

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED FOCUSED GENERAL PLAN UPDATE AND ZONING AMENDMENTS CONTEMPLATED UNDER (I) GENERAL PLAN AMENDMENT NO. GPA-003-2021, TO UPDATE THE HOUSING ELEMENT, THE LAND USE ELEMENT, AND THE SAFETY ELEMENT, AND TO ADOPT AN ENVIRONMENTAL JUSTICE ELEMENT; AND (II) AMENDMENT NO. A-031-2021 TO MAKE TEXT AND 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

WHEREAS, Government Code Section 65584 requires local jurisdictions to encourage, promote, and facilitate the development of housing to accommodate its regional housing need; and

WHEREAS, the State-mandated 6<sup>th</sup> Cycle of the Regional Housing Needs Assessment (RHNA) requires the City of Garden Grove to plan for 19,168 dwelling units for all income levels during the 2021-2029 planning period; and

WHEREAS, the City of Garden Grove has initiated a Focused General Plan Update and Zoning Amendments (collectively, the "FGPUZA" or "Project"). The FGPUZA includes (1) General Plan Amendment No. GPA-003-2021, consisting of updates to the General Plan Housing Element, Land Use Element, and the Safety Element, and adoption of a new Environmental Justice Element 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; and (2) Zoning Amendment No. A-031-2021, consisting of 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; and

WHEREAS, in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing Guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.* (CEQA Guidelines), a Program Environmental Impact Report (Program EIR) has been prepared for the FGPUZA that analyzes its potential environmental impacts and recommends mitigation measures to reduce impacts to a less than significant level, where feasible; and

WHEREAS, to solicit guidance on the scope and content of the Program EIR, 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. 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 FGPUZA, the EIR process, and environmental topics to be analyzed in the Program EIR; and

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

WHEREAS, the FGPUZA's potential impacts related to Air Quality, Greenhouse Gas Emissions, and Transportation have been identified in the EIR as significant and unavoidable. All other environmental issue areas were found be less than significant or reduced to less than significant levels with the inclusion of mitigation measures. The City is therefore adopting a Mitigation Monitoring and Reporting Program per CEQA Guidelines 15097. Further, the City is adopting 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 FGPUZA outweigh its significant unavoidable impacts; and

WHEREAS, the Program EIR reflects the City's independent judgment and analysis; and

WHEREAS, the draft Housing Element Update was circulated to the public, responsible agencies, and other interested persons, as required, for review and comment starting July 6, 2021; and

WHEREAS, the draft Safety Element Update, the draft Land Use Element Update, and the draft Environmental Justice Element were circulated to the public, responsible agencies, and other interested persons, as required, for review and comment starting August 19, 2021; and

WHEREAS, following a Public Hearing held on October 21, 2021, the Garden Grove Planning Commission: (1) adopted Resolution No. 6031-21 recommending the City Council (i) adopt a Mitigation Monitoring and Reporting Program, adopt a Statement of Overriding Considerations, and certify the Environmental Impact Report for the proposed Focused General Plan Update and Zoning Amendments (FGPUZA) and (ii) approve General Plan Amendment No. GPA-003-2021 to update

the Housing Element, the Land Use Element, the Safety Element, and to adopt an Environmental Justice Element; and (2) adopted Resolution No. 6032-21 recommending the City Council approve zoning Amendment No. A-031-2021 making focused amendments to Title 9 of the Garden Grove Municipal Code and the Zoning Map to implement the Housing Element and Land Use Element updates by increasing the maximum permitted residential density in mixed use zones, implementing a mixed-use overlay zone allowing residential and mixed-use development on specified parcels, and rezoning specified parcels to allow multiple-family residential uses; and

WHEREAS, concurrent with the adoption of this Resolution, on November 9, 2021, the City Council adopted a Resolution approving General Plan Amendment No. GPA-003-2021, to update the Housing Element, the Land Use Element, and the Safety Element, and to adopt an Environmental Justice Element, and introduced an Ordinance approving Amendment No. A-031-2021; and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council of the City of Garden Grove on November 9, 2021, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council of the City of Garden Grove gave due and careful consideration to the matter during its meeting of November 9, 2021, and considered all oral and written testimony presented regarding the Project and the Program EIR.

NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED as follows:

1. The City Council of the City of Garden Grove has considered the Program EIR, the associated Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations for the Project along with comments received during the public review process. The record of proceedings on which the City Council of the City of Garden Grove decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of the Community and Economic Development Department.
2. The City Council of the City of Garden Grove finds on the basis of the whole record before it, the mitigation measures, including the initial study and comments received, that the FGPUZA's potential impacts related to Air Quality, Greenhouse Gas Emissions, and Transportation have been identified in the EIR as significant and unavoidable. All other environmental issue areas were found be less than significant or reduced to less than significant levels

with the inclusion of mitigation measures. The City Council further finds that the Program EIR reflects the City's independent judgment and analysis.

3. Therefore, the City Council of the City of Garden Grove: (i) adopts a Mitigation Monitoring and Reporting Program (attached hereto as Exhibit "A") per CEQA Guidelines 15097; (ii) adopts a "Statement of Overriding Considerations" (attached hereto as Exhibit "B") per CEQA Guidelines Section 15093 describing why the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the FGPUZA outweigh its significant unavoidable impacts; and (iii) certifies the Environmental Impact Report for the Project.