

ORDINANCE NO. 2841

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING ZONE CHANGE AMENDMENT NO. A-172-13 IN CONJUNCTION WITH THE PROPOSED ANNEXATION OF THE PROPERTY COMMONLY REFERRED TO AS THE CARMEL-LAMPSON ISLAND TO THE CITY OF GARDEN GROVE TO PRE-ZONE THE PROPERTY AS R-3 (MULTIPLE-FAMILY RESIDENTIAL)

CITY ATTORNEY SUMMARY

This Ordinance approves an amendment to the City's Zone Map to pre-zone the property commonly referred to as the "Carmel-Lampson Island" as R-3 (Multiple-Family Residential) in conjunction with the proposed annexation of the property to the City of Garden Grove. The Carmel-Lampson Island is generally located east of Beach Boulevard, south of Carmel Drive, west of Arrowhead Street, and north of Lampson Avenue, within the unincorporated area of the County of Orange, and is comprised of three fully improved parcels designated as Assessor Parcel Nos. 131-471-26, 28, and 29 and one small, non-buildable parcel designated Assessor Parcel No. 131-471-07. This Ordinance will only take effect if General Plan Amendment No. GPA-2-13(A), approved by the Garden Grove City Council on June 10, 2014, takes effect.

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

WHEREAS, the "Carmel-Lampson Island" consists of an approximately one acre site generally located at 8141, 8151, and 8171 Lampson Avenue, east of Beach Boulevard, south of Carmel Drive, west of Arrowhead Street, and north of Lampson Avenue, within the unincorporated area of the County of Orange, comprised of three fully improved parcels designated as Assessor Parcel Nos. 131-471-26, 28, and 29 and one small, non-buildable parcel designated Assessor Parcel No. 131-471-07; and

WHEREAS, Diane K. Hall, a trustee of, and on behalf of Amber Hall, Diane Hall, Ariana Hall, and Alexis Hall, owner of a majority of the property within the Carmel-Lampson Island, has filed an application with the Orange County Local Agency Formation Commission ("Orange County LAFCO") to concurrently (i) amend the spheres of influence of the Cities of Stanton and Garden Grove to remove the Carmel-Lampson Island from the City of Stanton's sphere of influence and to add the Carmel-Lampson Island to the City of Garden Grove's sphere of influence, and (ii) approve the annexation of the Carmel-Lampson Island into the City of Garden Grove; and

WHEREAS, the adoption of the necessary land use actions by the City of Garden Grove to extend the City's General Plan to cover the Carmel-Lampson Island and to "pre-zone" the property are prerequisites to Orange County LAFCO's approval of the proposed sphere of influence amendments and annexation; and

WHEREAS, in conjunction with the proposed sphere of influence changes and annexation of the Carmel-Lampson Island to the City of Garden Grove, Diane K. Hall, a trustee of, and on behalf of Amber Hall, Diane Hall, Ariana Hall, and Alexis Hall, has filed an application for General Plan Amendment No. GPA-2-13(A) and Zone Change Amendment No. A-172-13; and

WHEREAS, the City of Garden Grove has joined in said application with respect to the property designated as Assessor's Parcel No. 131-471-07, which is owned by KOWA International Corporation; and

WHEREAS, proposed General Plan Amendment No. GPA-2-13(A) would amend the City of Garden Grove's General Plan Land Use Map to include the Carmel-Lampson Island with a General Plan Land Use designation of "Medium Density Residential"; and

WHEREAS, proposed Zone Change Amendment No. A-172-13 would amend the City's Zone Map to "pre-zone" the Carmel-Lampson Island site R-3 (Multiple Family Residential); and

WHEREAS, for purposes of analysis under the California Environmental Quality Act ("CEQA"), the proposed "Project" involves the annexation of approximately one acre of fully improved territory developed to a density consistent with the proposed pre-zoning and General Plan Land Use designation and not requiring the extension of any additional utility facilities, and includes General Plan Amendment No. GPA-2-13(A); Zone Change Amendment No. A-172-13; adoption by Orange County LAFCO of amendments to remove the Carmel-Lampson Island from the City of Stanton's sphere of influence and to add the Carmel-Lampson Island to the City of Garden Grove's sphere of influence; and Orange County LAFCO's approval of the annexation of the Carmel-Lampson Island to the City of Garden Grove; and

WHEREAS, the Planning Commission, following a Public Hearing held on April 3, 2014, recommended approval of General Plan Amendment No. GPA-2-13(A) and Zone Change Amendment No. A-172-13 pursuant to Resolution No. 5801-13; and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on June 10, 2014, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of June 10, 2014; and

WHEREAS, the City Council adopted Resolution No. 9237-14 during its meeting on June 10, 2014 approving General Plan Amendment No. GPA-2-13(A) and determining that the "Project," as defined above, including Zone Change

Amendment No. A-172-13, is exempt from review under CEQA pursuant to Title 14, California Code of Regulations, Section 15319 (Class 19) of the State CEQA Guidelines, pertaining to annexations of existing facilities to a city, and pursuant to Title 14, California Code of Regulations, Section 15061(b)(3) of the State CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, the City Council hereby makes the following findings regarding Zone Change Amendment No. A-172-13:

A. Proposed Zone Change Amendment No. A-172-13 is consistent with the General Plan. The proposed Zone Change Amendment would amend the City's Zone Map to "pre-zone" the Carmel-Lampson Island site R-3 (Multiple Family Residential). The pre zoning of the site to R-3 is consistent with the proposed General Plan Land Use designation of Medium Density Residential in that the R-3 zone designation is the implementing zone for General Plan Medium Density Residential. The existing development density is within both the ranges established by the General Plan Medium Density Residential Land Use designation (18 to 32 dwelling units per acre) and the R-3 Zoning that allows up to 24 dwelling units per acre. The proposed Zone Change Amendment will also facilitate the annexation of the Carmel-Lampson Island to the City of Garden Grove, which is consistent with General Plan Land Use Element Policy LU-14.2, which directs the City to pursue annexation of County Islands that will rationalize and clarify City boundaries and will provide minimal costs and maximum benefits to the City. The Carmel-Lampson Island borders the City of Garden Grove, so extension of the City's boundaries to include the property is rational. Further, since the property is already fully developed and served by existing utilities, the additional cost to the City to provide City services to the property will be minimal, and will be offset by the additional ad valorem property tax revenue and generally applicable City tax and assessment revenue the City will receive. Annexation of the Carmel-Lampson Island will also add to the multi-family housing stock in the City, and the R-3 Zone designation will help ensure that more affordable multi-family housing remains on the site in the future. Accordingly, the proposed annexation and Zone Change Amendment are also consistent with the City's 2014-2021 Housing Element.

B. The proposed Zone Change Amendment will promote the public interest, health, safety and welfare. The proposed Zone Change Amendment will facilitate the annexation of an a small adjacent County Island to the City of Garden Grove, thereby rationalizing municipal boundaries in the area, extending police, fire, and other City services to the property, and ensuring that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.

C. The parcels covered by the proposed amendment to the Zone Map are physically suitable for the R-3 (Multiple Family Residential) pre-zoning designation.

The R-3 Zone is the zoning district provided for in the City of Garden Grove Land Use Code that implements the Medium Density Residential General Plan Land Use designation. Pursuant to Garden Grove Municipal Code Section 9.12.20.020, the R-3 zone is intended to provide for a variety of types and densities of multiple-family residential dwellings and to promote housing opportunities in close proximity to employment and commercial centers. The site is already improved with an integrated multi-family development consisting of 20 apartment units and related on-site parking facilities and amenities, along with sufficient access from Lampson Avenue. The R-3 development standards are the development standards within the Garden Grove Land Use Code most reflective of the existing improvements on the site. Pre-zoning of the site to R-3 would maintain and be reflective of the basic site improvements and zoning development standards for multi-family residential uses. Under the City's R-3 development standards, the permitted density on this site would be between 20 and 24 units, which is consistent with the density of the existing improvements. In addition, the site is near Beach Boulevard and in close proximity to commercial centers.

D. The parcels covered by the proposed amendment to the Zone Map are compatible with surrounding land uses, and the proposed pre-zoning of the property to R-3 (Multiple-Family Residential) will insure a degree of compatibility with the surrounding properties and uses. The site is fully improved with an integrated multi-family development consisting of 20 apartment units, front, side, and rear landscaping, a turf laden active recreation area, and paved drive aisles. In addition, a total of 42 parking spaces are provided within enclosed garages, and the site contains 4 additional designated guest parking spaces. The buildings' architecture is contemporary residential style reflective of the residential architecture of the immediate area. The surrounding area, with the exception of the property immediately east of the subject site, is improved with both single family and multi-family housing. The property immediately east of the site is improved with a school district vehicle maintenance yard. The subject site's housing is similar and compatible with surrounding properties, which have both single-family and multi-family housing. The zoning and development of the adjoining properties within the City of Stanton are also multi-family residential, and other multi-family residential developments in the City of Garden Grove are nearby. Accordingly, the subject site is compatible with the surrounding land uses. Pre-zoning the site R-3 (Multiple-Family Residential) will ensure that the future use and development of the site remains compatible with surrounding properties and uses because this City zoning designation is similar to the existing County zoning designation to which the site is subject and the zoning designations applicable to surrounding properties.

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. The facts and reasons stated in Planning Commission Resolution No. 5801-13 recommending approval of Zone Change Amendment No. A-172-13, a copy of which is on file in the City Clerk's Office, are hereby incorporated herein by reference with the same force and effect as if set forth in full.

Section 3. Zone Change Amendment No. A-172-13 is hereby approved.

Section 4. The property commonly referred to as the "Carmel-Lampson Island," designated as Assessor Parcel Nos. 131-47-07, 131-471-26, 131-471-28, 131-471-29, and shown on the map attached hereto, is pre-zoned to the R-3 (Multiple-Family Residential) zone as shown thereon. Zone Map part J-10 is amended accordingly. Upon the effective date of annexation of the property to the City of Garden Grove, the zoning designation of the property shall be R-3 (Multiple-Family Residential).

Section 5. 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 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 on the later of (i) the date that is thirty (30) days after adoption, or (ii) the date General Plan Amendment No. No. GPA-2-13(A) becomes effective.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

CITY CLERK

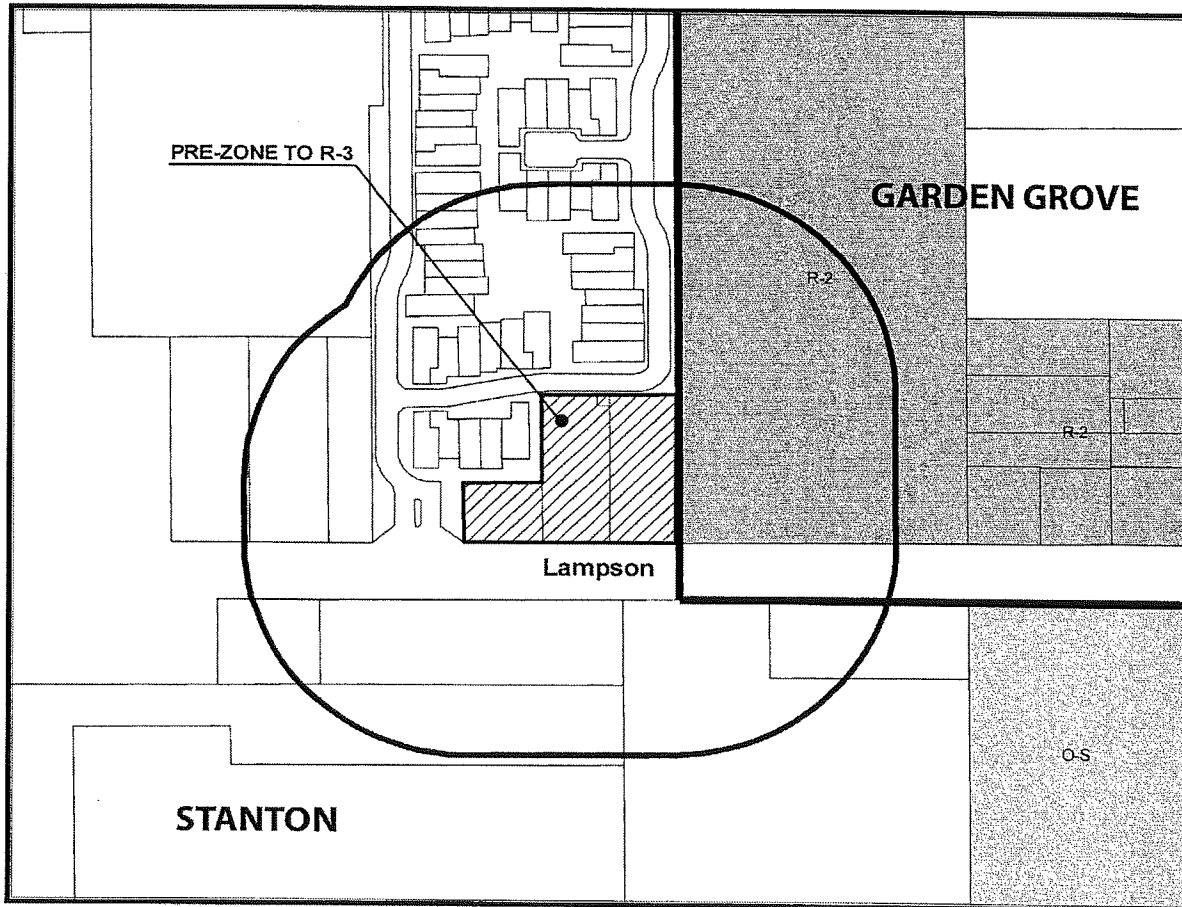
STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, 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 June 10, 2014, with a vote as follows:



AYES: COUNCIL MEMBERS: (5) BEARD, JONES, NGUYEN, PHAN, BROADWATER
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE



PROPOSED SPHERE OF INFLUENCE PRE-ZONE TO R-3 (MULTI-FAMILY RESIDENTIAL) A-172-13



LEGEND

-  SUBJECT SITE
-  300 FEET RADIUS

NOTES

1. SITE ADDRESS 8141, 8151, & 8171 LAMPSON AVENUE
2. PRE-ZONE TO R-3 (MULTI-FAMILY RESIDENTIAL)



CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
MARCH 2014