

ORDINANCE NO. NS-XXXX

AMENDMENT APPLICATION (AA) NO. 2024-03 – AN
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA AMENDING THE OFFICIAL ZONING MAP OF
THE CITY OF SANTA ANA BY REMOVING THE M1 (LIGHT
INDUSTRIAL) AND M2 (HEAVY INDUSTRIAL) SUFFIXES
FROM CERTAIN PROPERTIES WITHIN THE SD-84
ZONING DISTRICT BOUNDARY

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

Section 1. The City Council has, by separate action taken on June 3, 2025, adopted an Addendum to the Transit Zoning Code Environmental Impact report (“EIR”) (State Clearinghouse No. 2006071100), which was certified on June 7, 2010, by the City Council (“Addendum”). The Addendum analyzed the environmental impacts of the actions taken in this Ordinance. Adopting the Addendum satisfied the City Council’s obligations under the California Environmental Quality Act (“CEQA”) regarding amendments to the Transit Zoning Code and none of the conditions in Public Resources Code section 21166 or State CEQA Guidelines 15162 apply. Thus, no further environmental review is required as adoption of this Ordinance falls within the scope of the adopted Addendum and previously certified EIR.

Section 2.

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

- A. Chapter 41, Article I, Division 1, Section 41-1 of the Santa Ana Municipal Code provides that

“Because of the necessity of segregating the location of residences, businesses, trades and industries; 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 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 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 undue concentration of population, lessen congestion on streets and highways, and
- (e) Promote the health, safety and general welfare of the people, all as part of the general plan of the City.”

Consistent with this purpose, the City of Santa Ana has adopted a zoning map, which has since been amended from time to time.

- B. On April 19, 2022, the City adopted an Amended General Plan. The Amended General Plan became effective on May 26, 2022 and adopted a new Land Use Plan for the City and established new land use designations and policies for development of the City.
- C. On April 16, 2024, the City Council passed an Urgency Ordinance to adopt a 45-day moratorium on the approval, commencement, establishment, relocation, or expansion of industrial uses within the Transit Zoning Code/Specific Development (SD) No. 84 Zoning District (the “Moratorium Ordinance”). The purpose of the Moratorium Ordinance was to immediately protect the public health, safety, and welfare of residents and businesses from incompatible industrial uses that cause a significant pollution burden to adjacent residential neighborhoods within the SD-84 Zoning District.
- D. On May 7, 2024, the City Council issued and file a Council report to the public, pursuant to Section 65858(d) of the California Government Code, describing the City’s measures to alleviate conditions that led to the adoption of Urgency Interim Ordinance No. NS-3063, on April 16, 2024, regarding a 45-day moratorium on the approval, commencement, establishment, relocation, or expansion of industrial uses within the Transit Zoning Code Specific Development No. 84.
- E. On May 21, 2024, the City Council adopted an extension of the Moratorium Ordinance for an additional ten (10) months and fifteen (15) days pursuant to California Government Code, Section 65858. The extension was necessary to allow sufficient time for staff to continue with conduct research of appropriate regulations, and coordinate with outside regulatory agencies and City departments to develop appropriate zoning regulation to address the impacts of industrial development in the SD-84 Zoning District.
- F. After continued research and study, two ordinances have been developed that address the impacts from industrial land uses in the SD-84 Zoning District. The ordinances address the following:
 - a. Zoning Ordinance Amendment (ZOA) No. 2024-02 to amend certain provisions of the Santa Ana Municipal Code and amend portions of the Transit Zoning Code/Specific Development (SD) No. 84 Zoning District, including the deletion of industrial land uses; amendment of non-conforming regulations; and,
 - b. Amendment Application (AA) No. 2024-03 to remove the M1 (Light Industrial) and M2 (Heavy Industrial) suffixes from certain properties within the SD-84 Zoning District boundary as designated on the City of Santa Ana Zoning Map.

- G. AA No. 2024-03 is consistent with and implements the amendments proposed by ZOA No. 2024-02 by ensuring uniform and legally consistent mapping of the City's Zoning Districts; and enables the City to implement a regulatory framework that protects the health, safety, and welfare of the City and its residents.
- H. The proposed amendments to the Zoning Map contained in AA No. 2024-03 are required to ensure consistency with the City's General Plan in accordance with California Government Code, Section 65860.
- I. Adoption of AA No. 2024-03 is consistent with and implements the Amended General Plan. Specifically, it is consistent with the following:

The amendments timely address current inconsistencies within an area of the City prioritized for addressing EJ.

- (a) Policy LU-1.1 (Compatible Uses),
- (b) Policy LU-2.4 (Cost and Benefit of Development)
- (c) Policy LU-3.8 (Sensitive Receptors),
- (d) Policy LU-3.9 (Noxious, Hazardous, Dangerous, and Polluting Uses),
- (e) Policy LU-3.11 (Air Pollution Buffers),
- (f) Policy LU-4.3 (Sustainable Land Use Strategies),
- (g) Policy LU-4.6 (Healthy Living Conditions),
- (h) Policy CM-3.2 (Healthy Neighborhoods),
- (i) Policy EP-1.9 (Avoid Conflict of Uses),
- (j) Policy EP-3.3 (Mitigate Impacts);
- (k) Policy CN-1.5 (Sensitive Receptor Decisions),
- (l) Policy CM-3.2 (Healthy Neighborhoods), and
- (m) Policy HE-5.5 (Community Development) which are targeted at correcting past land use planning practices that have placed an unequitable environmental and health burden on certain neighborhoods now termed disadvantaged communities. The proposed amendments support these goals and policies by:
 - 1. Fostering the compatibility between residential and nonresidential land uses within the TZC to enhance livability and promote healthier lifestyles, and improve public health and quality of life;
 - 2. Resolving the development of industrial land uses and sensitive receptors being in close proximity to each other that pose health hazards by eliminating an overlay zone that promulgated continuation of industrial uses without recourse;
 - 3. Improving the health of the existing and future residents of the TZC by regulating the operations of noxious, hazardous, dangerous, and polluting uses by giving priority to the discontinuance of those uses;

4. Responding to overarching EJ policies to develop and implement land use and zoning strategies to separate existing sensitive uses from heavy industrial facilities and emission sources;
 5. Continuing to support the creation of healthy neighborhoods by addressing land use conflicts and incompatible uses through the elimination of the I-OZ zone and associated industrial land use types from the list of allowable land uses within the TZC;
 6. Developing and adopting new regulations to address facilities that emit increased pollution new sensitive receptors within EJ area boundaries, which includes areas of the TZC;
 7. Avoiding potential land use conflicts in the future by prohibiting the location of noxious land uses in proximity to sensitive receptors; and
 8. Creating a sustainable land use plan for the area that phases out land uses that are causing a substantial drain on City and other public agency resources in addressing the impacts from irreconcilable land use conflicts in the TZC area.
- J. Additionally, AA No. 2024-03 implements and/or contributes to achieving the following specific action programs of the General Plan, most particularly directly addressing LU3.3 through the creation of a discontinuance of nonconforming industrial uses through amortization:
1. LU1.1 - Development Code Update. Prepare a comprehensive update to the zoning code to ensure that the City's zoning regulations align with the General Plan's goals and policies. Update the Metro East Mixed-Use Overlay District to remove the portion within the 17th Street and Grand Avenue Focus Area. Update the Midtown Specific Plan.
 2. LU3.3 - Healthy lifestyles. Collaborate with residents and industry stakeholders to create a program to incentivize and amortize the removal of existing heavy industrial uses adjacent to sensitive uses.
 3. CN1.4 - Health risk criteria. Establish criteria for requiring health risk assessments for existing and new industries, including the type of business, thresholds, and scope of assessment. Review existing and establish new regulation to reduce and avoid increased pollution near sensitive receptors within environmental justice area boundaries.
 4. CN1.7 - Truck idling. Evaluate strategies to reduce truck idling found or reported in areas with sensitive receptors, with a priority placed on environmental justice areas.
 5. CN1.11 - Public education. Augment existing outreach programs to improve public awareness of State, regional and local agencies' roles and resources to identify, monitor, and address air quality and other environmental hazards in the community.

6. HE5.C - Healthy Neighborhoods Initiatives. Update the City's zoning code development and operational standards for industrial zones to address incompatibility with adjacent uses, including minimum distance requirements to buffer heavy industrial uses from sensitive receptors. Conduct a study to evaluate and establish appropriate minimum distances and landscape buffers between polluting industrial uses from sensitive receptors such as residences.
 7. HE44.A - Fair Housing. Ensure all City programs and activities relating to housing and community development are administered in a manner that affirmatively furthers fair housing.
- K. On February 24, 2025, the Planning Commission held a duly noticed public hearing to consider this Ordinance, where all interested persons were given an opportunity to be heard, and after closing the public hearing, continued taking any action on this Ordinance to a special meeting held on March 6, 2025, whereby the Planning Commission recommended approval of the Ordinance to the City Council.
- L. On April 1, 2025, the City Council held a duly noticed public hearing to consider this Ordinance, but the item was not heard and was continued to a date certain, May 6, 2025;
- M. On May 6, 2025, the City Council held a duly noticed public hearing to consider this Ordinance, but the item was not heard and was continued to a date certain, June 3, 2025; and
- N. On June 3, 2025, the City Council held a duly noticed public hearing to consider this Ordinance, where all interested persons were given an opportunity to be heard.

Section 3. The City Council of the City of Santa Ana hereby adopts and approves the Amendment to the Official Zoning Map of the City of Santa Ana, as shown in Exhibit "A," attached hereto and incorporated herein by reference. This decision is 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 3, 2025, and exhibits attached hereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

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

Section 5. This Ordinance shall become effective thirty (30) days after its adoption.

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 _____, 2025.

Valerie Amezcua
Mayor

APPROVED AS TO FORM
Sonia R. Carvalho, City Attorney

By:  _____
Melissa Crosthwaite
Senior Assistant City Attorney

AYES: Councilmembers: _____

NOES: Councilmembers: _____

ABSTAIN: Councilmembers: _____

NOT PRESENT: Councilmembers: _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, _____, City Clerk, 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 _____, 2025 and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: _____

Jennifer L. Hall
City Clerk
City of Santa Ana

Exhibit A



ZONING DISTRICTS

A1	GENERAL AGRICULTURAL	CSM	SOUTHMAIN STREET COMMERCIAL DIST.	R2	TWO-FAMILY RESIDENCE	-B	PARKING MODIFICATION
C1	COMMUNITY COMMERCIAL	GC	GOVERNMENT CENTER	R3	MULTIPLE-FAMILY RESIDENCE	-OZ	OVERLAY ZONE
C1-MD	COMMUNITY COMMERCIAL - MUSEUM DIST.	M1	LIGHT INDUSTRIAL	R4	SUBURBAN APARTMENT	-PRD	PLANNED RESIDENTIAL DEVELOPMENT
C2	GENERAL COMMERCIAL	M2	HEAVY INDUSTRIAL	RE	RESIDENTIAL ESTATE		
C4	PLANNED SHOPPING CENTER	O	OPEN SPACE	SD	SPECIFIC DEVELOPMENT	-HD2	HEIGHT DISTRICT II
C5	ARTERIAL COMMERCIAL	P	PROFESSIONAL	SP	SPECIFIC PLAN		
CR	COMMERCIAL RESIDENTIAL	R1	SINGLE-FAMILY RESIDENCE	OZ1	METRO EAST OVERLAY ZONE		



SECTIONAL DISTRICT MAP: 7-5-9
CITY OF SANTA ANA, CALIFORNIA

