

ATTACHMENT

Ordinance No. 337

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING ZONE CHANGE 12-19-5329, CHANGING THE ZONING OF THE PROPERTY LOCATED AT 24551 RAYMOND WAY FROM PA- PROFESSIONAL AND ADMINISTRATIVE DISTRICT TO R2- MULTIFAMILY DWELLINGS DISTRICT (PORTION OF APN 617-441-02)

WHEREAS, on December 9, 2019, Alexa Washburn of National Community Renaissance filed applications for General Plan Amendment 12-19-5328, Zone Change 12-19-5329, an Affordable Housing Agreement, the Revocation of Site Development Permits 12-13-3114, 10-13-3614, and 11-17-5106, Tentative Parcel Map 2020-138, Site Development Permit 12-19-5327, and Minor Planned Sign Program 04-20-5349 for the development of the Mountain View Affordable Housing Community. The Project includes Tentative Parcel Map 2020-138 for the subdivision of the parcel (Assessor's Parcel Number (APN): 617-441-02) into two parcels. Parcel 1 would accommodate the proposed residential development at 24551 Raymond Way ("Parcel 1") and Parcel 2 would maintain the existing office building located at 23591 El Toro Road ("The Project"); and

WHEREAS, Municipal Code Chapter 9.196 requires the approval of a Zone Change to reclassify a property from one zoning district to another zoning district; and

WHEREAS, the requested Zone Change would change the zoning designation of the Property from the PA- Public Administrative District to the R2- Multifamily Dwellings District; and

WHEREAS, the Zoning Code requires a Site Development Permit for "Multifamily dwellings with five (5) or more dwelling units" in the R2- Multifamily Dwellings District; and

WHEREAS, a Mitigated Negative Declaration (MND) for the proposed Project was circulated between June 12, 2020, and July 13, 2020; and

WHEREAS, the MND analyzed the impacts relating to the whole of the project, including the proposed Zone Change, and the MND determined that the

Project would have a less than significant impact on the environment with the incorporation of mitigation; and

WHEREAS, on August 18, 2020, the City Council adopted the MND and approved a Mitigation Monitoring and Reporting Program (MMRP) for the Project; and

WHEREAS, entitlements for this development project include this zone change, which under Code Section 9.196.040 (Zoning ordinance procedure) requires the Planning Commission to hold a public hearing and recommend to the City Council that the proposed zoning ordinance be approved, disapproved, or conditionally approved; and

WHEREAS, on July 9, 2020, the City gave public notice of the Planning Commission public hearing for consideration of Zone Change 12-19-5329 by advertising in a newspaper of general circulation, and on July 9, 2020 by posting notices at City Hall, and by mailing to owners of property within 1,000 feet, the project applicant, and local agencies that provide water, sewage, electricity and schools; and

WHEREAS, on July 23, 2020, the Planning Commission conducted a duly-noticed public hearing to consider General Plan Amendment 12-19-5328, Zone Change 12-19-5329, an Affordable Housing Agreement, Revocation of Site Development Permits 12-13-3114, 10-13-3614, and 11-17-5106, Tentative Parcel Map 2020-138, Site Development Permit 12-19-5327, and Planned Sign Program 04-20-5349, at which hearing members of the public were afforded an opportunity to comment upon Zone Change 12-19-5329; and

WHEREAS, on July 23, 2020, the Planning Commission adopted a resolution recommending that the City Council approve Zone Change 12-19-5329; and

WHEREAS, on August 6, 2020, the City gave public notice of the City Council public hearing for consideration of Zone Change 12-19-5329 by advertising in a newspaper of general circulation, and on August 6, 2020 by posting notices at City Hall, and by mailing to owners of property within 1,000 feet, the project applicant, and local agencies that provide water, sewage, electricity and schools; and

WHEREAS, on August 18, 2020, the City Council conducted a duly-noticed public hearing to consider General Plan Amendment 12-19-5328, Zone

Change 12-19-5329, Revocation of Site Development Permits 12-13-3114, 10-13-3614, and 11-17-5106, Tentative Parcel Map 2020-138, Site Development Permit 12-19-5327, and Minor Planned Sign Program 04-20-5349, at which hearing members of the public were afforded an opportunity to comment upon Zone Change 12-19-5329.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. CEQA: The requirements of the California Environmental Quality Act have been satisfied in that an Initial Study and Mitigated Negative Declaration were prepared for the Project, and the City Council adopted the MND and the related MMRP. The Initial Study and MND show that there is no substantial evidence, in light of the whole record, that the Project may have a significant effect on the environment with the incorporation of mitigation.

SECTION 3. GENERAL PLAN: The City Council hereby finds that the Zone Change is compatible with the objectives, policies, and General Plan land use programs specified in the General Plan for the City of Lake Forest in that:

- A. The City of Lake Forest has officially adopted a General Plan.
- B. The Zone Change to change the zoning designation of the Property from the PA-Public Administrative District to the R2-Multifamily Dwellings District is compatible with the objectives, policies, general land uses, and programs specified in the General Plan for the following reasons:
 - i. The General Plan's High Density Residential (25 to 43 du/ac) land use designation proposed under General Plan Amendment 12-19-5328 provides for the development of a wide range of living accommodations, including single-family dwelling units and multiple-family dwellings, such as townhomes, condominiums, apartments, and cooperatives. The designation allows a maximum of 43 dwelling units per net acre of land. This is consistent with the purpose of the R2-Multifamily Dwellings District, which provides for the development and maintenance of

very-high-density multifamily residential neighborhoods with a low building height and a minimum amount of open space.

- ii. The Zone Change complies with Policy 1.5 of the Land Use Element, which encourages the expansion of the range of housing types and density ranges to meet the diverse demographic, economic, and social needs of the community. The Zone Change would allow a residential use on a lot that was previously an office, and provides for the development and maintenance of very-high-density multifamily residential neighborhoods, to meet the diverse, demographic, economic, and social needs of the Community.
- iii. The Zone Change complies with Policy 5.1 of the Economic Development Element, which promotes the development of more diverse housing options, including multifamily and smaller single-family units, that will support a more diverse resident workforce. This Zone Changes provides for the development and maintenance of very-high-density multifamily residential neighborhoods, which would support a more diverse resident workforce.
- iv. The Zone Change complies with Policy 2.2 of the Health and Wellness Element, which promotes a land use plan that allows for a range of housing types and affordability options to support healthy living for families of various incomes and sizes. This Zone Change provides for the development and maintenance of very-high-density multifamily residential neighborhoods to support healthy living for families of various incomes and sizes.
- v. The Zone Change complies with Policy 1.1 of the Housing Element, which ensures the provision of a variety of housing opportunities (ownership and rental) in Lake Forest including low-density single-family homes, moderate-density townhomes, higher-density apartments and condominiums, mixed-use development, second dwelling units, and mobile homes to fulfill regional housing needs. This Zone Change would allow a multifamily residential use, which would accommodate higher density multifamily housing.

SECTION 4. HEALTH, SAFETY, AND WELFARE. Based on the entire record before the City Council and all written and oral evidence presented to the City Council, the City Council finds that this Zone Change promotes the public health, safety, and welfare of the community because it will permit land uses that best reflect community needs and will allow for the most efficient and logical development of the real property. There is a housing shortage across the State, and a particular need for affordable housing. This Zone Change would allow for the additional development of affordable housing within the City. The City Council further finds that this Zone Change is compatible with the uses authorized in, and the regulations prescribed for, the area in which the Property is located; and the Zone Change will not adversely affect the orderly development or the preservation of property values for the property it governs or any other property. Further, the Zone Change will not adversely affect the public health, safety, or welfare in that it does not create nonconformities within remaining portions of the City.

SECTION 5. LOCATION OF DOCUMENTS. The documents related to this Ordinance are on file and available for public review at Lake Forest City Hall, 100 Civic Center Drive, Lake Forest, California 92630. The Director of Community Development is the custodian of these documents.

SECTION 6. CITY COUNCIL ACTIONS. The City Council hereby adopts an Ordinance approving Zone Change 12-19-5329, to change the zoning designation of Parcel 1 from the PA-Public Administrative District to the R2-Multifamily Dwellings District as shown on the Map that is attached to this Ordinance as Exhibit "A" and incorporated herein by reference.

SECTION 7. EFFECT OF ZONE CHANGE. The City of Lake Forest Zoning Map, as amended by this ordinance, shall govern the zoning for the subject property. The development of the property, and all subsequent approvals, shall be in compliance with the Zoning applicable to the Subject Property now or in the future, to the extent other planning, zoning, land use, development, and development approval process regulations adopted by the City of Lake Forest are applicable and not inconsistent or in conflict with the zoning designation for the subject property.

SECTION 8. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares

that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 9. PUBLICATION: The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Lake Forest, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

SECTION 10. EFFECTIVE DATE. This Ordinance shall take effect 30 days after its adoption. Notwithstanding the foregoing, Zone Change 12-19-5329 shall not be effective unless and until GPA 12-19-5328, the related Affordable Housing Agreement, Revocation of Site Development Permits 12-13-3114, 10-13-3614, and 11-17-5106, Tentative Parcel Map 2020-138, Site Development Permit 12-19-5327, and Minor Planned Sign Program 04-20-5349 are adopted or executed by the City Council and become effective.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Lake Forest, California, at a regular meeting of the City Council held on the ____st day of _____, 2020.

NEEKI MOATAZEDI
MAYOR

ATTEST:

LISA BERGLUND
ACTING CITY CLERK

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON

CITY ATTORNEY

COUNTY OF ORANGE) SS
CITY OF LAKE FOREST)

I, Lisa Berglund, Acting City Clerk of the City of Lake Forest, California do hereby certify that the foregoing Ordinance No.____ was duly introduced and placed upon its first reading at regular meetings of the City Council on the 18th day of August 2020, and thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council on the ____st day of _____, 2020, by the following vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

LISA BERGLUND
ACTING CITY CLERK

EXHIBIT A: Zone Change Map

