

**SPECIFIC DEVELOPMENT No. 74**  
**AMENDMENT APPLICATION 03-11**  
**NS-2645**

ORDINANCE NO. NS-2645

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA REZONING THE PROPERTY LOCATED AT 3501 AND 3511 WEST SUNFLOWER AVENUE FROM LIGHT INDUSTRIAL (M1) TO SPECIFIC DEVELOPMENT NO. 74 (SD-74) (AA NO. 2003-11) AND ADOPTING SPECIFIC DEVELOPMENT NO. 74 (SD-74) FOR SAID PROPERTY

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana does hereby find, determine and declare as follows:

- A. Amendment Application No. 2003-11 has been filed with the City of Santa Ana to change the zoning district designation of certain real property located at 3501 and 3511 West Sunflower Avenue from Light Industrial (M1) to Specific Development No. 74 (SD-74). The Specific Development No. 74 zoning district (SD-74) would allow the processing of materials into a semi-finished product, manufacturing or assembly of products, packaging of products, wholesale establishments, enclosed storage, bulk products sales, profession offices, eating establishments, trade and professional schools (with a Conditional Use Permit), and child care (with a Conditional Use Permit).
- B. The Planning Commission of the City of Santa Ana held a duly noticed public hearing on January 12, 2004, on Amendment Application No. 2003-11 and determined by a vote of 7:0 to recommend that the City Council approve Amendment Application No. 2003-11 which is consistent with the General Plan, including but not limited to its goals and policies to:
  1. Encourage the location of child care facilities within employment centers (Policy 2.2)
  2. Support developments that create a business environment that is safe and attractive (Policy 2.8)
  3. Support land uses which provide community and regional economic and service benefits. (Policy 4.3)
- C. This Council, prior to taking action on this ordinance, held a duly noticed public hearing on February 2, 2004.

- D. The City Council also adopts as findings all facts presented in the Request for Council Action dated February 2, 2004 accompanying this matter.
- E. For these reasons, and each of them, Amendment Application No. 2003-11 is hereby found and determined to be consistent with the General Plan of the City of Santa Ana and otherwise justified by the public necessity, convenience, and general welfare.

Section 2. The City Council has reviewed and considered the information contained in the initial study and the negative declaration for Environmental Review No. 2003-169 prepared with respect to this Project. It is determined that, as required pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, a negative declaration adequately addresses the expected environmental impacts of this Project. On the basis of this review, the City Council finds that there is no evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment. The City Council hereby certifies and approves the negative declaration and directs that the Notice of Determination be prepared and filed with the County Clerk of the County of Orange in the manner required by law.

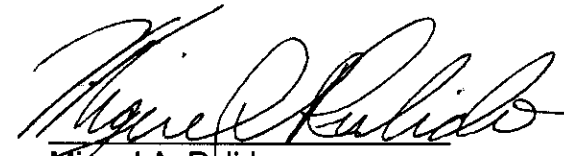
Pursuant to Title XIV, California Code of Regulations ("CCR") §735.5(c)(1), the City Council has determined that, after considering the record as a whole, there is no evidence that the proposed project will have the potential for any adverse effect on wildlife resources or the ecological habitat upon which wildlife resources depend. The proposed project exists in an urban environment characterized by paved concrete, roadways, surrounding buildings and human activity. Therefore, pursuant to Fish and Game Code §711.2 and Title XIV, CCR §735.5(a)(3), the payment of Fish and Game Department filing fees is not required in conjunction with this project.

Section 3. The real property located at 3501 and 3511 West Sunflower Avenue in Santa Ana is hereby reclassified from Light Industrial (M1) to Specific Development No. 74 (SD-74). Amended Sectional District Map number 34-5-10, showing the above described change in use district designation, is hereby approved and attached hereto as Exhibit "A " and incorporated by this reference as though fully set forth herein.


Section 4. Specific Development No. 74 (SD-74) as attached to this Ordinance is approved adopted in its entirety.

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.

ADOPTED this 15<sup>th</sup> day of March, 2004.

  
Miguel A. Pulido  
Mayor

APPROVED AS TO FORM:  
Joseph W. Fletcher  
City Attorney

By:   
Kylee O. Otto  
Deputy City Attorney

AYES: Councilmembers: Alvarez, Bist, Christy, Franklin, Garcia, Pulido, Solorio (7)

NOES: Councilmembers: None (0)

ABSENT: Councilmembers: None (0)

ABSTAIN: Councilmembers: None (0)

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, PATRICIA E. HEALY, Clerk of the Council, do hereby attest to and certify the attached Ordinance No. NS-2645 to be the original ordinance adopted by the City Council of the City of Santa Ana on March 15, 2004, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 3/19/04

  
Clerk of the Council  
City of Santa Ana

**ART INSTITUTE/ARGOSY UNIVERSITY  
Specific Development Plan No. 74 (SD-74)**

**Section 1. Applicability of Ordinance**

The specific development zoning district for the Art Institute/ Argosy University, as authorized by Chapter 41, Division 26, Sec. 41-593 et seq. of the Santa Ana Municipal Code (SAMC), is specifically subject to the standards and regulations contained in this plan for the express purpose of establishing land use regulations and standards. All other applicable chapters, articles and sections of the SAMC shall apply unless expressly stated or superseded by this ordinance.

**Section 2. Purpose**

The Specific Development Plan No. 74 (SD-74), consisting of standards and regulations, is hereby established for the express purpose of protecting the health, safety and general welfare of the people of the City by promoting and enhancing the value of properties and encouraging orderly development.

Art Institute/Argosy University SD-74 sets the development and design criteria for a development consisting of approximately 10.3 acres. The purpose of this specific development plan is to permit flexibility in the site planning and design to respond to market conditions while assuring high quality development.

SD-74 specifically establishes for the property the following:

- Permitted uses
- Development standards, including building height limits, required setbacks, parking requirements, landscaping provisions and enforcement policies
- Operational standards
- Maximum authorized development intensity
- Signage provisions

**Section 3. Objectives**

The objectives of the Art Institute/Argosy University Specific Development Plan No. 74, include provisions of the following:

- Landscaping that is appropriate to the level of development and sensitive to the surrounding community.

- A visually harmonious development as viewed both internally and externally.
- A circulation system that is responsive to the needs of both vehicular and pedestrian travel.
- Flexibility of development in response to market conditions, while achieving overall City and community goals.
- Creation of new employment opportunities.

#### **Section 4. Uses Permitted**

##### **Uses Permitted on all parcels in the SD-74 District:**

- (a) The compounding, processing, or treatment of raw or previously used materials into a finished or semi-finished product, excluding those specified in SAMC 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) Enclosed storage, warehouse and wholesale.
- (g) Bulk products sales (25 cubic feet or greater) when such products are the primary sales activity.
- (h) Professional, administrative and business offices, except medical offices.
- (i) Eating establishments not specified in section 41-472.5.

**Uses subject to a conditional use permit on all parcels in the SD-74 District:**

- (a) Trade and professional schools
- (b) Child care other than as permitted by section 41-472.1 of the SAMC
- (c) Eating establishments permitted in section 41-472 which operate between 12:00 and 5:00 a.m.

**Section 5. Maximum Permitted Building Intensity**

The maximum authorized building intensity for the Art Institute/Argosy University is 202,490 square feet for industrial uses. The maximum floor area ratio allowed is 0.45.

**Section 6. Development Standards**

1. **Building Height.** All future on-site uses will be subject to a height limitation of 35 feet above ground level, which is defined as the vertical distance measured from the curb level to the highest point of the roof surface.
2. **Setbacks.** A minimum 15-foot front yard setback shall be provided between proposed on-site uses and any future right-of-way boundaries for Sunflower Avenue.
3. **Parking and loading.** The off-street parking requirements for the proposed uses are as follows:
  - (a) *Warehouse, distribution and storage:* One space for each 1,000 square feet of gross floor area.
  - (b) *Manufacturing facilities:* Two spaces for each 1,000 square feet of production area. Office space exceeding 30 percent of the gross floor area of a manufacturing facility must meet the off-street parking requirements for office use.
  - (c) *Processing, packaging and treatment:* Two spaces for each 1,000 square feet of gross floor area.
  - (d) *Offices, business and professional:* Three spaces for each 1,000 square feet of gross floor area.

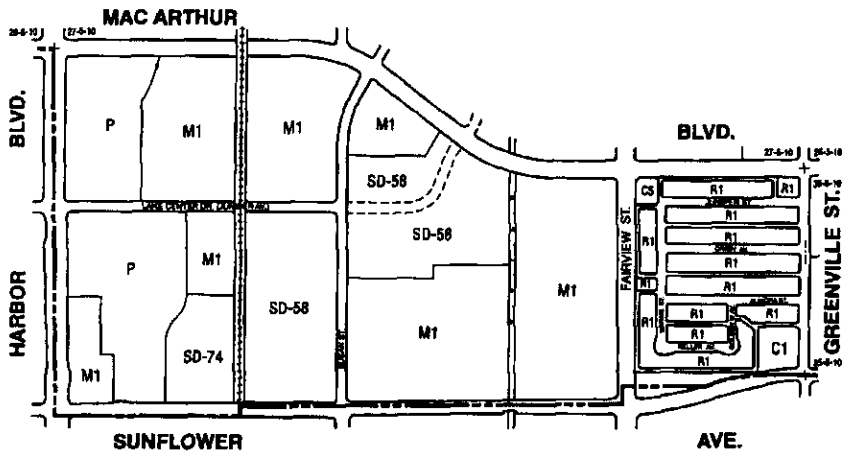
- (e) *Trade and professional schools:* One space for each 40 square feet of classroom floor area, plus one space for each three 333 square feet of office floor area. A passenger loading and unloading zone shall be painted and provided for each building used for instruction purposes.
4. **Walls and Screening.** Any equipment, whether on the roof, side of building or ground, shall be screened. The method of screening shall be architecturally integrated with the building in terms of materials, color, shape and size.
5. **Landscaping Standards.** All areas not used for buildings, parking or storage shall be landscaped using the following guidelines consistent with the Commercial Landscape Standards. All landscaped areas shall be irrigated using an automatic irrigation system. The project shall provide landscaping consistent with the existing landscape theme and existing improvements on-site. A six-inch raised concrete curb shall be required around all landscape planters unless approved by City Landscape Associate.
- (a) A landscaped area not less than 15 feet wide shall be maintained along any property line to the extent that it abuts Sunflower Avenue, except at approved driveways.
- (b) All new landscaped planters and landscaped areas shall meet the commercial landscape planter standards.
6. **Architectural and Design Features.**
- *Exterior Materials:* Exterior materials and finishes to comply with an approved materials board. Trash enclosure and similar ancillary structures are to match the texture, materials and color palette of the proposed buildings.
  - *Design Features:* Shall be designed to be integrated with the existing buildings. Any new additions shall match the original in terms of scale, rooflines, materials and color.
  - *Color Scheme:* Neutral colors shall be used for the overall color scheme.
  - *Lighting Standards/fixtures:* A minimum of one-foot candle of light shall be provided throughout the parking area. Specifications of light standards/fixtures and photometrics plan shall be submitted to the Planning Division for approval.



7. **Enforcement.** The penal provisions and permit requirements of the SAMC (effective as of the date of adoption of this SD-74) shall apply to all development within the Art Institute Specific Development Plan No. 74.

**Section 7. Signage.**

All future on-site signs shall conform to Article XI, Subsections 41-850 through 41-1099 of the SAMC.



City of Costa Mesa

**Zoning District**

ADOPTED BY RESOLUTION NO. 5186 BY THE SANTA ANA PLANNING COMMISSION  
PART OF ORDINANCE NO. NS-324 ADOPTED BY THE SANTA ANA CITY COUNCIL, AUGUST 17, 1999.

|   |                                      |  |
|---|--------------------------------------|--|
| A1<br>GENERAL AGRICULTURE                 | C5<br>ARTERIAL COMMERCIAL            | PRD<br>PLANNED RESIDENTIAL DEVELOPMENT           |
| -B<br>PARKING MODIFICATION                | CR<br>COMMERCIAL RESIDENTIAL         | R1<br>SINGLE FAMILY RESIDENTIAL                  |
| C-SM<br>COMMERCIAL SOUTH MAIN             | GC<br>GOVERNMENT CENTER              | R2<br>LIMITED MULTIPLE FAMILY RES.               |
| C1<br>COMMUNITY COMMERCIAL                | M1<br>LIGHT INDUSTRIAL               | R3<br>MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL |
| C1-MD<br>COMM. COMMERCIAL/MUSEUM DISTRICT | M2<br>HEAVY INDUSTRIAL               | R4<br>SUBURBAN APARTMENTS                        |
| C2<br>GENERAL COMMERCIAL                  | MO<br>MILITARY OPERATIONS            | RE<br>REAL ESTATE                                |
| C3<br>CENTRAL BUSINESS                    | O<br>OPEN SPACE                      | SO<br>SPECIFIC DEVELOPMENT                       |
| C3-A<br>CENTRAL BUSINESS-ARTIST VILLAGE   | P<br>PROFESSIONAL                    | SP<br>SPECIFIC PLAN                              |
| C4<br>PLANNED SHOPPING CENTER             | PCD<br>PLANNED COMMUNITY DEVELOPMENT |  |

SCALE IN FEET

MINIMUM PORCENTAGE  
MINIMUM LOT AREA

Latest Revision Date: **1-27-04**

THIS MAP IS THE OFFICIAL SECTIONAL DISTRICT MAP OF THE CITY OF SANTA ANA, AS AUTHORIZED BY CITY COUNCIL RESOLUTION NO. 74-148, DATED 11-1-74. I HEREBY ATTEST THAT THIS MAP IS A TRUE COPY OF THE ORIGINAL SECTIONAL DISTRICT MAP NO. 264-28.

*[Signature]*  
CITY CLERK

City Clerk Date: **SEPTEMBER 10, 1999**

| RES./A.A./AMX. NO. | 6-89    | 6-92    | 6-94    | 6-95   | 6-97    | 6-99    |         |         |         |         |         |         |         |          |         |          |         |  |  |  |  |
|--------------------|---------|---------|---------|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---------|----------|---------|--|--|--|--|
| ORD./RES. NO.      | NS-478  | NS-512  | NS-549  | NS-689 | NS-1128 | NS-1139 | NS-1149 | NS-1201 | NS-1202 | NS-1204 | NS-1206 | NS-1271 | NS-1313 | NS-0228  | NS-2518 | NS-3070  | NS-2481 |  |  |  |  |
| ADOPTED DATE       | 10-3-89 | 6-24-91 | 5-18-91 | 5-2-95 | 5-6-95  | 6-6-95  | 6-2-97  | 5-26-97 | 5-26-97 | 5-29-97 | 5-29-97 | 12-1-98 | 6-1-99  | 10-15-99 | 7-25-04 | 10-19-04 | 6-7-04  |  |  |  |  |
| APPROVED           |         |         |         |        |         |         |         |         |         |         |         |         |         |          |         |          |         |  |  |  |  |

**SECTIONAL DISTRICT MAP - 34-5-10**

PREPARED BY THE PLANNING DIVISION · CITY OF SANTA ANA CALIFORNIA

Exhibit A