

ORDINANCE NO. 2943

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING ZONING MAP AMENDMENT NO. A-037-2023 TO REVISE THE CITY'S OFFICIAL ZONING MAP TO IMPLEMENT THE UPDATES TO THE ADOPTED 2021-2029 HOUSING ELEMENT AND TO CLARIFY THE SITES INTENDED TO BE INCLUDED IN THE INTERNATIONAL WEST MIXED USE OVERLAY AND THE INDUSTRIAL/RESIDENTIAL MIXED USE 1 OVERLAY PURSUANT TO ORDINANCE NO. 2925

**CITY ATTORNEY SUMMARY**

*This Ordinance amends the City's Official Zoning Map (i) to apply the International West Mixed Use Overlay to one (1) additional parcel and the Industrial/Residential Mixed Use 1 Overlay to ten (10) additional parcels identified in the Sites Inventory of the amended 2021-2029 Housing Element of the General Plan adopted by the Garden Grove City Council on October 10, 2023, and (ii) to clarify the Official Zoning Map to specify fifteen (15) parcels to which the International West Mixed Use Overlay and the Industrial/Residential Mixed Use 1 Overlay are intended to apply, but which, due to a clerical error, were inadvertently not listed on Exhibit E to Ordinance No. 2925, adopted by the Garden Grove City Council on December 14, 2021.*

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 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 level during the 2021-2029 planning period; and

WHEREAS, on November 9, 2021, the Garden Grove City Council adopted Resolution No. 9714-21 (i) adopting a Mitigation Monitoring and Reporting Program, (ii) adopting a Statement of Overriding Considerations, and (iii) certifying the Program EIR for the Focused General Plan Update and Zoning Amendments ("FGPUZA") project, State Clearinghouse No. 2021060714. The FGPUZA project consisted of (i) 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 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 (ii) 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, on November 9, 2021, the Garden Grove City Council adopted Resolution No. 9713-21 approving General Plan Amendment No. GPA-003-2021, including adoption of the 2021-2029 Housing Element; and

WHEREAS, on December 14, 2021, the Garden Grove City Council adopted Ordinance No. 2925 approving Zoning Amendment No. A-031-2021 to implement the General Plan Housing Element and Land Use Element updates adopted by the City Council on November 9, 2021. Pursuant Ordinance No. 2925, the City Council added Section 9.18.190 to the Garden Grove Municipal Code creating the Mixed Use Overlay (MU) Zone, which includes the International West Mixed Use Overlay, the Industrial/Residential Mixed Use 1 Overlay, and the Residential/Commercial Mixed Use 2 Residential Overlay; and

WHEREAS, following a public hearing, on October 10, 2023, the City Council of the City of Garden Grove adopted Resolution No. 9825-23 approving General Plan Amendment No. GPA-002-2023, which includes updates to the adopted 2021-2029 Housing Element and an amendment to the Land Use Element to change the Land Use Designation of a property located at 13621 Harbor Boulevard (Assessor's Parcel No. 100-123-01) from Industrial (I) to International West Mixed Use (IW), in order to comply with State law provisions and resolve comments received from the California Department of Housing and Community Development ("HCD") on the adopted 2021-2029 Housing Element, in order to obtain HCD certification of the City's Housing Element; and

WHEREAS, in conjunction with General Plan Amendment No. GPA-002-2023, the City of Garden Grove is also proposing to adopt a Zoning Map Amendment (A-037-2023) to revise the Zoning Map to implement the updates to the Housing Element and to clarify the sites intended to be included in the International West Mixed-Use Overlay and the Industrial/Residential Mixed Use 1 Overlay pursuant to Ordinance No. 2925. Specifically, the proposed Zoning Map Amendment will (i) apply the International West Mixed Use Overlay to one (1) additional parcel and the Industrial/Residential Mixed Use 1 Overlay to ten (10) additional parcels identified in the Sites Inventory of the amended 2021-2029 Housing Element of the General Plan adopted by the Garden Grove City Council on October 10, 2023, and (ii) clarify the Official Zoning Map to specify fifteen (15) parcels to which the International West Mixed Use Overlay and the Industrial/Residential Mixed Use 1 Overlay are intended to apply, but which, due to a clerical error, were inadvertently not listed on Exhibit E to Ordinance No. 2925; and

WHEREAS, pursuant to Resolution No. 9825-23, the City Council found that, based on substantial evidence in the record, no further review under the California Environmental Quality Act ("CEQA") is required for General Plan Amendment No. GPA-002-2023 and Zoning Map Amendment No. A-037-2023 pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15168 and 15162 because the proposed General Plan and zoning amendments associated with the revisions to the Housing Element fall within the scope of impacts analyzed in the City of Garden Grove Focused General Plan Update and Zoning Amendments

Environmental Impact Report, State Clearinghouse No. 2021060714 (“Garden Grove General Plan Update and Focused Zoning Amendments”), and the General Plan and 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 21, 2023 and considered all oral and written testimony presented regarding the proposed General Plan and Zoning Map amendments; and

WHEREAS, on September 21, 2023, following the public hearing, the Planning Commission adopted (i) Resolution No. 6069-23 recommending that the City Council: Adopt a General Plan Amendment (GPA-002-2023), and (ii) Resolution No. 6070-23 recommending that the City Council approve Zoning Map Amendment No. A-037-2023; and

WHEREAS, a duly noticed public hearing regarding General Plan Amendment No. GPA-002-2023 and Zoning Map Amendment No. A-037-2023 was held by the City Council on October 10, 2023, 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 October 10, 2023, and considered all oral and written testimony presented.

WHEREAS, the City Council hereby makes the following findings regarding Zoning Map Amendment No. A-037-2023:

A. The proposed zoning map amendments are internally consistent with the goals, policies, and elements of the General Plan. Pursuant to General Plan Amendment No. GPA-002-2023, the City Council has adopted updates to the Housing Element and Land Use Element to comply with the State’s 6<sup>th</sup> Cycle (2021-2029) of the Regional Housing Needs Assessment (RHNA) that requires the City to plan for 19,168 additional residential dwelling units for all income levels during the planning period. The proposed Zoning Map Amendment will revise the City’s Zoning Map to apply the International West Mixed Use Overlay to one (1) additional property and the Industrial/Residential Mixed Use 1 Overlay to ten (10) additional properties that were added to the Housing Element Sites Inventory through General Plan Amendment No. GPA-002-2023. In addition to being listed in the Housing Element Sites Inventory, these eleven (11) properties all have an underlying General Plan Land Use Designation that allows residential development at the densities permitted by the Overlay zoning. The proposed Zoning Map Amendment will also specify fifteen (15) parcels to which the International West Mixed Use Overlay and the Industrial/Residential Mixed Use 1 Overlay apply, but which, due to a clerical error, were inadvertently not listed on Exhibit E to Ordinance No. 2925. These fifteen (15) parcels are also listed in the Housing Elements Sites Inventory and have an underlying General Plan Land Use Designation that allows residential development at the densities permitted by the Overlay zoning. The focus of the

General Plan and Zoning Map Amendments is to comply with State law provisions and resolve comments received from the California Department of Housing and Community Development ("HCD") on the adopted 2021-2029 Housing Element, in order to obtain HCD certification of the City's Housing Element.

B. The proposed zoning map amendments will promote the public interest, health, safety, and welfare of the surrounding community. Zoning Map Amendment No. A-037-2023 will implement the goals, policies and programs of the updated Housing Element and facilitate certification of the Housing Element by HCD.

C. The parcels subject to the proposed Zoning Map amendments are physically suitable for the requested land use designation(s), compatible with surrounding land uses, and consistent with the General Plan. The proposed Zoning Map Amendment will revise the City's Zoning Map to apply the International West Mixed Use Overlay to one (1) additional property and the Industrial/Residential Mixed Use 1 Overlay to ten (10) additional properties that were added to the Housing Element Sites Inventory through General Plan Amendment No. GPA-002-2023. These eleven (11) properties were evaluated in conjunction with General Plan Amendment No. GPA-002-2023 and determined to be suitable for the development of housing, and they each have an underlying General Plan Land Use Designation that allows residential development at the densities permitted by the Overlay zoning. The proposed Zoning Map Amendment will also specify fifteen (15) parcels to which the International West Mixed Use Overlay and the Industrial/Residential Mixed Use 1 Overlay apply, but which, due to a clerical error, were inadvertently not listed on Exhibit E to Ordinance No. 2925. These fifteen (15) parcels were evaluated in conjunction with the 2021 FGPUZA project and determined to be suitable for the development of housing, are identified in the Housing Elements Sites Inventory, and have an underlying General Plan Land Use Designation that allows residential development at the densities permitted by the Overlay zoning. All 26 parcels subject to the proposed Zoning Map Amendments are physically suitable for the mixed use overlay, given the compatibility with the underlying General Plan Land Use Designations which allows residential development, and permitting the development of residential uses on these parcels will be compatible with the surrounding land uses in their respective vicinity, given that adjacent properties also have similar General Plan Land Use Designations and mixed use overlay zoning.

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. Zoning Map Amendment No. A-037-2023 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 6070-23, 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. The properties shown on the maps and accompanying list of properties with corresponding property Assessor's Parcel Numbers attached hereto as Exhibit "A" shall be included in the International West Mixed Use Overlay and the Industrial/Residential Mixed Use 1 Overlay, as specified in Exhibit "A." Exhibit "E" to Ordinance No. 2925 shall be superseded to the extent it is inconsistent with Exhibit "A" attached hereto. The Zoning Map shall be amended accordingly.

SECTION 4. 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 5: 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.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the \_\_\_ day of \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DEPUTY CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS:  
CITY OF GARDEN GROVE)

I, LIZABETH VASQUEZ, Deputy City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on October 10, 2023, with a vote as follows:

AYES: COUNCIL MEMBERS: (6) O'NEILL, TRAN, DOVINH, KLOPFENSTEIN,  
NGUYEN-PENALOZA, JONES  
NOES: COUNCIL MEMBERS: (1) BRIETIGAM  
ABSENT: COUNCIL MEMBERS: (0) NONE

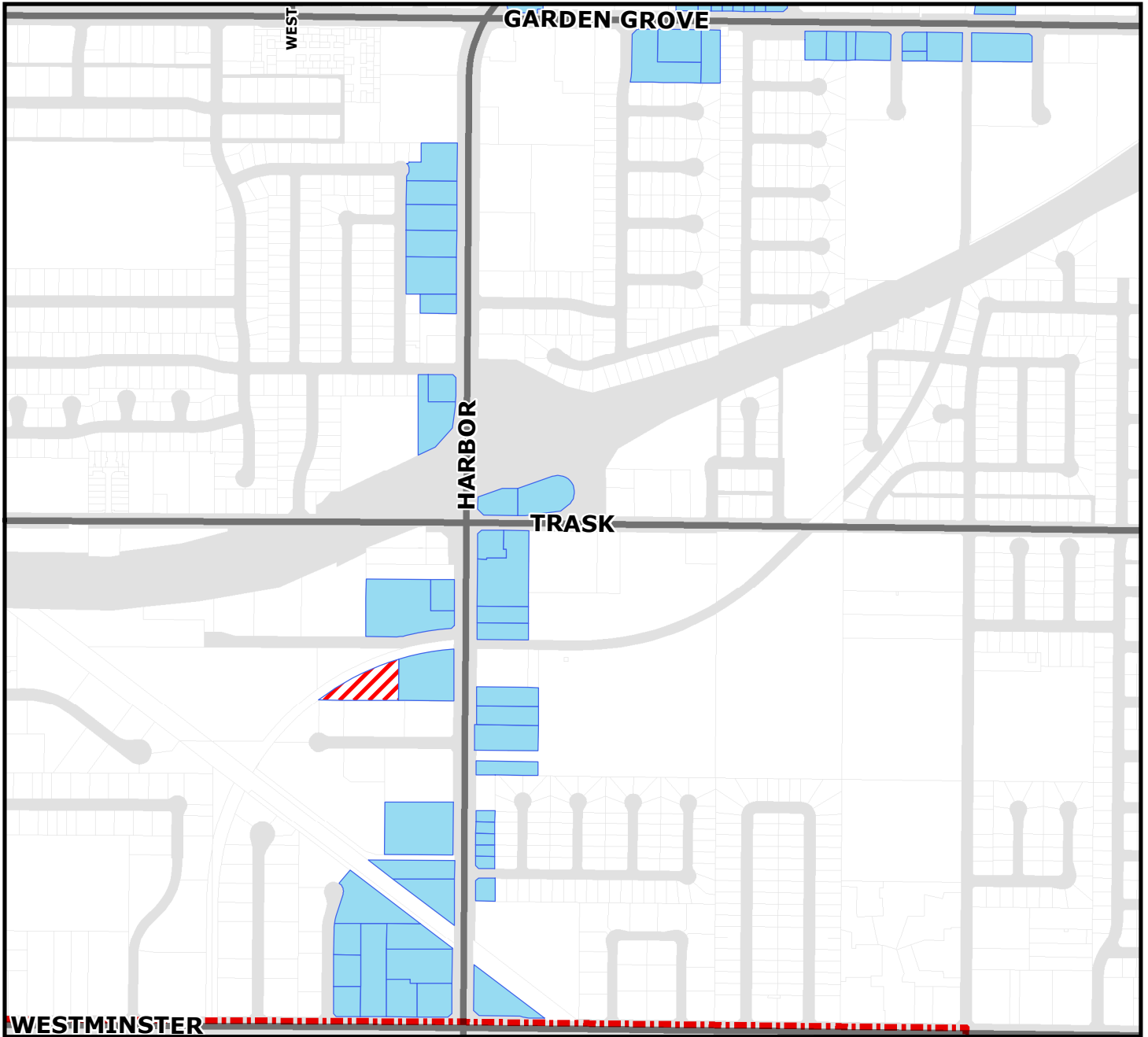


# EXHIBIT "A"



## MIXED USE OVERLAY ZONE

### INTERNATIONAL WEST MIXED USE OVERLAY

#### SITE AREA MAP 1



### LEGENDS

-  Existing parcels
-  New parcels

### NOTES

1. LAND USE DESIGNATION - INTERNATIONAL WEST MIXED USE
2. ZONING: C-1, C-2, C-3, M-1, HCSP-TS, HCSP-SDS, HCSP-OP

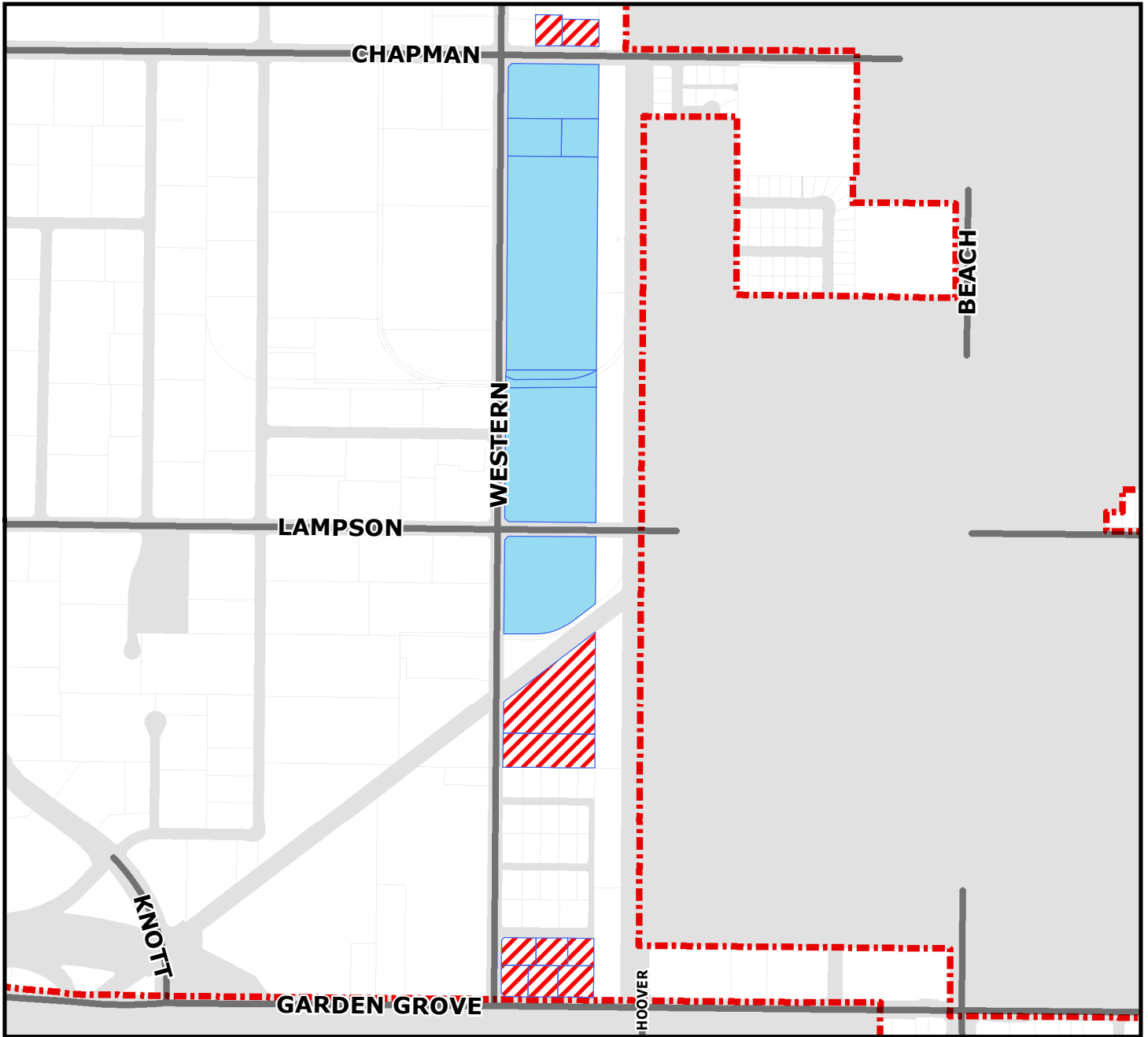







# EXHIBIT "A"

## MIXED USE OVERLAY ZONE

### INDUSTRIAL/RESIDENTIAL MIXED USE 1 OVERLAY



### LEGENDS

-  Existing parcels
-  New parcels
-  City boundaries

### NOTES

1. LAND USE DESIGNATION – INDUSTRIAL/RESIDENTIAL MIXED USE 1
2. ZONING: M-P (INDUSTRIAL PARK)



# EXHIBIT "A"

## MIXED USE OVERLAY SITES

**THE FOLLOWING PARCELS ARE INCLUDED IN THE INTERNATIONAL WEST MIXED USE OVERLAY:**

(NEW PARCELS ADDED IN ***BOLD-ITALICS***)

APN# 101-011-06	APN# 231-561-14	APN# 101-080-63	APN# 100-352-20
APN# 101-080-68	APN# 101-080-64	APN# 100-130-67	APN# 100-130-66
APN# 231-491-12	APN# 231-491-13	APN# 231-491-14	APN# 231-491-15
APN# 231-451-40	APN# 231-451-38	APN# 231-451-37	APN# 231-451-36
APN# 100-130-56	APN# 101-611-78	APN# 100-130-71	APN# 100-345-23
APN# 101-681-22	APN# 101-642-02	APN# 101-452-02	APN# 100-335-25
APN# 101-611-02	APN# 100-335-34	APN# 100-335-37	APN# 100-130-72
APN# 100-335-30	APN# 100-130-74	APN# 100-130-73	APN# 101-642-01
APN# 101-080-71	APN# 101-080-73	APN# 101-080-74	APN# 231-441-36
APN# 100-347-15	APN# 231-405-01	APN# 100-122-33	APN# 101-080-76
APN# 100-345-21	APN# 101-311-25	APN# 101-343-65	APN# 231-441-35
APN# 101-011-02	APN# 101-315-33	APN# 231-422-14	APN# 231-422-07
APN# 231-422-12	APN# 231-422-15	APN# 231-423-09	APN# 231-422-09
APN# 231-423-08	APN# 231-422-08	APN# 231-422-22	APN# 231-422-21
APN# 231-422-20	APN# 231-422-19	APN# 231-422-18	APN# 231-422-17
APN# 231-422-16	APN# 231-422-11	APN# 231-423-15	APN# 231-423-16
APN# 231-423-14	APN# 231-423-13	APN# 231-423-12	APN# 231-423-11
APN# 231-423-10	APN# 231-422-10	APN# 231-423-02	APN# 231-423-01
APN# 231-423-03	APN# 231-423-04	APN# 231-423-05	APN# 231-423-06
APN# 231-423-07	APN# 101-311-17	APN# 101-011-03	APN# 101-311-19
APN# 101-311-24	APN# 101-311-21	APN# 101-311-20	<b><i>APN# 100-123-01</i></b>
<b><i>APN# 100-123-02</i></b>	<b><i>APN# 101-611-01</i></b>	<b><i>APN# 100-130-79</i></b>	<b><i>APN# 101-343-66</i></b>
<b><i>APN# 100-130-58</i></b>	<b><i>APN# 101-011-04</i></b>	<b><i>APN# 100-130-68</i></b>	<b><i>APN# 101-011-01</i></b>
<b><i>APN# 100-130-69</i></b>	<b><i>APN# 101-080-75</i></b>	<b><i>APN# 231-323-20</i></b>	<b><i>APN# 100-122-32</i></b>



# EXHIBIT "A"

## MIXED USE OVERLAY SITES

**THE FOLLOWING PARCELS ARE INCLUDED IN THE INDUSTRIAL/RESIDENTIAL 1 MIXED USE OVERLAY:**

(NEW PARCELS ADDED IN ***BOLD-ITALICS***)

APN# 131-671-11	APN# 131-671-09	APN# 131-671-10	APN# 131-671-08
APN# 215-032-01	<b><i>APN# 131-601-15</i></b>	<b><i>APN# 131-601-25</i></b>	<b><i>APN# 215-033-01</i></b>
<b><i>APN# 215-033-03</i></b>	<b><i>APN# 215-141-10</i></b>	<b><i>APN# 215-141-09</i></b>	<b><i>APN# 215-141-08</i></b>
<b><i>APN# 215-141-11</i></b>	<b><i>APN# 215-141-12</i></b>	<b><i>APN# 215-141-13</i></b>	<b><i>APN# 131-671-12</i></b>
<b><i>APN# 131-671-07</i></b>	<b><i>APN# 131-671-06</i></b>		