



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**February 20, 2024**

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**TOPIC:** Sunshine Ordinance Update, Safe and Sane Fireworks Ordinance Update, and Zoning Ordinance Update – Second Reading

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**AGENDA TITLE**

Ordinance Amendment No. 2023-04 amending Article II.II of Chapter 2 (Sunshine Ordinance) of the Santa Ana Municipal Code (SAMC) Addressing Applicability of Ordinance to Specific Development Amendments (Second Reading); Ordinance Amendment No. 2023-05 to Update Chapter 14 (Fire Protection and Prevention and Emergency Services) of the SAMC Addressing Eligibility for Permits for the Sale of Safe and Sane Fireworks (Second Reading); and Zoning Ordinance Amendment No. 2023-04 to Update Chapter 41 (Zoning) of the SAMC Addressing Billboards and General Restrictions (Second Reading)

**RECOMMENDED ACTIONS**

1. Find and determine that the adoption of these ordinances is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines, as amended from time to time.
2. Conduct a second reading and adopt an ordinance approving Ordinance Amendment No. 2023-04 amending Article II.II of Chapter 2 (Sunshine Ordinance) of the SAMC addressing applicability of the ordinance to specific development amendments.

ORDINANCE NO. NS-3057 entitled ORDINANCE AMENDMENT NO. 2023-04 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTER 2 (ADMINISTRATION) OF THE SANTA ANA MUNICIPAL CODE RELATING TO PUBLIC INPUT THROUGH COMMUNITY MEETINGS

3. Conduct a second reading and adopt an ordinance approving Ordinance Amendment No. 2023-05 amending Chapter 14 (Fire Protection and Prevention and Emergency Services) addressing eligibility for permits for the sale of safe and sane fireworks.

ORDINANCE NO. NS-3058 entitled ORDINANCE AMENDMENT NO. 2023-05 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING PORTIONS OF CHAPTER 14 (FIRE PROTECTION AND PREVENTION AND EMERGENCY SERVICES) OF THE SANTA ANA MUNICIPAL CODE RELATING TO SAFE AND SANE FIREWORKS

4. Conduct second reading and adopt an ordinance approving Zoning Ordinance Amendment No. 2023-04 amending Chapter 41 (Zoning) of the SAMC addressing billboards and general restrictions.

ORDINANCE NO. NS-3059 entitled ZONING ORDINANCE AMENDMENT NO. 2023-04 – 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 GENERAL RESTRICTIONS AND BILLBOARDS

**GOVERNMENT CODE §84308 APPLIES** Yes

### **DISCUSSION**

At its January 16, 2024 regular meeting, the City Council held a public hearing and considered the staff report, recommendations by staff, and public testimony concerning three ordinances. The three ordinances include:

1. Ordinance Amendment No. 2023-04 (OA No. 2023-04),
2. Ordinance Amendment No. 2023-05 (OA No. 2023-05), and
3. Zoning Ordinance Amendment No. 2023-04 (ZOA No. 2023-04)

The City Council approved the first reading of OA No. 2023-04 and OA No. 2023-05 as presented by staff. However, the City Council struck several sections of ZOA No. 2023-04 including Section 4, pertaining to the administrative approval of the renewal of wireless communication facility Conditional Development Permits, and Sections 7 through 20, pertaining to hotels/motels and full service hotels.

The City Council passed the motion, as amended, by a vote of 7-0.

OA No. 2023-04 amends Article II.II of Chapter 2 (Sunshine Ordinance) by making the ordinance applicable to specific development amendments.

OA No. 2023-05 amends Chapter 14 (Fire Protection and Prevent and Emergency Services), which limits permits for the sale of safe and sane fireworks to schools with affiliated organizations and nonprofit organizations located within city limits. In addition, the amendments would require that nonprofit organizations be limited to those primarily

benefitting the Santa Ana community and having 75% of members residing within city limits.

As amended by the City Council, ZOA No. 2023-04 amends Chapter 41 (Zoning) by specifying that the minimum separation between billboards is applicable to those on the same side of the freeway; and cleaning up the General Restrictions section of the Zoning Code.

### **ENVIRONMENTAL IMPACT**

The City Council finds and determines that these actions are not subject to the California Environmental Quality Act (CEQA). Pursuant to CEQA and the CEQA Guidelines, the adoption of these Ordinances is exempt from CEQA review pursuant to sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because they will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility they 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, Environmental Review Nos. 2023-115, 2023-125, and 2023-126 will be filed upon adoption of these ordinances and resolution.

### **FISCAL IMPACT**

There is no direct fiscal impact associated with this action.

### **EXHIBITS**

1. Ordinance for OA No. 2023-04 (Sunshine Ordinance)
2. Ordinance for OA No. 2023-05 (Fire Protection and Prevention and Emergency Services)
3. Ordinance for ZOA No. 2023-04 (Zoning)

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

Approved By: Tom Hatch, Interim City Manager