

RESOLUTION NO. 5996-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THE CITY COUNCIL APPROVE AMENDMENT NO. A-028-2020, A ZONING TEXT AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE TO AMEND THE DENSITY BONUS AND OTHER INCENTIVES FOR AFFORDABLE HOUSING IN THE RESIDENTIAL AND MIXED-USE ZONES TO CONFORM TO CHANGES IN STATE LAW.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 16, 2020, does hereby recommend approval of Amendment No. A-028-2020 to the City Council.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-028-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

The case was initiated by the City of Garden Grove.

The City of Garden Grove is proposing to amend Chapters 9.08 (Single-Family Residential Development Standards), 9.12 (Multi-family Residential Development Standards), and 9.18 (Mixed-Use Regulations and Development Standards) of Title 9 (Land Use) of the Garden Grove Municipal code to revise and establish regulations for density bonus and other incentives for affordable housing consistent with State law.

The Planning Commission recommends the City Council find that the proposed amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) (It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment). More specifically, Amendment No. A-028-2020 merely incorporates State law, allowing applicants to seek a density bonus pursuant to Government Code Section 65915.

Pursuant to legal notice, a public hearing was held on July 16, 2020, and all interested persons were given an opportunity to be heard.

Report submitted by City staff was reviewed.

The Planning Commission gave due and careful consideration to the matter during its meeting of July 16, 2020; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission are as follows:

FACTS:

The proposed Code Amendment is a text amendment intended to conform the City's Municipal Code with recent State law amendments to Government Code section 65915 as of 2019 to clarify certain provisions of the Density Bonus Law as most recently amended by Assembly Bill 1763 during the 2019 legislative session.

FINDINGS AND REASONS:

The Amendment is internally consistent with the goals, objectives, and elements of the City's General Plan.

The proposed Land Use Code Amendment is internally consistent with the goals, policies, and elements of the General Plan. The proposed text amendments will bring the City's Land Use Code into conformance with recent changes to State law pertaining to density bonuses and other incentives for affordable housing. The intent of the changes to the State law is to continue to facilitate the production of affordable housing to address the State's housing shortage, particularly housing affordable to lower-income households. Goal LU-2 and Policy LU-2.2 of the General Plan Land Use element encourage a diverse mix of housing types in the City. In addition, the goal of the General Plan Housing Element is to encourage the development of affordable housing to meet the City's regional housing needs as well as to provide housing that encourages people of all economic levels to live in Garden Grove. Policy 2.1 seeks to preserve and expand the City's supply of affordable rental and ownership housing for lower-income households. Policy 2.3 seeks to provide density bonuses and other financial and regulatory incentives to facilitate the development of affordable housing. Policy 4.2 seeks to provide avenues for the development of housing for extremely low-income and special-needs persons. Density bonuses and other incentives will assist in incentivizing the production of more affordable housing opportunities in the City to help the City meet its regional housing needs.

2. The Amendment will promote the public interest, health, safety and welfare.

The proposed Land Use Code Amendment will promote the public health, safety and welfare. The proposed text amendments will bring the City's Land Use Code into conformance with changes to State law relating to density bonuses and other incentives for affordable housing. The proposed text amendments are intended to be consistent with current State law, and will facilitate the production of affordable housing to meet the State's and City's housing goals.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT:

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and reasons set forth in the staff report.

