

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-018-2022 TO ESTABLISH RESIDENTIAL PLANNED UNIT DEVELOPMENT IMPLEMENTATION PROVISIONS AND STANDARDS OF DEVELOPMENT FOR PROPERTY LOCATED AT 9071, 9081, AND 9091 LAMPSON AVENUE (ASSESSOR'S PARCEL NOS. 133-183-55, 56, 57, AND 58)

CITY ATTORNEY SUMMARY

This Ordinance approves Residential Planned Unit Development No. PUD-018-2022 to establish residential planned unit development zoning regulations applicable to an approximately 1.6 acre site in the City of Garden Grove located at 9071, 9081, and 9091 Lampson Avenue (Assessor's Parcel Nos. 133-183-55, 56, 57, and 58) in order to permit and facilitate the development of a small lot subdivision residential project consisting of 13 two-story, detached homes and related site improvements on the property. The subject site is currently zoned R-1 (Single-Family Residential), which will continue to be the base zone. The residential small-lot subdivision project authorized by Planned Unit Development No. PUD-018-2022 shall be implemented through development in compliance with Site Plan No. SP-118-2022 and Tentative Tract Map No. TT-19232, as approved by the Garden Grove City Council on January 24, 2023, and the development standards applicable to small lot subdivisions set forth in Section 9.12.040.060 of the Garden Grove Municipal Code in effect as of August 11, 2022 shall apply to the initial development of the Project.

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

WHEREAS, PLC Garden Grove, LLC, the applicant, submitted a request to develop a 13-unit residential small-lot subdivision project and associated site improvements on a 1.6-acre vacant site, located at 9071, 9081, and 9091 Lampson Avenue, Assessor's Parcel Nos. 133-183-55, 56, 57, and 58 (the "Property"), which is owned by the applicant; and

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (a) adoption of Residential Planned Unit Development No. PUD-018-2022 for the Property to allow and facilitate the development of a small-lot subdivision residential project consisting of 13 two-story, detached homes on the Property; (b) approval of Site Plan No. SP-118-2022 to facilitate development of the 13 two-story, detached homes and associated site improvements; and (c) approval of Tentative Tract Map No. TT-19232 to subdivide the subject Property into 17 separate lots (collectively, the "Project"); and

WHEREAS, the Property has a General Plan Land Use Designation of Low Density Residential and is currently zoned R-1 (Single-Family Residential); and

WHEREAS, Planned Unit Development No. PUD-018-2022 will establish zoning regulations governing the Property and the development of the proposed residential small-lot subdivision project in accordance with Section 9.08.030.020 of the Garden Grove Municipal Code; and

WHEREAS, the implementation provisions and standards of development for Planned Unit Development No. PUD-018-2022 are set forth in Planning Commission Resolution No. 6054-22 and provide that the development standards applicable to small lot subdivisions set forth in Section 9.12.040.060 of the Garden Grove Municipal Code in effect as of August 11, 2022 shall apply to the initial development of the small-lot subdivision project; the base zone shall be R-1 (Single-Family Residential); and the small-lot subdivision project shall be implemented through development in compliance with Site Plan No. SP-118-2022 and Tentative Tract Map No. TT-19232, as approved by the Garden Grove City Council, including all related conditions of approval and/or duly approved amendments thereto; and

WHEREAS, following a public hearing held on December 1, 2022, the Planning Commission adopted Resolution No. 6054-22 recommending that the City Council adopt a Mitigated Negative Declaration for the Project and approve Planned Unit Development No. PUD-018-2022; and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on January 24, 2023, and all interested persons were given an opportunity to be heard;

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

WHEREAS, on January 24, 2023, the City Council adopted Resolution No. _____, adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, on January 24, 2023, the City Council adopted Resolution No. _____, approving Site Plan No. SP-118-2022 and Tentative Tract Map No. TT-19232, subject to the adoption and effectiveness of this Ordinance; and

WHEREAS, adoption of this Ordinance is consistent with Subdivision (b) of Government Code Section 66300 because approval of the zoning regulations of Planned Unit Development No. PUD-018-2022 will not result in a change to the zoning of the Property to a less intensive use or reduce the intensity of land use under the zoning of the Property as in effect on January 1, 2018; and

WHEREAS, adoption of this Ordinance and implementation of the zoning regulations, provisions, and standards of development of Planned Unit Development No. PUD-018-2022 will not reduce, or require or permit the reduction of, the allowable residential density for any housing element parcel, or allow development of any housing element parcel at, a lower residential density, as defined in Government Code Section 65863; therefore, the "no net loss" provisions of

Government Code Section 65863 and Section 9.60.030 of the Garden Grove Municipal Code do not apply; and

WHEREAS, the City Council of the City of Garden Grove hereby makes the following findings regarding Planned Unit Development No. PUD-018-2022:

1. The PUD is internally consistent with the goals, objectives, and elements of the General Plan.

The City's Land Use Element encourages Planned Unit Developments (PUD). A Planned Unit Development (PUD) is a precise plan, adopted by ordinance that provides the means for the regulation of buildings, structures and uses of land in order to facilitate the implementation of the General Plan. The PUD will facilitate the development of a 13-unit residential small-lot subdivision project on an approximately 1.6-acre site, with a resulting residential density of 10 dwelling units per acre.

The subject site has a General Plan Land Use designation of LDR, which is intended to create, maintain, and enhance residential areas characterized by detached, single unit structures, and single-family residential neighborhoods that: (i) provide an excellent environment for family life; (ii) preserve residential property values; (iii) provide access to schools, parks, and other community services; and (iv) provide a high-quality architectural design. The LDR land use designation allows for one (1) to 11 dwelling units per acre, or up to 17 dwelling units for the subject site.

The PUD will follow the Small-Lot Subdivision development standards of the Municipal Code for Small-Lot Subdivisions. In addition, the proposed project is consistent with several goals and policies of the General Plan, including:

- a. *Policy LU-2.2: Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life.*

The proposed residential small-lot subdivision development will add to the mix of diverse housing types in the immediate neighborhood that is currently improved with multi-family and single-family dwellings. The proposed 13-unit housing project will provide detached, two-story residential dwellings, on a site where maintenance of all common areas, such as the private street, guest parking areas, the common recreation area, and street frontage landscaping, will be the responsibility of a Homeowner's Association to ensure proper maintenance that preserves the resident's real estate values. Furthermore, the Project will contribute to meeting the City's Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies

- b. *Policy LU-2.4: Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.*

The immediate area consists of both multiple-family and single-family dwellings. The proposed 13-unit residential small-lot subdivision project was reviewed and determined to be within the allowed density and in compliance with the development standards of the Municipal Code for small-lot subdivisions and the LDR land use designation in the General Plan, which is 17 units maximum for the 1.6-acre site. Thus, the development is consistent with the type and intensity of land use of the immediate neighborhood.

- c. *LU-IMP-2B: New development shall be similar in scale to the adjoining residential neighborhood to preserve its character.*

The 1.6-acre site is proposed to be improved with a 13-unit small-lot subdivision development, which is within the allowable density pursuant to the LDR General Plan Land Use designation, which is 17 units maximum. The proposed project was reviewed by the City staff and deemed to be within the allowed density and similar in scale to the adjoining residential neighborhood. The proposed design will consist of two-story units, which is compatible with the physical scale of the immediate neighborhood currently improved with multi-family and single-family dwellings ranging from one to two stories. Thus, the Project is similar both in land use intensity and physical scale of the adjoining residential neighborhood.

- d. *Goal LU-4: The City seeks to develop uses that are compatible with one another.*

The proposed two-story small-lot subdivision project is located in a residential neighborhood that is improved with multi-family and single-family dwellings. The properties in the direct vicinity of the project site are zoned R-1 or R-2 (Multiple-Family Residential), and have a LDR or Low Medium Density Residential (LMR) land use designations, respectively. The properties directly to the west are developed with two-story multi-family residential buildings. Thus, the proposed housing project is consistent with the development pattern of the surrounding residential uses.

- e. *Policy H-3.7: Encourage infill housing development that is compatible in character with established residential neighborhoods.*

The 1.6-acre site is vacant and is comprised of four (4) parcels. The project site is located in a neighborhood improved with multi-family and single-family dwellings. As a vacant site that was previously developed with three (3) single-family dwellings, it offers an opportunity for in-fill housing development. The proposed 13-unit small-lot subdivision will consist of two-story detached units, which is compatible with the character of the immediate neighborhood. Furthermore, the Project will

contribute to meeting the City's Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies.

2. The location of the buildings, architectural design, and proposed use are compatible with the character of existing residential development in the vicinity, and the Project will be well-integrated into its setting.

The applicant is requesting to construct a 13-unit residential small-lot subdivision project on an approximately 1.6-acre site that abuts R-1 zoned properties developed with single-family dwellings to the north, east, and south across Lampson Avenue, and an R-2 (Multiple-Family Residential) zoned property developed with a multi-family development to the west.

The proposed design consists of 13 small-lot subdivision units on separate lots. Each residential lot will range from 3,427 to 4,414 square feet and will be improved with a two-story dwelling, an attached two-car garage, a driveway for two (2) parking spaces, a private rear yard, a front yard, and side yards on each side. Each unit can be accessed from its attached garage, or from the public right-of-way via internal 4'-0" wide internal sidewalks leading to each unit's front entry that faces the private street. The internal sidewalks also lead to the common recreation area and guest parking spaces throughout the development.

The Project meets or exceeds the setbacks required for small-lot subdivisions by providing a 20'-0" setback to each unit, a 19'-0" setback to the garages, side setbacks that range from 4'-0" to 8'-7", and rear setbacks ranging from 15'-1" to 15'-7". Five (5) units will be located along the westerly side of the site, four (4) units will be located at the rear of the site along the northerly property line, and four (4) units will be located along the easterly side of the site. A common recreation area improved with play equipment and benches will be located on the east side of the private street. The units and common recreation area face a proposed internal 36'-0" wide private street that leads from a new drive approach located along the south property line off of Lampson Avenue. The proposed private street will serve as the only vehicular access point to the project site and will provide eight (8) on-street parallel parking spaces on both sides of the street. Each unit is improved with an attached garage and driveway for parking, which have access from the new private street. Four (4) additional visitor guest parking spaces are located toward the rear of the site: two (2) off of each side of the private street. The new drive approach, private street, and parking layout have been designed in accordance with City standards to provide adequate access for trash trucks and emergency vehicles.

The Project proposes two unit plans, Plan 1 and Plan 2. Each unit plan is also provided in two architectural styles: Spanish and Contemporary Spanish. The Spanish homes will exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, concrete tile roofing, building pop-outs, decorative shutters, arched doorways, decorative tile vents, roof eaves with exposed

rafters, decorative window trims, balconies, and Spanish style wall lighting. The Contemporary Spanish homes will also exhibit enhanced elevations with multi-toned stucco exteriors, varied rooflines, flat concrete tile roofing, and building pop-outs, but updated modern features, such as squared doorways, fascia board at roof rafters, modern window trims, and contemporary wall lighting.

The proposed residential small-lot subdivision development will add to the mix of diverse housing types in the immediate neighborhood that is currently improved with multi-family and single-family dwellings. The proposed project was reviewed by the City staff and deemed to be within the allowed density and similar in scale to the adjoining residential neighborhood. The proposed design will consist of two-story units, which is compatible with the physical scale of the immediate neighborhood currently improved with multi-family and single-family dwellings ranging from one to two stories. Thus, the Project is similar both in land use intensity and physical scale of the adjoining residential neighborhood.

3. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

The Project consists of 13 detached two-story small-lot subdivision homes. Units 1 thru 5 are located along the westerly side of the site, Units 6 thru 9 are located at the rear of the site along the northerly property line, and Units 10 thru 13 are located along the easterly side of the site. The units face a proposed internal, 36'-0" wide private street leading from a new drive approach located along the south property line off of Lampson Avenue. The proposed private street will provide the only vehicular access point to the project site. Per the Municipal Code, the Project is required to provide 3.75 parking spaces per unit, or 49 spaces. The required parking is to be provided in the form of a two-car garage for each unit, one (1) driveway space located in front of each two-car garage, and the remaining 0.75 parking spaces may be provided along the development's private street or a designated guest parking area. The Project has been designed to provide two-car garages for each unit, eight (8) guest parallel parking spaces along the private street, and four (4) guest parking spaces in two (2) separate guest parking designated areas. In addition, the Project provides one (1) required space in front of each two-car garage. The total parking will consist of 26 spaces within two-car garages, 12 open guest spaces, and 13 required spaces on the driveways of each garage. Therefore, the total parking provided is 51 spaces, which exceeds the required parking under the Small-Lot Subdivision Code by two (2) spaces. Moreover, although only one (1) driveway parking space can be used to satisfy the required number of parking spaces, each unit is able to provide two (2) parking spaces on the driveway, resulting in an additional 13 parking spaces. Therefore, the Project is able to provide the required parking for a 13-unit small-lot subdivision project to minimize potential impacts to surrounding streets.

Additionally, as part of the Initial Study/Mitigated Negative Declaration for the Project, a traffic study was prepared for the Project. It was determined that due to the relatively small size of the 13-unit residential subdivision, it would not generate a substantial number of daily or peak-hour vehicle trips to cause undue traffic congestion on the surrounding streets. The City's Traffic Engineering Division reviewed the report and concurred with the report's findings. All appropriate conditions of approval have been incorporated to minimize any adverse impacts on surrounding streets. Therefore, the design of the Project complies with the spirit and intent of the Garden Grove Municipal Code for a small-lot subdivision development and will provide for a stable and desirable environment.

4. Provision is made for both public and private open spaces.

Per the Municipal Code requirements for small-lot subdivisions consisting of ten (10) or more units, a minimum of 200 square feet per unit of common recreation area is required for the development. The common recreation area is required to provide minimum dimensions of 30'-0" when located between two-story buildings and should be located in an area that is accessible to all residents within the subdivision. Based on the number of units proposed, the development is required to provide a common recreation area that is at least 2,600 square feet in area. The Project provides a 2,864 square foot active recreational open space area with minimum dimensions of 35'-0" that is accessible to the residents within the development. The recreation area features amenities which includes a playground and built-in bench seating. Additionally, each dwelling unit will provide a 15'-0" by 20'-0" private recreation area that is conveniently located in the rear yards off of the great room. Conditions of approval will require that all private recreation areas be open and unobstructed from the ground to the sky at all times. Therefore, the proposed Project complies with all recreation requirements of the Municipal Code.

5. Provision is made for the protection and maintenance of private areas reserved for common use.

Through the conditions of approval for the Project, all necessary agreements for the protection and maintenance of private areas reserved for common use will be in place prior to the start of construction and will be required to be adhered to for the life of the Project.

6. The quality of the Project achieved through the proposed Planned Unit Development zoning is greater than could be achieved under the current zoning.

The subject 1.6-acre site is currently zoned R-1 and has a LDR General Plan Land Use designation. The City's Zoning Code was recently amended to reduce the acreage for a residential PUD from three (3) acres to one (1) acre. The proposed PUD will establish R-1 as the base zoning for the site, which will be

consistent with the site's LDR General Plan Land Use designation provided that the density does not exceed 11 dwelling units per acre, or 17 units for the subject site. The Project proposes 13 units, which is within density for the LDR General Plan Land Use designation. The PUD zoning will facilitate the development of the small-lot subdivision that would otherwise not be allowed under the current R-1 zoning of the property. Under the R-1 zone, the site would yield fewer units due to the 7,200 square-foot minimum lot size requirement for new single-family lots. Adopting a residential PUD for the site will ensure the development of additional units while maintaining consistency with the density established by the LDR General Plan Land Use designation. In addition, the PUD zoning allows the Project to have an overall quality that is greater than the current zoning as it allows a more integrated design of dwellings within a residential community. Moreover, the proposed development will be an added value to the neighborhood, and will add additional housing units that furthers the goals of the City's Housing Element.

7. The PUD will promote the public interest, health, and welfare.

The proposed 13-unit residential small-lot subdivision development will promote the public interest, health, and welfare. The proposed project is within the maximum allowable density, is compatible with surrounding uses, is similar in scale to the adjoining neighborhood, and is consistent with the land use type and intensity in the immediate neighborhood. Furthermore, the Project will contribute to meeting the City's Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies.

8. The subject parcel is physically suitable for the requested PUD designation, compatible with surrounding land uses, and consistent with the General Plan.

The 1.6-acre site is physically suitable for the proposed 13-unit small-lot subdivision development. The small-lot subdivision is allowed under the proposed rezone to PUD with R-1 base zoning. The residential development has been designed per the Municipal Code development standards for small-lot subdivisions. As designed, the site is able to accommodate 13 units, along with the required parking, landscaping, private and common recreation areas, setbacks, and building height. Therefore, the property is sufficient in size to accommodate the proposed development, and complies with all applicable provisions of the City of Garden Grove Municipal Code for small-lot subdivisions.

The proposed project was designed to comply with all applicable development standards for small-lot subdivisions in existence at the time a complete application was submitted, with the exception of meeting the minimum lot size for a residential PUD. Although approval of a Variance would have previously been required to deviate from the minimum lot size, the City Council amended the prior Code provisions reducing the minimum lot size of a residential PUD from three (3) acres to one (1) acre through the adoption of Ordinance No. 2939, which took effect on November 10, 2022.

The site abuts R-1 zoned properties developed with single-family dwellings to the north, east, and south, across Lampson Avenue, and an R-2 zoned property developed with a multi-family development to the west. The proposed residential small-lot subdivision development will add to the mix of diverse housing types in the immediate neighborhood that is currently improved with multi-family and single-family dwellings. The proposed project was reviewed by the City staff and deemed to be within the allowed density and similar in scale to the adjoining residential neighborhood. The proposed design will consist of two-story units, which is compatible with the physical scale of the immediate neighborhood currently improved with multi-family and single-family dwellings ranging from one to two stories. Thus, the Project is similar both in land use intensity and physical scale of the adjoining residential neighborhood.

The subject site has a General Plan Land Use designation of LDR, which allows for one (1) to 11 dwelling units per acre, or 17 dwelling units for the subject 1.6-acre site. The Project proposes 13 units, which is within the density allowed for the site per the LDR land use designation. Therefore, the subject parcel is physically suitable for the requested PUD designation, compatible with surrounding land uses, and consistent with the General Plan.

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

Section 1. The above recitals are true and correct.

Section 2. Environmental Review. City Council Resolution No. ____ adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project is incorporated herein by reference with the same force and effect as if set forth in full herein.

Section 3. The facts and reasons stated in Planning Commission Resolution No. 6054-22 recommending approval of Planned Unit Development No. PUD-018-2022, a copy of which is on file in the Office of the City Clerk, are hereby incorporated herein by reference with the same force and effect as if set forth in full.

Section 4. Planned Unit Development No. PUD-018-2022 is hereby approved, subject to the implementation provisions and standards of development set forth in Planning Commission Resolution No. 6054-22.

Section 5. The property shown on the map attached hereto is hereby zoned to Residential Planned Unit Development zoning (PUD-018-2022) with R-1 (Single-Family Residential) base zoning, as shown thereon. Zone Map part L-10 is amended accordingly.

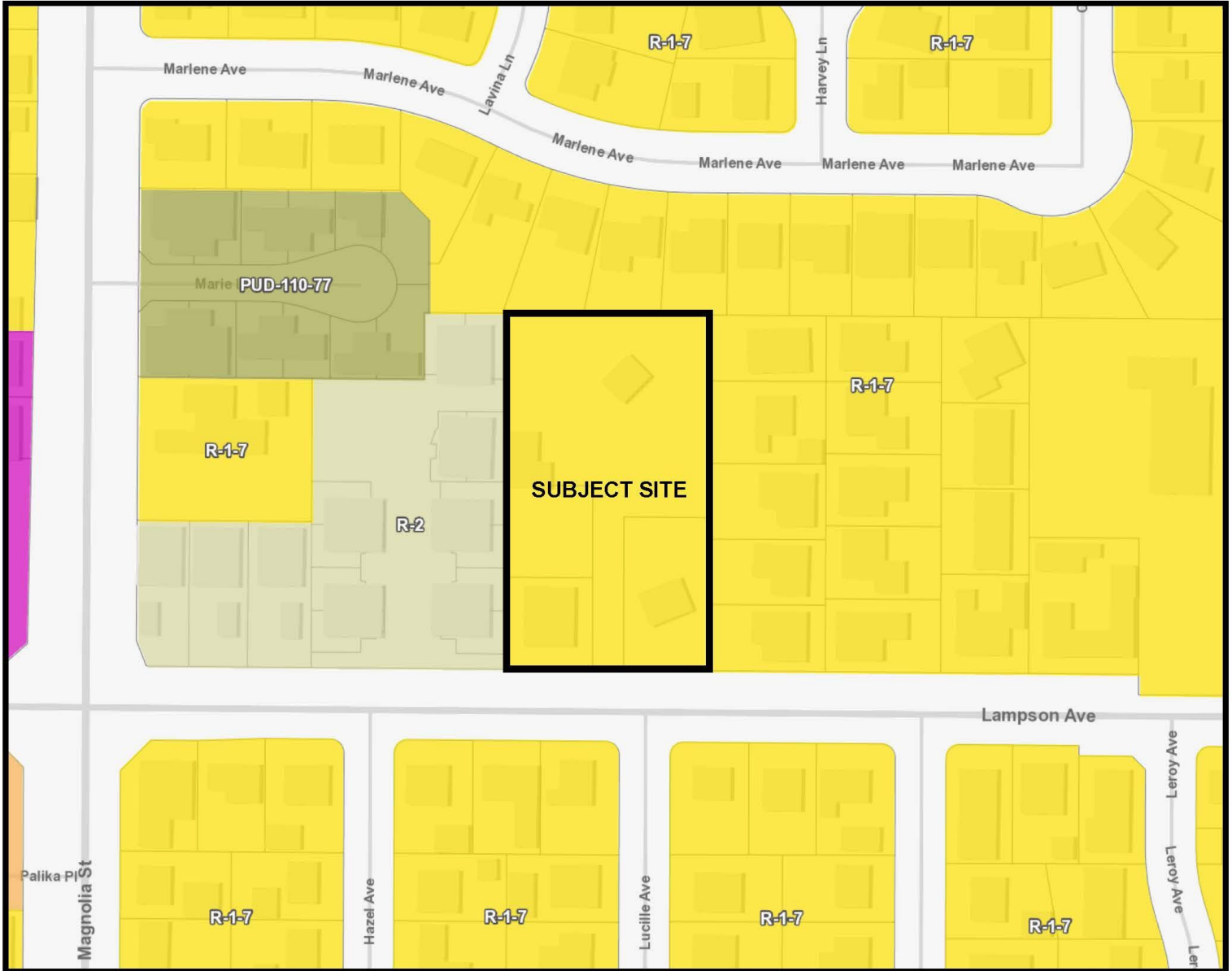
Section 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid

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 7. 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 on the date that is thirty (30) days after adoption.



PLANNED UNIT DEVELOPMENT NO. PUD-018-2022



LEGEND

 RE-ZONE FROM R-1 TO PUD-018-2022 WITH R-1 BASE ZONE



NOTES

SITE ADDRESS - 9071, 9081, AND 9091 LAMPSON AVENUE
(APN: 133-183-55, 56, 57 & 58)