

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> D.1.	<b>SITE LOCATION:</b> Citywide
<b>HEARING DATE:</b> October 21, 2021	<b>GENERAL PLAN:</b> N/A
<b>CASE NO.:</b> General Plan Amendment No. GPA-003-2021 and Amendment No. A-031-2021	<b>ZONE:</b> N/A
<b>APPLICANT:</b> City of Garden Grove	<b>CEQA DETERMINATION:</b> Environmental Impact Report (EIR)

**REQUEST:**

A request for the Garden Grove Planning Commission to hold a public hearing and consider recommending that the City Council: (i) certify the Environmental Impact Report (EIR) for the proposed Focused General Plan Update and Zoning Amendments, adopt a Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Considerations; (ii) adopt General Plan Amendment No. GPA-003-2021, which includes updates to the Housing Element, the Land Use Element, and the Safety Element, and the adoption of a new Environmental Justice Element; and (iii) adopt Zoning Amendment No. A-031-2021, which includes text/map amendments to Title 9 of the Municipal Code and to the Zoning Map to implement the Housing Element and Land Use Element Updates. The focus of the General Plan and Zoning Amendments is to comply with State law provisions, including complying with the 6<sup>th</sup> Cycle (2021-2029) of the Regional Housing Needs Assessment (RHNA) that requires the City to plan for 19,168 residential dwelling units for all income levels during the 2021-2029 planning period.

**BACKGROUND:**

The City of Garden Grove has prepared a Draft Focused General Plan Update with revisions to the Housing Element, Land Use Element, and Safety Element, and preparation of a new Environmental Justice Element in compliance with Government Code Section 65302. The proposed Housing Element Update establishes programs, policies, and actions to generally further the goal of meeting the existing and projected housing needs in the community. The proposed Land Use Element Update incorporates the housing growth identified in the Housing Element. The proposed Safety Element Update addresses climate change vulnerability and resiliency and incorporates the City's Local Hazard Mitigation Plan. The new Environmental Justice Element focuses on addressing community needs and pollution burden challenges citywide and within disadvantaged communities. The Draft Housing Element was made available online for public review on the City's website (<https://ggcity.org/housing-element>) starting on July 6, 2021, with the remaining documents available starting on August 19, 2021.

In addition to the Focused General Plan Update, the City is proposing amendments to Title 9 (Land Use) of the Garden Grove Municipal Code and to the Zoning Map in compliance with California Government Code (CGC) Section 65300 et seq., to implement and achieve consistency with the Housing Element and Land Use Element Updates. The Focused General Plan Update and Zoning Amendments are referred to collectively in this Report as the "FGPUZA" or the "Project".

The City has prepared a Draft Environmental Impact Report (EIR) for the proposed FGPUZA. The proposed Project that is evaluated in the Draft EIR is adoption of both the Focused General Plan Update and Zoning Amendments. The Draft EIR is an informational document that evaluates a proposed Project's potential to significantly impact the environment, while also identifying ways to reduce or avoid environmental impacts through mitigation measures and alternatives to the Project. The Draft EIR was available during the public review period from August 23, 2021 to October 6, 2021.

The Planning Commission is requested to hold a public hearing and consider recommending to the City Council adoption of the FGPUZA, and certification of the associated EIR. These final steps to adopt the FGPUZA, and to achieve a Housing Element certified by the California State Department of Housing and Community Development (HCD), will round out a comprehensive process, driven by extensive community engagement, which began in August of 2020.

### Public Participation

Government Code 65583(c)(7) requires: "The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Under State law, local governments must be diligent in soliciting participation by all segments of the community in this effort. A Public Engagement Plan was developed for the targeted General Plan update. Staff identified key audiences and engagement methods to encourage participation from a broad cross-section of the Garden Grove community, representative of the City's diverse cultural groups, income levels, ages, and interests.

### Engagement Tools and Methods

Due to the local and statewide COVID-19 emergency orders that prohibited in-person meetings, and the State's authorization of public meetings to be held online, during the time of Project preparation, the public largely participated in online workshops, surveys, and public meetings. A dedicated online portal (<https://ggcity.org/housing-element>) contained surveys, news, background information, and links to resources. Community workshops, stakeholder interviews, focus groups, and other meetings with the public were facilitated using videoconferencing software (i.e., via Zoom). The community housing surveys were made available online and included a mapping exercise for the survey participants to provide more geographic precision to their responses. Prominently placed on the online portal were the surveys, fact sheets, and a Housing Element 101 video that

was available in English, Vietnamese, Spanish, and Korean. Multilingual surveys were also printed and distributed to residents of large multifamily housing complexes, and at the City's resource centers. Surveys, workshops, and important dates were advertised in the City's social media platforms with thousands of followers: Facebook, Twitter, Instagram, YouTube, and Next Door. Downloadable presentations and summaries of public comments from workshops and surveys were made available online for public review.

### Stakeholder Interviews and Focus Group Meetings

The initial public engagement efforts began in August and September of 2020, during which the City received valuable input from key stakeholders and members/residents of the community, through stakeholder interviews and focus group meetings. In addition to general public stakeholders, key stakeholders attended the meetings, which included members from local housing and non-housing advocacy groups, service providers, and housing and affordable housing developers. Public comments received were collected live during the meetings and posted on a virtual "mural" comment board viewable by all participants. The comment murals were then posted on the City's website for public review.

### Community Surveys

The City launched multiple surveys to gather public ideas and input on how to address housing and community health issues.

The first survey – the Housing and Environmental Justice Community Survey "Meeting our Housing Needs and Addressing Community Health Issues" – was a text survey available during September 2020 as both a hard copy and online survey, and available in four languages: English, Vietnamese, Spanish, and Korean. Respondents input basic demographic data, preferences regarding the location and type of new housing needed in the community, and community health concerns. On multiple occasions, City staff distributed printed surveys to residents at multiple apartment complexes in areas considered to be a Disadvantaged Community (DAC), and at the City's three (3) resource centers: H. Louis Lake Senior Center, the Buena Clinton Youth and Family Center, and Magnolia Park Family Resource Center.

The second survey - Housing Sites/Land Use Mapping Survey – was an online interactive mapping survey, made available beginning November 2020 and ending January 2021. Respondents interacted with an online virtual map of Garden Grove and responded to several residential density scenarios and potential land use changes proposed to accommodate the City's Regional Housing Needs Assessment (RHNA) in different City sectors. Participants generally had positive responses to all scenarios, with more supporting high-density uses (up to 70 units/acre) in a few urbanized districts. The 2nd Survey was posted on the City's website and available in English, Spanish, Vietnamese, and Korean.

The third survey – Environmental Justice Community Survey – was an online interactive mapping survey, made available beginning April 2021 and ending June 2021. Respondents input basic demographic data and interacted with an online virtual map of Garden Grove and responded to several environmental justice issue areas including pollution, healthy foods, community services, safe walking and biking, parks, and physical activity. The 3rd Survey was posted on the City’s website and was made available in English, Spanish, Vietnamese, and Korean. City staff distributed printed surveys to residents at multiple apartment complexes in areas considered to be a Disadvantaged Community (DAC), and at the City’s three (3) resource centers: H. Louis Lake Senior Center, the Buena Clinton Youth and Family Center, and Magnolia Park Family Resource Center.

Community Workshops and Study Sessions

Over the course of the project’s timeline, the City held multiple community workshops and study sessions, open to the public, to provide opportunities for stakeholders to stay informed and apprised of project updates. Videos of workshops, comments collected, as well as copies of study session presentation materials (i.e., PowerPoint presentations), were posted on the City’s website to provide access to those resources to interested parties that were unable to attend. The following matrix provides a list of said community workshops and study sessions that were held, all of which were open to the public.

Date	Event	Content
September 17, 2020	Joint NICC/PCC Study Session	An overview of the General Plan, Housing Element, Environmental Justice Element, and Safety Element. A presentation on RHNA, the City’s preliminary plan to meet the State required RHNA objective, public engagement plans, and project timeline.
November 18, 2020	Virtual Community Meeting	An overview of the General Plan, Housing Element, Environmental Justice Element, and Safety Element. A presentation on RHNA, the City’s preliminary plan and potential land use alternatives to meet the State required RHNA objective. Also, a presentation and exercise to educate the public on what is residential density, potential housing opportunity sites for residential development. Future public engagement, project timeline, upcoming online mapping survey, and next steps presented.
November 19, 2020	Planning Commission Study Session	An overview of the General Plan, Housing Element, Environmental Justice Element, and Safety Element. A presentation on RHNA, the City’s preliminary plan and potential land use alternatives to meet the State required RHNA objective. Also, a presentation and exercise to educate the public on what is residential density, potential housing opportunity sites for residential development. Future public engagement, project timeline, upcoming online mapping survey, and next steps presented.
December 8, 2020	City Council Presentation for Discussion	An overview of the public engagement efforts thus far, along with comments received from stakeholders including the

		public. Summary of community survey responses. Online mapping survey results received thus far. Summary of comments received from prior Virtual Community Meeting and Planning Commission Study session. A presentation on RHNA, the City's preliminary plan and potential land use alternatives to meet the State required RHNA objective. Also, a presentation and exercise on residential density and potential housing opportunity sites for residential development. Future public engagement, project timeline, upcoming online mapping survey, and next steps presented. Also, an update to the City's RHNA appeal efforts.
January 12, 2021	Discussion of the Land Use Alternatives for the Housing Element Update (City Council)	A summary of the responses and comments received via the online mapping survey, which focused on Housing and Environmental Justice. An overview of RHNA and the proposed land use alternatives which identify housing density strategies to achieve a plan to meet the State's required RHNA allocation of 19,168 housing units. Received City Council direction to proceed with the proposed land use alternatives and conduct an in-depth analysis of the potential impacts through preparation of the Draft Environmental Impact Report (EIR) and the Draft Housing Element.
January 21, 2021	Housing Element and RHNA Update (Planning Commission)	An overview of the Housing Element, the City's approach to meeting the State required RHNA, a summary of the City's public engagement outreach efforts, and an overview of the RHNA process and how Garden Grove's RHNA number was determined.
April 13, 2021	Status Report of the Housing Element Update including Focused General Plan Update and Zoning Amendments (FGPUZA) (City Council)	An update on the status of the Housing Element, the focused updates to the Land Use Element and Safety Element, preparation of the Environmental Justice Element, and focused zoning amendments. An update on the City's RHNA (2) appeal applications, which were denied by SCGA. An update on the City's recent public outreach efforts, and next steps in the process. Also, notification of an upcoming virtual community forum, open to the public, to present information and receive community input on environmental justice issues in Garden Grove.
April 21, 2021	Environmental Justice Community Online Forum	A virtual community online forum to present information and receive community input on environmental justice issues in Garden Grove. Received feedback on strategies to: improve air quality, reduce pollution; increase walkability, biking, and public transit; promote access to parks and active living; access to healthy foods; adding and improving community services; promoting civic engagement; and expanding access to housing and services.
May 20, 2021	Planning Commission Study Session	Study session to present the goals, policies, and programs for the Housing Element Update. Presented goals and policies that address: housing maintenance and preservation; affordable housing; adequate housing sites; removal of constraints to housing production; equal access to

		housing; and community engagement.
May 25, 2021	City Council Study Session	Study session to present the goals, policies, and programs for the Housing Element Update. Presented goals and policies that address: housing maintenance and preservation; affordable housing; adequate housing sites; removal of constraints to housing production; equal access to housing; and community engagement.
July 6, 2021	Release of Housing Element Public Review Draft	The Draft Housing Element was made available online for public review on the City's website ( <a href="https://ggcity.org/housing-element">https://ggcity.org/housing-element</a> ) starting on July 6, 2021
August 19, 2021	Notification of Availability of the Draft Focused General Plan Update	A notification of availability to the City Council and community stakeholders of the Draft Focused General Plan Update (available on the City's website) with revisions to the Land Use Element, Safety Element, and Housing Element, and preparation of a new Environmental Justice Element. Also a notice of availability of the Draft EIR for the Focused General Plan Update and Zoning Amendments (FGPUZA).
August 19, 2021	Notification of Availability of the Draft Environmental Impact Report (EIR)	A notification of availability to the City Council and community stakeholders of the Draft EIR for the Focused General Plan Update and Zoning Amendments (FGPUZA).

Additional Public Engagement and Outreach Efforts

Throughout the entirety of the Project, the City has maintained continued coordination efforts with the Office of Community Relations to extensively promote and inform the public regarding the latest news, through the City's social media platforms, press releases, email blasts, flyers, mailers, and through the City's Housing Element website: <https://ggcity.org/housing-element>. The City attended, and distributed flyers, at City sponsored events (e.g., Clementine Trolley meal distributions at the Buena Clinton Youth and Family Center, and meal distributions at the Magnolia Park Family Resource Center). Community outreach has been coordinated to actively engage underrepresented residents in identifying the needs of vulnerable populations, low-income areas, and disadvantaged communities, and helping define equitable land use, transportation, and housing strategies to lessen high pollution burdens and climate hazards.

A comprehensive summary of the City's public engagement and community outreach efforts are included as an attachment to this report.

Key Findings from Public Engagement

Key findings across engagement activities are listed below:

- **Need for Affordable Housing.** Participants indicated a need for additional affordable housing for low-income households as a result of the high cost of housing in Orange County. An overwhelming percentage (72%) of respondents of the community surveys expressed the importance of ensuring that children who grow up in Garden Grove can afford to live in Garden Grove

as adults. As a result, Program 11 (Inclusionary Housing Ordinance) and Program 22 (Affordable Housing Overlay) were added to this Element.

- **Meet Housing Demand for Special Groups.** The community voiced a clear desire to provide housing for special groups, including seniors, large families, persons who are homeless or at-risk of becoming homeless, veterans, and persons with disabilities.
- **Housing Inequities and Discrimination.** Residents wish to see targeted efforts to address long-term inequities in the housing market, including discrimination in renting.
- **Focus Placing Housing Along Corridors and Aging Commercial Centers.** Participants expressed a preference to locate multi-family and mixed-use developments along major corridors, and closer to transit facilities and commercial services, while minimizing adverse impacts to adjoining single-family neighborhoods. They also indicated that older commercial centers are appropriate for mixed use and higher density housing.
- **Address Parking and Other Community Impacts.** The community voiced concerns that increased housing development could negatively impact neighborhoods, including adverse consequences such as parking spillover, increased traffic and pollutant emissions, safety concerns, overcrowding, and decrease in community services.

## **DISCUSSION:**

### **Housing Element Update:**

The City's Consultant (MIG), along with Staff, have prepared the Draft Housing Element for the 2021-2029 planning period, to identify goals and strategies to meet the housing needs of existing and future residents for the production of safe, decent, and affordable housing for all persons in the community. This plan is required by State Housing Law and must be updated every eight years. The Housing Element must be adopted within 120 days from the statutory due date of October 15, 2021 (i.e., by February 11, 2022) and certified by the Department of Housing and Community Development (HCD).

### **RHNA and Appeal**

The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process of updating local Housing Elements of General Plans. The RHNA quantifies the housing need, for all income levels, within each jurisdiction. Garden Grove's RHNA allocation for the 2021-2029 planning period is 19,168 units. The State of California requires the City of Garden Grove to plan for 19,168 future homes to accommodate growth in the region. The City officially submitted two (2) applications to SCAG (Southern California Association of Governments) to appeal its RHNA allocation. Both appeals were subsequently

denied by SCAG. The Land Use Element and Zoning Code and Map are also proposed to be updated to accommodate the City's RHNA allocation and to maintain consistency with the goals, policies, and programs of the Housing Element Update.

The goals and policies represent the Housing Element's foundation. Further articulation of how the City will achieve the stated goals and policies is found in the programs. Programs identify specific actions the City will undertake toward putting each goal and policy into action. Quantified objectives identified in particular programs are estimates of assistance the City can offer based on funding and staff resources. The Housing Element programs aim to address five (5) overarching themes:

- **Housing Maintenance and Preservation.** Preserve, maintain, and enhance the condition of the existing affordable housing stock citywide.
- **Affordable Housing.** Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households, by providing a regulatory environment that streamlines project review, and welcomes partnerships with developers to encourage and facilitate the production of affordable housing to allow persons of all economic segments to live in the community.
- **Adequate Housing Sites.** Identify adequate sites to encourage the development of a variety of types of housing to meet the diverse community needs for all income levels.
- **Remove Constraints to Housing Production.** Address and, where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for people at all income levels, as well as housing for people with disabilities.
- **Equal and Fair Access to Housing.** Promote and achieve an environment in which all people, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, have fair and equal access to the housing of their choice.

As part of the Housing Element Update, existing programs were evaluated and updated, as necessary, based on progress and continued appropriateness. Furthermore, new programs were added to the Housing Element to address new State required provisions and to provide for additional ways to support program goals.

#### HCD Review

On July 14, 2021, the City of Garden Grove submitted its Draft Housing Element for the 6<sup>th</sup> RHNA cycle (2021-2029 planning period) for review to the California Department of Housing and Community Development (HCD). On September 8, 2021, the City participated in a videoconference call with HCD Staff to discuss their



comments on the City's Draft Housing Element. On September 10, 2021, the City received HCD's comment letter, which outlined specific necessary changes to the Draft Housing Element. Comments from HCD focused primarily on the following topics: Evaluation of effectiveness of existing policies and programs in meeting the housing needs for special needs populations; housing needs, resources, and constraints; housing programs; and public participation. A copy of HCD's comment letter has been attached for reference.

#### Draft Housing Element Comment Letters

The City received notification that two (2) comment letters were submitted to HCD relating to the Draft Housing Element - one (1) letter from the Kennedy Commission, dated August 30, 2021, and one (1) letter from the Public Law Center, dated September 10, 2021. The City received one (1) comment letter relating to the Draft Housing Element from the Southwest Regional Council of Carpenters dated August 6, 2021. Copies of the letters are attached for reference.

#### Updated Draft Housing Element

In response to HCD's comment letter and public comments received, the City has made all necessary revisions to the Draft Housing Element to bring the City's Draft Housing Element into compliance with all applicable requirements under Article 10.6 of the Government Code.

The following documents relating to the Housing Element can be found at the following link: <https://ggcity.org/housing-element>.

- A copy of the original Draft Housing Element (dated July 2021)
- An updated version of the Draft Housing Element (dated October 2021) which includes new revisions (redlines included) that address HCD's requested changes and public comments; and
- A response matrix which lists all HCD comments, with corresponding City responses and specific revisions to the Housing Element to address said comments.

#### **Land Use Element Update and Zoning Amendments:**

In order to achieve the State's required RHNA allocation for the City, of 19,168 future residential units, associated focused amendments to the Land Use Element and focused zoning amendments are necessary to accommodate the increase in residential densities in the city, and to maintain consistency with the goals, policies, and programs of the Housing Element Update.

#### Focused General Plan Land Use Element Update

Staff, in coordination with consultant for the project, MIG, has finalized proposed focused amendments to the General Plan Land Use Element, as part of the Housing Element Site Inventory Analysis to demonstrate to the State Department of Housing

and Community Development (HCD) the City’s feasible capacity for 19,168 future residential units, as required by the State’s RHNA allocation for the City.

The City of Garden Grove is a built-out community with virtually no vacant land available. The most feasible path to adding over 19,000 housing units during the 6<sup>th</sup> Cycle is through avenues such as ADUs and redevelopment of existing improved sites. As of 2021, Garden Grove has 48,504 existing housing units. The number of housing units identified in the State required RHNA could potentially increase the number of housing units by 40 percent within the eight-year period (2021-2029).

To address this challenge, the City is proposing to increase the maximum permitted residential density in all existing mixed-use land use designations by an average of 25 percent (See Table A-1). There will be no additional changes to residential densities for all other non-mixed use land use designations. The City is also proposing to concurrently adopt an update to the Land Use Element and Land Use Diagram (Exhibit LU-3 – also referred to as “land use map” in the Municipal Code) to reflect the increase in densities and to accommodate the RHNA units. This will also include changes to the General Plan land use designations of certain properties that are part of the Sites Inventory, to allow residential uses and development where the existing land use designation does not allow residential.

**Table A-1**

<b>General Plan Land Use Designation</b>	<b>Existing Maximum Density (units/acre)</b>	<b>Proposed Maximum Density (units/acre)</b>
Residential/Commercial Mixed Use 1	42	60
Residential/Commercial Mixed Use 2	21	24
Residential/Commercial Mixed Use 3	32	48
Civic Center Mixed Use	42	60
Industrial/Residential Mixed Use 1	42	60
Industrial/Residential Mixed Use 2	32	48
International West Mixed Use	60	70

Copies of the proposed updates to the Land Use Element and Land Use Diagram can be found at the following link: <https://ggcity.org/housing-element>.

**Focused Zoning Amendments**

In conjunction with the proposed Focused General Plan Amendment, Staff, in coordination with consultant for the project, MIG, has also finalized the proposed focused Zoning Amendments, as part of the Housing Element Site Inventory Analysis, to demonstrate to the State Department of Housing and Community

Development (HCD) the City’s feasible capacity for 19,168 future residential units, as required by the State’s RHNA allocation for the City.

The City is proposing to adopt amendments to Title 9 (Land Use) to ensure consistency with the updates to the Land Use Element and the Housing Element, including the goals, policies, and programs of the Housing Element Update. As such, the City is striving to accommodate the State’s mandated 6<sup>th</sup> Cycle RNHA both through concurrent amendments in the General Plan Land Use Element and the Zoning Code when the Housing Element is adopted.

To address the challenge in meeting the State’s RHNA allocation, and to ensure consistency with the proposed aforementioned density increases for the existing mixed-use General Plan land use designations, the City is also proposing to increase the maximum residential density in all existing mixed-use zones by an average of 25 percent (See Table A-2). This will also include zone changes to certain properties that are part of the Sites Inventory, to allow residential uses and development where the existing zoning does not allow residential.

**Table A-2**

<b>Zone</b>	<b>Existing Maximum Density (units/acre)</b>	<b>Proposed Maximum Density (units/acre)</b>
Garden Grove Boulevard Mixed Use 1 (GGMU-1)	42	60
Garden Grove Boulevard Mixed Use 2 (GGMU-2)	21	24
Garden Grove Boulevard Mixed Use 3 (GGMU-3)	32	48
Civic Center Mixed Use 1 (CC-1)	21	24
Civic Center Mixed Use 2 (CC-2)	32	48
Civic Center Mixed Use 3 (CC-3)	42	60
Neighborhood Mixed Use (NMU)	21	24
Adaptive Reuse (AR)	32	48

For properties that have International West Mixed Use, Industrial/Residential Mixed Use 1, and Residential/Commercial Mixed Use 2 General Plan land use designations, but are also identified in the Sites Inventory, the City is proposing to adopt a Mixed Use Overlay zone for said properties. The purpose of the Mixed Use Overlay zone is to allow for residential and mixed-use development to be allowed in addition to those uses regulated by the respective underlying zoning.

**International West Mixed Use Overlay.** For properties within the International West Mixed Use General Plan land use designation, the Mixed Use Overlay zone in this area is intended to create a transit-oriented development district around the OC Transit line station at Harbor Boulevard and Westminster Avenue. New

development is to consist of a complementary mix of uses that benefit from ready access to rail transit, anchored by multi-family residential with commercial services and retail uses along pedestrian-friendly frontages. For projects utilizing the Mixed Use Overlay Zone, allowed uses and development standards will be the same as for properties within the Garden Grove Boulevard Mixed Use 1 (GGMU-1) zone. A maximum residential density of 70 dwelling units per acre will be permitted. It should be noted that the International West Mixed Use Overlay zone is only applicable to projects within the International West Mixed Use General Plan land use designation that propose a residential or mixed-use development. Otherwise, all standards and requirements of the respective underlying zone will apply.

***Industrial/Residential Mixed Use 1 Overlay.*** For properties within the existing Industrial/Residential Mixed Use 1 General Plan land use designation, the Mixed Use Overlay Zone in these areas is intended to accommodate residential development. For projects utilizing the Mixed Use Overlay Zone, allowed uses and development standards will be the same as for properties within the Garden Grove Boulevard Mixed Use 1 (GGMU-1) zone. In addition, live-work and work-live uses will be allowed subject to Conditional Use Permit approval. A maximum residential density of 60 dwelling units per acre will be permitted. It should be noted that the Industrial/Residential Mixed Use 1 Overlay zone is only applicable to projects within the Industrial/Residential Mixed Use 1 General Plan land use designation that propose a residential or mixed-use development. Otherwise, all standards and requirements of the respective underlying zone will apply.

***Residential/Commercial Mixed Use 2 Residential Overlay.*** For properties within the Residential/Commercial Mixed Use 2 General Plan land use designation, located along Westminster Avenue where the overlay zone has been applied on the Zoning Map, the Residential/Commercial Mixed Use 2 Residential Overlay Zone in these areas is intended to facilitate the development of stand-alone residential development along Westminster Avenue. For projects utilizing the Residential/Commercial Mixed Use 2 Residential Overlay, only the stand-alone residential uses permitted in the Garden Grove Boulevard Mixed Use 2 (GGMU-2) zone will be allowed. A maximum residential density of 24 dwelling units per acre will be permitted. It should be noted that the Residential/Commercial Mixed Use 2 Residential Overlay zone is only applicable to projects within the Residential/Commercial Mixed Use 2 General Plan land use designation that propose a residential development. Otherwise, all standards and requirements of the respective underlying zone will apply.

Exhibits for the proposed Mixed Use Overlay zones are attached for reference.

**Safety Element Update:**

The Safety Element is a required element of the General Plan by the State of California. The goal of the Safety Element is to reduce the potential short and long-term risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, droughts, earthquakes, landslides, climate

change, and other hazards. State law requires jurisdictions to update the Safety Element upon the next revision of the Housing Element.

The City's consultant (MIG), along with Staff, has prepared a draft update to the Safety Element concurrently with the Housing Element. The Safety Element update meets the requirements of California Government Code Section 65302(g), and addresses potential and existing hazards in the city relating to flood hazards, fire hazards, and climate adaptation and resilience strategies.

A copy of the proposed updates to the Safety Element can be found at the following link: <https://ggcity.org/housing-element>.

### **Environmental Justice Element:**

In September 2016, Senate Bill 1000 (SB 1000) was adopted requiring jurisdictions with disadvantaged communities to incorporate environmental justice policies into their general plans. State law requires environmental justice policies to be incorporated into the General Plan upon the adoption or the next revision of two or more general plan elements. The City of Garden Grove is in the process of updating both the Housing Element and the Safety Element, which also requires the City to prepare and incorporate environmental justice policies in the General Plan.

Garden Grove has nine (9) census tracts identified as disadvantaged communities. These communities are disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation. These communities also have concentrations of people that experience low income, high unemployment, low levels of homeownership, high-rent burden and/or low levels of educational attainment.

The City's consultant (MIG), along with Staff, has prepared a new Draft Environmental Justice Element that addresses the following environmental justice goals, policies, and objectives as required by State law:

- Reducing pollution exposure and improving air quality
- Promoting access to public facilities
- Promoting access to healthy foods
- Promoting safe and sanitary homes
- Promoting physical activity
- Promoting civic engagement

A copy of the proposed new Environmental Justice Element can be found at the following link: <https://ggcity.org/housing-element>.

### **Environmental Impact Report (EIR):**

The City of Garden Grove (City or Lead Agency) has prepared a Focused General Plan Update and Zoning Code Amendments (collectively, the "FGPUZA" or "Project"). The City's General Plan was last updated in 2008 and the City is

proposing to amend three existing General Plan elements (Housing Element, Land Use Element, and Safety Element), and create a new Environmental Justice Element. In addition, the Project includes amendments to Title 9 of the Municipal Code and to the Zoning Map to ensure consistency with the proposed Focused General Plan Update and to implement the goals and policies of the Housing Element and Land Use Element.

The proposed FGPUZA is a long-range planning program to guide the growth and development within the City's corporate boundaries or "Planning Area". It is intended to communicate the City's vision of its future and to establish a policy framework to govern decision-making concerning the physical development of the community, including assurances that the community at large will be supported by an adequate range of public services and infrastructure systems. Although it will allow for an overall increase in development potential for the entire Planning Area, the Project would not, by itself, authorize any specific development project or other form of land use approval or any kind of public facilities or capital facilities expenditures or improvements.

It is anticipated that growth in the City as a result of its RHNA housing allocation and future land uses will be substantial. The goals, policies and implementing actions, contained in the proposed FGPUZA address the potentially negative aspects of growth, and have been designed to facilitate development efficiently and effectively in an area where roads and infrastructure already exist. The more compact urban form envisioned by the FGPUZA is expected to improve the livability in Garden Grove by improving walking and bicycling opportunities, increasing economic vitality and job opportunities, and reducing vehicle-miles-travelled (VMT).

The adoption and implementation of the FGPUZA is defined as a "project", subject to review under the California Environmental Quality Act (CEQA) 1970 (Public Resources Code, Section 21000 et seq.), and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et. seq.). The City prepared an Initial Study which determined that the Project would have not significant impacts in the following four (4) environmental topics: (a) Aesthetics; (b) Agriculture and Forest Resources; (c) Mineral Resources; and (d) Wildfire. The Initial Study further concluded that the Project has the potential to result in one or more significant direct, indirect, and/or cumulative environmental impacts in the following areas:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing

- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Based on the results of the Initial Study, the City of Garden Grove distributed a Notice of Preparation (NOP) to local, county, state, and federal agencies along with interested private organizations and individuals which included the Initial Study. The NOP was delivered to the State Clearinghouse and the CEQA-required 30-day review period began on June 30, 2021 and ended on July 30, 2021. On July 14, 2021, the City conducted a public scoping meeting to provide an opportunity to receive feedback from the community on potential environmental issues in the City and to present the Project, the EIR process, and environmental topics to be analyzed in an EIR. The presentation materials and the video of the scoping meeting were subsequently posted on the City's website for public consumption.

Based on the Initial Study and NOP process, the City has prepared a Draft Program Environmental Impact Report (Draft EIR) to assess the potential long range and cumulative environmental consequences that could result from adoption and implementation of the proposed FGPUZA.

In accordance with CEQA, a Notice of Availability, along with the Draft EIR, was circulated to the public, responsible agencies, and other interested persons for their review and comment during a 45-day public review period from August 23, 2021 to October 6, 2021.

The advantages of a Program EIR include consideration of effects and alternatives that cannot practically be reviewed at the project-level, consideration of cumulative impacts that may not be apparent on a project-by-project basis, and the ability to enact citywide mitigation measures. In the City's Draft EIR, the analysis is programmatic in nature given the broad scope of the Focused General Plan Update. Each environmental issue is analyzed in a similar manner, starting with a discussion of the existing environmental setting, including physical conditions and pertinent planning and regulatory framework. Thresholds of significance are then defined and used to measure the proposed Project's potential impact to the existing environmental conditions, known as the environmental baseline.

The impact analysis for each the 16 topical areas examines the broad, long-term environmental effects resulting from implementation of the goals and policies contained in the FGPUZA. The assessment of impacts focuses on how the impact in question could occur and whether the goals, policies or some other aspect of the proposed Project would reduce or ameliorate such impacts. If the analysis indicates that a significant impact could occur, even with the benefits of any proposed goals or policies, mitigation measures are specified. Since the FGPUZA is designed to accommodate projected growth and the City's RHNA, the FGPUZA's potential growth-related impacts have also been evaluated in the topical Chapters of the EIR

(Air Quality, Biological Resources, etc.) and, as appropriate, mitigation measures have been applied to address such impacts.

CEQA Guidelines Section 15126.2(c) requires that the EIR discuss "significant environmental effects which cannot be avoided if the proposed project is implemented." Impacts are identified as significant and unavoidable for one of four reasons: 1) no potentially feasible mitigation has been identified; 2) potential mitigation has been identified, but may be found by the Lead Agency to be infeasible; 3) with implementation of feasible mitigation, the impact still would not, or might not, be reduced to a less-than-significant level; or 4) implementation of the mitigation measure would require approval of another jurisdictional agency, whose approval will be pursued by the Lead Agency, but cannot be guaranteed as of the publication of the EIR. Here, Air Quality, Greenhouse Gas Emissions, and Transportation have been identified in the EIR as significant and unavoidable.

Approval of the FGPUZA would result in significant and unavoidable impacts (to Air Quality, Greenhouse Gas Emissions, and Transportation). Therefore, the City must adopt a "Statement of Overriding Considerations" per CEQA Guidelines Section 15093 describing why the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the approved FGPUZA outweigh its significant unavoidable impacts. The FGPUZA is being proposed, notwithstanding these effects, to fully achieve the Project objectives, which in part, are to ensure the City meets its State-mandated Regional House Needs Allocation (RHNA) goal of 19,168 dwelling units for the 2021-2029 planning period (6<sup>th</sup> cycle).

The Planning Commission is requested to recommend that the City Council certify the EIR for the proposed FGPUZA and adopt a Statement of Overriding Considerations, ensuring the City meets its State-mandated Regional House Needs Allocation (RHNA) goal of 19,168 dwelling units for the 2021-2029 planning period (6<sup>th</sup> cycle).

A copy of the Draft EIR, the appendices, and public comments received on the Draft EIR are available on the City's website at <https://ggcity.org/planning/environmental-documents>.



**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Conduct a public hearing;
2. Adopt Resolution No. 6031-21 recommending that the City Council: (i) Certify the Environmental Impact Report (EIR) for the proposed Focused General Plan Update and Zoning Amendments, adopt a Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Considerations; and (ii) approve General Plan Amendment No. GPA-003-2021, which includes updates to the Housing Element, the Land Use Element, and the Safety Element, and the adoption of a new Environmental Justice Element; and
3. Adopt Resolution No. 6032-01 recommending that the City Council approve Zoning Amendment No. A-031-2021 making focused text/map amendments to Title 9 of the Garden Grove Municipal Code and to the Zoning Map to implement the Housing Element and Land Use Element Updates.

Lee Marino  
Planning Services Manager

Chris Chung  
Urban Planner

- Attachment 1: Public Engagement and Community Outreach Summary
- Attachment 2: HCD Comment Letter on the Draft Housing Element dated September 10, 2021
- Attachment 3: Southwest Regional Council of Carpenters Comment Letter dated August 6, 2021
- Attachment 4: Kennedy Commission Comment Letter dated August 30, 2021
- Attachment 5: Public Law Center Comment Letter dated September 10, 2021
- Attachment 6: Planning Commission (GPA-003-2021 and EIR) Resolution No. 6031-21 with General Plan Amendment Exhibits "A" (Map) and "B" (List of Properties)
- Attachment 7: Planning Commission (A-031-2021) Resolution No. 6032-21 with Draft City Council Ordinance