1)	P	P

RECREATION, EDUCATION AND ASSEMBLY

Community assembly	P(1)	P (1)	P (1)	P	CUP	CUP
Health/fitness facility	P	P	P	P	CUP	---
Library, museum	P	P	P	P	P	CUP
Schools	P (1)	P (1)	P (1)	P	CUP	CUP
Studio	P	P	P	P	CUP	CUP
Theater, cinema or performing arts	P	P	P	P	---	---
Commercial Recreation (Indoor)	CUP	CUP	CUP	---	---	---

RETAIL

General retail, except with any of the following features	P	P	P	P	P(2)	---
• Floor area over 20,000 per tenant	CUP	CUP	P	---	CUP	---
Eating establishments	P	P	P	P	P(2)	---
Auto or motor vehicle service	---	---	P	P	---	---

SERVICE GENERAL

Banquet facility/catering-sub. to 41.199.1(a) through (d)	CUP	CUP	CUP	CUP(1)	---	---
Child day care - more than 8 and up to 14 children	P (3)	P (3)	P	P	LUC(2)	LUC
Child day care center	P (3)	P (3)	P	P	CUP	CUP
Adult day care center-subject to 41.199.2 of the SAMC	P (3)	P (3)	P	P	P	---
Hotel, excl. transient residential hotel and long term stay	P	P	P	P	---	---
Mortuaries, funeral homes	---	---	CUP	P	---	---
Personal services	P	P	P	P	P(2)	P (2)
Personal services - restricted	---	---	CUP	CUP	CUP	---
Tattoo/Body Art Establishments - subject to 41.1993 of the SAMC	P	P	P	P	---	---



Permitted Uses

Table 3-2 shall regulate land uses within the Harbor Corridor Plan area. The table provides uses by district. The uses are indicated by abbreviation: permitted (P), not permitted (N), permitted by Conditional Use Permit (CUP), permitted by Land Use Certificate (LUC), and permitted through Site Plan Review (SPR). The Transit Node District is divided into two areas based on their proximity to the transit stops.

Transit Node | North: Permitted uses shall apply to properties in the Transit Node District adjacent to the North Transit Stop as depicted in Figure 3-1.

Transit Node | South: Permitted uses shall apply to properties in the Transit Node District adjacent to the South Transit Stops as depicted in Figure 3-1.

Table 3-2. Permitted Uses

LAND USE TYPE	TRANSIT NODE		CORRIDOR	NEIGH TRANSITIONAL	OPEN SPACE
	NORTH	SOUTH			
RESIDENTIAL					
Joint living-working quarters	P (1)	P	P (2)	CUP	N
Care homes	N	N	CUP <u>N</u>	CUP <u>N</u>	N
Single family dwelling	N	N	P	P	N
Multi-family dwellings (in building types other than a House or Live-Work)	P (1)	P (1)	P	P	N
RECREATION, EDUCATION, AND ASSEMBLY					
Community assembly or religious facility	P (1)	P (1)	P	CUP	N
Library, museum	P	P	P	P	SPR
Park or recreation facility (outdoor)	P	P	P	P	P
Commercial recreation/health/fitness (indoor)	CUP	CUP	N	N	P
School	P (1)	P (1)	P	CUP	N
Studio	P (3)	P	P	CUP	N
Theater, cinema or performing arts	P	P	P	N	N
RETAIL					
General retail	P (3)	P	P	P (2)	N
Grocery, food market	P (3)	P	P (3)	P (2)	N
Eating establishment	P (3)	P	P	P (2)	N
Auto or motor vehicle sales	N	N	CUP	N	N
SERVICE: GENERAL					
Auto or motor vehicle service	N	N	CUP	N	N
Banquet facility/catering - subject to 41.199.1 of the SAMC	CUP (1)	CUP (1)	CUP (1)	N	N
Child day care - more than 8 and up to 14 children	P (1)	P	P	LUC	N
Child day care center (15 or more children)	P (1)	P	P	CUP	N
Hotel, excluding transient residential hotel and long-term stay	P	P	P	N	N
Personal services	P (3)	P	P	P (2)	N
Personal services - restricted	N	N	CUP	CUP	N
SERVICE: BUSINESS/FINANCIAL/PROFESSIONAL					
Bank, financial services	P (3)	P	P	N	N
Clinic, urgent care	N	N	P	N	N
Doctor, dentist, chiropractor office	P (1)	P	P	N	N
Professional/administrative/service office	P (1)	P	P	P (2)	N
TRANSIT, COMMUNICATION, INFRASTRUCTURE					
Parking facility - public or commercial (stand-alone parking structures are prohibited) (4)	P	P	SPR	N	N
Transit station or terminal	P	P	P	N	SPR
Public utility structure, excluding wireless communication facilities	N	N	N	CUP	SPR
MISCELLANEOUS/OTHER					
Any structure over three (3) stories in height	SPR	SPR	SPR	SPR	SPR
Businesses operating between 12 am and 7 am	CUP	CUP	CUP	CUP	N
Alcoholic beverage sales or consumption	CUP	CUP	CUP	CUP	N
Adult business	N	N	N	N	N
Light or heavy industrial	N	N	N	N	N

- (1) Use permitted only on second or upper floors, or behind retail or service ground floor use.
- (2) Permitted use as part of a vertical mixed use program, with upper floor residential
- (3) Permitted only as part of a mixed use project with a commercial or residential component
- (4) Parking facilities must comply with building frontage standards

- P Use is permitted subject to compliance with all applicable provisions of the Santa Ana Municipal Code
- LUC Use is permitted subject to the approval of a Land Use Certificate
- CUP Use is permitted subject to the approval of a Conditional Use Permit
- SPR Use is permitted subject to the approval of a Site Plan Review
- N Use not permitted in district

ORDINANCE NO. NS-XXX

ORDINANCE AMENDMENT NO. 2021-01 – AN
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA ESTABLISHING VARIOUS NEW SECTIONS IN
CHAPTER 1 OF THE SANTA ANA MUNICIPAL CODE
READOPTING AND UPDATING REGULATIONS AND
ADMINISTRATIVE PROCEDURES FOR REVIEWING AND
APPROVING REASONABLE ACCOMMODATION
REQUESTS

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS
FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

A. The Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act require local jurisdictions to establish a process by which persons with disabilities can request reasonable accommodations to the jurisdiction's codes, rules, policies, practices or services, necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling.

B. Under California Government Code section 65583, each city must analyze in its housing element the special needs of disabled persons. Each housing element also must analyze governmental constraints to the development and maintenance of housing for disabled persons, and include a program to provide reasonable accommodations from zoning and land use regulations to allow for the development of housing for disabled persons.

C. On March 21, 2011, the City Council adopted Ordinance NS-2813, thereby creating a Reasonable Accommodations Ordinance and establishing an application process and standards by which the City may evaluate requests for reasonable accommodations by individuals with disabilities.

D. In addition to the foregoing statutes, other state and federal disability laws require a city to provide reasonable accommodations for disabled persons in the application of city programs, including but not limited to the city's land-use, zoning, and building regulations, as well as other programs, policies, practices and procedures.

E. By adopting this Ordinance, the City desires to amend its municipal code to update the process by which persons with disabilities can request such reasonable accommodations in full accordance with state and federal laws.

F. The protection of public health, safety and welfare is a primary objective of the Santa Ana General Plan.

G. Concurrent with this effort, the Planning Commission, following a duly-noticed public hearing on April 26, 2021, approved Zoning Ordinance Amendment No. 2021-02 to delete and add certain definitions and sections pertaining to group living in the Zoning Code.

H. Ordinance Amendment No. 2021-01 is consistent with various goals and policies of the General Plan. Specifically, it is consistent with Housing Element Goal 2 (A diversity of quality housing, affordability levels, and living experiences that accommodate Santa Ana's residents and workforce of all household types, income levels, and age groups to foster an inclusive community), Policy HE-2.4 (diverse housing types), and Goal 4 (Adequate rental and ownership housing opportunities and supportive services for seniors, people with disabilities, families with children, and people needing emergency, transitional, or supportive housing), Policies HE-4.3 and HE-4.7 (provide housing for disabled people and provide regulatory oversight).

I. On May 18, 2021, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning OA No. 2021-01.

Section 2. The City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of the CEQA Guidelines.

Section 3. Article I of Chapter 1 of the Santa Ana Municipal Code is hereby established to read in full as follows and shall include present Sections 1-1 through 1-21.9 in their entirety:

Article I. – In General

Section 4. Article II of Chapter 1 of the Santa Ana Municipal Code is hereby established to read in full as follows:

Article II. – Reasonable Accommodations

Section 1-22. - Purpose and Intent.

It is the policy of the City to make, as provided in this Article, reasonable accommodation in the application of its programs, including its zoning and land-use laws in Chapter 41 of the Santa Ana Municipal Code (Zoning), for disabled persons, to the extent required under federal and state disability laws. The purpose of this article is to establish a process

for disabled persons to submit and for the City to review a request for reasonable accommodation.

Section 1-23. - Definitions.

For the purposes of this Article, unless otherwise apparent from the context, certain words or phrases used in this section are defined as follows:

1. “Person or Persons with a disability” means: a person or persons who have a physical or mental impairment that makes achievement of a major life activity difficult, as defined by state and federal disability laws; anyone who is regarded as having such impairment; or anyone with a record of such impairment.
2. “Reasonable accommodation” means providing a person with disability a flexibility in the application of City programs, including City land-use, zoning and building regulations, policies, practices and procedures, or waiving certain requirements when it is necessary to provide meaningful access to City programs or to eliminate barriers to housing opportunities for persons with disabilities.

Section 1-24. - Review Authority.

The Executive Director or a designee of the Executive Director of the Planning and Building Agency is the final authority on a Request for Reasonable Accommodation. Regardless of who the initial review authority is, a denial of a request may be appealed by the requestor to a hearing officer. The hearing officer’s decision shall be final.

Section 1-25. - Applicability.

1. Eligible Applicants.
 - a. A Request for Reasonable Accommodation may be made by any person with a disability, his or her representative, or a developer or provider of housing or other services for persons with disabilities, when the application of a City program, including a City land-use or building regulation, policy, practice or procedure, acts as a barrier to meaningful access to City programs or to fair-housing opportunities for persons with disabilities.
 - b. Federal and state disability laws afford no protection to persons with or without disabilities whose tenancy presents a direct threat to the persons or property of others. Determining whether someone’s tenancy poses such a direct threat must be made on an individualized basis, however, and may not be based on general assumptions or speculation about the nature of a disability.

2. Eligible Request. A Request for Reasonable Accommodation may include a modification or exception to the practices, rules, or standards for a City program or for the development, siting, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability with meaningful access to City programs and equal opportunity to housing of the person's choice.

Section 1-26. - Application.

1. Requirements. Application for a Request for Reasonable Accommodation shall be made to the Review Authority pursuant to Section 1-24 of this article on forms approved by the Review Authority and shall be full and complete, including such data as may be prescribed by the Review Authority to assist in determining the validity of the request. Incomplete applications shall not be accepted for filing. Minimum application components must include the following:
 - a. Property location
 - b. Legal owner information
 - c. Applicant information
 - d. Request and reasoning
 - e. Legal owner and applicant signatures
 - f. Any other relevant information deemed necessary by the City to evaluate the Request for Reasonable Accommodation
2. Assistance with Application. Upon request, the City will provide assistance to a person needing assistance in making the Request for Reasonable Accommodation to ensure that the process is accessible to persons with disabilities.

Section 1-27. - Review and Processing.

1. Application Review. The Review Authority will approve, approve with conditions, or deny a Request for Reasonable Accommodation in accordance with the required findings in Section 1-28 (Required Findings).
2. Decision.
 - a. Decision Timing and Content. The Review Authority will issue a written decision on a Request for Reasonable Accommodation within 30 days of receipt of a complete application. The written decision shall explain in detail the basis of the decision under the required findings in Section 1-28 (Required Findings), give notice of the applicant's right to appeal the decision, and be sent to the applicant by certified or registered mail.

- b. Request for Further Information. If necessary to reach a decision on Request for Reasonable Accommodation, the Review Authority may request further information from the applicant consistent with state and federal disability laws and this article, specifying in detail the further information required. In the event that a request for additional information is made, the 30-day period to issue a decision under this section is stayed until the applicant responds to the request.
3. Compliance with other Regulations. An approved Request for Reasonable Accommodation does not affect any person's obligations to comply with all other applicable regulations not at issue in the requested accommodation.
4. Confidentiality. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection, unless disclosure is otherwise required by state or federal law.

Section 1-28. - Required Findings.

Prior to approval of a Request for Reasonable Accommodation, the following findings must be made consistent with federal and state disability laws:

1. When housing is the subject of the request for reasonable accommodation, the housing will be used by a person with disabilities protected under fair housing laws.
2. As applicable, the requested accommodation is necessary to make housing available to a person with disabilities protected under the fair housing laws.
3. The requested accommodation would not impose an undue financial or administrative burden on the City.
4. The requested accommodation would not require a fundamental alteration in the nature of the City's policies, practices or procedures, including consideration of alternatives which may provide an equal level of benefit.
5. The requested accommodation will not result in a direct and significant threat to the health or safety of other persons or substantial physical damage to the property of others.

Section 1-29. - Appeals.

1. The action of the Review Authority is final unless appealed to within 10 working days. The notice of appeal must be in writing and, upon receipt and filing of the appropriate appeal fee, the Review Authority shall schedule the

appeal to be heard by a hearing officer within 30 days. The decision of the hearing officer is final.

2. Assistance with Appeal. Upon request, the City will provide assistance to a person needing assistance in filing an appeal to ensure that the appeals process is accessible to persons with disabilities.

Section 1-30. - Modifications Requested by the Applicant.

The applicant may request modifications to an approved request for reasonable accommodation. The application for modification shall be submitted, processed, and reviewed in the same manner as a new application.

Section 1-31. - Modifications or Revocations Initiated by the City.

1. Review Authority and Findings. The Review Authority may make changes or revoke the approval of applications when conditions of approval are violated, it is necessary to resolve a nuisance, or when the application contained incorrect, false, or misleading information.
2. Procedures. The Review Authority will notify the applicant of the change or revocation of the approval by mail no later than the next business day after the Review Authority decision. The applicant may appeal the Review Authority's decision to as provided in Section 1-29.

Section 5. 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.

Section 6. This ordinance shall become effective thirty (30) days after its adoption.

Section 7. The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

ADOPTED this _____ day of _____, 2021.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM
Sonia R. Carvalho, City Attorney

By: _____
John M. Funk
Sr. Assistant City Attorney

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSTAIN: Councilmembers: _____

NOT PRESENT: Councilmembers: _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-_____ to be the original ordinance adopted by the City Council of the City of Santa Ana on _____, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: _____

Clerk of the Council
City of Santa Ana

Select California Laws Relating to Residential Recovery Facilities and Group Homes

State Bar of California
Real Property Law Section
Fair Housing and Public Accommodations Section

Third Annual Fair Housing and Public Accommodations Symposium
Golden Gate University
April 22, 2011

Presented by:

Barbara Kautz
Goldfarb & Lipman LLP
1300 Clay Street, Ninth Floor
Oakland, CA 94612
510 836-6336
bkautz@goldfarblipman.com

I. Introduction

This paper summarizes California statutes and case law regarding planning and zoning requirements applicable to group homes and supportive housing that impose limitations on local governments beyond those imposed by the federal Fair Housing Act and state Fair Employment and Housing Act. The paper first reviews state statutes that protect certain *licensed* group homes and describes provisions of State Planning and Zoning Law that are applicable more generally to both licensed and unlicensed homes. It then explains California case law relating to the right of privacy, which prevents local governments from discriminating between households containing related persons and those comprised of unrelated individuals. It concludes by discussing local regulations that appear to be permissible under State law and fair housing law.

II. Statutes Protecting Licensed Facilities

A complex set of statutes requires that cities and counties treat small, licensed group homes like single-family homes. Inpatient and outpatient psychiatric facilities, including residential facilities for the mentally ill, must also be allowed in certain zoning districts.

A. California Licensing Laws

California has adopted a complicated licensing scheme in which group homes providing certain kinds of care and supervision must be licensed. Some licensed homes cannot be closer than 300 feet to each other, while other licensed homes have no separation requirements. All licensed facilities serving six or fewer persons must be treated like single-family homes for zoning purposes.

While this section discusses some of the most common licensed facilities, it does not include every type of license or facility regulated in this complex area of law.

1. Community Care Facilities

Community care facilities must be licensed by the California Department of Social Services (CDSS).¹ A "community care facility" is a facility where non-medical care and supervision are provided for children or adults in need of personal services.² Facilities serving adults typically provide care and supervision for persons between 18-59 years of age who need a supportive living environment. Residents are usually mentally or developmentally disabled. The services provided may include assistance in dressing and bathing; supervision of client activities; monitoring of food intake; or oversight of the client's property.³

CDSS separately licenses residential care facilities for the elderly and residential care facilities for the chronically ill. Residential care facilities for the elderly provide varying levels of non-

¹ Cal. Health & Safety Code 1500 *et seq.*

² Cal. Health & Safety Code 1502(a).

³ 22 Cal. Code of Regulations 80001(c)(2).

medical care and supervision for persons 60 years of age or older.⁴ Residential care facilities for the chronically ill provide treatment for persons with AIDS or HIV disease.⁵

2. Drug and Alcohol Treatment Facilities

The State Department of Drug and Alcohol Programs ("ADP") licenses facilities serving six or fewer persons that provide residential non-medical services to adults who are recovering from problems related to alcohol or drugs and need treatment or detoxification services.⁶ Individuals in recovery from drug and alcohol addiction are defined as disabled under the Fair Housing Act.⁷ This category of disability includes both individuals recovering in licensed detoxification facilities and recovering alcoholics or drug users who may live in "clean and sober" living facilities.

3. Health Facilities

The State Department of Health Services and State Department of Mental Health license a variety of residential health care facilities serving six or fewer persons.⁸ These include "congregate living health facilities" which provide in-patient care to no more than six persons who may be terminally ill, ventilator dependent, or catastrophically and severely disabled⁹ and intermediate care facilities for persons who need intermittent nursing care.¹⁰ Pediatric day health and respite care facilities with six or fewer beds are separately licensed.¹¹

B. Protection from Land Use Regulations for Certain Licensed Facilities

Small facilities licensed under these sections of California law and serving six or fewer residents must be treated by local governments identically to single-family homes. Additional protection from discrimination is provided to certain psychiatric facilities. However, some group homes may be subject to spacing requirements.

1. Limitations on Zoning Control of Small Group Homes Serving Six or Fewer Residents

Licensed group homes serving six or fewer residents must be treated like single-family homes or single dwelling units for zoning purposes.¹² In other words, a licensed group home serving six or fewer residents must be a permitted use in all residential zones in which a single-family home is

⁴ Cal. Health & Safety Code 1569.2(k).

⁵ 22 Cal. Code of Regulations 87801(a)(5).

⁶ Cal. Health & Safety Code 11834.02.

⁷ 24 C.F.R. 100.201.

⁸ Cal. Health & Safety Code 1265 – 1271.1.

⁹ Cal. Health & Safety Code 1250(i).

¹⁰ Cal. Health & Safety Code 1250(e) and 1250(h).

¹¹ Cal. Health & Safety Code 1760 – 1761.8.

¹² This rule appears to apply to virtually all licensed group homes. Included are facilities for persons with disabilities and other facilities (Welfare & Inst. Code 5116), residential health care facilities (Health & Safety Code 1267.8, 1267.9, & 1267.16), residential care facilities for the elderly (Health & Safety Code 1568.083 - 1568.0831, 1569.82 – 1569.87), community care facilities (Health & Safety Code 1518, 1520.5, 1566 - 1566.8, 1567.1, pediatric day health facilities (Health & Safety Code 1267.9; 1760 – 1761.8), and facilities for alcohol and drug treatment (Health & Safety Code 11834.23).

permitted, with the same parking requirements, setbacks, design standards, and the like. No conditional use permit, variance, or special permit can be required for these small group homes unless the same permit is required for single-family homes, nor can parking standards be higher, nor can special design standards be imposed. The statutes specifically state that these facilities cannot be considered to be boarding houses or rest homes or regulated as such.¹³ Staff members and operators of the facility may reside in the home in addition to those served.

Homeowners' associations and other residents also cannot enforce restrictive covenants limiting uses of homes to "private residences" to exclude group homes for the disabled serving six or fewer persons.¹⁴

The Legislature in 2006 adopted AB 2184 (Bogh) to clarify that communities may fully enforce local ordinances against these facilities, including fines and other penalties, so long as the ordinances do not distinguish residential facilities from other single-family homes.¹⁵

Because there are no separation requirements for drug and alcohol treatment facilities, ADP has in practice been willing to issue separate licenses for 'small' drug and alcohol treatment facilities whenever a dwelling unit or structure has a separate address. For instance, ADP has issued a separate license for each apartment in one multifamily building, for each single-family home in a six-home compound, and for each cottage in a hotel, in each case creating facilities that in fact serve many more than six residents. No local effort to regulate these facilities as 'large' residential care facilities has been successful in a published case; in other contexts, the courts have determined that the State has completely preempted local regulation of small residential care facilities.¹⁶

2. Facilities Serving More Than Six Residents

Because California law only protects licensed facilities serving six or fewer residents, many cities and counties restrict the location of facilities housing seven or more clients. They may do this by requiring use permits, adopting special parking and other standards for these homes, or prohibiting these large facilities outright in certain zoning districts. While this practice may raise fair housing issues, no published California decision prohibits the practice. Some cases in other federal circuits have found that requiring a conditional use permit for large group homes violates the federal Fair Housing Act.¹⁷ However, the federal Ninth Circuit, whose decisions are binding in California, found that requiring a conditional use permit for a building atypical in size and bulk for a single-family residence does not violate the Fair Housing Act.¹⁸

¹³ For example, *see* Health & Safety Code 1566.3 & 11834.23.

¹⁴ Government Code 12955; Hall v. Butte Home Health Inc., 60 Cal. App. 4th 308 (1997); Broadmoor San Clemente Homeowners Assoc. v. Nelson, 25 Cal. App. 4th 1 (1994).

¹⁵ Health & Safety Code 1566.3; Chapter 746, Statutes of 2006.

¹⁶ City of Los Angeles v. Department of Health, 63 Cal. App. 3d 473, 479 (1976).

¹⁷ ARC of New Jersey v. New Jersey, 950 F. Supp. 637 (D. N.J. 1996); Assoc. for Advancement of the Mentally Handicapped v. City of Elizabeth, 876 F. Supp. 614 (D. N.J. 1994).

¹⁸ Gamble v. City of Escondido, 104 F.3d 300, 304 (9th Cir. 1997); *see also* United States v. Village of Palatine, 104 F.3d 300, 304 (9th Cir. 1997).

A city or county cannot require an annual review of a group home's operations as a condition of a use permit. The Ninth Circuit has held that an annual review provision adopted as a condition of a special use permit was not consistent with the Fair Housing Act.¹⁹

In 2006, the Legislature passed a bill (SB 1322) sponsored by State Senator Cedillo that would have required all communities to designate sites where licensed facilities with seven or more residents could locate either as a permitted use or with a use permit. It was motivated by newspaper reports of suburban communities' "dumping" the mentally ill and homeless in big cities. Although SB 1322 was vetoed by the Governor, changes were later made in Housing Element law to protect certain transitional and supportive housing, as discussed further below.

3. Siting of Inpatient and Outpatient Psychiatric Facilities

Cities must allow health facilities for both inpatient and outpatient psychiatric care and treatment in any area zoned for hospitals or nursing homes, or in which hospitals and nursing homes are permitted with a conditional use permit.²⁰ "Health facilities" include residential care facilities for mentally ill persons. This means that if a zoning ordinance permits hospitals or nursing homes in an area, it must also permit all types of mental health facilities, regardless of the number of patients or residents. This is important because most cities are supportive of hospitals and nursing zones and may allow them in areas where they would normally not wish to allow large facilities for the mentally ill.

In one case, a residential care facility for 16 mentally ill persons was refused a permit in an R-2 zoning district where "rest homes" and "convalescent homes" were permitted, but not "nursing homes." Since the zoning district did not permit "nursing homes" or hospitals, the City believed that it was able to forbid the use in that zoning district. However, the court found that the City's definitions of "rest homes" and "convalescent homes" were very similar to its definition of "nursing homes"—rest homes and convalescent homes were, in effect, nursing homes—and so held that the City must allow the residential facility for mentally ill persons within that zoning district.²¹

4. Separation Requirements for Certain Licensed Facilities

CDSS must deny an application for certain group homes if the new facility would result in "overconcentration." For community care facilities,²² intermediate care facilities, and pediatric day health and respite care facilities,²³ "overconcentration" is defined as a separation of less than 300 feet from another licensed "residential care facility," measured from the outside walls of the structure housing the facility. Congregate living health facilities must be separated by 1,000 feet.²⁴

¹⁹ Turning Point, Inc. v. City of Caldwell, 74 F.3d 941 (9th Cir. 1996).

²⁰ Cal. Wel. & Inst. Code 5120.

²¹ City of Torrance v. Transitional Living Centers, 30 Cal. 3d 516 (1982).

²² Cal. Health & Safety Code 1520.5.

²³ Cal. Health & Safety Code 1267.9.

²⁴ Cal. Health & Safety Code 1267.9(b)(2).

These separation requirements do *not* apply to residential care facilities for the elderly, drug and alcohol treatment facilities, foster family homes, or "transitional shelter care facilities," which provide immediate shelter for children removed from their homes. None of the separation requirements have been challenged under the federal Fair Housing Act, although separation requirements have been challenged in other states.²⁵

CDSS must submit any application for a facility covered by the law to the city where the facility will be located. The city may request that the license be denied based on overconcentration or may ask that the license be approved. CDSS cannot approve a facility located within 300 feet of an existing facility (or within 1,000 feet of a congregate living health facility) unless the city approves the application. Even if there is adequate separation between the facilities, a city or county may ask that the license be denied based on overconcentration.²⁶

These separation requirements apply only to facilities with the same type of license. For instance, a community care facility would not violate the separation requirements even if located next to a drug and alcohol treatment facility.

C. Facilities That Do Not Need a License

Housing in which some services are provided to persons with disabilities may not require licensing. In housing financed under certain federal housing programs, including Sections 202, 221(d)(3), 236, and 811, if residents obtain care and supervision independently from a third party that is not the housing provider, then the housing provider need not obtain a license.²⁷ "Supportive housing" and independent living facilities with "community living support services," both of which provide some services to disabled people, generally do not need to be licensed.²⁸ Recovery homes providing group living arrangements for people who have *graduated* from drug and alcohol programs, but which do not provide care or supervision, also do not need to be licensed.²⁹

The result is that many situations exist where persons with disabilities will live together and receive some services in unlicensed facilities. Because State law does not require that these facilities be treated as single-family homes, some communities have attempted to classify them as lodging houses or other commercial uses and require special permits. Distinguishing a "lodging house" from a "residence" is discussed in more detail in the next section. However, courts in other jurisdictions have found that when the state does not provide a license for a type of facility, cities cannot discriminate against facilities merely because they are unlicensed.³⁰ Although there is no case on point in California or the Ninth Circuit, ordinances requiring greater regulation for *unlicensed* homes with fewer services than *licensed* homes providing more services could raise fair housing issues, although an argument can also be made that unlicensed facilities are completely unregulated and hence require more local supervision. Some

²⁵ Based on cases from other states, the 1,000-foot limit for congregate living health facilities is unlikely to be upheld. Spacing requirements that have been challenged have required 500-foot separations or more.

²⁶ See, e.g., Cal. Health & Safety Code 1520.5(d).

²⁷ Cal. Health & Safety Code 1505(p).

²⁸ Cal. Health & Safety Code 1504.5.

²⁹ Cal. Health & Safety Code 1505(i).

³⁰ North-Shore Chicago Rehabilitation Inc. v. Village of Skokie, 827 F. Supp. 497 (1993).

communities have explicitly adopted ordinances stating that unlicensed group homes serving six or fewer clients are permitted in residential zones.³¹

Legislation was introduced in California in 2006 to make clear that communities *could* regulate *unlicensed* facilities with six or fewer residents. This provision was ultimately removed after receiving fierce opposition from advocates for the disabled and State agencies responsible for finding placements for foster children and recovering drug and alcohol abusers.

III. California Planning and Zoning Laws

California Planning and Zoning Law has long contained provisions prohibiting discrimination in land use decisions based on disability. Effective January 1, 2002, state housing element law was amended to require an analysis of constraints on persons with disabilities and to require programs providing reasonable accommodation. Additional protections for supportive and transitional housing became effective on January 1, 2008.

A. Protection from Discrimination in Land Use Decisions

California's Planning and Zoning Law prohibits discrimination in local governments' zoning and land use actions based on (among other categories) race, sex, lawful occupation, familial status, disability, source of income, method of financing, or occupancy by low to middle income persons.³² It also prevents agencies from imposing different requirements on single-family or multifamily homes because of the familial status, disability, or income of the intended residents.³³

In general, the statute serves the same purposes and requires the same proof as a violation of the federal Fair Housing Act.³⁴ However, federal fair housing law does not specifically limit discrimination based on *income level*,³⁵ and Section 65008 makes clear that discrimination based on disability is prohibited in local planning and zoning decisions.

B. Housing Elements

California requires that each city and county adopt a 'housing element' as part of its general plan for the growth of the community.³⁶ The housing element governs the development of housing in the community. It must identify sites for all types of housing, including transitional housing, supportive housing, and emergency shelters. Beginning in 2002, local housing elements were required to analyze constraints on housing for persons with disabilities and to include programs

³¹ For instance, one community adopted zoning provisions stating that “residential service facilities” serving 6 or fewer clients could be permitted in any residential zone, defining such uses as: “A residential facility, other than a residential care facility or single housekeeping unit, designed for the provision of personal services in addition to housing, or where the operator receives compensation for the provision of personal services in addition to housing. Personal services may include, but are not limited to, protection, care, supervision, counseling, guidance, training, education, therapy, or other nonmedical care.”

³² Cal. Gov't Code 65008(a) and (b).

³³ Cal. Gov't Code 65008(d)(2).

³⁴ Keith v. Volpe, 858 F.2d 467, 485 (9th Cir. 1987).

³⁵ Affordable Housing Development Corp. v. City of Fresno, 433 F.3d 1182 (2006).

³⁶ Cal. Gov't Code 65580 *et seq.*

to remove constraints or to provide reasonable accommodations for housing designed for persons with disabilities.³⁷ The California Attorney General also sent a letter to local planning agencies in May 2001 urging them to adopt reasonable accommodation ordinances. As a consequence, many cities and counties in the State now have a separate reasonable accommodation ordinance that may be applicable to group homes serving disabled persons, whether licensed or unlicensed.

Amendments to housing element law effective January 1, 2008³⁸ specifically require cities and counties to include in their housing elements a program to remove constraints so that 'supportive housing,' as defined in the bill, is treated like other residences of the same type. This means that communities must revise their zoning so that the only restrictions that may be applied to supportive housing, as defined in the statute, are those that apply to other residences of the same type (single-family homes, duplexes, triplexes, or fourplexes) in the same zoning district; no conditional use permit or other permit is required unless other residences of that type in the same zone also must obtain the same permit.

However, to qualify for this protection, the supportive housing must meet the definition of "supportive housing" contained in Health & Safety Code Section 50675.14, which is housing that:

- Has no limit on the length of stay.
- Is linked to onsite or offsite services that assist residents in improving their health status, retaining the housing, and living and working in the community.
- Is occupied by the "target population," defined as adults *with low incomes* having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health problems; and persons eligible for services under the Lanterman Development Disabilities Act, which provides services to persons with developmental disabilities that originated before the person turned 18.

Should a group home meeting this definition of "supportive housing" require a permit of any type, California's "Housing Accountability Act" will allow it to be denied only under very limited circumstances.³⁹

³⁷ Cal. Gov't Code 65583(a)(4); 65583(c)(3).

³⁸ Cal. Gov't Code 65583(a)(5).

³⁹ Cal. Gov't Code 65589.5(d). Local governments cannot deny supportive housing, or add conditions that make the housing infeasible, unless they can make one of five findings:

- The jurisdiction has met its low income housing needs.
- The housing would have a specific, adverse impact on public health or safety, and there is no feasible way to mitigate the impact.
- Denial is required to comply with state or federal law, and there is no way to comply without making the housing unaffordable.
- The housing is proposed on land zoned for agriculture and is surrounded on two sides by land being used for agriculture, or there is inadequate water or sewer service.
- The housing is inconsistent with both the zoning and the land use designation of the site and is not shown in the housing element as an affordable housing site.

Many privately operated group homes have limitations on the length of stay and are not occupied by adults with low incomes and so do not qualify as "supportive housing" under this definition; but many group homes funded under California's Mental Health Services Act do so qualify.

IV. Protections Provided by the California Right to Privacy

Unlike the federal Constitution, California's Constitution contains an *express* right to privacy, adopted by the voters in 1972. The California Supreme Court has found that this right includes "the right to be left alone in our own homes" and has explained that "the right to choose with whom to live is fundamental."⁴⁰ Consequently, the California courts have struck down local ordinances that attempt to control *who* lives in a household—whether families or unrelated persons, whether healthy or disabled, whether renters or owners. On the other hand, the courts will support ordinances that regulate the *use* of a residence for commercial purposes.

Consequently, communities that desire to regulate group homes have attempted to define them as commercial *uses* similar to boarding houses rather than restricting *who* lives there.

A. Families v. Unrelated Persons in a Household

In many states, local communities can control the number of unrelated people permitted to live in a household. However, based on the privacy clause in the State Constitution, California case law requires cities to treat groups of related and unrelated people identically when they function as one household.⁴¹ Local ordinances that define a "family" in terms of blood, marriage, or adoption, and that treat unrelated groups differently from "families," violate California law. California cities cannot limit the number of unrelated people who live together while allowing an unlimited number of family members to live in a dwelling.

In the lead case of *City of Santa Barbara v. Adamson*, Mrs. Adamson owned a very large 6,200 sq. ft., 10-bedroom single-family home that she rented to twelve "congenial people." They became "a close group with social, economic, and psychological commitments to each other. They shared expenses, rotated chores, ate evening meals together" and considered themselves a family.

However, Santa Barbara defined a family as either "two (2) or more persons related by blood, marriage or legal adoption living together as a single housekeeping unit in a dwelling unit," or a maximum of five unrelated adults. The court considered the twelve residents to be an "alternate family" that achieved many of the personal and practical needs served by traditional families. The twelve met half the definition of "family," because they lived as a single housekeeping unit. However, they were not related by blood. The court found that the right of privacy guaranteed them the right to choose whom to live with. The purposes put forth by Santa Barbara to justify the ordinance—such as a concern about parking—could be handled by neutral ordinances applicable to all households, not just unrelated individuals, such as applying limits on the number of cars to *all* households. "*In general, zoning ordinances are much less suspect when they focus on the use than when they command inquiry into who are the users.*"⁴²

⁴⁰ *Coalition Advocating Legal Housing Options v. City of Santa Monica*, 88 Cal. App. 4th 451, 459-60 (2001).

⁴¹ *City of Santa Barbara v. Adamson*, 27 Cal. 3d 123, 134 (1980).

⁴² *Adamson*, 27 Cal. 3d at 133.

Despite this long-standing rule, a 2002 study found that *one-third* of local zoning ordinances, including that of the City of Los Angeles, still contained illegal definitions of "family" that included limits on the number of unrelated people in a household.⁴³ While most cities were aware that these limits were illegal and did not enforce them, interviews with staff members in the City of Los Angeles, for example, found that many did attempt to enforce the limits on the number of unrelated persons.⁴⁴

If a group of people living together can meet the definition of a "household" or "family," there is no limit on the number of people who are permitted to live together, except for Housing Code limits discussed in the next section. By comparison, many ordinances regulate licensed group homes more strictly if they have seven or more residents, by defining such licensed facilities as a separate *use*.

Since *Adamson*, the California courts have struggled to determine when zoning ordinances are focusing on the *occupants* of the home and when they are focusing on the *use* of the home. In particular, courts have struck down ordinances that:

- Limited the residents of a second dwelling unit to the property owner, his/her dependent, or a caregiver for the owner or dependent.⁴⁵
- Allowed owner-occupied properties to have more residents than renter-occupied properties.⁴⁶
- Imposed regulations on tenancies-in-common that had the effect of requiring unrelated persons to share occupancy of their units with each other.⁴⁷

On the other hand, the courts have upheld regulations when they were convinced that the city's primary purpose was to prevent non-residential or commercial *use* in a residential area. In particular, the courts have upheld ordinances that:

- Regulated businesses in single-family residences ("home occupations") and limited employees to residents of the home.⁴⁸
- Prohibited short-term transient rentals of properties for less than thirty days.⁴⁹

B. Occupancy Limits

The Uniform Housing Code (the "UHC") establishes occupancy limits—the number of people who may live in a house of a certain size—and in almost all circumstances municipalities may

⁴³ Housing Rights, Inc., *California Land Use and Zoning Campaign Report 27-28* (2002). Los Angeles is now considering amendments to its ordinance.

⁴⁴ Kim Savage, *Fair Housing Impediments Study 37* (prepared for Los Angeles Housing Department) (2002).

⁴⁵ *Coalition Advocating Legal Housing Options v. City of Santa Monica*, 88 Cal. App. 4th 451 (2001).

⁴⁶ *College Area Renters and Landlords Assn. v. City of San Diego*, 43 Cal. App. 4th 677 (1996). However, this case was decided primarily on equal protection grounds, rather than on the right of privacy.

⁴⁷ *Tom v. City & County of San Francisco*, 120 Cal. App. 4th 674 (2004).

⁴⁸ *City of Los Altos v. Barnes*, 3 Cal. App. 4th 1193 (1992).

⁴⁹ *Ewing v. City of Carmel*, 234 Cal. App. 3^d 1579 (1991).

not adopt more restrictive limits. The UHC provides that at least one room in a dwelling unit must have 120 square feet. Other rooms must have at least 70 square feet (except kitchens). If more than two persons are using a room for sleeping purposes, there must be an additional 50 square feet for each additional person.⁵⁰ Using this standard, the occupancy limit would be seven persons for a 400-sq. ft. studio apartment (the size of a standard two-car garage). Locally adopted occupancy limits cannot be more restrictive than the UHC unless justified based on local climatic, geological, or topographical conditions. Efforts by cities to adopt more restrictive standards based on other impacts (such as parking and noise) have been overturned in California.⁵¹

Similarly, the Ninth Circuit found that a local ordinance that limited the number of persons in a homeless shelter to 15, when the building code would allow 25 persons, was unreasonable, and found that allowing 25 persons in the shelter would constitute a reasonable accommodation.⁵²

Based on these federal and state precedents, localities may not limit the number of people living in a dwelling below that permitted by the UHC.

V. Local Regulation of Group Homes

In the past decade, much local concern has been directed at sober living homes, which are typically unlicensed facilities designed to provide support to recovering substance abusers. Because privately operated sober living homes often desire to attract middle- and upper middle-income residents, and there is a high demand for such facilities, they have often been located in middle- and upper-class areas, and in some cases have experienced local opposition. The League of California Cities has sponsored legislation designed to require licensing or allow more local control, but those efforts have failed. Communities often view such facilities as businesses exploiting a loophole rather than as residences and so seek to be able to distinguish them from residences, often defining them as "lodging houses" or "boarding houses." Lodging houses typically require a conditional use permit and are not permitted in single-family residential zones. Conversely, sober living homes seek to be classified as "households" or "single housekeeping units" so they may locate in any residential neighborhood without requiring any public notice or needing any use permit.

A. Defining Unlicensed Facilities as Lodging Houses or Single Housekeeping Units

A 2003 opinion of the State Attorney General found that communities may prohibit or regulate the operation of a lodging house in a single family zone in order to preserve the residential character of the neighborhood.⁵³ The City of Lompoc defined a lodging house as "a residence or dwelling . . . wherein three or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental agreements or leases, either written or oral, whether or not an owner, agent or rental manager is in residence." The Attorney General agreed

⁵⁰ Cal. Health and Safety Code 17922(a)(1). See Briseno v. City of Santa Ana, 6 Cal. App. 4th 1378, 1381-82 (1992) (holding that the state Uniform Housing Code preempts local regulation of occupancy limits).

⁵¹ Briseno, 6 Cal. App. 4th at 1383.

⁵² Turning Point, Inc. v. City of Caldwell, 74 F.3d 941 (9th Cir. 1996).

⁵³ 86 Ops. Cal. Att'y Gen'l 30 (2003).

that a lodging house, while providing a 'residence' to paying customers, could be considered a *commercial* use and so could be prohibited in residential areas. ("There is no question but that municipalities are entitled to confine commercial activities to certain districts [citations], and that they may further limit activities within those districts by requiring use permits."⁵⁴)

The Attorney General further concluded that the ordinance was consistent with *Adamson* because it would allow any owner of property to rent to any member of the public and any member of the public to apply for lodging. The proposed ordinance would be directed at a commercial *use* of property inconsistent with the residential character of the neighborhood regardless of the identity of the users.

Based on the Attorney General's opinion and *Adamson*, then, cities have increasingly defined a "household" or "single housekeeping unit" to have these characteristics:

- One joint lease signed by all residents;
- Access by all to all common areas of the home; and
- Shared housekeeping and shared household expenses.
- No limits on length of residence.
- New residents selected by existing residents, not a manager or landlord.

For instance, the City of Los Angeles proposed an ordinance defining a "single housekeeping unit" as:

One household where all the members have common access to and common use of all living, kitchen, and eating areas within the dwelling unit, and household activities and responsibilities such as meals, chores, expenses, and maintenance of the premises are shared or carried out according to a household plan or other customary method. If all or part of the dwelling unit is rented, the lessees must jointly occupy the unit under a single lease, either written or oral, whether for monetary or non-monetary consideration.

The same ordinance proposed to define a boarding or rooming house as:

A one-family dwelling, or a dwelling with five or fewer guest rooms or suites of rooms, where lodging is provided to individuals with or without meals, for monetary or non-monetary consideration under two or more separate agreements or leases, either written or oral.

Under these and similar ordinance definitions, many sober living homes operated by private organizations, whether for-profit or nonprofit, are classified as boarding or lodging houses because residents do not sign a joint lease; new residents are selected by a manager; household expenses may not be shared (i.e., residents pay a set fee to the manager); and there may be limits

⁵⁴ *Id.*

on length of residence. In contrast, persons who desire to live together to support each other during recovery and rent a home together would be classified as a “single housekeeping unit.”

Enforcement Issues. If a group home is challenged as not constituting a single housekeeping unit, the operator will likely assert that it is indeed operating as a single unit. Unless there is public information available showing that a residence is operated as a lodging house (e.g., web advertising), an investigation would be required to demonstrate otherwise. If complaints were based primarily on the disability of the occupants (which could include their status as recovering drug and alcohol abusers), then California privacy rights and fair housing laws might be implicated. In one Washington, D.C., case, a federal district court found a violation of the federal Fair Housing Act where the Zoning Administrator carried out a detailed investigation of a residence for five mentally ill men in response to neighbors' concerns, finding that the Zoning Administrator's actions were motivated in part by the neighbors' fears about the residents' mental illness.⁵⁵ In California, a similar challenge might be additionally based on rights of privacy and equal protection concerns.

B. Best Practices - Service Providers

We advise our nonprofit sponsors that if a facility can be considered a single housekeeping unit, the facility must be treated as a residence with one family residing in it. The most defensible structure for such a facility would be to:

- Have one rental agreement or lease signed by all *occupants*. If, instead, the provider signs the lease and each resident has a verbal or written agreement with the provider, then the facility could be considered a "lodging house" under the definition upheld by the Attorney General.
- Give all residents equal access to all living and eating areas and food preparation and service areas.
- Keep track of, and share, household expenses.
- Do not require occupants to move after a certain period of time, except for time limits imposed by the rental agreement or lease with the owner.
- Allow all existing residents to select new members of the household.

VI. Conclusion

In my own experience as a former city official, many group homes were invisible in the community and caused few problems. Most complaints about overcrowding and excessive vehicles did not involve a group home, but rather the poorest areas where space was rented out to the limits of the Housing Code.

The group homes that caused the most concern were sober living facilities which tended to concentrate in certain inexpensive single-family neighborhoods. In one case, all five homes on

⁵⁵ Community Housing Trust v. Dep't of Consumer & Regulatory Affairs, 257 F. Supp. 2d 208 (D.D.C. 2003).

one block face were purchased by a single owner. He was knowledgeable about his rights but unconcerned about his obligations, and sneered at the City's and neighborhood's concerns. Since the facilities were unlicensed, there was no regulatory oversight. When the occupant of one home was arrested for drug dealing, it caused an uproar.

Many providers are conscious of their position in neighborhoods and make an effort to accommodate community concerns. Others may be perceived as arrogant and dismissive of local concerns, viewing all neighbors as "NIMBYs." Providers who view themselves as part of the community and set house rules that encourage community involvement, restrict noise, control parking, and establish smoking locations not visible from the street can go a long way toward abating perceived problems.

Cities should modify their zoning ordinances to address unlicensed group homes and decide on a strategy for dealing with group homes with seven or more persons (use permit and reasonable accommodation). State legislation requiring some minimal licensing for sober living facilities would also be beneficial to set standards for minimal levels of care. Cities need also to avoid the kind of incidents that result in the Legislature's willingness to further constrain local control of these homes.

SUMMARY: GROUP HOME ANALYSIS UNDER CALIFORNIA LAW

IF LICENSED:

6 or fewer clients:

Must be treated like a single-family home for all zoning purposes, except for spacing requirements for certain licensed facilities (e.g., community care facilities). Community care facilities for the elderly and drug and alcohol treatment centers do not have spacing requirements.

7 or more clients:

Psychiatric facilities—both inpatient and outpatient—must be permitted in any zone that permits nursing homes or hospitals as conditional or permitted uses. (City of Torrance v. Transitional Living Centers)

Other licensed facilities are often subject to a use permit and may not be permitted in certain zones. Advocates may request a reasonable accommodation to avoid use permit requirements or to obtain modifications to traditional zoning requirements. But the Ninth Circuit has not found a use permit *per se* to violate the Fair Housing Act. (Gamble v. City of Escondido)

IF UNLICENSED:

Is it operated as a single housekeeping unit (household, family)?

If so, must be treated like a single dwelling unit.

Unlicensed homes are more likely to be considered as a single housekeeping unit if they meet the following tests:

- Physical access: all have access to common areas: kitchen, laundry, living & family rooms is free.
- No limits on term of occupancy
- All residents on lease or rental agreement [AG's opinion]
- Makeup of the household is determined by the residents rather than a landlord or property manager
- Normal household activities (meals, chores) and household expenses shared (*Adamson*)

There are different *local* definitions of "family" or a single housekeeping unit. (For instance, some localities do not use the existence of separate rental agreements as a test for a single housekeeping unit.) Advocates oppose some of the above characteristics.

Does it qualify as "supportive housing" under housing element law?

If so, must be treated like other residences of the same physical type [depending on date of adoption of housing element].

6 or fewer clients:

Fair housing argument if treated more strictly than licensed facilities; but no case in California holds this specifically.

Defined as a boarding house or another use?

Only the *use* can be regulated, not the *user*.
Group homes for the disabled cannot be treated in a discriminatory fashion from other group homes (boarding houses, dormitories, etc.).

CALIFORNIA NEWSPAPER SERVICE BUREAU

DAILY JOURNAL CORPORATION

Mailing Address : 915 E FIRST ST, LOS ANGELES, CA 90012
Telephone (213) 229-5300 / Fax (213) 229-5481
Visit us @ WWW.LEGALADSTORE.COM

CITY OF SANTA ANA PLANNING
SANTA ANA/PLANNING & BUILDING
20 CIVIC CENTER PLAZA 2ND FLR
SANTA ANA, CA 92702

CNS 3460915

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description: ZOA 2021-02

To the right is a copy of the notice you sent to us for publication in the ORANGE COUNTY REGISTER. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

04/14/2021

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Daily Journal Corporation

Serving your legal advertising needs throughout California. Call your local

BUSINESS JOURNAL, RIVERSIDE	(951) 784-0111
DAILY COMMERCE, LOS ANGELES	(213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES	(213) 229-5300
ORANGE COUNTY REPORTER, SANTA ANA	(714) 543-2027
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO	(800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE	(408) 287-4866
THE DAILY RECORDER, SACRAMENTO	(916) 444-2355
THE DAILY TRANSCRIPT, SAN DIEGO	(619) 232-3486
THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747

NOTICE OF PUBLIC HEARING BEFORE THE SANTA ANA PLANNING COMMISSION

The City of Santa Ana encourages the public to participate in the decision-making process. We encourage you to contact us prior to the Public Hearing if you have any questions.

Planning Commission Action Items - The Planning Commission will hold a Public Hearing at a Regular meeting to receive public testimony and will make a recommendation on the items described below. Their recommendation will be forwarded to the City Council at a later date for final determination.

Project Location:
Citywide

Project Applicant:
City of Santa Ana

Proposed Project: The City is requesting adoption of Zoning Ordinance Amendment No. 2021-02 to amend various sections of Chapter 41 (Zoning) of the Santa Ana Municipal Code addressing reasonable accommodations, group homes, and accessory dwelling units (ADUs). Specifically, the proposed amendments include establishing uses permitted by right and a reasonable accommodation process to address other facility types, and ADU ordinance refinements related to definitions, development standards, and size limitations.

Environmental Impact: The Planning Commission will consider

determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines - General Rule. Notice of Exemption/Environmental Review No. 2021-40 will be filed for this project.

Meeting Details: This matter will be heard on **Monday, April 26, 2021 at 5:30 p.m.** In light of COVID-19, this meeting will be conducted in a virtual environment. For the most up to date information on how to participate virtually in this meeting, please visit <https://www.santa-ana.org/pb/planning-and-building-meetings/planning-and-building-meeting-participation>.

Written Comments: If you are unable to participate in the virtual meeting, you may send written comments by e-mail to PBACComments@santa-ana.org (reference the Agenda Item # in the subject line) or mail to Sarah Bernal, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza - M20, Santa Ana, CA 92701. **Deadline to submit written comments is 5:00 p.m. on the day of the meeting.** Comments received after the deadline may not be distributed to the Commission but will be made part of the record.

Where To Get More Information: Additional details regarding the proposed action(s), including the full text of the discretionary item, may be found on the City website 72 hours prior to the public hearing at:

www.santa-ana.org/cc/city-meetings

Who To Contact For Questions: Should you have any questions, please contact Ali Pezeshkpour with the Planning and Building Agency at APezeshkpour@santa-ana.org or 714-647-5882.

Note: If you challenge the decision on the above matter, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council of the City of Santa Ana at, or prior to, the public hearing.

Si tiene preguntas en español, favor de llamar a
Narcadalia Perez al (714) 667-2260.
N u c h i e n l i c b n g
t i n g V i t x i n i n
tho i cho Tony Lai s
(714) 565-2627.

4/14/21
CNS-3460915#
ORANGE COUNTY REGISTER



* 5/24/2021 0005691909 * 4 - 50
Planning Commission