

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-035-2022 TO AMEND TITLE 9 (LAND USE) OF THE GARDEN GROVE MUNICIPAL CODE TO MAKE FOCUSED ZONING AMENDMENTS TO IMPLEMENT VARIOUS POLICIES AND PROGRAMS SET FORTH IN THE GENERAL PLAN HOUSING ELEMENT AND LAND USE ELEMENT AND TO ENSURE COMPLIANCE WITH APPLICABLE STATE HOUSING LAWS.

City Attorney Summary

This Ordinance amends Title 9 (Land Use) of the Garden Grove Municipal Code to make focused zoning amendments to implement various policies and programs set forth in the General Plan Housing Element and Land Use Element and to ensure compliance with applicable State housing laws. Focused zoning text amendments to Chapters 9.04 (General Provisions), 9.08 (Single-Family Residential Development Standards), 9.12 (Multifamily Residential Development Standards), 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards), 9.18 (Mixed Use Regulations and Development Standards), and 9.32 (Procedures and Hearings) of Title 9 of the Municipal Code are proposed to update the definitions, development standards, and land use action procedures pertaining to single-family residential, multiple-family residential, mixed use, landscaping standards, supportive housing, and single room occupancy housing. This Ordinance also adds a new Chapter in Title 9 of the Municipal Code (Chapter 9.60 – Special Housing Regulations) containing and consolidating special regulations pertaining specifically to housing development projects.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

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

WHEREAS, the City of Garden Grove has previously adopted a Focused General Plan Update and Zoning Amendments project (collectively, the "FGPUZA"), which included (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 General Plan Environmental Justice Element to comply with State law provisions, including complying with the 6th 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 Municipal Code and to the Zoning Map to implement the Housing Element and Land Use Element Updates; and

WHEREAS, Amendment No. A-035-2022 is a continuation of the efforts initiated by the previously adopted FGPUZA, by amending Title 9 (Land Use) of the Garden Grove Municipal Code to make focused zoning amendments to implement various policies and programs set forth in the General Plan Housing Element and Land Use Element and to ensure compliance with applicable State housing laws; 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) had been prepared and adopted, along with a Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations, for the previously adopted FGPUZA which analyzed potential environmental impacts; and

WHEREAS, the City Council hereby finds and determines that no further review under the California Environmental Quality Act ("CEQA") is required pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 because the proposed focused zoning amendments implement the General Plan update analyzed in the FGPUZA Environmental Impact Report, State Clearinghouse No. 2021060714 ("Garden Grove General Plan Update and Focused Zoning Amendments"), potential impacts of the focused zoning amendments of Amendment No. A-035-2022 fall within the scope of the General Plan Update EIR, and the focused zoning amendments will not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts; and

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on September 1, 2022 and considered all oral and written testimony presented regarding Amendment No. A-035-2022; and,

WHEREAS, on September 1, 2022, following the public hearing, the Planning Commission adopted (i) Resolution No. 6051-22 recommending that the City Council approve Amendment No. A-035-2022; and

WHEREAS, a duly noticed public hearing regarding Amendment No. A-035-2022 was held by the City Council on September 27, 2022, and all interested persons were given an opportunity to be heard; and,

WHEREAS, the City Council gave due and careful consideration to the matter; and

WHEREAS, the City Council hereby makes the following findings regarding Amendment No. A-035-2022:

- A. Amendment No. A-035-2022 is internally consistent with the goals, objectives and elements of the City's General Plan as described in the Findings and Reasons of Planning Commission Resolution No. 6051-22.

B. Amendment No. A-035-2022 will promote the public interest, health, safety, and welfare as described in the Findings and Reasons of Planning Commission Resolution No. 6051-22.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that the above recitals are true and correct.

SECTION 2. Amendment No. A-035-2022 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 6051-22, a copy of which is on file in the Office of the City Clerk, and which is incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 3. Chapters 9.04 (General Provisions), 9.08 (Single-Family Residential Development Standards), 9.12 (Multifamily Residential Development Standards), 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards), 9.18 (Mixed Use Regulations and Development Standards), and 9.32 (Procedures and Hearings) of Title 9 of the Garden Grove Municipal Code are hereby amended to update the definitions, development standards, and land use action procedures pertaining to single-family residential, multiple-family residential, mixed use, landscaping standards, supportive housing, and single room occupancy housing as shown in Exhibit A attached to this Ordinance (additions in underlined text; deletions in ~~struck-out text~~).

SECTION 4. Title 9 of the Garden Grove Municipal Code is hereby amended to add a new chapter, Chapter 9.60, titled "Special Housing Regulations", attached as Exhibit "B", which contain and consolidate special regulations pertaining specifically to housing development projects.

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase, word, 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 hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.