

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Allan L. Roeder
Dept: Interim City Manager
Subject: ADOPTION OF A RESOLUTION
ADOPTING A NEGATIVE
DECLARATION AND APPROVAL OF
AMENDMENT NO A-013-2015
AMENDING CHAPTER 18
(MIXED-USE REGULATIONS) AND
CHAPTER 4 (DEFINITIONS) OF
TITLE 9 OF THE MUNICIPAL CODE

From: Susan Emery
Dept: Community Development
Date: June 9, 2015

OBJECTIVE

To transmit a recommendation from the Planning Commission to the City Council, to approve Amendment No. A-013-2015, a zoning text amendment to portions of Chapter 18 (Mixed Use Regulations) and Chapter 4 (Definitions) of Title 9 of the Municipal Code pertaining to certain uses in the Civic Center Mixed Use 1 (CC-1) zone. The proposed amendment would allow a number of additional permitted or conditionally permitted uses in the CC-1 zone, would establish standards for the conversion of single-family homes to commercial uses in the CC-1 zone, would establish development and operational standards for outside eating areas, non-vehicular and vehicular vending, and event space uses in the CC-1 zone; and would establish additional compatibility standards for all uses located in the CC-1 zone.

BACKGROUND

In August of 2008, the City Council approved a comprehensive update to the City's General Plan. The General Plan update focused on preserving residential neighborhoods, guiding the remaining development and redevelopment opportunities, and encouraging the revitalization of selected areas.

The areas identified for future development built upon the previous General Plan goals and policies, and reflect the pattern and trends of more recent construction taking place within the city. An effort was made to clearly define the areas for growth, to promote greater revitalization in the community, and to attract the development community to the potential revitalization opportunities. Most new development was envisioned as mixed-use buildings located along major arterial roadways or adjacent to existing shopping centers. It was determined that a mixed-use type of project allows greater opportunities for developers through higher density, while leaving existing residential neighborhoods protected and preserved. These mixed-use residential units are urban in character and would generate a need for more

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concentrated and varied retail experiences. In order to implement the new Mixed Use Land Use designations and to create the consistency between the City's General Plan and Zoning Ordinance that is required by State law, the City Council approved Mixed Use zones, along with development standards, in March of 2012. Additionally, the creation of the mixed use zones addressed the State's requirements to reduce vehicle trips, reduce greenhouse gas emissions, improve overall air quality, and create additional housing opportunities. It was essential that the mixed use zones were created and approved in order to meet those requirements.

One of the Mixed Use zones that was adopted is the CC-1 zone, which is located south of Acacia Parkway, north of Garden Grove Boulevard, west of Ninth Street, and east of Civic Center Boulevard. This zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The intent is to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. Existing residential structures may continue to be used for residential purposes or may be adapted for commercial use, provided that applicable development standards can be met. The Code encourages the adaptive reuse of the existing structures in order to preserve the older structures.

Uses that are currently permitted in the CC-1 zone include residential uses; daycares; professional and medical offices; art, music, dance, and martial arts studios; athletic clubs; personal service uses, such as beauty salons; shoe repair and tailoring; bed and breakfasts and hotels; retail establishments; florists; restaurants; ice cream shops and bakeries; bicycle sales and repair; pet grooming; parking facilities; religious facilities; and educational institutions. This zone implements the Civic Center Mixed Use General Plan land use designation. The intent of the Code is to encourage the adaptive reuse of the existing structures in order to preserve the existing older structures.

On April 2, 2015, the subject Code Amendment was scheduled for consideration by the Planning Commission. However, Staff requested a continuance of the item to May 7, 2015, in order to conduct a Study Session/Neighborhood meeting on April 16, 2015, to obtain additional public input prior to the Planning Commission taking action.

When the subject Code Amendment was originally proposed, it included a request to allow the adaptive re-use of the existing homes located in the CC-1 zone to be approved ministerially provided the adaptive reuse of the homes complied with the conversion and compatibility standards that were also being proposed in Chapter 18 of Title 9 of the City's Municipal Code, along with adding three new uses with the AR zone, which is generally located north of Garden Grove Boulevard, south of the OCTA right-of-way that is adjacent to Shelley Drive, west of Nelson Street, and east of Flower Street. The proposed new uses in the AR zone included Food Halls, Indoor Multi-tenant Shopping Center, and Multi-tenant Retail, Office, Studio Space for Short Term Use.

During the April 16th Study Session/Neighborhood meeting, neighbors that live adjacent to the AR zone raised concerns regarding parking, traffic, and noise. Additionally, Staff had received calls from neighbors that also raised concerns regarding noise and traffic along Nelson Street and Stanford Avenue. During the meeting, Staff noted that while the Code Amendment was originally recommending that the homes in the CC-1 zone be approved ministerially rather than through the Site Plan review procedure, Staff was recommending that the Site Plan review procedure for the conversions remain intact, as another layer of review.

Based on the discussion that ensued at the April 16th meeting, Staff presented three Resolutions for the Planning Commission's consideration on May 7, 2015.

Option 1 left the Resolution as originally proposed that included standards for the adaptive reuse of the existing homes along with compatibility standards in order to ensure the compatibility of uses within the CC-1 zone; allowing the ministerial approval of the adaptive reuse of the existing homes; standards for location of off-site parking, shared outside eating areas, non-vehicular and vehicular vending, and event space; added uses to the CC-1 zone that currently are permitted in other areas of the Downtown area; added a few new uses such as Live-Work, Event space, Food Hall, Garden Shop/Small Scale Nursery, and Wineries along with definitions for the Live-Work, Wineries, and Food Hall uses; and included Food Halls, and the indoor multi-tenant uses in the AR Zone.

However, Staff recommended that the Planning Commission recommend to City Council adoption of either Option 2 or Option 3.

Under Option 2, the Food Hall, Multi-Tenant Retail Shopping Center, and Multi-Tenant Retail, Office Studio Space For Short Term Use uses would not be added to the AR zone. In addition, the concept of ministerial approval for the conversion of the homes located in the CC-1 to commercial uses would be eliminated, instead leaving the current Site Plan review procedure for home conversions in place. Option 2 would continue to leave in place the standards for the adaptive reuse of the existing homes, along with compatibility standards in order to ensure the compatibility of uses within the CC-1 zone; the standards for location of off-site parking, shared outside eating areas, non-vehicular and vehicular vending, and event space; the addition of uses to the CC-1 zone currently permitted in other areas of the Downtown area; the addition to a few new uses such as Live-Work, Event space, Food Hall, Garden Shop/Small Scale Nursery, and Wineries along with definitions for the Live-Work, Wineries, and Food Hall uses.

Option 3 would include the proposed additional uses in the AR zone, but only on properties with frontage along Garden Grove Boulevard and Nelson Street, south of Stanford Avenue. Like in Option 2, the concept of ministerial approval for the conversion of the homes located in the CC-1 to commercial uses would be eliminated, instead leaving the current Site Plan review procedure for the home

conversions in place. All other standards proposed in Option 2 were also proposed in Option 3.

After considering the three options, the Planning Commission voted 5-1 to approve a Resolution recommending the City Council adopt an Ordinance approving Option 2 with the recommendation to remove the proposed "Liquor Store" use from the CC-1 zone Land Use Chart. One Commissioner would have recommended Option 3, and one commissioner did not participate due to a conflict of interest. Two people from the public came forward to speak in support of the Code Amendment and one letter in opposition was received.

DISCUSSION

Since the adoption of the Mixed Use zoning Code, there has been interest in the adaptive reuse of the existing homes in the CC-1 zone by converting them to commercial uses in order to preserve the older homes and maintain the character of the neighborhood. Prior to the adoption of the Mixed Use zoning, there was the mindset to assemble the properties and to create larger institutional uses and larger residential projects. The previous zoning (prior to the current Mixed Use zoning) encouraged the redevelopment of the area rather than its preservation. The intent of the current zoning is to preserve the older structures by allowing them to be converted to commercial uses.

In order to assist in facilitating the goals of the existing zoning and to further encourage the preservation of the existing structures, the subject Code Amendment includes specific standards for the adaptive reuse of the existing structures, along with compatibility standards in order to ensure the compatibility of uses with the CC-1 zone. Additionally, specific standards are proposed for shared outside eating areas, non-vehicular and vehicular vending, and event space.

The Code Amendment also proposes adding uses to the CC-1 zone that currently are permitted in other areas of the Downtown area as well as adding a few new uses such as Live-Work, Event space, Food Hall, Garden Shop/Small Scale Nursery, and Wineries, along with definitions for the Live-Work, Wineries, and Food Hall uses.

Finally, in order to maintain consistency throughout the Code, Sections 9.18.070.010, 9.18.070.020, and 9.18.110.020 are also proposed to be modified. The proposed Code changes are as follows:

Amend Section 9.04.060 (Definitions) to add three new definitions to read as follows:

"Live-Work" means a structure that combines living space occupancy with incidental work space, and in which the individual live-work units are occupied and used by a single-household. Live-Work can either consist of structures specifically designed and built to function in this

manner, or existing residential structures that have been structurally modified to accommodate work activity and residential occupancy in compliance with the California Building Code. The living space occupies the majority of the live-work structures square footage and the working space is reserved for and regularly used by one or more occupants of the unit. Live-Work units can include renter-occupant and/or owner-occupant. "Live-Work" does not include "Home Occupations" that are allowed in the single-family residential, multi-family residential, and mixed-use zones.

"Wineries" means a commercial facility used for the production and distribution of wine with incidental accessory uses and activities in conjunction with the winery, including, but not limited to wine tasting, food service and restaurants, gift sales, and special events.

"Food Hall" means a facility consisting primarily of three (3) or more lease areas within an enclosed building that have a shared entrance/lobby area where the primary uses are food related, but may include small retail venues, shared eating areas, and limited live entertainment. Lease areas may have access to the exterior of the building along with outside eating areas, both private and shared with other uses.

Amend Table 9.18-4 (Development Standards for the Civic Center Mixed-Use Zones) of Section 9.18.090.030 (Civic Center Zone Development Standards) as follows to add a note regarding the applicability of the maximum lot coverage requirement in the CC-1 zone (additions in underline/bold/italics):

**TABLE 9.18-4
Development Standards for the Civic Center Mixed-Use Zones**

DEVELOPMENT STANDARDS	CIVIC CENTER MIXED-USE ZONES			
	CC-1	CC-2	CC-3	CC-OS
Lot Coverage				
Minimum Lot Coverage	Not Applicable	70%	Not Applicable	Per site plan review process
Maximum Lot Coverage	50%*	Not Applicable	Not Applicable	

***Maximum lot coverage requirement applies to stand-alone residential development only; does not apply to commercial or mixed-use developments.**

Add new subsections F, G, H, I, and J to Section 9.18.090.040 (Additional Regulations Specific to the CC-1 Zone) to read as follows:

F. Conversion of Single-Family Homes to Commercial Structures and Uses. Any legally established single-family home located within the CC-1 zone may be converted to a commercial structure and use,

provided that the conversion complies with the following standards and all other applicable requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title provided that a Site Plan is approved in accordance with Chapter 9.32.

1. Compliance With Other Mixed Use Regulations and Development Standards. Except as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Maintenance of Residential Appearance. Converted homes shall maintain the residential appearance of the structure in order to maintain compatibility with the character and scale of the existing neighborhood.
3. Buffering From Residential Uses. Residential properties converted to commercial uses shall be buffered from existing residential properties in accordance with standards established by the Community Development Director. Buffering measures shall include, but not be limited to, fencing, landscaping, and low level lighting in order to reduce noise and light intrusion.
4. Hours of Operation. Hours of operation for all commercial uses in converted homes within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties. Extended hours of operation may be approved in conjunction with an approved Site Plan and/or other land use entitlement.
5. Pedestrian Linkages. When converting existing homes to a commercial use, pedestrian linkages providing a connection between the commercial uses and other streets and remote parking lots shall either already exist or be created in conjunction with the conversion.
6. Parking. Parking for commercial uses shall comply with Section 9.18.140, with the exception that off-site parking is permitted to be located further than 1,500 feet from the site it is serving, provided that it is located in the CC-1 zone or within the CC-3 and CC-OS zones that are located east of Euclid Street, west of 9th Street, north of Garden Grove Boulevard, and south of Stanford Avenue. Off-site parking areas that support commercial uses in converted single family homes shall be approved in conjunction with the approval of a Site Plan pursuant to the Site Plan review procedure set forth in Chapter 9.32.

7. Additions/Modifications of Structures in Conjunction with Conversions. Additions/modifications shall maintain continuity with the architectural style of the remainder of the existing structure.
8. Additional Compatibility Standards. The additional compatibility standards set forth in subsection J of Section 9.18.090.040 shall also apply to single family homes converted to commercial uses and structures.
9. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to operational conditions, and require review and approval of a Conditional Use Permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating conditions and Development Standards), a Waiver of Distance and Location Provisions may also be requested through the Conditional Use Permit process. In conjunction with the approval of a Conditional Use Permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:
 - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 - c. That the use will not interfere with operation of other businesses or uses within the area;
 - d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;

- e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this Code; and
- f. That all applicable regulations of this Code will be observed.

G. Shared Outside Eating Areas. Shared outside eating areas may be created between properties and uses. No shared outside eating area where alcohol is allowed, shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol. Outside eating areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties.

H. Non-Vehicular and Vehicular Vending. Both non-vehicular kiosks and vehicular vending may include, without limitation, converted camper trailers, nostalgic vans, and food trucks, and may be temporarily or permanently installed/parked both on-site and off-site. In addition to meeting the requirements of Sections 9.18.070.010 and 9.18.070.020, both non-vehicular and vehicular vending shall comply with the following standards:

1. The design, materials, and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation.
2. The size of a non-vehicular vending kiosk located within the CC-1 zone may exceed 36 square feet provided that the size of the kiosk is appropriate in scale and massing for the location it is intended for. In no case shall the kiosk be larger than 100 square feet.
3. Graphics and signs shall be appropriate to the size and design of the cart/trailer/kiosk and shall not cause light or glare on adjacent streets and residentially developed properties. Typical sign area approved is up to six (6) square feet, not including menu boards, which are typically temporary and/or not permanently affixed to the kiosk.
4. Kiosks may not be placed in any required parking space, driving aisle, or walkway. If installed/parked within the public right-of-way, the kiosk/vehicle shall be appropriately separated and buffered from adjacent vehicular traffic through the use of low fencing, planters, or similar barrier. Any street parking that

is lost due to the installation of a vending structure shall be replaced elsewhere within the CC-1 zone either within the public right-of-way or within a joint-use parking lot.

5. Wheels located under the cart/trailers/kiosks are preferred (such as casters) and shall be permanently inflated. Projecting wheels must have fenders.
6. Hitches attached to the cart/trailer/kiosk must be removable and detached during operation hours.
7. The use of propane tanks may be permitted subject to the City's Fire Department and Building Division review and approval. Propane tanks must be attached to (or within) the kiosk and the kiosk must allow for adequate ventilation and screening.
8. The location, design, and layout of both non-vehicular and vehicular vending structures shall be subject to the review and approval of the Community Development Director or his/her designee. All vending structures located within the public right-of-way shall meet all requirements of the Public Work's Department for encroachments into the public right-of-way and shall be subject to the review and approval of the Public Work's Director.
9. No external power, piping or plumbing is allowed. All vending structures shall be self-contained.

I. Event Space. Outdoor and Indoor event spaces, including banquet facilities, shall comply with the following standards and all other application requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title:

1. With the exception as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Parking for uses within outdoor and indoor event spaces shall comply with Section 9.18.140.
3. Hours of operation shall be determined through the Conditional Use Permit process.

J. Additional Compatibility Standards. The following standards are intended to ensure the compatibility of uses within the CC-1 zone:

1. Within mixed use developments, residential units shall be designed to ensure the security of residents through the provision of secured entrances and exits that are separate from the non-residential uses, and are directly accessible to parking areas. Non-residential and residential uses shall not have common entrance hallways or common balconies. These separations shall be shown on the development plan, and the separations shall be permanently maintained. All commercial development/use shall submit a security plan to the Police Department for review and approval by the Police Chief or his designee prior to establishment of the use.
2. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, trash collection, routine deliveries or late night activity. No use shall produce continual loading or unloading of heavy trucks at the site between the hours of 8:00 p.m. and 6:00 a.m. Hours of operation for all commercial uses within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties, or otherwise authorized pursuant to a Conditional Use Permit or Minor Deviation Land Use Permit approved pursuant to Chapter 9.32. For uses requiring approval of a Conditional Use Permit, extended hours of operation may be authorized pursuant to the Conditional Use Permit. For uses not requiring a Conditional Use Permit or other discretionary land use approval, requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.D.11 of Chapter 9.32 of this Title.
3. Residential portions of a mixed-use project shall be designed to limit the interior noise caused by the commercial and parking portions of the project, to a maximum of forty-five (45) decibels (db) community Noise Equivalent Level (CNEL) on annual basis in any habitable room with windows closed. Proper design may include, but shall not be limited to, building orientation, double or extra strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that windows be closed in order to achieve the required level, means shall be provided for ventilation/cooling to provide a habitable environment.
4. No use, activity or process shall produce continual vibrations or noxious odors that are perceptible, without instruments, by the

average person at the property lines of the site or within the interior of on-site residential units.

5. Outdoor lighting associated with commercial uses shall not adversely impact surrounding residential uses, but shall provide sufficient illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity or brightness.

Amend Table 9.18-1 (Use Regulations for Mixed Use Zones) of Section 19.18.020 (Permitted Uses) to add the following permitted and conditionally permitted uses in the CC-1 and AR zones (Note: additions in underline/bold/italics)

**Table 9.18.1
Use Regulations for the Mixed Use Zones**

Table 9.18.1 Mixed Use zoned and Land Use Regulations	CC-1	Additional Regulations and Comments
Miscellaneous Residential and Incidental to Residential		
<u>Cottage Food Operations</u>	<u>P</u>	<u>No minimum spacing limit is required for Cottage Food Operations provided that the use complies with all other requirements of Section 9.08.020.02.50B. (this sections needs to be inserted into Section 9.18.020)</u>
<u>Live-Work</u>	<u>P</u>	
Commercial/Office		
Medical, Dental and Related Health Service Support Facilities	<u>P</u>	
Retail Trade		
<u>Art Gallery/Retail Business with Tattoo Art Studio</u>	<u>C</u>	<u>See Section 9.18.030.041</u>
<u>Event Space/Banquet Facility (Indoor)</u>	<u>C</u>	<u>See Section 9.18.090.040.I</u>
<u>Event Space (Outdoor)</u>	<u>C</u>	<u>See Section 9.18.090.040.I</u>
Department Stores	<u>P</u>	
Furniture, Carpets, Household Appliances	<u>P</u>	
<u>Food Hall</u>	<u>C</u>	<u>Parking to be provided pursuant to Section 9.18.140.030.</u>

<u>Garden Shop/Small Scale Nursery (10,000 square feet and smaller.)</u>	<u>P</u>	<u>Retail only, no production permitted.</u>
Indoor Multi-Tenant Retail Shopping Center	<u>C</u>	See Section 9.18.030.230 (Indoor Multi-Tenant Retail Shopping Center).
Non-Vehicular Vending Kiosk	<u>P</u>	See Section 9.18.070.010 (Non-Vehicular Vending Kiosk). <u>For Non-Vehicular Vending in the CC-1 zone, see Section 9.18.090.040.H for additional requirements.</u>
Pets and Pet Supplies	<u>P</u>	
Sporting Goods	<u>P</u>	
Variety, Dry Goods Stores	<u>P</u>	In the CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Food/Drink Sales and Service		
Convenience Grocery	<u>P</u>	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Food, Carry-out	<u>P</u>	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Meat Market	<u>P</u>	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages. No sale or slaughter of live animals shall take place, be allowed or provided for.
Vehicular Vending (Food Truck)	<u>P</u>	See Section 9.18.070.020 (Vehicular Vending Food Truck). <u>For Vehicular Vending in the CC-1 zone see Section 9.18.090.040.H for additional requirements.</u>
<u>Bar with or without Entertainment</u>	<u>C</u>	<u>See Section 9.18.060 (Alcohol Beverage Sales) and Section 9.18.030.080 (Bar/Nightclub).</u>

Brew Pub	<u>C</u>	See Section 9.18.060 (Alcohol Beverage Sales).
Coffeehouse	<u>P</u>	Refer to Title 5, Chapter 70 (Regulation of Coffeehouses) for additional applicable provisions. <u>The roasting of coffee beans incidental to the operation of a coffeehouse is permitted in the CC-1 zone.</u> <u>In the CC-1 zone a, a coffeehouse with live entertainment shall require a CUP and shall meet the requirements of Section 9.18.030.150 (Eating Establishments with Limited Entertainment).</u>
Eating Establishment/Restaurant with Entertainment	<u>C</u>	See Section 9.18.030.140 (Eating Establishment with Entertainment; Bars/Nightclubs). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Eating Establishment/Restaurant with Limited entertainment	<u>C</u>	See Section 9.18.030.150 (Eating Establishment with Limited Entertainment). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
<u>Wineries</u>	<u>C</u>	<u>See Section 9.18.060 (Alcohol Beverage Sales).</u>
<u>Other Services</u>		
<u>Incidental Instruction (15 students or Less)</u>	<u>I</u>	
<u>Multi-tenant Retail, Office, Studio Space for short term use.</u>	<u>C</u>	<u>Uses to be parked pursuant to Section 9.18.140.030.</u>
<u>Community Garden</u>	<u>P</u>	

Amend the first paragraphs of Sections 9.18.070.010 and 9.18.070.020 of Section 9.18.070 (Outdoor Sales of Goods and Merchandise) as follows (added language in bold/italicize/underline):

SECTION 9.18.070.010: Non-vehicular Vending Kiosks. In the GGMU-1, GGMU-2, and GGMU-3 zones, non-vehicular vending kiosks may be established as a permanent use on a site, except within a required side- or rear-yard setback area, subject to the following regulations. In the CC-3, NMU, and AR zones, non-vehicular vending kiosks may be established as an incidental use subject to the following regulations. **In the CC-1 zone, non-vehicular vending kiosks may be established as a permanent use pursuant to Section 9.18.090.040.H and subject to the following regulations.**

SECTION 9.18.070.020: Vehicular Vending (Food Truck). The preparation, sale, display, and consumption of food and/or beverages may occur from any vehicle that is parked, stopped, or standing upon any property where such is permitted as an incidental **or permanent** use, as set forth in Table 9.18-1 (Use Regulations for the Mixed Use Zones). Incidental **and/or permanent** vehicular vending, where permitted shall be subject to the following conditions. **Vehicular vending within the CC-1 zone shall also be subject to additional regulations pursuant to Section 9.18.090.040.H.**

Amend the first paragraph of Section 9.18.110.020 (Development Standards for Commercial Uses within All Mixed Use Zones) as follows (added language in bold/italicize/underline):

SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed-use developments, **with the exception of the conversion of single-family homes to commercial structures and uses in the CC-1 zone, which shall comply with the provisions of Section 9.18.090.040.**

FINANCIAL IMPACTS

None.

RECOMMENDATION

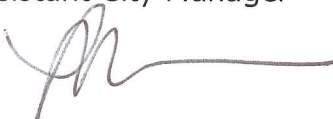
It is recommended that the City Council:

- Conduct a Public Hearing;
- Approve the attached Resolution adopting a Negative Declaration; and

Introduce and conduct the first reading of the attached Ordinance approving Code Amendment No. A-013-2015 to amend portions of Chapter 18 (Mixed-Use Regulations), and Chapter 4 (Definitions) of Title 9 of the Municipal Code.



SUSAN EMERY
Assistant City Manager



By: Lee Marino
Senior Planner

- Attachment 1: Planning Commission Staff Report for A-013-201, Dated April 2, 2015
Attachment 2: Planning Commission Minute Excerpt for April 2, 2015
Attachment 3: Planning Commission Study Session/Neighborhood Meeting Minute Excerpt for April 16, 2015
Attachment 4: Draft Planning Commission Minute Excerpt for May 7, 2015
Attachment 5: Planning Commission Resolution No. 5843-15
Attachment 6: A letter in opposition from Mr. Josh McIntosh emailed on May 6, 2015
Attachment 7: Draft Resolution adopting a Negative Declaration
Attachment 8: Draft City Council Ordinance approving Code Amendment No. A-013-2015
Attachment 9: Initial Study, Negative Declaration for CC-1 and AR Zones: Land Use Code Amendment

Approved for Agenda listing



Allan L. Roeder
Interim City Manager

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.2	SITE LOCATION: CC-1(Civic Center – East) and AR (Adaptive Reuse) zones
HEARING DATE: April 2, 2015	GENERAL PLAN: Civic Center Mixed Use and Industrial/Residential Mixed Use 2
CASE NOS.: Amendment No. A-013-2015	ZONING: CC-1(Civic Center – East) and AR (Adaptive Reuse) zones
APPLICANT: City of Garden Grove	CEQA DETERMINATION: Negative Declaration

REQUEST:

A request for Planning Commission recommendation to City Council to approve Amendment No. A-013-2015, a zoning text amendment to portions of Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code. The proposed amendment includes adding additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); adding definitions for new uses in Chapter 4 (Section 9.04.060); adding additional standards for the conversion of single-family homes to commercial uses ministerially, along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and revising Section 9.32.030D.3(2)(a)(d) of Chapter 32 exempting single-family home conversions to any other use in the CC-1 zone from the requirement to submit a Site Plan application.

BACKGROUND:

In August of 2008, the City Council approved a comprehensive update to the City's General Plan. The General Plan update focused on preserving residential neighborhoods, guiding the remaining development and redevelopment opportunities, and encouraging the revitalization of selected areas.

The areas identified for future development built upon the previous General Plan goals and policies, and reflect the pattern and trends of more recent construction taking place within the City. An effort was made to clearly define the areas for growth, to promote greater revitalization in the community, and to attract the development community to the potential revitalization opportunities. Most new development was envisioned as mixed-use buildings located along major arterial roadways or adjacent to existing shopping centers. It was felt that a mixed-use type of project allows greater opportunities for developers through higher density, while leaving existing residential neighborhoods protected and preserved. These mixed-use residential units are urban in character and would generate a need for more concentrated and varied retail

experiences. In order to implement the new Mixed-Use Land Use designations and to create the consistency between the City's General Plan and Zoning Ordinance that is required by State law, the City Council approved Mixed Use zones, along with development standards, in March of 2012. Additionally, the creation of the mixed use zones addressed the State's requirements to reduce vehicle trips, reduce greenhouse gas emissions, improve overall air quality, and create additional housing opportunities. It was essential that the mixed use zones were created and approved in order to meet those requirements.

Two of the Mixed Use zones that were adopted by City Council were the AR (Adaptive Reuse) and the CC-1 (Civic Center – East) zones. The AR zone is generally located north of Garden Grove Boulevard, south of the OCTA right-of-way that is adjacent to Shelley Drive, west of Nelson Street, and east of Flower Street, and allows for a mix of work-live, light industrial, technology, creative industry, office, limited entertainment, and complementary uses near the City's civic core. Residential uses are permitted only as new work-live developments or as adaptive reuse of existing structures. Light industrial uses are required to be low-impact in nature and compatible with any nearby existing or allowed residential uses. Development generally is low to moderate in scale, with higher intensities closer to existing and planned transit and multi-use corridors. Preferred approaches to creating new spaces for allowed uses include the adaptive reuse of existing structures and new development that supports innovative research and development uses. This zone implements the Industrial/Residential Mixed-Use 2 General Plan land use designation.

The CC-1 zone is located south of Stanford Avenue, north of Garden Grove Boulevard, west of Ninth Street, and east of Civic Center Boulevard. This zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The intent is to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. Existing residential structures may continue to be used for residential purposes or may be adapted for commercial use, provided that applicable development standards can be met. The Code encourages the adaptive reuse of the existing structures in order to preserve the older structures.

Uses that are currently permitted in the CC-1 zone include residential uses; daycares; professional and medical offices; art, music, dance, and martial arts studios; athletic clubs; personal service uses, such as beauty salons; shoe repair and tailoring; bed and breakfasts and hotels; retail establishments; florists; restaurants; ice cream shops and bakeries; bicycle sales and repair; pet grooming; parking facilities; religious facilities; and educational institutions (The current land use chart for the Mixed Use zones as well as the related development standards for the CC-1 and AR zones have been attached for review). This zone implements the Civic Center Mixed Use General Plan land use designation. The intent of the Code is to encourage the adaptive reuse of the existing structures in order to preserve the existing older structures.

DISCUSSION:

Since the adoption of the Mixed Use zoning Code, there has been interest in the adaptive reuse of the existing homes in the CC-1 zone by converting them to commercial uses in order to preserve the older homes and maintain the character of the neighborhood. Prior to the adoption of the mixed use zoning, there was the mindset to assemble the properties and to create larger institutional uses and larger residential projects. The previous zoning (prior to the current Mixed Use zoning) encouraged the redevelopment of the area rather than its preservation. The intent of the current zoning is to preserve the older structures by allowing them to be converted to commercial uses.

In order to assist in facilitating the goals of the existing zoning and to further encourage the preservation of the existing structures, the subject Code Amendment has been proposed that includes specific standards for the adaptive reuse of the existing structures, along with compatibility standards in order to ensure the compatibility of uses with the CC-1 zone. Additionally, specific standards are proposed for shared outside eating areas, non-vehicular and vehicular vending, and event space.

The Code Amendment also proposes adding uses to the CC-1 zone that currently are permitted in other areas of the Downtown area as well as added a few new uses such as Live-Work, Event space, Food Hall, Garden Shop/Small Scale Nursery, and Wineries along with definitions for the Live-Work, Wineries, and Food Hall uses. The Food Hall and Indoor Multi-Tenant Shopping Center uses have also been included in the Land Use Chart for the AR zone.

Finally, in order to maintain consistency throughout the Code, Sections 9.18.070.010, 9.18.070.020, 9.18.110.020, and 9.32.030D are also proposed to be modified. The proposed Code changes are as follows:

Amend Section 9.04.060 (Definitions) to add three new definitions to read as follows:

“Live-Work” means a structure that combines living space occupancy with incidental work space, and in which the individual live-work units are occupied and used by a single-household. Live-work can either consist of structures specifically designed and built to function in this manner, or existing residential structures that have been structurally modified to accommodate work activity and residential occupancy in compliance with the California Building Code. The living space occupies the majority of the live-work structures square footage and the working space is reserved for, and regularly used by, one or more occupants of the unit. Live-work units can include renter-occupant and/or owner-occupant. “Live-Work” does not include “Home Occupations” that are allowed in the single-family residential, multi-family residential, mixed-use zones.

“Wineries” means a commercial facility used for the production and distribution of wine with incidental accessory uses and activities in

conjunction with the winery, including, but not limited to wine tasting, food service and restaurants, gift sales, and special events.

“Food Hall” means a facility consisting primarily of three (3) or more lease areas within an enclosed building that have a shared entrance/lobby area where the primary uses are food related, but may include small retail venues, shared eating areas, and limited live entertainment. Lease areas may have access to the exterior of the building along with outside eating areas, both private and shared with other uses.

Amend Table 9.18-4 (Development Standards for the Civic Center Mixed Use Zones) of Section 9.18.090.030 (Civic Center Zone Development Standards) as follows to add a note regarding the applicability of the maximum lot coverage requirement in the CC-1 zone (additions in underline/bold/italics):

**TABLE 9.18-4
Development Standards for the Civic Center Mixed Use Zones**

DEVELOPMENT STANDARDS	CIVIC CENTER MIXED USE ZONES			
	CC-1	CC-2	CC-3	CC-OS
Lot Coverage				
Minimum Lot Coverage	Not Applicable	70%	Not Applicable	Per site plan review process
Maximum Lot Coverage	50%*	Not Applicable	Not Applicable	

***Maximum lot coverage requirement applies to stand-alone residential development only; does not apply to commercial or mixed use developments.**

Add new subsections F, G, H, I, and J to Section 9.18.090.040 (Additional Regulations Specific to the CC-1 Zone) to read as follows:

F. Conversion of Single-Family Homes to Commercial Structures and Uses. Any legally established single-family home located within the CC-1 zone may be converted to a commercial structure and use, provided that the conversion complies with the following standards and all other applicable requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title.

1. Compliance With Other Mixed Used Regulations and Development Standards. Except as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Maintenance of Residential Appearance. Converted homes shall maintain the residential appearance of the structure in order to maintain compatibility with the character and scale of the existing neighborhood.

3. Buffering From Residential Uses. Residential properties converted to commercial uses shall be buffered from existing residential properties in accordance with standards established by the Community Development Director. Buffering measures shall include, but not be limited to, fencing, landscaping, and low level lighting in order to reduce noise and light intrusion.
4. Hours of Operation. Hours of operation for all commercial uses in converted homes within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties. Requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.D.11 of Chapter 9.32 of this Title.
5. Pedestrian Linkages. When converting existing homes to a commercial use, pedestrian linkages providing a connection between the commercial uses and other streets and remote parking lots shall either already exist or be created in conjunction with the conversion.
6. Parking. Parking for commercial uses shall comply with Section 9.18.140, with the exception that off-site parking is permitted to be located further than 1,500 feet from the site it is serving, provided that it is located in the CC-1 zone or within the CC-3 and CC-OS zones that are located east of Euclid Street, west of 9th Street, north of Garden Grove Boulevard, and south of Stanford Avenue. Off-site parking areas in the CC-1 zone that support commercial uses in converted single family homes may be approved ministerially by the Community Development Director or his/her designee, provided that such parking areas meet all the requirements in Chapter 18 of this Title.
7. Additions/Modifications of Structures in Conjunction with Conversions. Additions/modifications of less than 1,000 square feet or 50% of the existing building area associated with conversions of single-family homes to commercial uses and structures shall not be subject to the Site Plan review procedure set forth in Chapter 9.32, provided that any such addition/modification maintains continuity with the architectural style of the remainder of the existing structure. Conversions Additions/modifications of 1,000 or more square feet or 50% or more of the existing building area, or which would, in the determination of the Community Development Director, not maintain continuity with the architectural style of the remainder of the existing structure, shall require Site Plan approval pursuant to the provisions of Chapter 9.32.

8. Additional Compatibility Standards. The additional compatibility standards set forth in subsection J of this Section 9.18.090.040 shall also apply to single family homes converted to commercial uses and structures.
9. Ministerial Approval of Conversions. If the Community Development Director or his/her designee determines that all of the standards and requirements set forth in sub-subsections 1 through 8, above, are satisfied, he/she may ministerially approve a request to convert any legally established single-family home located within the CC-1 zone to a commercial structure and use. The Community Development Director is authorized to establish such forms, procedures, standards, and guidelines as are necessary to implement this ministerial approval process and to ensure compliance with the standards and requirements set forth in this Subsection F.
10. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to operational conditions, and require review and approval of a Conditional Use Permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating conditions and Development Standards), a Waiver of Distance and Location Provisions may also be requested through the Conditional Use Permit process. In conjunction with the approval of a Conditional Use Permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:
 - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 - c. That the use will not interfere with operation so other businesses or uses within the area;

- d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
- e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this Code; and
- f. That all applicable regulations of this Code will be observed.

G. Shared Outside Eating Areas. Shared outside eating areas may be created between properties and uses. No shared outside eating area where alcohol is allowed shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol. Outside eating areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties.

H. Non-Vehicular and Vehicular Vending. Both non-vehicular kiosks and vehicular vending may include, without limitation, converted camper trailers, nostalgic vans, and food trucks, and may be temporarily or permanently installed/parked both on-site and off-site. In addition to meeting the requirements of Sections 9.18.070.010 and 9.18.070.020, both non-vehicular and vehicular vending shall comply with the following standards:

- 1. The design, materials, and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation.
- 2. The size of a non-vehicular vending kiosk located within the CC-1 zone may exceed 36 square feet provided that size of the kiosk is appropriate in scale and massing for the location it is intended for. In no case shall the kiosk be larger than 100 square feet.
- 3. Graphics and signs shall be appropriate to the size and design of the cart/trailer/kiosk and shall not cause light or glare on adjacent streets and residentially developed properties. Typical sign area approved is up to six (6) square feet, not including menu boards, which are typically temporary and/or not permanently affixed to the kiosk.
- 4. Kiosks, may not be placed in any required parking space, driving aisle, or walkway. If installed/parked within the public right-of-way, the kiosk/vehicle shall be appropriately separated and buffered from adjacent vehicular traffic through the use of low fencing, planters, or similar barrier. Any street parking that is lost due to the

installation of a vending structure shall be replaced elsewhere within the CC-1 zone either within the public right-of-way or within a joint-use parking lot.

5. Wheels located under the cart/trailers/kiosks are preferred (such as casters) and shall be permanently inflated. Projecting wheels must have fenders.
6. Hitches attached to the cart/trailer/kiosk must be removable and detached during operation hours.
7. The use of propane tanks may be permitted subject to the City's Fire Department and Building Division review and approval. Propane tanks must be attached to (or within) the kiosk and the kiosk must allow for adequate ventilation and screening.
8. The location design, and layout of both non-vehicular and vehicular vending structures shall be subject to the review and approval of the Community Development Director or his/her designee. All vending structures located within the public right-of-way shall meet all requirements of the Public Work's Department for encroachments into the public right-of-way and shall be subject to the review and approval of the Public Work's Director.
9. No external power, piping or plumbing is allowed. All vending structures shall be self-contained.

I. Event Space. Outdoor and Indoor event spaces, including banquet facilities shall comply with the following with the standards and all other application requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title:

1. With the exception as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Parking for uses within outdoor and indoor event spaces shall comply with Section 9.18.140.
3. Hours of operation shall be determined through the Conditional Use Permit process.

J. Additional Compatibility Standards. The following standards are intended to ensure the compatibility of uses within the CC-1 zone:

1. Within mixed use developments, residential units shall be designed to ensure the security of residents through the provision of secured

entrances and exits that are separate from the non-residential uses, and are directly accessible to parking areas. Non-residential and residential uses shall not have common entrance hallways or common balconies. These separations shall be shown on the development plan, and the separations shall be permanently maintained. All commercial development/use shall submit a security plan to the Police Department for review and approval by the Police Chief or his designee prior to establishment of the use.

2. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, trash collection, routine deliveries or late night activity. No use shall produce continual loading or unloading of heavy trucks at the site between the hours of 8:00 p.m. and 6:00 a.m. Hours of operation for all commercial uses within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties, or otherwise authorized pursuant to a Conditional Use Permit or Minor Deviation Land Use Permit approved pursuant to Chapter 9.32. For uses requiring approval of a Conditional Use Permit, extended hours of operation may be authorized pursuant to the Conditional Use Permit. For uses not requiring a Conditional Use Permit or other discretionary land use approval, requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.D.11 of Chapter 9.32 of this Title.
3. Residential portions of a mixed use project shall be designed to limit the interior noise caused by the commercial and parking portions of the project, to a maximum of forty-five (45) decibels (db) community Noise Equivalent Level (CNEL) on annual basis in any habitable room with windows closed. Proper design may include, but shall not be limited to, building orientation, double or extra strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that window be closed in order to achieve the required level, means shall be provided for ventilation/cooling to provide a habitable environment.
4. No use, activity or process shall produce continual vibrations or noxious odors that are perceptible, without instruments, by the average person at the property lines of the site or within the interior of on-site residential units.
5. Outdoor lighting associated with commercial uses shall not adversely impact surrounding residential uses, but shall provide sufficient illumination for access and security purposes. Such

lighting shall not blink, flash, oscillate, or be of unusually high intensity or brightness.

Amend Table 9.18-1 (Use Regulations for Mixed Use Zones) of Section 9.18.020 (Permitted Uses) to add the following permitted and conditionally permitted uses in the CC-1 and AR zones (Note: *Italicized uses are new to entire Code*)

**Table 9.18.1
Use Regulations for the Mixed Use Zones**

Table 9.18.1 Mixed Use zoned and Land Use Regulations	CC-1	AR	Additional Regulations and Comments
Miscellaneous Residential and Incidental to Residential			
<i>Live-Work</i>	<i>P</i>		
<i>Cottage Food Operations</i>	<i>P</i>		<i>No minimum spacing limit is required for Cottage Food Operations provided that the use complies with all other requirements of Section 9.08.020.02.50B. (this sections needs to be inserted into Section 9.18.020)</i>
Commercial/Office			
Medical, Dental and Related Health Service Support Facilities	P		
Retail Trade			
Art Gallery/Tattoo Shop	C		See Section 9.18.030.041
<i>Event Space/Banquet Facility (Indoor)</i>	<i>C</i>		<i>See Section 9.18.090.040I</i>
<i>Event Space (Outdoor)</i>	<i>C</i>		<i>See Section 9.18.090.040I</i>
Department Store	P		
Furniture	P		
<i>Food Hall</i>	<i>C</i>	<i>C</i>	<i>Parking to be provided pursuant to Section 9.18.140.030.</i>
<i>Garden Shop/Small Scale Nursery (10,000 square feet and smaller.)</i>	<i>P</i>		<i>Retail only, no production permitted.</i>
Indoor Multi-Tenant shopping Center	C	C	See Section 9.18.030.230
Non-Vehicular Vending	P		See Section 9.18.070.010. For Non-Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.

Pets & Supplies	P		
Sporting Goods	P		
Variety/Dry Goods	P		
Food/Drink Sales and Service			
Convenience Store	P		See Section 9.18.060
Grocery Store	P		See Section 9.18.060
Food, Carry-out	P		See Section 9.18.060
Liquor Store	C		See Section 9.18.060
Meat Market	P		See Section 9.18.060
Vehicular Vending	P		See Section 9.18.070.020 For Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.
<i>Bar with or without Entertainment</i>	C		<i>See Section 9.18.060 (Alcohol Beverage Sales)</i> <i>See Section 9.18.030.080 (Bar/Nightclub)</i>
Brew Pub	C		See Section 9.18.060
Coffee House with or without Bean Roasting	P		Refer to Title 5, Chapter 70 In the CC-1 zone a, a coffee house with live entertainment shall require a CUP and shall meet the requirements of Section 9.18.030.150 (Eating Establishments with Limited Entertainment)
Eating Establishment/Restaurant with Entertainment	C		See Section 9.18.030.140 See Section 9.18.060
Eating Establishment/Restaurant with Limited entertainment	C		See Section 9.18.030.150 See Section 9.18.060
<i>Wineries</i>	C		<i>See Section 9.18.060 (Alcohol Beverage Sales)</i>
Other Services			
<i>Incidental Instruction (15 students or Less)</i>	I		
<i>Multi-tenant Retail, Office, Studio Space for short term use.</i>	C	C	Uses to be parked pursuant to Section 9.18.140.030.
Community Garden	P		

Amend the first paragraphs of Sections 9.18.070.010 and 9.18.070.020 of Section 9.18.070 (Outdoor Sales of Goods and Merchandise) as follows (added language in bold/italicize/underline):

SECTION 9.18.070.010 Nonvehicular Vending Kiosks. In the GGMU-1, GGMU-2, and GGMU-3 zones, non-vehicular vending kiosks may be established as a permanent use on a site, except within a required side or rear yard setback area, subject to the following regulations. In the CC-3, NMU, and AR zones, non-vehicular vending kiosks may be established as an incidental use subject to the following regulations. **In the CC-1 zone, non-vehicular vending kiosks may be established as a permanent use pursuant to Section 9.18.090.040.H and subject to the following regulations.**

SECTION 9.18.070.020. The preparation, sale, display, and consumption of food and/or beverages may occur from any vehicle that is parked, stopped, or standing upon any property where such is permitted as an incidental **or permanent** use, as set forth in Table 9.18-1 (Use Regulations for the Mixed Use Zones). Incidental **and/or permanent** vehicular vending, where permitted shall be subject to the following conditions. **Vehicular vending within the CC-1 zone shall also be subject to additional regulations pursuant to Section 9.18.090.040.H.**

Amend the first paragraph of Section 9.18.110.020 (Development Standards for Commercial Uses within All Mixed Use Zones) as follows (added language in bold/italicize/underline):

SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed use developments, **with the exception of the conversion of single-family homes to commercial structures and uses in the CC-1 zone, which shall comply with the provisions of Section 9.18.090.040.**

Amend Subsection D.3.a.3 of Section 9.32.030 pertaining to Land Use Action Procedures for Site Plans as follows (added language in bold/italicize/underline):

3. Site Plan.
 - a. Applicability. A site plan application shall be required prior to the issuance of a building permit for:
 3. All Zones. Conversion of a single-family home to any other use, **with the exception of conversions of single-family homes in the CC-1 zone that are**

**subject to ministerial approval pursuant to
Section 9.18.090.040.F.**

Amend Subsection D.11.a of Section 9.32.030 pertaining to Land Use Action Procedures for Minor Deviations as follows to add a new sub-section 13 (added language in bold/italicize/underline):

11. City Manager or Designee Review – Minor Deviations.
 - a. Applicability. The City Manager or designee is vested with the following minor deviation land use permit and related authority:

13. To allow extended hours of operation for commercial uses within the CC-1 zone in accordance with Section 9.18.090.040.

RECOMMENDATION:

Staff recommends that the Planning Commission:

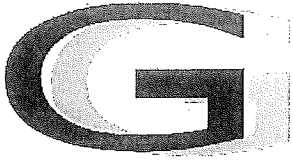
- Adopt the attached Resolution recommending that the City Council adopt a Negative Declaration and approve Amendment No. A-013-2015.



Karl Hill
Planning Service Manager

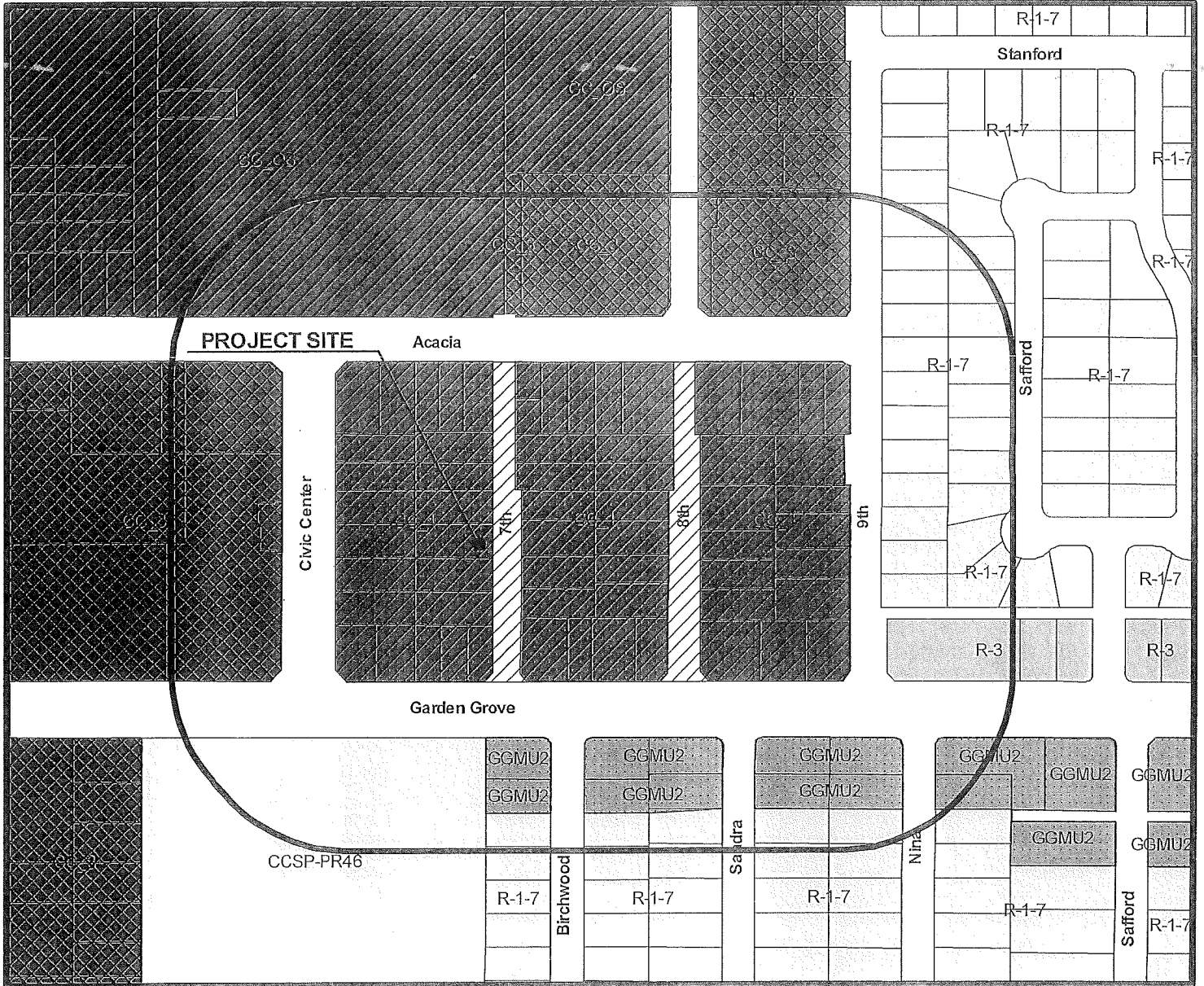


By: Lee Marino
Senior Planner




GARDEN GROVE

AMENDMENT NO. A-013-2015 MAP 1



LEGEND

 PROJECT SITE - CC-1 ZONE



NOTES

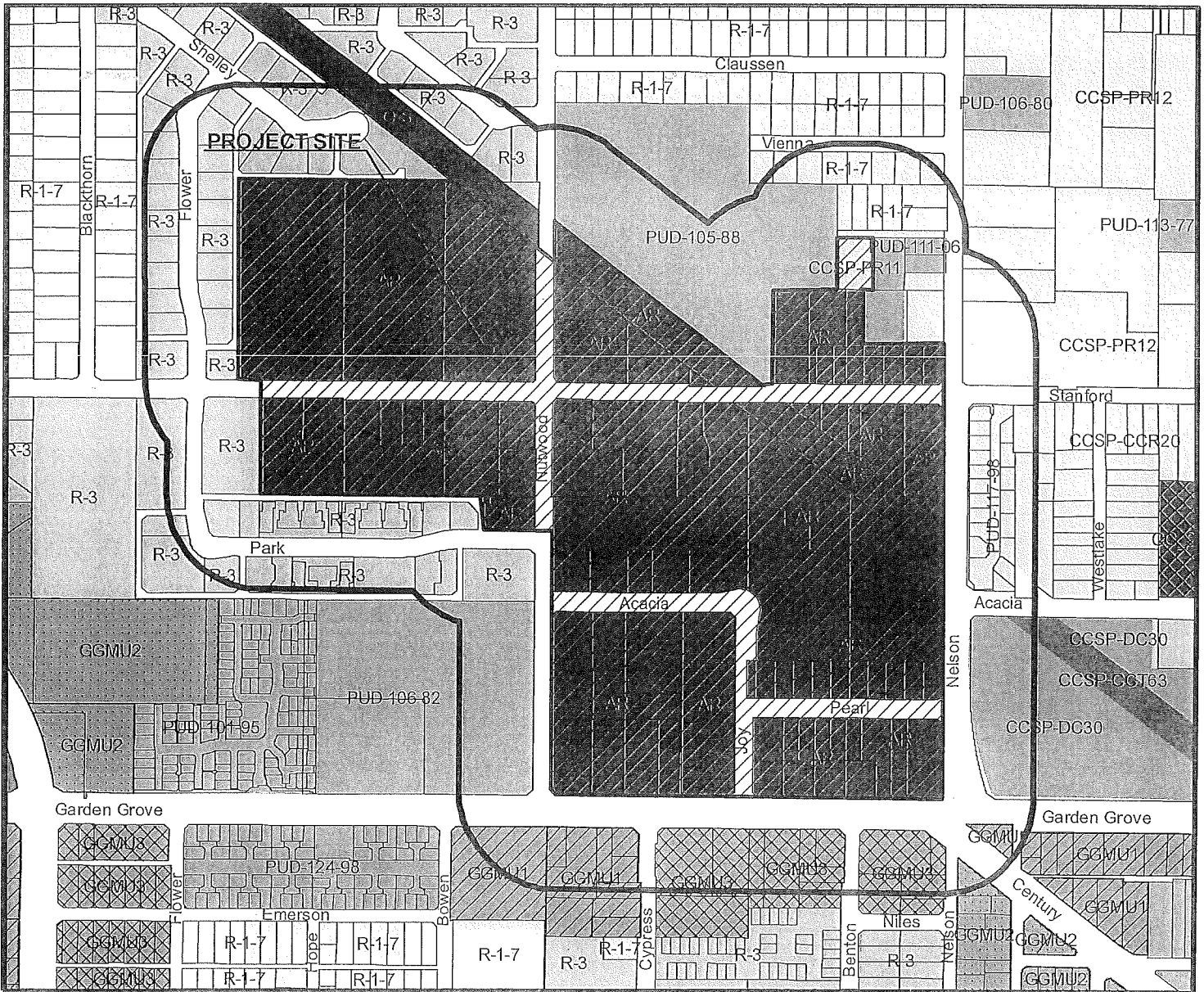
1. GENERAL PLAN:
CIVIC CENTER MIXED USE
2. ZONE:
CC-1 (CIVIC CENTER EAST)

CITY OF GARDEN GROVE
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 GIS SYSTEM
 MARCH 2015



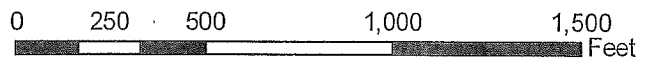
AMENDMENT NO. A-013-2015

MAP 2



LEGEND

 PROJECT SITE - AR ZONE



NOTES

1. GENERAL PLAN:
INDUSTRIAL RESIDENTIAL MIXED USE 2
2. ZONE:
AR (ADAPTIVE REUSE)

CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
MARCH 2015

Garden Grove Mixed Use Zones
Zoning Ordinance Amendment

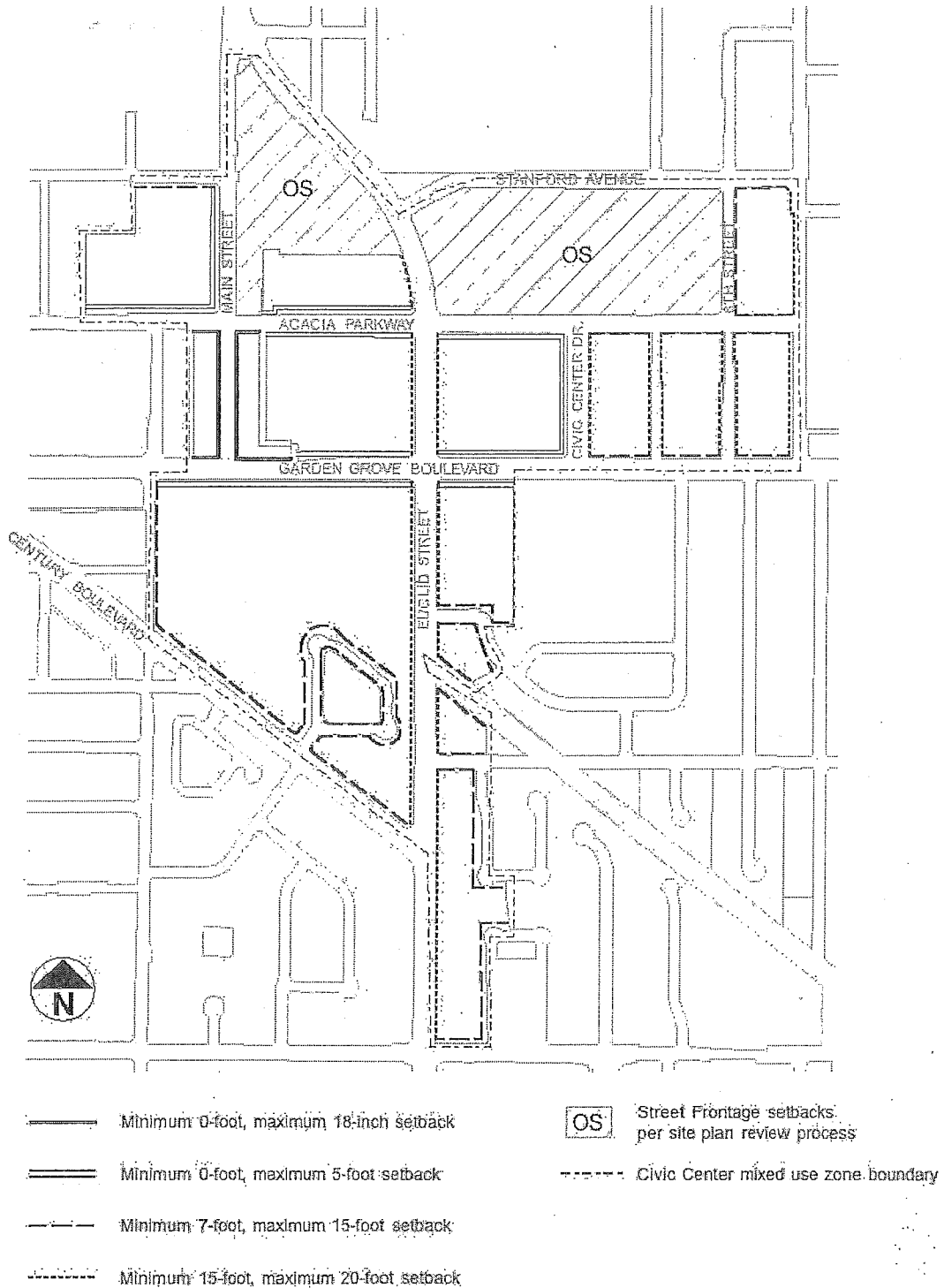
SECTION 9.18.090.030: Civic Center Zone Development Standards. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.090.030 apply to proposed development in the CC-1, CC-2, CC-3, and CC-OS zones. Table 9.18-4 (Development Standards for the Civic Center Mixed Use Zones) and referenced figures establish the general development standards applicable to all development in the CC zones.

**TABLE 9.18-4
Development Standards for the Civic Center Mixed Use Zones**

DEVELOPMENT STANDARDS	CIVIC CENTER MIXED USE ZONES			
	CC-1	CC-2	CC-3	CC-OS
Minimum Lot Size	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>			
Minimum Area	10,000 sf	5,000 sf	15,000 sf	Development standards per site plan review process.
Minimum Width	75 ft	50 ft	75 ft	
Minimum Width (Corner Lot)	75 ft	50 ft	75 ft	
Maximum Density/Intensity				
Maximum Commercial Floor Area Ratio (FAR)	0.5	0.5	0.5	Development standards per site plan review process.
Maximum Residential Density (units/acre)	21 units/acre No commercial component required.	32 units/acre Residential uses permitted above ground floor only (See Section 9.18.090.050)	42 units/acre Commercial storefronts required per Section 9.18.090.030.C and Figure 9.18-11.	
Setbacks	<i>Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>			
Front	As determined per Figure 9.18-8			Development standards per site plan review process.
Side	Minimum 5 ft	None required	None required	
Corner Side	As determined per Figure 9.18-8			
Rear	Minimum 20% of lot depth not to exceed 25 ft	None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100.		
Maximum Height and Building Stepbacks	<i>Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot.</i>			
	Maximum height and building stepbacks required as determined per Section 9.18.090.030.B, including Figure 9.18-9 and Figure 9.18-10.			Per site plan review process.
Lot Coverage				
Minimum Lot Coverage	Not applicable	70%	Not applicable	Per site plan review process.
Maximum Lot Coverage	50%	Not applicable	Not applicable	

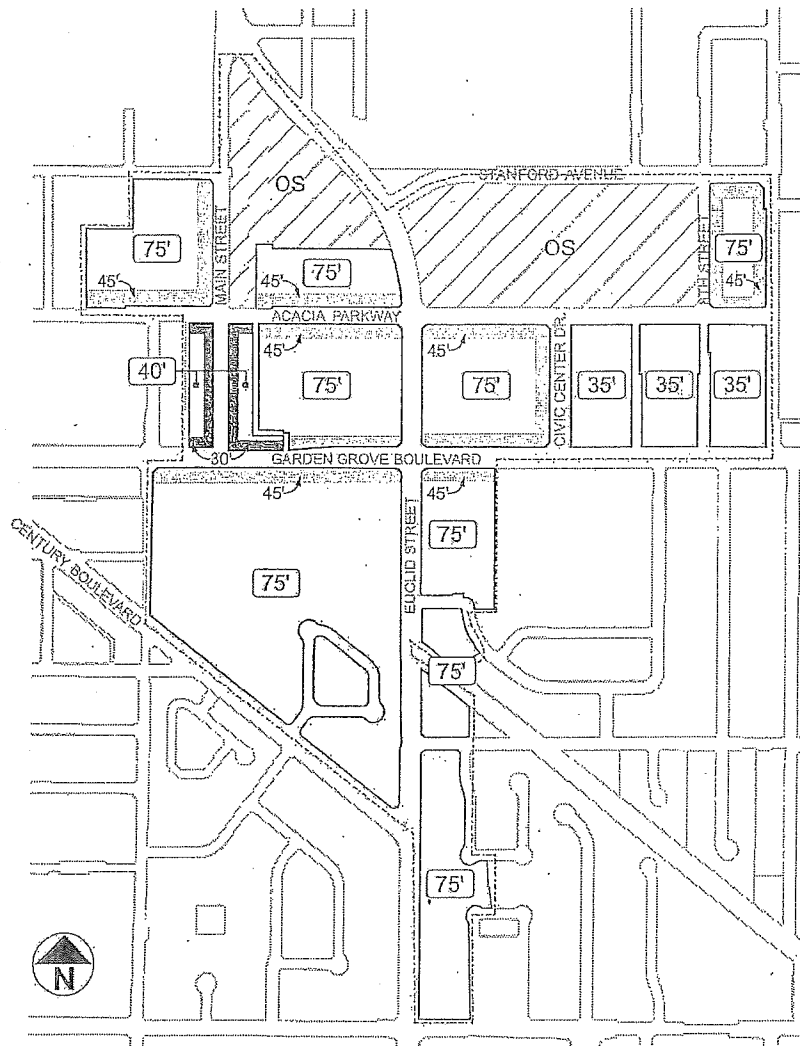
A. Required Setbacks. All structures shall maintain the minimum required setbacks set forth on Figure 9.18-8 (CC Required Street Frontage Setbacks), below.

FIGURE 9.18-8: CC Required Street Frontage Setbacks



B. Maximum Heights and Required Building Stepbacks. New buildings and structures shall conform to the maximum height and building setback requirements of this Section.

FIGURE 9.18-9: CC Maximum Heights and Required Building Stepbacks





35' 35-foot maximum building height

40' 40-foot maximum building height

75' 75-foot maximum building height

OS Maximum building height per site plan review process

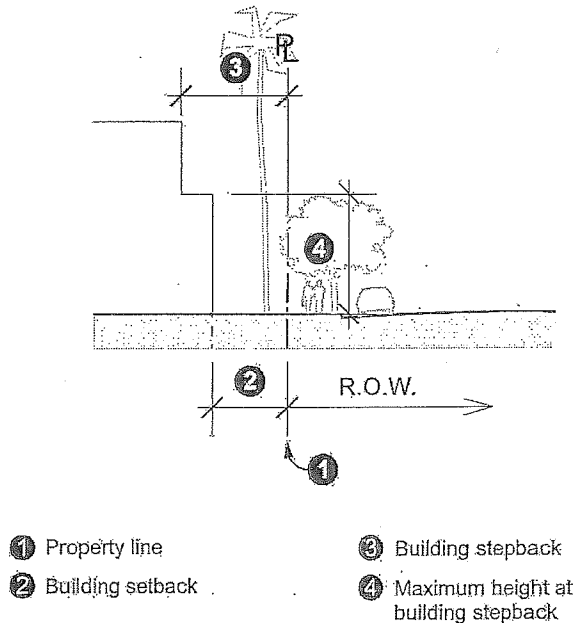
 Building setback required: 30-foot maximum building height within 10 feet of street-facing property lines per Section 9.18.090.030 B.2.

 Building setback required: 45-foot maximum building height within 20 feet of street-facing property lines per Section 9.18.090.030 B.3.

 Civic Center mixed use zone boundary

1. In the CC-1 zone, no building setback shall be required.
2. In the CC-2 zone, building setbacks shall be required pursuant to Figure 9.18-9 (CC Maximum Height Limits and Required Building Setbacks) for any new development with a property line abutting Main Street, Garden Grove Boulevard, or Acacia Parkway and where a building will be located within 10 feet of the subject street.
3. In the CC-3 zone, building setbacks shall be required pursuant to Figure 9.18-9 (CC Maximum Height Limits and Required Building Setbacks) for any new development with a property line abutting Garden Grove Boulevard, Acacia Parkway, Main Street, Civic Center Drive, 8th Street, 9th Street, and Stanford Avenue east of Euclid Street and where a building will be located within 20 feet of the subject street. Where a building with frontage on a subject street is located more than 20 feet from the subject street, no additional building setback shall be required.
4. Building setbacks shall be measured from the property line per Figure 9.18-10 (Required Building Setbacks), below.

FIGURE 9.18-10: Required Building Setbacks



C. Storefronts and Commercial Uses Required at Ground Floors. Storefronts provide a means for commercial uses to orient display toward and access directly from public sidewalks. By providing visibility into these commercial spaces, pedestrian interest is enhanced to contribute to the pedestrian experience and encourage high pedestrian volumes. Storefronts and associated ground floor commercial space shall be required for certain properties with lot lines along Garden Grove Boulevard, Acacia Parkway, Main Street, and Euclid Street, as indicated on Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses).

1. Where storefronts are required pursuant to Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses), required commercial space shall have a minimum depth of 40 feet for a minimum of 60 percent of the length of the building façade measured parallel to the property line. The storefront shall be oriented toward the street indicated in Figure 9.18-11 (CC Required Storefronts/Ground Floor Commercial Uses).
2. Commercial space shall be occupied by a commercial use that is permitted in the zone pursuant to Table 9.18-1. (Use Regulations for the Mixed Use Zones) of this Chapter.
3. For a civic, institutional, public, or similar use, a public lobby and offices may be considered a storefront.

Photo 9.18-3: Examples of Storefronts

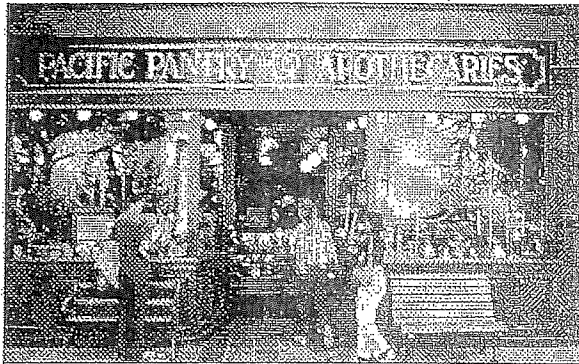


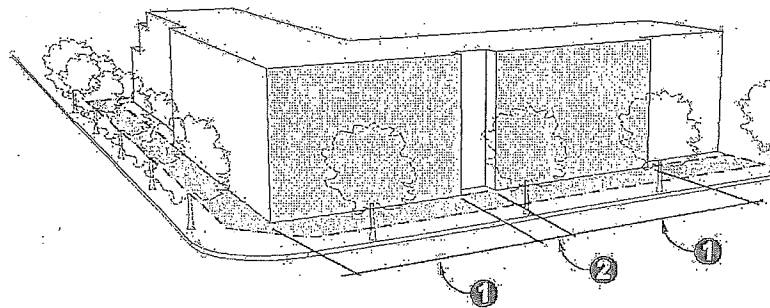
FIGURE 9.18-11: CC Required Storefronts/Ground Floor Commercial Uses



SECTION 9.18.090.040: Additional Regulations Specific to the CC-1 Zone.

- A. Purpose and Applicability.** In addition to the other applicable requirements of this Chapter, the provisions of this subsection apply to development in the CC-1 zone. These standards are established to maintain the character of established neighborhoods within the Civic Center East district.
- B. Architectural Character.** Architectural character of new buildings and structures shall be compatible with the character and scale of existing neighborhoods. New buildings and structures shall incorporate variation in building massing and roofline, utilization of projecting bays or recesses, changes in material, differentiation of color, changes in architectural detailing or ornament, or similar architectural features.
- C. Maximum Length of Building Façade.** Façades of buildings and structures facing public right-of-ways shall not exceed 50 feet of uninterrupted length measured parallel to the property line. Façades greater than this length shall be interrupted by breaks in façade plane not less than 10 feet in width and five feet in depth.

Figure 9.18-12: CC-1 Maximum Length of Building Façade



- ① 50-foot maximum length of building façade per Section 9.18.090.040 C.
- ② Required 10-foot separation

- D. Porches and Patios at Street-Fronting Setbacks.** Porches and patios are encouraged at street-fronting setbacks and may encroach within required setbacks for not more than five feet measured perpendicular to the property line.
- E. Existing Single-Family Residential Development.** Any legally established single-family residential development existing on the effective date of the ordinance establishing the CC-1 Mixed Use zone that is maintained as a single-family residential use shall be subject to the use regulations and development standards contained in Chapter 9.08 (Single-Family Residential Development Standards) of this Title for any additions or modifications.

SECTION 9.18.090.050: Additional Regulations Specific to the CC-2 Zone.

A. Purpose and Applicability. In addition to the other applicable requirements of this Chapter, the provisions of this subsection apply to proposed development in the CC-2 zone. These standards are established to maintain the low-scale character and architectural style of development of the early-20th century district located along Main Street.

B. Limit on Residential Units. Residential units shall be permitted only above ground floor commercial space and shall be further limited as follows:

1. The maximum allowable number of residential units within the entire CC-2 zone, located on the east and west sides of Main Street between Garden Grove Boulevard and Acacia Parkway, shall not exceed 102 units. As each property is developed with residential units, the number of units that have been approved shall reduce the maximum number of allowable units in the CC-2 zone as a whole. In the event that a commercial development is expanded that would reduce the number of available surplus parking spaces, the maximum allowable number of units will be reduced according to the number of parking spaces encumbered by the commercial development, unless parking has been provided for on site or within a parking structure.
2. Each unit shall be limited to a maximum of two sleeping rooms.
3. The design of the individual units shall preserve the historic feel of the Main Street District and shall comply with the standards set forth in this Title.

C. Parking. Parking shall be unassigned throughout the Main Street Parking District unless provided for on site, and any assigned parking shall not be counted toward meeting minimum parking requirements.

D. General Design Regulations and Site Development Standards. The following site development standards for the CC-2 zone are established to provide for the orderly development, restoration, and revitalization of properties within the CC-2 zone; to provide for the proper relationship of various uses, buildings, structures and open spaces; to allow for the maximum flexibility in design and development within the parameters of the historical theme of Main Street; and to encourage the utilization of recognized economic, cultural, and social values of good environmental planning.

1. **Architectural and Design Criteria.** In order to ensure that the development, restoration, and revitalization of properties and buildings are completed in accordance with the general historical theme of the CC-2 zone, the Community Development Department shall adopt, by resolution, architectural and design criteria, which shall be filed in the office of the City Clerk. All development projects shall conform to such architectural and design criteria as though listed verbatim in this Title.
2. **Site Plan Required.** Prior to the issuance of a building permit for any building or structure, a site plan shall be adopted if either of the following conditions apply:

- a. Floor area in excess of 10 percent will be added to an existing building or structure.
- b. A new building or structure will be established.

The proposed plan shall be submitted to the Parking and Main Street Commission for review and recommendation to the Planning Commission. All required site plans shall be submitted to the Community Development Department and Planning Commission for approval and architectural review.

3. Building Design Plan. Under the provisions of this subsection, when a structural rehabilitation is requested and a site plan is not required, a building design plan shall be required. The proposed building design plan shall be submitted to the Zoning Administrator for technical review and recommendation to the Parking and Main Street Commission. The Parking and Main Street Commission shall review the proposed plan and make recommendations to the Community Development Department. All required building design plans shall be submitted to the Community Development Department for approval and architectural review. The specific drawings and contents required in the building design plan shall be determined by the Community Development Department and shall be adopted by resolutions as a portion of the architectural design criteria.

4. Conformance with Site Plan and/or Building Design Plan Required. All work to be carried out in the development, restoration, or revitalization of any building or structure located within the CC-2 zone shall be performed in accordance with the provisions and conditions of an approved site plan or building design plan.

E. Signs. All signs shall be regulated by the provisions of Chapter 9.20 (Sign Standards) of this Title.

F. Maintenance Requirements. All buildings and structures within the CC-2 zone shall be maintained in good repair and in a manner consistent with the general historical theme adopted for the zone. Maintenance shall include, but not be limited to, buildings being painted and awnings replaced periodically as required.

The Parking and Main Street Commission shall monitor compliance and shall notify property owners and tenants in the event of noncompliance. In the event of continued noncompliance, the Parking and Main Street Commission shall make recommendations to the Community Development Department, which shall be empowered to utilize any available means to ensure compliance.

G. Role of the Parking and Main Street Commission. The Parking and Main Street Commission shall review proposed building design plans and site plans, monitor the maintenance of the buildings in the CC-2 zone, and advise the City Council regarding the levy of annual assessments for the Main Street Assessment District No. 1.

SECTION 9.18.090.060: Additional Regulations Specific to the CC-3 Zone.

A. Intent. It is the City's intent to create a Civic Center district that consists of a several distinct neighborhoods connected to the Civic Core and public park areas by a series of pedestrian pathways, thereby enhancing district cohesion and allowing people to easily walk to uses throughout the Civic Center district, as defined in the General Plan. While public sidewalks provide the primary means of pedestrian mobility within the district, additional connections can be provided via pathways, pasoes, trails, and walkways that traverse private properties. This is particularly the case where large blocks either obstruct or are not well integrated into the traditional grid street pattern shaping the historic civic district. Thus, to fully realize the General Plan goal of providing connecting pathways throughout the Civic Center district, these regulations are established to incentivize provision of pedestrian access across private properties to connect one public right-of-way to another. These regulations shall become effective upon the City's adoption of guidelines and a pedestrian pathway plan for the Civic Center district.

Photo 9.18-4: Example of Pedestrian Pathway with Benches and Landscape Features



B. Applicability. These regulations shall apply to all new development within the CC-3 zone, as specified in subsections C (Commercial, Mixed Use, Education, and Institutional/Civic Developments) and D (Residential Developments) below for particular types of development. The design and dimensions of such pedestrian pathways shall conform to any guidelines the City may adopt for such.

- C. Commercial, Mixed Use, Educational, and Institutional/Civic Developments.** All new commercial, mixed use, educational, and institutional/civic developments, and any additions or improvements to an existing development whereby the new construction equals or exceeds 50 percent of the replacement value of the existing construction, shall integrate into the development a pathway, paseo, walkway, or similar pedestrian access that connects the primary entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an abutting property. The area devoted to such pathway can be credited toward any open space requirement of the development.
- D. Residential Developments.** All new development projects with a residential component shall integrate into the development a pathway, paseo, walkway, or similar pedestrian access that connects the primary entrance along an adjacent public street or alley to either another adjacent public street or alley, or to a similar pathway on an abutting property. The area devoted to such pathway can be credited toward any open space requirement of the development.
- E. General Requirements.** All pathways, paseos, walkways, or similar pedestrian accesses shall be reviewed as part of any required site plan review or discretionary permit review process. The project may be conditioned to address such issues as, but not limited to, design materials, hours during which such pathway shall be available for general public access, pedestrian safety enhancements, lighting, and security of the businesses and residences with direct access to the pathway.

SECTION 9.18.090.070: Neighborhood Mixed Use Zone (NMU) Development Standards.

A. General. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.090.070 apply to proposed development in the NMU zone. Table 9.18-5 (Development Standards for the Neighborhood Mixed Use Zone) sets forth the general development standards applicable to all development in the NMU zone.

**TABLE 9.18-5
Development Standards for the Neighborhood Mixed Use Zone**

DEVELOPMENT STANDARDS	NEIGHBORHOOD MIXED USE ZONE (NMU)
Minimum Lot Size	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>
Minimum Area	15,000 sf
Minimum Width	75 ft
Minimum Width (Corner Lot)	75 ft
Maximum Density/Intensity	
Maximum Commercial Floor Area Ratio (FAR)	0.5
Maximum Residential Density (units/acre)	21 units/acre Residential development requires an on-site commercial development component of a minimum 0.2 FAR.
Setbacks	<i>Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>
Front	Minimum 15 ft
Side	None required
Corner Side	Minimum 10 ft
Rear	None required unless abutting a residentially zoned lot; minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100.
Maximum Height	<i>Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot.</i>
	50 ft or 4 stories, whichever is less
Lot Coverage	
Minimum Lot Coverage	Not applicable
Maximum Lot Coverage	Not applicable

B. Maximum Gross Building Footprint. In the NMU zone, the gross building footprint of any structure at the ground level shall not exceed 40,000 square feet of contiguous floor area.

- C. Pedestrian-oriented Plaza Requirement.** Each project in the NMU zone shall provide a pedestrian plaza. The purpose of the pedestrian-oriented plaza is to provide a place for passive recreation, public gathering, landscape amenities, display of public art, and similar uses that enhance the appearance and function of development and integrate multiple uses on a site. For a building that is constructed with orientation toward the street, the pedestrian-oriented plaza shall be in the form of a boulevard garden plaza along the front setback and shall conform to the standards of Section 9.18.090.020.F (Boulevard Garden Plaza Requirement). For other development approaches and types, the plaza shall be a pedestrian plaza that provides enhanced pedestrian circulation and connects the various uses/buildings on the site. In particular, for sites at Brookhurst Street and Chapman Avenue, efforts shall be made to physically and/or visually connect pedestrian pathways to uses across the street from each other.
1. **Permitted Uses.** The required pedestrian plaza may consist of landscaped and paved areas, outdoor dining, public art display, fountains, or similar uses and amenities permitted in the applicable zone. When the plaza is interior to a property, nonvehicular vending kiosks may be permitted.
 2. **Minimum Area.** The pedestrian plaza shall comply with the minimum area requirements set forth in Table 9.18-6 (Minimum Pedestrian Plaza Area in the NMU Zone).

**Table 9.18-6
Minimum Pedestrian Plaza Area in the NMU Zone**

Right-of-Way Frontage Length	Minimum Plaza Area
Less than 150 feet	600 sf
150-300 feet	1,000 sf
More than 300 feet	1,500 sf

3. **Shape and Minimum Dimensions.** The required plaza area shall have minimum dimensions of 10 feet in width and 10 feet in length. The required area may be split into no more than two contiguous areas.
4. **Location.** The plaza area may be located anywhere on a site but in a manner that provides for easy accessibility and maintenance. The plaza area shall be well integrated into other development features and pedestrian accessways on the site. Proposed locations shall be reviewed through the site plan review process.
5. **Other Requirement.** The plaza area shall not be enclosed or obstructed by fencing or walls, except as required for permitted outdoor dining areas abutting a public right-of-way.

SECTION 9.18.090.080: Adaptive Reuse Zone (AR) Development Standards. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.090.080 apply to proposed development in the AR zone. Table 9.18-7 (Development Standards for the Adaptive Reuse Zone) establishes the development standards applicable to all development in the AR zone.

**TABLE 9.18-7
Development Standards for the Adaptive Reuse Zone**

DEVELOPMENT STANDARDS	ADAPTIVE REUSE ZONE (AR)
Minimum Lot Size	<i>Minimum area and width for new lots. When a lot has less than the minimum required area or width as set forth in the development standards for the zone in which it is located and was of record on November 12, 1960, the lot shall be deemed to have complied with the current minimum required lot area or width.</i>
Minimum Area	15,000 sf
Minimum Width	75 ft
Minimum Width (Corner Lot)	75 ft
Maximum Density/Intensity	
Maximum Commercial Floor Area Ratio (FAR)	0.5
Maximum Residential Density (units/acre)	32 units/acre All residential units shall be work-live units, per Section 9.18.020.070.
Setbacks	<i>Minimum setbacks required. See Section 9.18.100 for setback measurement, allowed encroachments and projections into setbacks, and exceptions to setbacks.</i>
Front	Minimum 15 ft
Side	None required
Corner Side	Minimum 10 ft
Rear	None required unless abutting a residentially zoned lot. minimum 10 ft when abutting a residentially zoned lot. See Section 9.18.100.
Maximum Height	<i>Maximum building height shall not exceed height limit in feet or stories. See also Section 9.18.100 for rear and side yard encroachment plane requirements which may restrict heights adjacent to a residentially zoned lot.</i>
	50 ft or 4 stories, whichever is less
Lot Coverage	
Minimum Lot Coverage	Not applicable
Maximum Lot Coverage	Not applicable

**SECTION 9.18.100: Development and Design Standards
Applicable to All Mixed Use Zones**

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SECTION 9.18.100.010: Purpose and Applicability of Development and Design Standards in Mixed Use Zones.

A. Purpose. These development and design standards are established to achieve General Plan goals of encouraging local and regional commerce in the Mixed Use zones, creating attractive districts, and enhancing city image. The city's goal is to ensure that developments interact with each other and provide a consistent pattern and urban form along boulevards and within mixed use districts, rather than exist as stand-alone, individual projects. Developments within the Mixed Use zones are intended to harmonize with adjacent residential uses by maintaining a pedestrian scale and compatible architectural styles, and by providing inviting and attractive access, well-designed landscaping, and pedestrian amenities that encourage walking throughout the districts. While vehicular access is important to support broad-based use of businesses within the Mixed Use zones, parking areas and driveways shall be considered as an integral part of project design, with detailed attention to quality and accommodation of pedestrian movement.

B. Application of Design Standards. Subsections 9.18.100.030 (Site Design Standards) and 9.18.100.040 (Enhanced Building Design Standards) establish standards for the design of sites and buildings in all Mixed Use zones. If, through the discretionary review process, a finding is made that the project substantially meets the intent of the design standards of these subsections, an alternative design may be approved. However, approvals of alternatives shall not be permitted for any of the general development standards set forth in subsection 9.18.100.020 (Development Standards Applicable to All Mixed Use Zones).

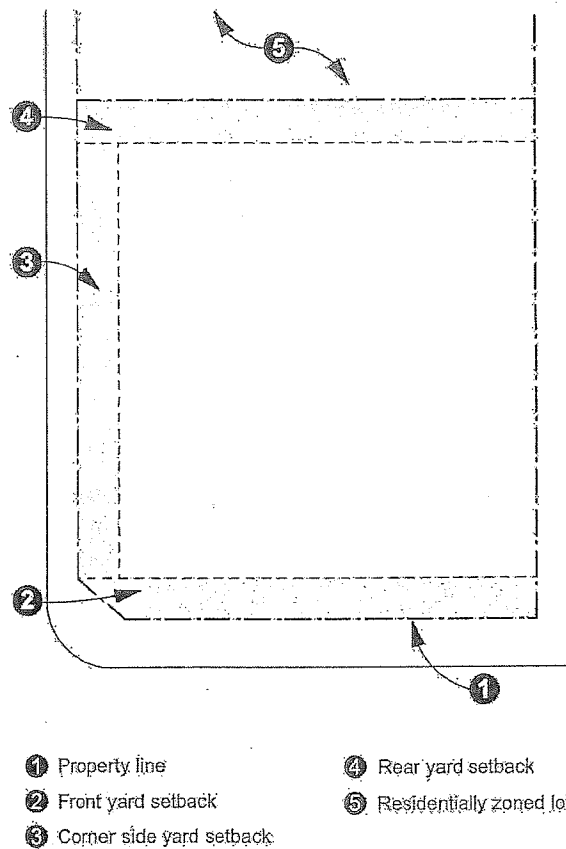
SECTION 9.18.100.020: Development Standards Applicable to All Mixed Use Zones.

A. Applicability. Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements set forth in Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones); in addition to all applicable standards of Title 9.

B. Lot Area. No lot area shall be reduced or diminished so that the setbacks or other open spaces shall be less than prescribed for the zone in which it is located.

C. **Setbacks.** Setbacks, as required by Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), are diagrammed in Figure 9.18-13 (Required Setbacks).

Figure 9.18-13: Required Setbacks



1. **Garden Grove Boulevard Adjacent Setbacks.** For properties with any property line abutting the Garden Grove Boulevard right-of-way, said property line shall be considered the front line for the purpose of determining required setbacks.
2. **Setbacks Unobstructed.** Required setbacks shall be open and unobstructed from the ground to the sky except for trees and other plant material. No building, parking space, or turning aisle to any parking space shall occupy any portion of any required setback. Easements for utilities (e.g., electrical, communications) are exempt from the requirements of this Section.
3. **Permitted Intrusions in Setbacks.** The following may project into any required setback a maximum of two feet: cornices, eaves, belt courses, sills, buttresses, planter boxes, masonry planters, guard railings, chimneys or similar architectural features.
4. **Setback Point of Measurement.** All building setbacks shall be measured from the ultimate street right-of-way.

5. **Landscaping Required in Setbacks.** A minimum of 60 percent of the surface area of required setbacks shall be landscaped in all Mixed Use zones, with the exception of the required front and corner side yard setbacks in the GGMU-1 and CC-2 zones. In the GGMU-1 zone, a maximum of 60 percent and a minimum of 15 percent of the surface area of required setbacks shall be landscaped. In the CC-2 zone, landscaping in setbacks is not required. Any non-landscaped area within a required setback shall be paved per the requirements of Section 9.18.100.020.C.6 (Paved Areas in Setbacks), below.
6. **Paved Areas in Setbacks.** Areas not landscaped shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.
7. **Limited Outdoor Dining/Seating Permitted in Setbacks.** Outdoor seating may be allowed in accordance with the requirements of Section 9.18.030.300 (Outdoor Dining at Eating Establishment/Restaurant) in the front yard setback. No more than 30 percent of the required front yard setback area may be occupied by outdoor dining/seating.
8. **Vending Permitted.** Nonvehicular vending kiosks and vehicular vending may be allowed in accordance with the requirements of Section 9.18.070 (Outdoor Sales of Goods and Merchandise).

Photo 9.18-5: Example of Landscaping and Paving and a Vending Kiosk in Required Setback Areas

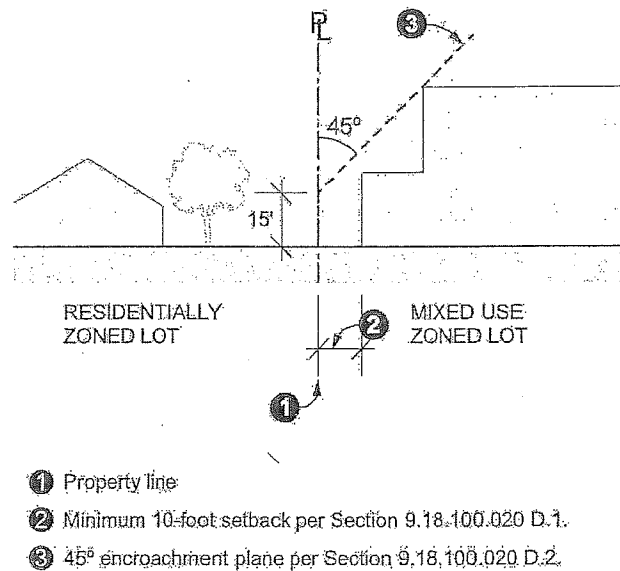


- D. **Rear or Side Yard Setback and Encroachment Plane Required when Abutting a Residentially Zoned Lot.** Where the rear lot line and/or side lot line of a Mixed Use zoned lot abuts an "R" zoned property or a PUD established

exclusively for residential uses, the following standards shall be met in addition to all other required setbacks:

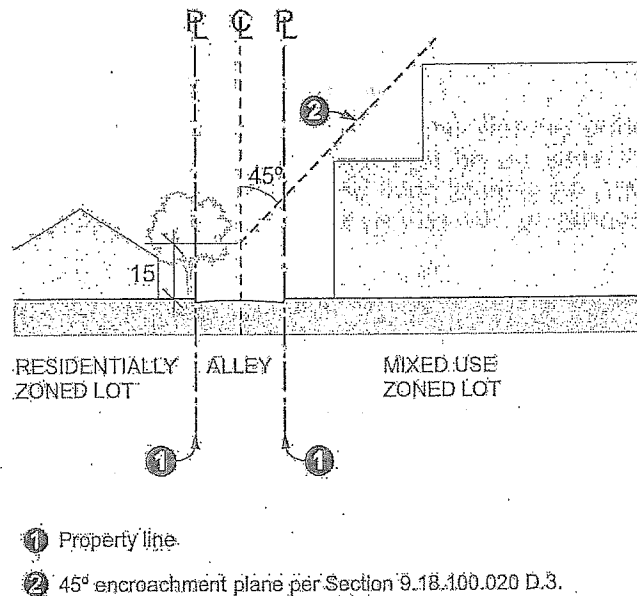
- 1. 10-Foot Rear Yard Setback.** A 10-foot rear yard setback or side yard setback, as applicable, shall be provided.
- 2. Encroachment Plane.** No buildings or structures shall be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 15 feet above the existing grade at the property line (see Figure 9.18-14: Rear or Side Yard Setback and Encroachment Plane at Residentially Zoned Lot).

Figure 9.18-14: Rear or Side Yard Setback and Encroachment Plane at Residentially Zoned Lot



- 3. Encroachment Plane at Alley.** Where an alley separates the rear lot line of a Mixed Use zoned lot from a property zoned exclusively for residential uses, no building or structure shall be located within an encroachment plane sloping upward and inward to the site at a 45-degree angle, commencing 15 feet above the existing grade at the centerline of the alley (see Figure 9.18-15: Rear Yard Setback and Encroachment Plane at Alley Abutting Residentially Zoned Lot).

Figure 9.18-15: Rear Yard Setback and Encroachment Plane at
Alley Abutting Residentially Zoned Lot



4. **Property Line Wall Required.** A solid decorative masonry wall or concrete block wall shall be provided at the property line. The wall shall be at least six feet in height but shall not exceed eight feet in height.
- E. **Access to Nonresidential Uses.** Primary access to any nonresidential use shall be taken from a primary, major, or principal arterial street classification, as defined by the General Plan Circulation Element. No access shall be provided to a nonresidential use from local residential streets, as defined by the General Plan Circulation Element, unless specifically allowed through the site plan review process. Emergency access from local residential streets shall be permitted only where no other feasible emergency access to a primary arterial or higher street classification is possible. On through lots, no access to nonresidential uses shall be provided on local residential streets, unless specifically allowed through the site plan review process.
- F. **Building Height Exceptions for Uninhabited Penthouses and Roof Structures.** Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, and similar structures may be erected above the height limits established by this Chapter by no more than fifteen feet. No penthouses, roof structure, or other space above the height limit shall be allowed for the purpose of providing additional usable floor space.
- G. **Outdoor Lighting.** All on-site lighting shall be stationary and directed away from adjoining properties and public right-of-ways.
- H. **Modification of Required Front Yards on Lots Fronting on the Curves of Cul-De-Sacs or Knuckles.** Where the street pattern of a subdivision includes

lots fronting upon cul-de-sac turnarounds or knuckle widenings at right angles or approximate right angle turns in a street, and where such fronting lots by reason of the cul-de-sac or knuckle creating a greater street width with the resultant reduced depth of fronting lots, the required front yard may be reduced in the following manner:

1. Any lot fronting entirely on an arc formed by a knuckle or cul-de-sac, the front setback shall be no less than one-half the required setback for that zone; however, no setback shall be less than 10 feet. The prescribed setback shall be measured by maintaining a constant parallel arc to the front property line.
2. Where lots have only a portion of the property located on a cul-de-sac, knuckle, reverse curve, or where the street widens from the established parallel right-of-way, that portion where the reduction occurs may have the front yard setback reduced in the following manner: The setback shall be determined by first locating a point of reference on the property line, of the subject lot, that establishes the required setback for that zone in which the property is located. The second point of reference shall be established by locating a point on the property line establishing the property's depth from street's arc, by locating the point one-half the required setback for that zone and in no instance shall the setback at any point along the property street frontage be less than 10 feet. Once the two points are established, a line is drawn from one point to the other, thus reflecting the front yard setback.

I. Vision Clearance and Driveway Site Design.

1. **Vision Clearance at Street Intersections.** All corner and reverse corner lots shall maintain, for safety vision purposes, an open to the sky and unobstructed triangular area at the intersection of the front and side street property lines. One angle and two sides of the triangular area shall be formed by the intersection of the front and the side street property lines or their projection to a point of intersection. The third side of the triangle shall be a straight line connecting those points on the front and side property lines measured 25 feet from the point of intersection.
2. **Vision Clearance at Street Intersections Paving and Landscaping.** The area comprising an open and unobstructed triangular area for vision clearance shall be paved and landscaped in accordance with Section 9.18.120 (Landscaping) and other applicable tree and landscaping standards required for specific zones, except that no trees, shrubs, fences, or other physical obstructions higher than 36 inches above existing grade shall be permitted.
3. **Maximum Number of Driveways and Total Allowable Driveway Width.** The number of permitted driveways and the width of driveways shall comply with Public Works standards established in Ordinance No. 2155.
4. **Vision Clearance at Driveways.** On corner lots or reverse corner lots, if a vehicular entrance is provided from the side street side, an area for safety vision clearance shall be maintained on each side of the driveway. Such area for vision clearance shall be defined by a diagonal line beginning at the

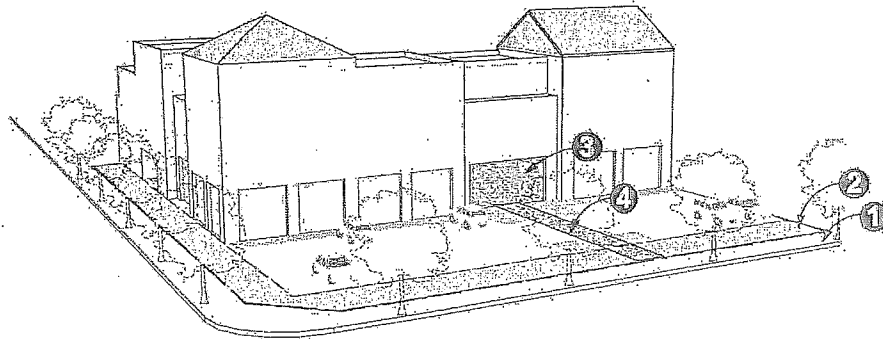
intersection of the edges of the driveway and the inside line of the required side yard and extending away from the driveway at an angle of forty-five degrees to the edge of the driveway toward the side street property line of the lot.

SECTION 9.18.100.030: Site Design Standards.

A. Pedestrian Walkways.

- 1. Pedestrian Walkway Location.** Pedestrian walkways shall be provided and located on the site in a manner that allows easy and clearly identifiable pedestrian access from sidewalks at public rights-of-way to building entrances, publicly accessible amenity areas, any required pedestrian-oriented plaza (including boulevard garden plazas and pedestrian plazas), and similar on-site uses. Pedestrian walkways shall also provide access between building entrances and uses on the same site.
- 2. Pedestrian Walkway Design.** Pedestrian walkways shall have a minimum width of four feet. Pedestrian walkways shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.

Figure 9.18-16: Pedestrian Walkway



- ① Public sidewalk
- ② Required setback
- ③ Building entrance
- ④ Pedestrian walkway per Section 9.18.100.030 A.

- 3. Pedestrian Walkway Visibility and Site Features.** Pedestrian walkways shall be located so that they are clearly visible from sidewalks at the public right-of-way. Additional site features shall include but not be limited to directional signage (as permitted by this code), placement of markers, landscape planters, or vegetation. These features shall be used to emphasize the location of the pedestrian walkway at the public right-of-way and throughout the development.

Garden Grove Mixed Use Zones
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4. Pedestrian Walkways within Parking Areas.

- a. Where parking areas are located between public sidewalks and buildings, publicly accessible amenity areas, and similar on-site uses, pedestrian walkways shall be located to provide the most direct access from public sidewalks to building entrances, publicly accessible amenity areas, and similar on-site uses.
- b. Where pedestrian walkways pass through parking areas, they shall be differentiated from parking areas using raised walkways, raised curbs, enhanced paving clearly differentiated from the parking area paving, and/or landscape buffers.
- c. Pedestrian walkway requirements shall apply in addition to the landscaping standards of Section 9.18.120 (Landscaping) and the parking design standards of Section 9.18.140.070 (Parking Design Standards).

Photo 9.18-6: Example of Enhanced Pedestrian Walkway in a Parking Area



B. Pedestrian-Oriented Plazas. Pedestrian-oriented plazas, whether required pursuant to Sections 9.18.090.020.F (Boulevard Garden Plaza Requirement) or 9.18.09.070.C (Pedestrian-oriented Plaza Requirement), or provided as a non-required on-site improvement, shall follow the following standards:

- 1. Pedestrian-Oriented Plaza Design.** Pedestrian-oriented plazas shall have minimum dimensions of 10 feet in any direction. Pedestrian-oriented plazas shall be visible and easily accessible from areas of pedestrian activity, including public right-of-ways, required pedestrian walkways, building

entrances, and parking lots. Pedestrian-oriented plazas shall include elements including but not limited to enhanced paved areas, benches and seating, landscape planters, gazebos, or similar amenities. Pedestrian-oriented plazas shall be located so as to be convenient for a diversity of users of a development.

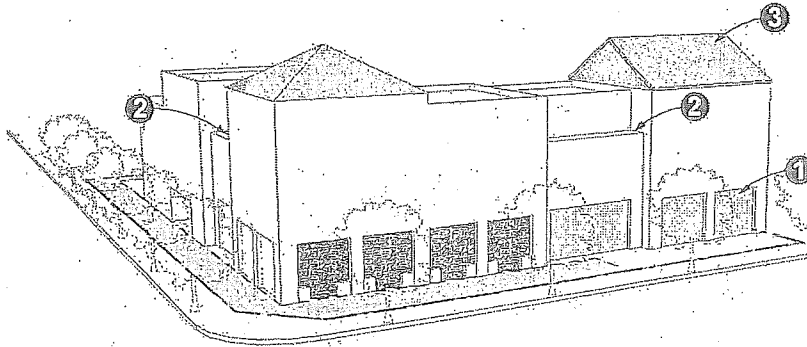
2. **Paving.** Pedestrian-oriented plazas shall be paved in high-quality materials such as pavers, stone or cobblestone, patterned or scored colored concrete, or similar durable materials. Plain and colored concrete and plain asphalt are prohibited.
3. **Landscaping.** A minimum of 25 percent of the pedestrian-oriented plaza shall be landscaped with live materials. Pedestrian-oriented plazas shall feature landscape amenities including but not limited to landscape planters, low hedges, and shade-providing trees, water features, or unique features that enhance the appearance, desirability, and usability of the plaza.
4. **Pedestrian-Oriented Plazas Abutting Parking Areas.** Pedestrian-oriented plazas abutting parking areas shall be separated from drive aisles and parking stalls with raised curbs. Additional features creating a sense of safety such as decorative bollards, low and well-maintained hedges, or landscaped planters are strongly encouraged.
5. **Count towards Open Space Requirement.** Pedestrian-oriented plazas that are accessible to both commercial and residential components of an integrated mixed use development and not allocated to specific uses or tenants may be counted towards open space, recreation, and leisure area requirements per Section 9.18.110.030.F (Open Space, Recreation, and Leisure Area Requirements for Residential Components of Integrated Mixed Use Developments).

Photo 9.18-7: Example of Pedestrian Plaza Featuring Paving, Landscaping, and Pedestrian-Oriented Amenities



SECTION 9.18.100.040: Enhanced Building Design Standards. New buildings and structures shall be designed and constructed in compliance with the following standards and as illustrated in Figure 9.18-17 (Enhanced Building Design Standards).

Figure 9.18-17: Enhanced Building Design Standards



- ① Enhanced storefront design per Section 9.18.100.040 F.
- ② Building articulation per Section 9.18.100.040 B.
- ③ Roofline variation per Section 9.18.100.040 C.

A. Architectural Character. The architectural character of all new construction and additions as established by subparagraphs B through G in this subsection 9.18.100.040 shall be consistently utilized and expressed at all faces of buildings visible from public rights-of-way.

B. Building Articulation. Façades shall be modulated to create visual and architectural interest. Architectural elements including bays and recesses, balconies and terraces, inset windows that allow for the expression of wall thickness, patterns of shade and shadow at facades, changes of material and color use of architectural details such as horizontal and vertical banding, cornices, door and window surrounds, and use of high-quality materials, such as smooth finished stucco, brick, and stone are encouraged.

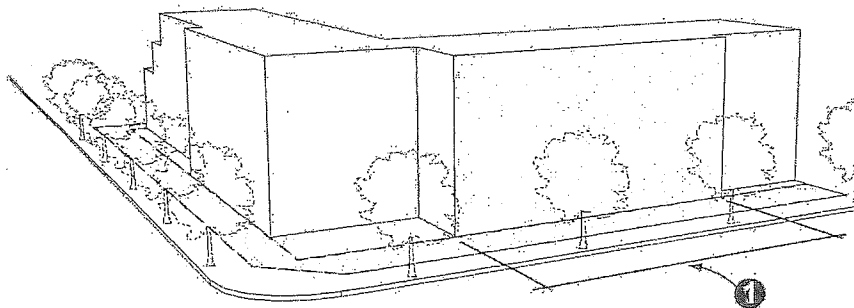
C. Roofline Variation. Variation of roof forms shall be used to create visual distinction between buildings and to incorporate human-scale modulation that breaks down the bulk of structures and buildings, and at the same time, creates a sense of common identity throughout the development.

Photo 9.18-8: Example of Architecturally Treated and Human-Scaled Buildings



D. Maximum Length of Building Façade. Façades of buildings and structures facing public rights-of-way shall not exceed 75 feet of uninterrupted length measured parallel to the property line. Façades greater than this length shall be interrupted by breaks in façade plane, major changes in building massing, and utilization of projecting bays or recesses, along with changes in material, differentiation of color, or changes in architectural detailing or ornament.

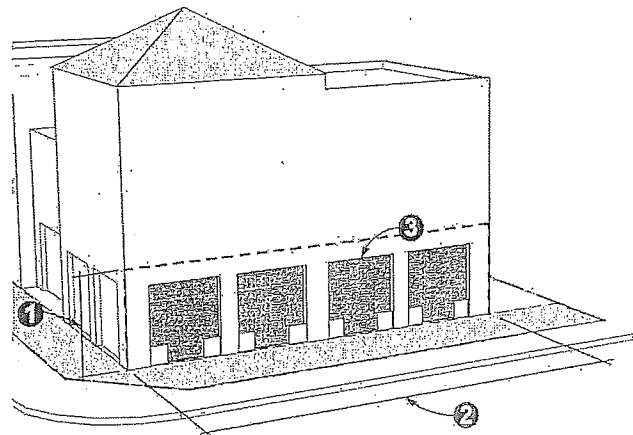
Figure 9.18-18: Maximum Length of Building Façade



① Maximum length of building facade per Section 9.18.100.040 D.

- E. Entrance Frequency.** At street frontages, ground-related entrances shall occur at least once every 150 feet, as measured along the street-facing property line. In addition to entrances to ground-related uses, entrances to residential units, clusters of residential units, lobbies, or private courtyards may be applied towards meeting this requirement.
- F. Enhanced Storefront Design.** For nonresidential street frontages, glazing at the ground floor adjacent to or facing a front property line shall comprise a minimum of 40 percent of the ground floor height at the façade of the building. The glazing at the ground floor height of other facades that face public and private streets at side yards shall comprise a minimum of 20 percent of the ground floor height. Minimum storefront glazing shall be calculated per Table 9.18-8 (Storefront Glazing Calculation).

Figure 9.18-19: Required Storefront Glazing



- ① Floor-to-floor height at ground floor
- ② Length of building facade
- ③ Storefront
- ▨ Storefront glazing area per Section 9.18.100.040. F

TABLE 9.18-8
Storefront Glazing Calculation

Storefront Glazing at Front Property Line					
GROUND FLOOR FLOOR-TO-FLOOR HEIGHT	X	LENGTH OF BUILDING FACADE	X	40%	= MINIMUM GLAZING AREA REQUIRED
Storefront Glazing at Other Facades Facing Public and Private Streets					
GROUND FLOOR FLOOR-TO-FLOOR HEIGHT	X	LENGTH OF BUILDING FACADE	X	20%	= MINIMUM GLAZING AREA REQUIRED

G. Window Design and Glazing. Storefronts and windows shall be inset from exterior façade planes and/or adjoining exterior wall planes a minimum of two inches to realize increased shade, shadow, and visual texture along the building face. Alternatively, windows shall be articulated by adjacent and adjoining projecting sills, jambs, heads, frames, and/or ornamental surrounds that project a minimum of one inch from the exterior building plane. Curtain walls and storefronts shall incorporate mullions and/or vertical and horizontal dividers that permit glazing placement a minimum of two inches behind the plane of the curtain wall, as measured from the exterior face of the mullions and dividers. Glazing at the ground plane and first level of buildings shall be clear, colorless, and transparent. Use of reflective glazing is prohibited.

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**SECTION 9.18.110: Development Standards for Specific Uses
in Mixed Use Zones**

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SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones.....	104
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SECTION 9.18.110.010: Purpose and Applicability. Certain categories of uses vary in their needs for unique development requirements. For example, residential uses require on-site open space to achieve a high level of livability for residents. The development standards applicable to all buildings housing residential and commercial uses in the Mixed Use zones are provided in this Section 9.18.110. Standards for existing nonconforming single-family dwellings located in the Mixed Use zones are also provided in this Section 9.18.110.

SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed use developments.

A. Commercial Ground Floor Design Standards.

- 1. Elevation of First Floor.** The ground floor elevation shall be located no more than one foot above the existing grade and no more than one foot below existing grade.
- 2. Minimum Ground Floor Height.** The minimum height of commercial ground floor spaces shall be 18 feet. This height shall be measured from the floor of the at-grade level to the floor of the second story. If there is no second story, the height shall be measured to the top of the roof.
- 3. Building Entrances to Commercial Uses.** Commercial uses shall provide at least one entrance facing the front property line, which shall serve as the primary entrance to the business. Walkways, architectural elements, directional signage, or similar means shall be used to emphasize and direct persons toward that entrance. Interior space shall be arranged to orient towards the primary entrance. Street-facing entrances shall be unlocked and accessible to the public during business hours.

SECTION 9.18.110.030: Development Standards for Multi-Family Residential Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.030 apply to all multi-family residential developments and residential portions of residential/commercial mixed use developments.

A. Minimum Dwelling Unit Area. New dwelling units shall have a minimum floor area established in Table 9.18-9 (Minimum Dwelling Unit Size) excluding garages.

**TABLE 9.18-9
Minimum Dwelling Unit Size**

Number of Bedrooms	0	1	2	3 or more
Minimum Floor Area per Unit	500 sf	750 sf	900 sf	1,050 sf

B. Maximum Number of Bedrooms per Unit. No single dwelling unit shall have more than four bedrooms.

C. Residential Building Separation. In addition to the setback requirements set forth in Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones), residential developments and residential portions of residential/commercial mixed use developments shall meet the minimum building separation requirements set forth in Table 9.18-10 (Building Separation Requirements).

**TABLE 9.18-10
Building Separation Requirements**

Minimum Building Separation	
From Rear Property Line	10 feet
From Interior Side Property Line	10 feet

D. Elevation of First Floor. The first habitable floor of a residential-only building shall be located no more than four feet above the existing grade and no more than one foot below existing grade along the required front yard setback.

E. Minimum Floor-to-Floor Height. The minimum floor-to-floor height of residential spaces shall be nine feet six inches. This height shall be measured from the floor of one story to the floor of the next story. Where a building has only one story, the height shall be measured to the top of the roof.

F. Open Space, Recreation, and Leisure Area Requirements for Residential Components of Integrated Mixed Use Developments. Residential components of integrated residential/commercial mixed use developments shall provide open space, recreation, and leisure area equal of a minimum 300 square feet per dwelling unit. The following spaces shall contribute to the open space, recreation area, and leisure area requirement:

1. Private Open Space. Private open space shall be provided at each unit. Private open space may be provided in the form of a patio, yard, balcony, or combination thereof and shall be directly adjacent to and accessible from each unit. Private open space shall have a minimum area of 90 square feet and a minimum dimension of six feet.

2. Active Recreation Areas. Active recreation areas shall include one or more of the following: spa, pool, tennis, volleyball, racquetball courts, basketball half court, or other similar usable recreational activities. Active recreation areas shall be open to and accessible to all residents. The required active recreational amenities shall be based on a needs assessment evaluation of

the proposed project. The evaluation shall take into consideration the following criteria:

- a. Size and shape of active recreation area;
- b. Location and placement of buildings;
- c. Diversity of recreational amenities;
- d. Number of units and lot size.

Active recreation areas shall never have a minimum dimension of less than 20 feet. Increased dimensions may be required through the site plan review process based upon specific project circumstances and the intended use of that active recreation area. Active recreation areas shall not be located in any required setback area and shall be buffered from adjacent residentially zoned lots. Active recreation areas may be located indoors, at the outdoor portions of habitable levels, or on roof decks. Areas located indoors or on roof decks shall not contribute more than 50 percent of the required open space, recreation, and leisure areas. Active recreation areas that feature such activities as pools, spas, court activities shall be placed and operated so as not to infringe upon the peacefulness of nearby residential properties.

3. Passive Recreation Areas. Passive recreation areas shall consist of landscape areas that incorporate pathways, waterscape, hardscape (i.e., large rocks or boulders, benches, gazebos, raised planters constructed on site of bricks, concrete or rocks, railroad ties) and unique features that enhance the appearance, desirability and usability of the area. The intent is to provide landscaped areas that can be utilized for walking, sitting, viewing plants and vegetation, reading, and similar types of activities. Passive recreation areas shall have a minimum dimension of 10 feet in width and 30 feet in length. Said areas shall not contribute more than 50 percent of the required open space, recreation, and leisure areas.

4. Residential/Commercial Shared Passive Recreation Areas. Passive recreation areas and joint use patios and plazas may contribute toward the requirement for open space, recreation, and leisure areas, the use of which is shared with the commercial components of a residential/commercial mixed use development, provided that such areas are not used for outdoor dining, fenced, or otherwise restricted to use by a single business or tenant. These areas may include required front and corner side yard setbacks designed and landscaped to meet the requirements for passive recreation areas above and the requirements for minimum setbacks per Section 9.18.090 (Development Standards Specific to Individual Mixed Use Zones) and Section 9.18.100 (Development and Design Standards Applicable to All Mixed Use Zones). Shared passive recreation areas shall have a minimum dimension of 10 feet in width and 30 feet in length. Such areas shall not contribute more than 25 percent of the required open space, recreation, and leisure areas.

G. Open Space Requirements for Stand-Alone Multi-Family Developments. All stand-alone multi-family residential developments shall comply with the open space standards for the R-3 zone, as established in Chapter 9.12 (Multi-Family Residential Development Standards) of this Title.

H. Additional Residential Unit Requirements. Each residential unit in a multiple family development shall comply with the following requirements.

1. **Laundry Facilities.** Each unit shall be provided with washer and dryer hookups and laundry space within the unit or garage. For apartment units, common laundry facilities may be provided.
2. **Storage Facilities.** Each unit shall be provided with a separate storage area having a minimum of 300 cubic feet of private and secure storage space. This storage may be provided within the parking garage provided it does not interfere with garage use for automobile parking. Closet and cupboard space within the dwelling unit shall not count towards meeting this requirement.

I. Residential Parking Requirements.

1. **Enclosed Parking Required.** Required residential parking, per Section 9.18.140 (Parking), shall be provided within a parking structure or enclosed one- and two-car garages. Parking spaces shall be assigned to each individual unit.
2. **Individual One- and Two-Car Garages.** Individual one- and two-car garages shall maintain a minimum clear parking area of not less than 10 feet by 20 feet for a one-car garage and not less than 20 feet by 20 feet for a two-car garage. No storage cabinets or mechanical equipment, including but not limited to water heaters, utility sinks, or washers and dryers, shall encroach into the required parking area.

SECTION 9.18.110.040: Existing Nonconforming Single-Family Dwellings. Single-family dwellings existing as of October 27, 2011 in any Mixed Use zone that allows residential uses shall be considered a permitted use and shall be subject to R-1 property standards for modifications and additions, as set forth in Chapter 9.08 (Single-Family Residential Development Standards) of this Title.

SECTION 9.18.020: Uses Permitted

SECTION 9.18.020.010: Permitted Uses.....7
SECTION 9.18.020.020: Prohibited Uses.7
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SECTION 9.18.020.060: Use Regulations Applicable to all Industrial Uses. 21
SECTION 9.18.020.070: Restrictions on Uses and Activities within a Vertically Integrated
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SECTION 9.18.020.010: Permitted Uses. Land, buildings, and other facilities shall be designed, developed, and used only for those activities listed for the various zones in Table 9.18-1 (Use Regulations for the Mixed Use Zones). The symbols used in this Table 9.18-1 shall have the following meanings:

- P = Permitted. Use permitted by right.
- C = Conditional Use. Use eligible for consideration under the conditional use procedures and permitted only if the conditional use permit is approved, subject to the specific conditions of such permit.
- I = Incidental Use. Use permitted only if incidental to another primary use on the same site. If incidental to a use authorized by a conditional use permit, such incidental use is permitted only if included within the terms of the conditional use permit.
- [] = Not a permitted use.

SECTION 9.18.020.020: Prohibited Uses. Any use not specifically indicated in Table 9.18-1 (Use Regulations for the Mixed Use Zones) as a permitted use, incidental use, or conditional use shall be prohibited. Pursuant to Section 9.32.030.D.7 (Interpretation of Use), the hearing body may make an interpretation of use to determine whether a use not listed could be considered similar to a listed use.

SECTION 9.18.020.030: Uses Restricted to Indoor. Unless otherwise indicated in this Chapter 9.18 or allowed by conditional use permit, all uses listed in Table 9.18-1 (Use Regulations for the Mixed Use Zones) must be conducted wholly within an enclosed building. Exceptions to this restriction are noted in this Chapter and are generally intended to foster a lively pedestrian environment, such as outdoor dining, vehicular vending, and nonvehicular vending kiosks.

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**TABLE 9.18-1
Use Regulations for the Mixed Use Zones**

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted							
		ZONES							Additional Regulations and Comments
		GGMU	CC				NMU	AR	
-1, -2, and -3	-1	-2	-3	-OS					
Residential and Associated Uses									
<i>Residential Uses</i>									
Single Family Dwelling		P						See Section 9.18.110.040 (Existing Nonconforming Single Family Dwellings).	
Multiple Family Residential Use - Stand-alone use with no commercial component	P	P		P				Minimum density of 10 units/acre required in GGMU zones. Residential development requires a commercial component in GGMU-1 (unless 100% affordable development) and certain properties in CC-3; see Section 9.18.020.070 (Restrictions on Uses and Activities within a Vertically Integrated Residential/ Commercial Mixed Use Development).	
Small Lot Subdivision		P		P				Minimum density of 10 units/acre required. Section 9.12.040.060 – Special Requirements Small Lot Subdivisions (Chapter 9.12 – Multi-Family Residential Development Standards) shall apply to all proposed small lot subdivisions.	
Supportive and Transitional Housing	P			P					
Community Care Facility, Residential									
6 Persons or Fewer	P	P		P		P			
7 Persons or More	C	C				C			
Child Day Care Center	C	C		C	C	C			
Family Day Care Home (1-14 Children)	P	P		P		P	P	Family day care operations are only permitted as an incidental use to detached single-family units.	
Foster Home	P	P				P			

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	Additional Regulations and Comments
	-1, -2, and -3	-1	-2	-3	-OS			
Intermediate Care Facility	C			C		C		
Skilled Nursing Facility	C			C		C		
<i>Miscellaneous Residential and Incidental to Residential</i>								
Accessory Buildings and Structures	I	I	I	I	I	I	I	GGMU, CC-3, and AR zones: Accessory buildings incidental to detached single-family units are allowed.
Agricultural Growing and Produce Stand					P		P	
Community Garden and Produce Stand		P		P	P	P	P	
Garage Sale		I				I		Garage sales are allowed incidental to detached single-family units and subject to the requirements of Section 9.18.030.200 (Garage Sales – Incidental to a Single-Family Residential Unit).
Home Occupations	I	I	I	I		I	I	See Section 9.18.030.210 (Home Occupations).
Residential/Commercial Mixed Use Development	P	P	P	P		P	P	See Section 9.18.020.070 (Restrictions on Uses and Activities within a Vertically Integrated Residential/Commercial Mixed Use Development) for restrictions on uses and required commercial components.
Work-Live		C	C	C			C	See Section 9.18.030.360 (Work-Live Units).
Commercial/Office								
<i>Offices and Related Uses</i>								
Administrative/Business	P	P	P	P		P	P	
Banks/Financial Institution	P	P	P			P	P	
Medical, Dental and Related Health Service Support Facilities	P			P		P	C	
Prescription Pharmacy	P		P	P		P	P	
Professional and Clerical	P	P	P	P		P	P	

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TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	Additional Regulations and Comments
	-1, -2, and -3	-1	-2	-3	-OS			
Public Utility (Commercial)	C	C	C	C	C	C	C	
Professional Studios								
Art, Music, Dance, and Martial Arts								See Section 9.18.030.050 (Arts and Crafts Studios).
1,500 sf and smaller	P	P	P	P		P	P	
Larger than 1,500 sf	P			C		C	C	
Crafts, Photography, and Portrait	P	P	P	P		P	P	See Section 9.18.030.050 (Arts and Crafts Studios).
Radio/TV and Recording								
1,500 sf and smaller	P	P	P	P		P	P	
Larger than 1,500 sf	C			C		C	C	
Personal/Service								
Athletic and Health Clubs, Gyms								See Section 9.18.030.055 (Athletic and Health Clubs, Spas, and Gyms with Massage and/or Bathhouse Facilities) where use includes massage and/or bathhouse facilities.
1,500 sf and smaller	P	P	P	P		P	P	
Larger than 1,500 sf	C			C		C	C	
Barber/Beauty Shop	P	P	P	P		P	P	
Dry Cleaning-Limited	P		P	P		P	P	Pick-up and drop-off only; no cleaning equipment permitted on the premises.
Dry Cleaning with on-site cleaning equipment	C			C		C		No industrial dry cleaning businesses permitted. Use limited to dry cleaning businesses serving retail customers only.
Fortunetelling <i>(use permit check)</i>	P					<i>P/C</i>		See Section 9.18.030.190 (Fortunetelling).
Laundromat (Coin-operated)	P			C		P		
Physical Therapy (Medical Use)	P	P	P	P		P	P	In the CC-1 zone, limited to 2,000 sf.
Shoe Repair	P	P	P	P		P	P	
Tailor/Dressmaking	P	P	P	P		P	P	
Tanning Parlor	C					C		In all GGMU zones, no tanning parlor shall be located closer than 1,000 feet from any other tanning parlor.

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						Additional Regulations and Comments
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	
	-1, -2, and -3	-1	-2	-3	-OS			
Tattoo, Facial	P	I	I	I		C	I	Permitted as incidental to a barber/beauty shop in CC zones and AR zone. See also Title 6, Chapter 38 (Tattooing Establishment and Operation Regulations).
Tattoo, General	C					C	C	In all GGMU zones, no tattoo parlor shall be located closer than 1,000 feet from any other tattoo parlor. Also, the entrance shall be oriented only toward a principal, major, or primary arterial street, as defined in the General Plan Circulation Element. See also Title 6, Chapter 38 (Tattooing Establishment and Operation Regulations).
Tourist Services								
Bed and Breakfast		C	C	C				See Section 9.18.030.090 (Bed and Breakfast).
Extended-Stay Business Hotel	C			C		C		See Section 9.18.030.170 (Extended-Stay Business Hotels).
Hotel, Motel	C	C				C		See Section 9.18.030.220 (Hotel/Motel).
Ticket Agency	P	P	P	P		P		
Travel Agency	P	P	P	P		P		
Recreation, Amusement, Entertainment								
Adult Entertainment	C							See Section 9.18.050 (Adult Entertainment Uses).
Arcades	C					C		See Section 9.18.030.040 (Arcades and Incidental Amusement Devices).
Billiards/Pool Hall	C					C		See Section 9.18.030.100 (Billiard/Pool Hall).
Bowling Alley	C					C		See Section 9.18.030.110 (Bowling Alley).
Cybercafes	C					C		

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right							Additional Regulations and Comments
	C	Conditional Use Permit Required							
	I	Permitted as an Incidental Use							
Permitted Uses	ZONES								Additional Regulations and Comments
	GGMU	CC				NMU	AR		
	-1, -2, and -3	-1	-2	-3	-OS				
Golf Driving Ranges							C		Hours of operation shall be from no earlier than 7:00 A.M. to no later than 10:00 P.M. All lighting shall be directed away from abutting properties.
Incidental Amusements Devices	I	I	I				I		See Section 9.18.030.040 (Arcades and Incidental Amusement Devices).
Theaters									
Live Entertainment	C		C	C	C		C	C	
Movie	C		C	C			C		
Private Clubs and Lodges	C		C	C			C		
Skating Rinks/Parks	C	C					C		
Tennis, Swimming Clubs	C	C					C		
Retail Trade	See Section 9.18.060 (Alcohol Beverage Sales) regarding on-sale and off-sale of alcohol.								
Antique Shops	P	P	P	P			P		
Apparel: Clothing, Shoes and Accessories	P	P	P	P			P		
Art Gallery and Sales	P	P	P	P			P	P	
Books, Magazines, Newsstand (in building)	P	P	P				P	I	In AR zone, permitted as incidental to allowed use.
Building Supply, Plumbing Shop	P			P/C			P/C		In CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Department Stores	P			P/C			P/C		In CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Drug Stores	P		P	P			P		
Florists	P	P	P	P			P	I	

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TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted							
		ZONES							
		GGMU	CC				NMU	AR	Additional Regulations and Comments
-1, -2, and -3	-1	-2	-3	-OS					
Furniture, Carpets, Household Appliances	P		P	P			P	P	
Gifts and Souvenirs	P	P	P	P			P	I	
Hardware, Paint	P		P	P			P	P	
Hobby Shop		P	P	P			P	P	
Indoor Multi-Tenant Retail Shopping Center	C						C		See Section 9.18.030.230 (Indoor Multi-Tenant Retail Shopping Center).
Jewelry, Cameras and Supplies, Luggage	P	P	P	P			P		
Nonvehicular Vending Kiosk	P			I/C			I/C	I/P	See Section 9.18.070.010 (Nonvehicular Vending Kiosk).
Nurseries – Retail sales only	P						P	P	See Section 9.18.030.290 (Nursery – Retail Sales Only).
Pawnshop, Secondhand Store	C						C		Retail sales only. No outdoor staging or parking areas for drop-off are permitted.
Pets and Pet Supplies	P		P	P			P		All sales of merchandise, pets and equipment and storage of supplies shall be within an enclosed building. Any overnight boarding shall be subject to conditions of Section 9.18.030.240 (Kennel).
Sporting Goods	P		P	P			P		
Stationery and Office Supplies-No Furniture	P	P	P	P			P		
Toys	P	P	P	P			P		
Variety, Dry Goods Stores	P		P/C	P/C			P/C		In the CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Food/Drink Sales and Service									

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	Additional Regulations and Comments
	-1, -2, and -3	-1	-2	-3	-OS			
Alcohol Sales, On-Sales and Off-Sales	C	C	C	C		C	C	See Section 9.18.060 (Alcohol Beverage Sales).
Bar/Nightclub	C					C		See Section 9.18.030.080 (Bar/Nightclub). See Section 9.18.060 (Alcohol Beverage Sales).
Candy, Confectionery	P	P	P	P		P		
Convenience Grocery	P		P	P		P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Delicatessen	P	P	P	P		P	C	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Food, Carry-out	P		P	P		P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Food Catering	I	I	I	I		I	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Liquor Store	C		C	C		C		See Section 9.18.060 (Alcohol Beverage Sales).
Meat Market	P		P	P		P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages. No sale or slaughter of live animals shall take place, be allowed or provided for.
Mini-Market with Gas	C					C	C	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Supermarket	P			P		P		See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.

Garden Grove Mixed Use Zones
Zoning Ordinance Amendment

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right						Additional Regulations and Comments
	C	Conditional Use Permit Required						
	I	Permitted as an Incidental Use						
Permitted Uses	ZONES							
	GGMU	CC				NMU	AR	
	-1, -2, and -3	-1	-2	-3	-OS			
Vehicular Vending (Food Truck)	I			I		I	I	See Section 9.18.070.020 (Vehicular Vending Food Truck).
<i>Eating Establishment/Restaurant</i>	<i>See Section 9.18.060 (Alcohol Beverage Sales) regarding on-sale and off-sale of alcohol.</i>							
Brew Pub	C		C	C		C	C	See Section 9.18.060 (Alcohol Beverage Sales).
Coffeehouse	P		P/C	C		P	P	Refer to Title 5, Chapter 70 (Regulation of Coffeehouses) for additional applicable provisions. In the CC-2 zone, a coffeehouse with live entertainment shall require a CUP and shall meet the requirements of Section 9.18.030.150 (Eating Establishment/Restaurant with Limited Entertainment).
Eating Establishment/Restaurant	P	P	P	P		P	P	Allowed in all zones indicated if no alcohol sales. Requires a Conditional Use Permit with alcohol sales. See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Eating Establishment/Restaurant with Entertainment	C			C		C		See Section 9.18.030.140 (Eating Establishment with Entertainment; Bars/Nightclubs). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right							
	C	Conditional Use Permit Required							
	I	Permitted as an Incidental Use							
Permitted Uses	ZONES								
	GGMU	CC				NMU	AR	Additional Regulations and Comments	
	-1, -2, and -3	-1	-2	-3	-OS				
Eating Establishment/Restaurant with Limited Entertainment	C		C	C			C	See Section 9.18.030.150(Eating Establishment/Restaurant with Limited Entertainment). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.	
Ice Cream, Bakery (retail sales and food service only)	P	P	P				P	P	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Outdoor Dining at Eating Establishment/Restaurant	I	I	I	I			I	I	See Section 9.18.030.300 (Outdoor Dining at Eating Establishment/Restaurant). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Wine Tasting Establishment	C	C	C	C			C	C	See Section 9.18.060 (Alcohol Beverage Sales).
Vehicle Sales and Service									
Auto Broker, office only with no vehicle storage	P						P	P	
Auto Parts, Accessories									
No Installations	P			P			P	P	
Installations	C						P	P	
Auto Lease/Rental	C						P	P	
Auto Maintenance - Minor	C			C			C	P	Specific activities are explicitly not permitted; see Section 9.18.030.060 (Auto Repair).
Auto Repair - General	C						C	P	Specific activities are explicitly not permitted; see Section 9.18.030.060 (Auto Repair).
Auto Repair (including paint or body work)								C	See Section 9.18.030.060 (Auto Repair).

Garden Grove Mixed Use Zones
Zoning Ordinance Amendment

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right							Additional Regulations and Comments
	C	Conditional Use Permit Required							
	I	Permitted as an Incidental Use							
Permitted Uses	ZONES								
	GGMU	CC				NMU	AR		
	-1, -2, and -3	-1	-2	-3	-OS				
Automatic Car Wash	C						C	C	See Section 9.18.030.070 (Automatic Car Wash).
Bicycle Repair	P	P	I	P			P	P	In the CC-2 zone, repairs incidental to retail sales facility only.
Bicycle Sales/Rental	P	P	P	P			P	P	
Boat Repair								C	
Boat Sales								C	See Section 9.18.030.260 (Motor Vehicle and Boat Sales).
Bus/Truck Repair								C	
Motorcycle Sales	C							C	See Section 9.18.030.250 (Motorcycle Sales).
Motor Vehicle Sales (New)	C								See Section 9.18.030.260 (Motor Vehicle and Boat Sales).
Motor Vehicle Sales (Used)	C								See Section 9.18.030.260 (Motor Vehicle and Boat Sales).
Self-Service or Coin-Operated Car Wash	C							P	Hours of operation shall be limited to the period from no earlier than 7:00 A.M. to no later than 10:00 P.M.
Service Stations (new and conversion of existing)	C			C			C	C	See Section 9.18.030.310 (Service Station).
Tire Sales and Service							C	P	
Truck, Trailer Rental	I						I	I	See Section 9.18.030.340 (Truck, Trailer Rental).
Other Services									
Ambulance Service	C							C	May include accessory sales and living accommodations for on-duty ambulance service personnel.
Blueprint/Photo Engraving, Newspaper Printing								P	
Day Care Center	C	C	C	C			C		
Day Care Facility, Adult	C	C	C	C			C		
Drive-through Facility	C			C			C		See Section 9.18.030.130 (Drive-through Facilities).

Garden Grove Mixed Use Zones
Zoning Ordinance Amendment

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P C I	Permitted By Right Conditional Use Permit Required Permitted as an Incidental Use Not Permitted							
		ZONES							
		GGMU	CC				NMU	AR	Additional Regulations and Comments
-1, -2, and -3	-1	-2	-3	-OS					
Equipment Rental Small Large	I			I		I	P C	See Section 9.18.030.160 (Equipment Rentals – Large and Small).	
Graphic Arts/Photocopying	P	P	P	P		P	P	See Section 9.18.030.202 (Graphic Arts/ Photocopying).	
Home Improvement Center	P			C		P		See Section 9.18.030.207 (Home Improvement Center).	
Kennel	I			I		I	I	Allowed only as incidental to veterinary clinic, dog day care, or pet store. See Section 9.18.030.240 (Kennel).	
Neighborhood Recycling Center	I			I		I		See Section 9.18.030.270 (Neighborhood Recycling Center).	
Parking Facilities (For Fee)	C	C	C	C	C	C	C	All parking in parking facilities shall be temporary; no such parking area shall be used for car sales (used or new) or for the permanent storage of automobiles.	
Pet Grooming (no boarding)	P	P	P	P		P	P	No overnight boarding of pets permitted. The use must be conducted entirely within an enclosed building.	
Small Animal Hospital/Veterinary/Dog Day Care	C		C	C		C	C	See Section 9.18.030.320 (Small Animal Hospital/ Veterinary/Dog Day Care).	
Smoking Lounge	C		C			C		The provisions of Title 5, Chapter 75 (Regulation of Smoking Lounges) shall apply, as shall Section 9.18.030.330 (Smoking Lounges).	

Garden Grove Mixed Use Zones
Zoning Ordinance Amendment

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right							Additional Regulations and Comments
	C	Conditional Use Permit Required							
	I	Permitted as an Incidental Use							
Permitted Uses	ZONES								Additional Regulations and Comments
	GGMU	CC				NMU	AR		
	-1, -2, and -3	-1	-2	-3	-OS				
Upholstery Repair									
Furniture	P		C				P	P	Retail only. Use may include assembly of furniture from pre-manufactured frames.
Vehicles	C							C	
Industrial									
<i>Manufacturing</i>									
Food Products, Dairy Products, and Bakery Products								C	See Section 9.18.030.180 (Food Products, Dairy Products, and Bakery Products).
Handicraft/Arts and Industry								P	See Section 9.18.030.205 (Handicraft Arts and Industry).
Industry, restricted								C	
Industry, restricted, small scale								P	
Industry, standard								C	
Laboratories								P	
Medical uses – Small dental and optical labs with maximum 1,200 sf of tenant space	P			P			P	P	
Storage									
Lumber Yards and Material Storage Yards								C	Not permitted when located adjacent to a residential zone or properties improved with single-family or multi-family housing.
Parcel Delivery Service								P	
Parcel Delivery Service, small scale (e.g., UPS store, delivery service, mailboxes, etc.)	P		P	P			P		
Warehouses and Storage Buildings								I	Must be related to primary use and shall not exceed 40% of gross building square footage.
Transit/Transportation									
Helistop	C			C					In the CC-3 zone, permitted in association only with a public use.

TABLE 9.18-1
Use Regulations for the Mixed Use Zones

TABLE 9.18-1 MIXED USE ZONES AND LAND USE REGULATIONS	P	Permitted By Right							Additional Regulations and Comments
	C	Conditional Use Permit Required							
	I	Permitted as an Incidental Use							
Permitted Uses	ZONES								
	GGMU	CC				NMU	AR		
	-1, -2, and -3	-1	-2	-3	-OS				
Public and Semi-Public									
Church and Other Religious Centers	C	C	C	C		C		See Section 9.18.030.120 (Churches and Other Religious Centers).	
Commercial Radio/TV Towers	C					C	C	Applicant shall furnish proof of a valid federal communications license prior to approval.	
Educational Institutions	C			C		C	C	Educational institutions shall be located on a minimum site area of one acre, whether in combination with another use or as the sole use of the property. However, establishments with a primary use of providing tutoring services are not subject to this restriction.	
Hospital - Medical or Psychiatric	C			C		C			
Public Buildings (Civic Center, Library, County, State or Federal)	C	C	C	C	C	C	C		
Public Recreational Facilities	P	P	P	P	P	P	P		
Public Safety Facilities (Fire, Police)	C	C	C	C	C	C	C		
Public Utility Stations and Equipment Buildings	C	C	C	C		C	C		
Trade or Business School	C	C		C		C			

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING -NEGATIVE DECLARATION, AMENDMENT NO. A-013-2015. FOR PROPERTY LOCATED IN THE CC-1 (CIVIC CENTER MIXED USE 1) AND AR (ADAPTIVE REUSE) ZONES.

Applicant: City of Garden Grove

Date: April 2, 2015

Request: A request for Planning Commission recommendation to City Council to amend Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code. The proposed amendment includes adding additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); adding definitions for new uses in Chapter 4 (Section 9.04.060); adding additional standards for the conversion of single-family homes to commercial uses ministerially along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and revising Section 9.32.030D.3(2)(a)(d) of Chapter 32 exempting single-family home conversions to any other use in the CC-1 zone from the requirement to submit a Site Plan application. The City of Garden Grove has determined that a Negative Declaration be adopted pursuant to CEQA.

Action: Public Hearing held and remains open. Speaker(s): Ms. Darcy Golden.

Action: No action taken on the item. Motion to continue the open public hearing to the Thursday, May 7th, 2015 regular Planning Commission Meeting at 7:00 p.m. approved.

Motion: Margolin Second: Pak

Ayes: (6) Mai, Margolin, O'Neill, Pak, Paredes,
Zamora

Noes: (0) None

Absent: (1) Kanzler

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

STUDY SESSION – REVIEW OF TEXT AMENDMENT NO. A-013-2015.

Applicant: City of Garden Grove

Date: April 16, 2015

Staff discussed and received input on the proposed Code Amendment to the AR (Adaptive Reuse) and CC-1 (Civic Center Mixed Use 1) zones. Concerns included noise, traffic, parking, and uses.

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

CONTINUED PUBLIC HEARING – NEGATIVE DECLARATION, AMENDMENT NO. A-013-2015. FOR PROPERTY LOCATED IN THE CC-1 (CIVIC CENTER MIXED USE 1) AND AR (ADAPTIVE REUSE) ZONES.

Applicant: City of Garden Grove

Date: May 7, 2015

Request: A request for Planning Commission recommendation to City Council to amend Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code. The proposed amendment includes adding additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); adding definitions for new uses in Chapter 4 (Section 9.04.060); adding additional standards for the conversion of single-family homes to commercial uses ministerially along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and revising Section 9.32.030D.3(2)(a)(d) of Chapter 32 exempting single-family home conversions to any other use in the CC-1 zone from the requirement to submit a Site Plan application. The City of Garden Grove has determined that a Negative Declaration be adopted pursuant to CEQA.

Action: Public Hearing held. Speaker(s): Ms. Robin Marcario and Ms. Maureen Blackmun. One letter of concern was submitted by Josh McIntosh.

Action: Resolution No. 5843-15 (Option No. 2) was approved with amendments.

Motion: Margolin Second: Paredes

Ayes: (5) Mai, Margolin, O'Neill, Paredes,
Zamora

Noes: (1) Pak

Absent: (1) Kanzler

RESOLUTION NO. 5843-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION AND APPROVE AMENDMENT NO. A-013-2015, AN AMENDMENT TO CHAPTER 18 (MIXED USE REGULATIONS) AND CHAPTER 4 (DEFINITIONS).

WHEREAS, the City of Garden Grove proposes Amendment No. A-013-2015, a zoning text amendment to portions of Chapter 18 (Mixed Use Regulations) and Chapter 4 (Definitions) of Title 9 of the Municipal Code to add additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) zone that are not currently permitted in the zone (Section 9.18.020); add definitions for new uses in Chapter 4 (Section 9.04.060); add additional standards for the conversion of single-family homes to commercial uses along with additional standards for parking location, outside eating areas, non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and

WHEREAS, Amendment No. A-013-2015, is referred to herein as the "Project"; and

WHEREAS, pursuant to 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.*, an initial study was prepared and it has been determined that the proposed Project qualifies for a Negative Declaration because the proposed Project cannot, or will not, have a significant effect on the environment; and

WHEREAS, the Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on April 2, 2015 and May 7, 2015, and considered all oral and written testimony presented regarding the Project, the initial study, and the Negative Declaration.

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

1. The Planning Commission has considered the proposed Negative Declaration together with comments received during the public review process.
2. The Planning Commission finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment.
3. The Planning Commission recommends adoption of the Negative Declaration to City Council.

4. The record of proceedings on which the Planning Commission's 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 Community Development.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on May 7, 2015, does hereby recommend that the City Council approve Amendment No. A-013-2015.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-013-2015, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by City of Garden Grove.
2. The City of Garden Grove proposes to amend Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code to add additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); add definitions for new uses in Chapter 4 (Section 9.04.060); add additional standards for the conversion of single-family homes to commercial uses along with additional standards for parking location, outside eating areas, non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020);
3. The Community Development Department has prepared a Negative Declaration for the Project that (a) concludes that the proposed project cannot, or will not, have a significant adverse effect on the environment, and (b) was prepared and circulated in accordance with applicable law, including CEQA and CEQA's implementing guidelines.
4. Report submitted by City staff was reviewed.
5. Pursuant to legal notice, a public hearing was held on April 2, 2015 and May 7, 2015, and all interested persons were given an opportunity to be heard.
6. The Planning Commission gave due and careful consideration to the matter during its meetings of April 2, 2015 and May 7, 2015; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 are as follows:

FACTS:

In August of 2008, the City Council approved a comprehensive update to the City's General Plan. The General Plan update focused on preserving residential

neighborhoods, guiding the remaining development and redevelopment opportunities, and encouraging the revitalization of selected areas.

In March of 2012, the City Council approved Mixed Use zones along with development standards in order to implement the new Mixed-Use Land Use designations and to create the consistency between the City's General Plan and Zoning Ordinance that is required by State Law. Additionally, the creation of the mixed use zones addressed the State's requirements to reduce vehicle trips, reduce greenhouse gas emissions, improve overall air quality, and create additional housing opportunities. It was essential that the mixed use zones were created and approved in order to meet those requirements.

Since the adoption of the Mixed Use zoning Code, there has been interest in the adaptive reuse of the existing homes in the CC-1 zone by converting them to commercial uses in order to preserve the older homes and maintain the character of the neighborhood. Prior to the adoption of the mixed use zoning, there was the mindset to assemble the properties and to create larger institutional uses and larger residential projects. The previous zoning (prior to the current Mixed Use zoning) encouraged the redevelopment of the area rather than its preservation. The intent of the current zoning is to preserve the older structures by allowing them to be converted to commercial uses.

In order to assist in facilitating the goals of the existing zoning and to further encourage the preservation of the existing structures the subject Code Amendment has been proposed that includes specific standards for the adaptive reuse of the existing structures, along with compatibility standards in order to ensure the compatibility of uses with the CC-1 zone. Additionally, specific standards are proposed for shared outside eating areas, non-vehicular and vehicular vending, and event space.

The Code Amendment also proposes adding uses to the CC-1 zone that currently are permitted in other areas of the Downtown area as well as added a few new uses such as Live-Work, Event space, Food Hall, Garden Shop/Small Scale Nursery, and Winery along with definitions for the Live-Work, Wineries, and Food Hall uses. In order to maintain consistency throughout the Title 9 Code Sections 9.18.070.010, 9.18.070.020, 9.18.110.020, and 9.32.030D are also proposed to be modified.

FINDINGS AND REASONS:

1. The proposed Code Amendment is internally consistent with the goals, policies, and elements of the General Plan.

The proposed Amendment includes amendments to Chapter 18 (Mixed Use Regulations) and Chapter 4 (Definitions) of Title 9 of the Municipal Code to: add additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) zone that are not currently permitted in zone (Section 9.18.020); add definitions for new uses in Chapter 4 (Section 9.04.060); add additional standards for the conversion of single-family homes to commercial uses, along with additional standards for parking location, outside eating areas, and non-

vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020).

The General Plan has goals and policies that address land use compatibility and the preservation of cultural and historical resources. Goal LU-4 of the General Plan Land Use Element calls for the "City to seek to develop uses that are compatible with one another", Policy LU-4.3 provides for the allowance of mixed use development at varying intensities as a means for revitalizing underutilized parcels. The City approved the mixed use zoning in the CC-1 zone in order to revitalize underutilized parcels. The subject Code Amendment continues to foster the revitalization of underutilized property by allowing additional commercial uses in the CC-1 zone and creating additional compatibility standards to assist in guiding new development and the adaptive reuse of existing properties. Policy 4.6 promotes the compatible integration of adjacent uses to minimize conflicts where residential/commercial mixed use is permitted. The proposed Amendment furthers this policy by providing additional regulations and compatibility standards between commercial and residential uses located in the CC-1 zone.

Goal CON-7 of the Conservation Element of the General Plan calls for the preservation and protection of significant historical, architectural, archeological, and cultural value resources. Policy CON-7.2 calls for the preservation of Garden Groves significant historic resources to promote community identity, stability, and aesthetic character. At the time that the CC-1 zone Mixed Use zoning was created, the intent was to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. The CC-1 Code currently encourages the adaptive reuse of the existing structures in order to preserve the existing older structures. The proposed amendment will further the Policy by creating additional standards that address reuse of existing homes as well as the compatibility of uses.

2. The proposed Code Amendment will promote the public health, safety, and welfare.

The proposed Amendment includes regulations that address the adaptive reuse of existing structures that include hours of operation, the buffering of commercial uses to residential uses, special standards for non-vehicular and vehicular vending, the security of residents, noise intrusion, and light and glare. Therefore, the proposed regulations promote the public health, safety, and welfare of persons, working and residing in the area.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Code Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D (General Plan Amendment/Code Amendment).
2. The Planning Commission recommends that the City Council adopt an Ordinance approving Amendment No. A-013-2015 and amending Garden Grove Municipal Code Chapter 4 (Definitions) and Chapter 18 (Mixed Use Regulations) of Title 9 as follows:

Amend Section 9.04.060 (Definitions) to add three new definitions to read as follows:

“Live-Work” means a structure that combines living space occupancy with incidental work space, and in which the individual live-work units are occupied and used by a single-household. Live-work can either consist of structures specifically designed and built to function in this manner, or existing residential structures that have been structurally modified to accommodate work activity and residential occupancy in compliance with the California Building Code. The living space occupies the majority of the live-work structures square footage and the working space is reserved for and regularly used by one or more occupants of the unit. Live-work units can include renter-occupant and/or owner-occupant. “Live-Work” does not include “Home Occupations” that are allowed in the single-family residential, multi-family residential, mixed-use zones.

“Wineries” means a commercial facility used for the production and distribution of wine with incidental accessory uses and activities in conjunction with the winery, including, but not limited to wine tasting, food service and restaurants, gift sales, and special events.

“Food Hall” means a facility consisting primarily of three (3) or more lease areas within an enclosed building that have a shared entrance/lobby area where the primary uses are food related, but may include small retail venues, shared eating areas, and limited live entertainment. Lease areas may have access to the exterior of the building along with outside eating areas, both private and shared with other uses.

Amend Table 9.18-4 (Development Standards for the Civic Center Mixed Use Zones) of Section 9.18.090.030 (Civic Center Zone Development Standards) as follows to add a note regarding the applicability of the maximum lot coverage requirement in the CC-1 zone (additions in underline/bold/italics):

**TABLE 9.18-4
Development Standards for the Civic Center Mixed Use Zones**

DEVELOPMENT STANDARDS	CIVIC CENTER MIXED USE ZONES			
	CC-1	CC-2	CC-3	CC-OS
Lot Coverage				
Minimum Lot Coverage	Not Applicable	70%	Not Applicable	Per site plan review process
Maximum Lot Coverage	50%*	Not Applicable	Not Applicable	

***Maximum lot coverage requirement applies to stand-alone residential development only; does not apply to commercial or mixed use developments.**

Add new subsections F, G, H, I, and J to Section 9.18.090.040 (Additional Regulations Specific to the CC-1 Zone) to read as follows:

F. Conversion of Single-Family Homes to Commercial Structures and Uses. Any legally established single-family home located within the CC-1 zone may be converted to a commercial structure and use, provided that the conversion complies with the following standards and all other applicable requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title provided that a Site Plan is approved in accordance with Chapter 9.32.

1. Compliance With Other Mixed Used Regulations and Development Standards. Except as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Maintenance of Residential Appearance. Converted homes shall maintain the residential appearance of the structure in order to maintain compatibility with the character and scale of the existing neighborhood.
3. Buffering From Residential Uses. Residential properties converted to commercial uses shall be buffered from existing residential properties in accordance with standards established by the Community Development Director. Buffering measures shall include, but not be limited to, fencing, landscaping, and low level lighting in order to reduce noise and light intrusion.
4. Hours of Operation. Hours of operation for all commercial uses in converted homes within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties. Extended hours of operation may be approved in conjunction with an approved Site Plan and/or other land use entitlement.

5. Pedestrian Linkages. When converting existing homes to a commercial use, pedestrian linkages providing a connection between the commercial uses and other streets and remote parking lots shall either already exist or be created in conjunction with the conversion.
6. Parking. Parking for commercial uses shall comply with Section 9.18.140, with the exception that off-site parking is permitted to be located further than 1,500 feet from the site it is serving, provided that it is located in the CC-1 zone or within the CC-3 and CC-OS zones that are located east of Euclid Street, west of 9th Street, north of Garden Grove Boulevard, and south of Stanford Avenue. Off-site parking areas that support commercial uses in converted single family homes shall be approved in conjunction with the approval of a Site Plan pursuant to the Site Plan review procedure set forth in Chapter 9.32.
7. Additions/Modifications of Structures in Conjunction with Conversions. Additions/modifications shall maintain continuity with the architectural style of the remainder of the existing structure.
8. Additional Compatibility Standards. The additional compatibility standards set forth in subsection J of this Section 9.18.090.040 shall also apply to single family homes converted to commercial uses and structures.
9. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to operational conditions, and require review and approval of a Conditional Use Permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating conditions and Development Standards), a Waiver of Distance and Location Provisions may also be requested through the Conditional Use Permit process. In conjunction with the approval of a Conditional Use Permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:

- a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
- b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
- c. That the use will not interfere with operation so other businesses or uses within the area;
- d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
- e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this Code; and
- f. That all applicable regulations of this Code will be observed.

G. Shared Outside Eating Areas. Shared outside eating areas may be created between properties and uses. No shared outside eating area where alcohol is allowed shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol. Outside eating areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties.

H. Non-Vehicular and Vehicular Vending. Both non-vehicular kiosks and vehicular vending may include, without limitation, converted camper trailers, nostalgic vans, and food trucks, and may be temporarily or permanently installed/parked both on-site and off-site. In addition to meeting the requirements of Sections 9.18.070.010 and 9.18.070.020, both non-vehicular and vehicular vending shall comply with the following standards:

1. The design, materials, and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation.
2. The size of a non-vehicular vending kiosk located within the CC-1 zone may exceed 36 square feet provided that size of the kiosk is appropriate in scale and massing for the location it is intended for. In no case shall the kiosk be larger than 100 square feet.

3. Graphics and signs shall be appropriate to the size and design of the cart/trailer/kiosk and shall not cause light or glare on adjacent streets and residentially developed properties. Typical sign area approved is up to six (6) square feet, not including menu boards, which are typically temporary and/or not permanently affixed to the kiosk.
 4. Kiosks, may not be placed in any required parking space, driving aisle, or walkway. If installed/parked within the public right-of-way, the kiosk/vehicle shall be appropriately separated and buffered from adjacent vehicular traffic through the use of low fencing, planters, or similar barrier. Any street parking that is lost due to the installation of a vending structure shall be replaced elsewhere within the CC-1 zone either within the public right-of-way or within a joint-use parking lot.
 5. Wheels located under the cart/trailers/kiosks are preferred (such as casters) and shall be permanently inflated. Projecting wheels must have fenders.
 6. Hitches attached to the cart/trailer/kiosk must be removable and detached during operation hours.
 7. The use of propane tanks may be permitted subject to the City's Fire Department and Building Division review and approval. Propane tanks must be attached to (or within) the kiosk and the kiosk must allow for adequate ventilation and screening.
 8. The location design, and layout of both non-vehicular and vehicular vending structures shall be subject to the review and approval of the Community Development Director or his/her designee. All vending structures located within the public right-of-way shall meet all requirements of the Public Work's Department for encroachments into the public right-of-way and shall be subject to the review and approval of the Public Work's Director.
 9. No external power, piping or plumbing is allowed. All vending structures shall be self-contained.
- I. Event Space.** Outdoor and Indoor event spaces, including banquet facilities shall comply with the following with the standards and all other application requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title:
1. With the exception as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.

2. Parking for uses within outdoor and indoor event spaces shall comply with Section 9.18.140.
3. Hours of operation shall be determined through the Conditional Use Permit process.

J. Additional Compatibility Standards. The following standards are intended to ensure the compatibility of uses within the CC-1 zone:

1. Within mixed use developments, residential units shall be designed to ensure the security of residents through the provision of secured entrances and exits that are separate from the non-residential uses, and are directly accessible to parking areas. Non-residential and residential uses shall not have common entrance hallways or common balconies. These separations shall be shown on the development plan, and the separations shall be permanently maintained. All commercial development/use shall submit a security plan to the Police Department for review and approval by the Police Chief or his designee prior to establishment of the use.
2. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, trash collection, routine deliveries or late night activity. No use shall produce continual loading or unloading of heavy trucks at the site between the hours of 8:00 p.m. and 6:00 a.m. Hours of operation for all commercial uses within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties, or otherwise authorized pursuant to a Conditional Use Permit or Minor Deviation Land Use Permit approved pursuant to Chapter 9.32. For uses requiring approval of a Conditional Use Permit, extended hours of operation may be authorized pursuant to the Conditional Use Permit. For uses not requiring a Conditional Use Permit or other discretionary land use approval, requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.D.11 of Chapter 9.32 of this Title.
3. Residential portions of a mixed use project shall be designed to limit the interior noise caused by the commercial and parking portions of the project, to a maximum of forty-five (45) decibels (db) community Noise Equivalent Level (CNEL) on annual basis in any habitable room with windows closed. Proper design may include, but shall not be limited to, building orientation, double or extra strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that

window be closed in order to achieve the required level, means shall be provided for ventilation/cooling to provide a habitable environment.

4. No use, activity or process shall produce continual vibrations or noxious odors that are perceptible, without instruments, by the average person at the property lines of the site or within the interior of on-site residential units.
5. Outdoor lighting associated with commercial uses shall not adversely impact surrounding residential uses, but shall provide sufficient illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity or brightness.

Amend Table 9.18-1 (Use Regulations for Mixed Use Zones) of Section 19.18.020 (Permitted Uses) to add the following permitted and conditionally permitted uses in the CC-1 and AR zones (Note: *Italicized uses are new to entire Code*)

**Table 9.18.1
Use Regulations for the Mixed Use Zones**

Table 9.18.1 Mixed Use zoned and Land Use Regulations	CC-1	Additional Regulations and Comments
Miscellaneous Residential and Incidental to Residential		
<i>Live-Work</i>	<i>P</i>	
<i>Cottage Food Operations</i>	<i>P</i>	<i>No minimum spacing limit is required for Cottage Food Operations provided that the use complies with all other requirements of Section 9.08.020.02.50B. (this sections needs to be inserted into Section 9.18.020)</i>
Commercial/Office		
Medical, Dental and Related Health Service Support Facilities	P	
Retail Trade		
Art Gallery/Tattoo Shop	C	See Section 9.18.030.041
<i>Event Space/Banquet Facility (Indoor)</i>	<i>C</i>	<i>See Section 9.18.090.040I</i>
<i>Event Space (Outdoor)</i>	<i>C</i>	<i>See Section 9.18.090.040I</i>
Department Store	P	
Furniture	P	
<i>Food Hall</i>	<i>C</i>	<i>Parking to be provided pursuant to Section 9.18.140.030.</i>

<i>Garden Shop/Small Scale Nursery (10,000 square feet and smaller.)</i>	<i>P</i>	<i>Retail only, no production permitted.</i>
Indoor Multi-Tenant shopping Center	C	See Section 9.18.030.230
Non-Vehicular Vending	P	See Section 9.18.070.010. For Non-Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.
Pets & Supplies	P	
Sporting Goods	P	
Variety/Dry Goods	P	
Food/Drink Sales and Service		
Convenience Store	P	See Section 9.18.060
Grocery Store	P	See Section 9.18.060
Food, Carry-out	P	See Section 9.18.060
Meat Market	P	See Section 9.18.060
Vehicular Vending	P	See Section 9.18.070.020 For Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.
<i>Bar with or without Entertainment</i>	<i>C</i>	<i>See Section 9.18.060 (Alcohol Beverage Sales)</i> <i>See Section 9.18.030.080 (Bar/Nightclub)</i>
Brew Pub	C	See Section 9.18.060
Coffee House with or without Bean Roasting	P	Refer to Title 5, Chapter 70 In the CC-1 zone a, a coffee house with live entertainment shall require a CUP and shall meet the requirements of Section 9.18.030.150 (Eating Establishments with Limited Entertainment)
Eating Establishment/Restaurant with Entertainment	C	See Section 9.18.030.140 See Section 9.18.060
Eating Establishment/Restaurant with Limited entertainment	C	See Section 9.18.030.150 See Section 9.18.060
<i>Wineries</i>	<i>C</i>	<i>See Section 9.18.060 (Alcohol Beverage Sales)</i>

Other Services		
<i>Incidental Instruction (15 students or Less)</i>	I	
<i>Multi-tenant Retail, Office, Studio Space for short term use.</i>	C	Uses to be parked pursuant to Section 9.18.140.030.
Community Garden	P	

Amend the first paragraphs of Sections 9.18.070.010 and 9.18.070.020 of Section 9.18.070 (Outdoor Sales of Goods and Merchandise) as follows (added language in bold/italicize/underline):

SECTION 9.18.070.010 Nonvehicular Vending Kiosks. In the GGMU-1, GGMU-2, and GGMU-3 zones, non-vehicular vending kiosks may be established as a permanent use on a site, except within a required side or rear yard setback area, subject to the following regulations. In the CC-3, NMU, and AR zones, non-vehicular vending kiosks may be established as an incidental use subject to the following regulations. **In the CC-1 zone, non-vehicular vending kiosks may be established as a permanent use pursuant to Section 9.18.090.040.H and subject to the following regulations.**

SECTION 9.18.070.020. The preparation, sale, display, and consumption of food and/or beverages may occur from any vehicle that is parked, stopped, or standing upon any property where such is permitted as an incidental **or permanent** use, as set forth in Table 9.18-1 (Use Regulations for the Mixed Use Zones). Incidental **and/or permanent** vehicular vending, where permitted shall be subject to the following conditions. **Vehicular vending within the CC-1 zone shall also be subject to additional regulations pursuant to Section 9.18.090.040.H.**

Amend the first paragraph of Section 9.18.110.020 (Development Standards for Commercial Uses within All Mixed Use Zones) as follows (added language in bold/italicize/underline):

SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed use developments, **with the exception of the conversion of single-family homes to commercial structures and uses in the CC-1 zone, which shall comply with the provisions of Section 9.18.090.040.**

Adopted this 7th day of May, 2015

ATTEST:

/s/ JOHN O'NEILL
CHAIR

/s/ JUDITH MOORE
SECRETARY

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

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on May 7, 2015, by the following vote:

AYES: COMMISSIONERS: (5) MAI, MARGOLIN, O'NEILL, PAREDES,
ZAMORA
NOES: COMMISSIONERS: (1) PAK
ABSENT: COMMISSIONERS: (1) KANZLER

/s/ JUDITH MOORE
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is May 28, 2015.

Dear Garden Grove Planning Commission, I am writing to you because I cannot attend the meeting tonight. I wish to speak on the proposed Amendment for the Civic Center area.

While I am interested in this project and have high hopes for the downtown area, I cannot fully support this amendment. I do not think it is a good idea to allow for no site plans, when we are dramatically changing a neighborhood. I have strong concerns for the issues of parking, congestion, noise and disrupting the tranquility of a normally quiet area.

I attended the public forum meeting a few weeks ago and listened to the concerns of the residents living within 500 feet of the project. None of them were in favor of the changes. There were fears of having no parking in front of their own homes. There were fears for excessive noise, litter and public drunkenness as well. I have seen this occur in downtown Orange, near the Plaza. This is a very real scenario.

I think that this project needs to be better looked at and the public needs to be more involved. When we mail the homeowners within 500 feet of the proposed project, we are not reaching enough people. This project will affect more than those residents within 500 feet, it affects all of us. I live fairly close by and between both the Stanford Ave and Civic Center projects. I would be affected, as would all of my neighbors. We were not notified.

I think that this needs to be treated cautiously, in the open and slowed down a bit. I have a few suggestions I would add to those planning this project.

1. Involve the public, especially residents in the immediate area, both renters and homeowners. This project has been kept somewhat quiet and many residents do not know about it.
2. Hold another public forum and advertise it online; create a poll on the city web page and in the GG Journal. Make sure that it is posted in all major languages spoken in GG.
3. Invite the potential merchants and restaurants to our Sunday Farmers Market on Main Street. Have a real trial run and see how the public responds to these new businesses wishing to be a part of our downtown.
4. Consider creating a parking structure at the former Black Angus site. This would accommodate large events in the Village Green, at GG High School, for Main Street and the Civic Center.
5. Go green. Invite the most eco-conscious designers to refurbish these properties and the potential greenspaces created. I would like to see solar energy, drought tolerant vegetation and as much reclaimed materials as possible when repurposing the land parcels.

Once again, I am interested in this project and see the potential for greatness. I am excited for downtown. I want everyone to be involved, supportive and appreciative of this when it happens. I think we need to be cautious and not rush into this. Let's be thorough and think about our residents' well being before the developers.

Josh McIntosh,

10832 Stanford Ave, Garden Grove, CA 92840

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION FOR GARDEN GROVE MUNICIPAL CODE AMENDMENT NO. A-013-2015, A ZONING TEXT AMENDMENT TO PORTIONS OF CHAPTER 18 (MIXED USE REGULATIONS) AND CHAPTER 4 (DEFINITIONS) OF TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE

WHEREAS, the City of Garden Grove has initiated Code Amendment No. A-013-2015; and

WHEREAS, as initially proposed, Code Amendment No. A-013-2015 included proposed zoning text amendments to Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code that would include adding uses to the Land Use Chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); adding definitions for new uses in Chapter 4 (Section 9.04.060); adding additional standards for the conversion of single-family homes to commercial uses ministerially, along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and revising Section 9.32.030D.3(2)(a)(d) of Chapter 32 exempting Single-Family Home conversions to any other use in the CC-1 Zone from the requirements to submit a Site Plan application (collectively referred to herein as the "Project"); and (collectively referred to herein as the "Project");

WHEREAS, pursuant to 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., an initial study for the Project was prepared and it has been determined that the proposed Project qualifies for a Negative Declaration because the proposed Project cannot, or will not, have a significant effect on the environment;

WHEREAS, the Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines;

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed Public Hearing on May 7, 2015 and considered all oral and written testimony presented regarding the initial study, the Negative Declaration, and the Project;

WHEREAS, following the Public Hearing on May 7, 2015, the Planning Commission of the City of Garden Grove adopted Resolution No. 5843-15 recommending approval of the Negative Declaration and the Project, with modifications. As recommended by the Planning Commission, Amendment No. A-

013-2015 would not include the addition of any new permitted uses in the AR zone, would not include all of the new permitted uses initially proposed for the CC-1 zone, and would continue to subject all Single-Family Home conversions in the CC-1 zone to the City's existing Site Plan review process; and

WHEREAS, a duly noticed Public Hearing was held by the City Council on June 9, 2015, 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 9, 2015.

NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED by the City Council of the City of Garden Grove of as follows:

1. The City Council of the City of Garden Grove has considered the proposed Negative Declaration, together with comments received during the public review process.

2. The City Council of the City of Garden Grove finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the Project will have a significant effect on the environment.

3. The City Council further finds that the adoption of the Negative Declaration reflects the City Council's independent judgment and analysis.

4. Therefore, the City Council of the City of Garden Grove, in regular session assembled on June 9, 2015, does hereby adopt the Negative Declaration.

5. The record of proceedings on which the City Council of the City of Garden Grove's 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 Community Development.

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-013-2015, A ZONING TEXT AMENDMENT TO PORTIONS OF CHAPTER 18 (MIXED USE REGULATIONS) AND CHAPTER 4 (DEFINITIONS) OF TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE TO ESTABLISH NEW PERMITTED USES IN THE CIVIC CENTER MIXED USE 1 (CC-1) ZONE, NEW DEVELOPMENT, OPERATIONAL, AND COMPATIBILITY STANDARDS FOR CERTAIN USES IN THE CC-1 ZONE, AND STANDARDS FOR THE CONVERSION OF SINGLE-FAMILY HOMES IN THE CC-1 ZONE.

City Attorney Summary

This Ordinance approves a zoning text amendment to portions of Chapters 4 (Definitions) and 18 (Mixed Use Regulations) of Title 9 of the Garden Grove Municipal Code pertaining to certain uses in the Civic Center Mixed Use 1 (CC-1) zone. This Ordinance would allow a number of additional permitted or conditionally permitted uses in the CC-1 zone, including, but not limited to, live-work structures, medical, dental and related health service support facilities, art gallery/tattoo shops, indoor and outdoor event spaces, department stores, furniture stores, food halls, garden shops / small scale nurseries, indoor multi-tenant shopping centers, non-vehicular vending kiosks, pets and pet supply stores, sporting goods stores, variety/dry goods stores, convenience stores, grocery stores, carry-out food establishments, vehicular vending kiosks, bars, brew pubs, coffee houses, eating establishments, wineries, incidental instruction services, and short-term studio space. This Ordinance would also establish standards for the conversion of single-family homes to commercial uses in the CC-1 zone, development and operational standards for outside eating areas, non-vehicular and vehicular vending, and event space uses in the CC-1 zone, and additional compatibility standards for all uses located in the CC-1 zone.

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

WHEREAS, Amendment No. A-013-2015 was initiated by the City of Garden Grove and is a zoning text amendment to portions of Chapter 18 (Mixed Use Regulations) and Chapter 4 (Definitions) of Title 9 of the Municipal Code pertaining to certain uses in the Civic Center Mixed Use 1 (CC-1) zone.

WHEREAS, The proposed amendment would allow a number of additional permitted or conditionally permitted uses in the CC-1 zone, including, but not limited to, live-work structures, medical, dental and related health service support facilities, art gallery/tattoo shops, indoor and outdoor event spaces, department stores, furniture stores, food halls, garden shops / small scale nurseries, indoor multi-tenant shopping centers, non-vehicular vending kiosks, pets and pet supply stores, sporting goods stores, variety/dry goods stores, convenience stores, grocery stores, carry-out food establishments, vehicular vending, bars, brew pubs, coffee houses, eating establishments, wineries, incidental instruction services, and short-term studio space; would establish standards for the conversion of single-family homes to commercial uses in the CC-1 zone; would establish development and operational standards for outside eating areas, non-vehicular and vehicular vending, and event space uses in the CC-1 zone; and would establish additional compatibility standards for all uses located in the CC 1 zone); and

WHEREAS, pursuant to Resolution No. 5843-15, the Planning Commission, at a public hearing held on May 7, 2015, recommended approval of Amendment No. A-013-2015; and,

WHEREAS, the City Council approved Resolution No. _____ during its meeting on June 9, 2015 adopting a Negative Declaration for Amendment No. A-013-2015; and

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the proposed adoption of this Ordinance was held by the City Council on June 9, 2015, 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-013-2015:

A. The proposed Code Amendment is internally consistent with the goals, policies, and elements of the General Plan. The proposed Amendment includes amendments to Chapter 18 (Mixed Use Regulations) and Chapter 4 (Definitions) of Title 9 of the Municipal Code to: add additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) zone that are not currently permitted in zone (Section 9.18.020); add definitions for new uses in Chapter 4 (Section 9.04.060); add additional standards for the conversion of single-family homes to commercial uses, along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020).

The General Plan contains goals and policies that address land use compatibility and the preservation of cultural and historical resources. Goal LU-4 of the General Plan Land Use Element calls for the "City to seek to develop uses that are compatible with one another", Policy LU-4.3 provides for the allowance of mixed

use development at varying intensities as a means for revitalizing underutilized parcels. The City approved the mixed use zoning in the CC-1 zone in order to revitalize underutilized parcels. The subject Code Amendment continues to foster the revitalization of underutilized property by allowing additional commercial uses in the CC-1 zone and creating additional compatibility standards to assist in guiding new development and the adaptive reuse of existing properties. Policy 4.6 promotes the compatible integration of adjacent uses to minimize conflicts where residential/commercial mixed use is permitted. The proposed Amendment furthers this policy by providing additional regulations and compatibility standards between commercial and residential uses located in the CC-1 zone.

B. The proposed Code Amendment will promote the public health, safety and welfare. The proposed Amendment includes regulations that address the adaptive reuse of existing structures that include hours of operation, the buffering of commercial uses to residential uses, special standards for non-vehicular and vehicular vending, the security of residents, noise intrusion, and light and glare. Therefore, the proposed regulations promote the public health, safety, and welfare of persons working and residing in the area.

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. City Council Resolution No. _____ adopting a Negative Declaration for the Project is incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 3. Amendment No. A-013-2015 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 5843-15, 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 4. Section 9.04.060 of Chapter 9.04 (Definitions) of Title 9 of the Garden Grove Municipal Code is hereby amended to add the following three new definitions to be inserted in alphabetical order in Subsections C.6, C.12, and C.23, respectively, and to read as follows:

“Food Hall” means a facility consisting primarily of three (3) or more lease areas within an enclosed building that have a shared entrance/lobby area where the primary uses are food related, but may include small retail venues, shared eating areas, and limited live entertainment. Lease areas may have access to the exterior of the building along with outside eating areas, both private and shared with other uses.

“Live-Work” means a structure that combines living space occupancy with incidental work space, and in which the individual live-work units are occupied and used by a single-household. Live-Work can either consist of structures specifically designed and built to function in this manner, or existing residential structures that have been structurally modified to accommodate work activity and residential occupancy in compliance with the California Building Code. The living space occupies the majority of the live-work structures square footage and the working space is reserved for and regularly used by one or more occupants of the unit. Live-Work units can include renter-occupant and/or owner-occupant. “Live-Work” does not include “Home Occupations” that are allowed in the single-family residential, multi-family residential, and mixed-use zones.

“Wineries” means a commercial facility used for the production and distribution of wine with incidental accessory uses and activities in conjunction with the winery, including, but not limited to wine tasting, food service and restaurants, gift sales, and special events.

SECTION 5. Table 9.18-4 entitled “Development Standards for the Civic Center Mixed Use Zones” of Section 9.18.090.030 (Civic Center Zone Development Standards) of Chapter 9.18 of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to add a note regarding the applicability of the maximum lot coverage requirement in the CC-1 zone (additions in **underline/bold/italics**):

**TABLE 9.18-4
Development Standards for the Civic Center Mixed Use Zones**

DEVELOPMENT STANDARDS	CIVIC CENTER MIXED USE ZONES			
	CC-1	CC-2	CC-3	CC-OS
Lot Coverage				
Minimum Lot Coverage	Not Applicable	70%	Not Applicable	Per site plan review process
Maximum Lot Coverage	50%*	Not Applicable	Not Applicable	

***Maximum lot coverage requirement applies to stand-alone residential development only; does not apply to commercial or mixed use developments.**

SECTION 6. Section 9.18.090.040 (Additional Regulations Specific to the CC-1 Zone) of Chapter 9.18 of Title 9 of the Garden Grove Municipal Code is hereby amended to add new Subsections F, G, H, I, and J to read as follows:

F. Conversion of Single-Family Homes to Commercial Structures and Uses. Any legally established single-family home located within the CC-1 zone may be converted to a commercial structure and use, provided that the conversion complies with the following standards and all other applicable requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title provided that a Site Plan is approved in accordance with Chapter 9.32.

1. Compliance With Other Mixed Use Regulations and Development Standards. Except as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Maintenance of Residential Appearance. Converted homes shall maintain the residential appearance of the structure in order to maintain compatibility with the character and scale of the existing neighborhood.
3. Buffering From Residential Uses. Residential properties converted to commercial uses shall be buffered from existing residential properties in accordance with standards established by the Community Development Director. Buffering measures shall include, but not be limited to, fencing, landscaping, and low level lighting in order to reduce noise and light intrusion.
4. Hours of Operation. Hours of operation for all commercial uses in converted homes within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties. Extended hours of operation may be approved in conjunction with an approved Site Plan and/or other land use entitlement.
5. Pedestrian Linkages. When converting existing homes to a commercial use, pedestrian linkages providing a connection between the commercial uses and other streets and remote parking lots shall either already exist or be created in conjunction with the conversion.
6. Parking. Parking for commercial uses shall comply with Section 9.18.140, with the exception that off-site parking is permitted to be located further than 1,500 feet from the site it is serving, provided that it is located in the CC-1 zone or within the CC-3 and CC-OS zones that are located east of Euclid Street, west of 9th Street, north of Garden Grove Boulevard, and south of Stanford Avenue. Off-site parking areas that support commercial uses in converted single-family homes shall be approved in conjunction with the approval of a Site Plan pursuant to the Site Plan review procedure set forth in Chapter 9.32.
7. Additions/Modifications of Structures in Conjunction with Conversions. Additions/modifications shall maintain continuity with the architectural style of the remainder of the existing structure.

8. Additional Compatibility Standards. The additional compatibility standards set forth in subsection J of this Section 9.18.090.040 shall also apply to single-family homes converted to commercial uses and structures.

9. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to operational conditions, and require review and approval of a Conditional Use Permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating conditions and Development Standards), a Waiver of Distance and Location Provisions may also be requested through the Conditional Use Permit process. In conjunction with the approval of a Conditional Use Permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:
 - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
 - c. That the use will not interfere with operation of other businesses or uses within the area;
 - d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
 - e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this Code; and
 - f. That all applicable regulations of this Code will be observed.

G. Shared Outside Eating Areas. Shared outside eating areas may be created between properties and uses. No shared outside eating area

where alcohol is allowed, shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol. Outside eating areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties.

H. Non-Vehicular and Vehicular Vending. Both non-vehicular kiosks and vehicular vending may include, without limitation, converted camper trailers, nostalgic vans, and food trucks, and may be temporarily or permanently installed/parked both on-site and off-site. In addition to meeting the requirements of Sections 9.18.070.010 and 9.18.070.020, both non-vehicular and vehicular vending shall comply with the following standards:

1. The design, materials, and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation.
2. The size of a non-vehicular vending kiosk located within the CC-1 zone may exceed 36 square feet provided that the size of the kiosk is appropriate in scale and massing for the location it is intended for. In no case shall the kiosk be larger than 100 square feet.
3. Graphics and signs shall be appropriate to the size and design of the cart/trailer/kiosk and shall not cause light or glare on adjacent streets and residentially developed properties. Typical sign area approved is up to six (6) square feet, not including menu boards, which are typically temporary and/or not permanently affixed to the kiosk.
4. Kiosks may not be placed in any required parking space, driving aisle, or walkway. If installed/parked within the public right-of-way, the kiosk/vehicle shall be appropriately separated and buffered from adjacent vehicular traffic through the use of low fencing, planters, or similar barrier. Any street parking that is lost due to the installation of a vending structure shall be replaced elsewhere within the CC-1 zone either within the public right-of-way or within a joint-use parking lot.
5. Wheels located under the cart/trailers/kiosks are preferred (such as casters) and shall be permanently inflated. Projecting wheels must have fenders.
6. Hitches attached to the cart/trailer/kiosk must be removable and detached during operation hours.

7. The use of propane tanks may be permitted subject to the City's Fire Department and Building Division review and approval. Propane tanks must be attached to (or within) the kiosk and the kiosk must allow for adequate ventilation and screening.
8. The location, design, and layout of both non-vehicular and vehicular vending structures shall be subject to the review and approval of the Community Development Director or his/her designee. All vending structures located within the public right-of-way shall meet all requirements of the Public Work's Department for encroachments into the public right-of-way and shall be subject to the review and approval of the Public Work's Director.
9. No external power, piping or plumbing is allowed. All vending structures shall be self-contained.

I. Event Space. Outdoor and Indoor event spaces, including banquet facilities, shall comply with the following standards and all other application requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title:

1. With the exception as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Parking for uses within outdoor and indoor event spaces shall comply with Section 9.18.140.
3. Hours of operation shall be determined through the Conditional Use Permit process.

J. Additional Compatibility Standards. The following standards are intended to ensure the compatibility of uses within the CC-1 zone:

1. Within mixed use developments, residential units shall be designed to ensure the security of residents through the provision of secured entrances and exits that are separate from the non-residential uses, and are directly accessible to parking areas. Non-residential and residential uses shall not have common entrance hallways or common balconies. These separations shall be shown on the development plan, and the separations shall be permanently maintained. All commercial development/use shall submit a security plan to the Police Department for review and approval by the Police Chief or his designee prior to establishment of the use.

2. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, trash collection, routine deliveries or late night activity. No use shall produce continual loading or unloading of heavy trucks at the site between the hours of 8:00 p.m. and 6:00 a.m. Hours of operation for all commercial uses within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties, or otherwise authorized pursuant to a Conditional Use Permit or Minor Deviation Land Use Permit approved pursuant to Chapter 9.32. For uses requiring approval of a Conditional Use Permit, extended hours of operation may be authorized pursuant to the Conditional Use Permit. For uses not requiring a Conditional Use Permit or other discretionary land use approval, requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.D.11 of Chapter 9.32 of this Title.
3. Residential portions of a mixed use project shall be designed to limit the interior noise caused by the commercial and parking portions of the project, to a maximum of forty-five (45) decibels (db) community Noise Equivalent Level (CNEL) on annual basis in any habitable room with windows closed. Proper design may include, but shall not be limited to, building orientation, double or extra strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that windows be closed in order to achieve the required level, means shall be provided for ventilation/cooling to provide a habitable environment.
4. No use, activity or process shall produce continual vibrations or noxious odors that are perceptible, without instruments, by the average person at the property lines of the site or within the interior of on-site residential units.
5. Outdoor lighting associated with commercial uses shall not adversely impact surrounding residential uses, but shall provide sufficient illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity or brightness.

SECTION 6. Table 9.18-1 entitled "Use Regulations for Mixed Use Zones" of Section 9.18.020 (Permitted Uses) of Chapter 9.18 of Title 9 of the Garden Grove Municipal Code is hereby amended as follows to add the following uses as permitted and conditionally permitted in the CC-1 zone (additions in **underline/bold/italics**):

**Table 9.18.1
Use Regulations for the Mixed Use Zones**

Table 9.18.1 Mixed Use zoned and Land Use Regulations	CC-1	Additional Regulations and Comments
Miscellaneous Residential and Incidental to Residential		
<u>Cottage Food Operations</u>	<u>P</u>	<u>No minimum spacing limit is required for Cottage Food Operations provided that the use complies with all other requirements of Section 9.08.020.02.50B. (this sections needs to be inserted into Section 9.18.020)</u>
<u>Live-Work</u>	<u>P</u>	
Commercial/Office		
Medical, Dental and Related Health Service Support Facilities	<u>P</u>	
Retail Trade		
<u>Art Gallery/Retail Business with Tattoo Art Studio</u>	<u>C</u>	<u>See Section 9.18.030.041</u>
<u>Event Space/Banquet Facility (Indoor)</u>	<u>C</u>	<u>See Section 9.18.090.040.I</u>
<u>Event Space (Outdoor)</u>	<u>C</u>	<u>See Section 9.18.090.040.I</u>
Department Stores	<u>P</u>	
Furniture, Carpets, Household Appliances	<u>P</u>	
<u>Food Hall</u>	<u>C</u>	<u>Parking to be provided pursuant to Section 9.18.140.030.</u>
<u>Garden Shop/Small Scale Nursery (10,000 square feet and smaller.)</u>	<u>P</u>	<u>Retail only, no production permitted.</u>
Indoor Multi-Tenant Retail Shopping Center	<u>C</u>	See Section 9.18.030.230 (Indoor Multi- Tenant Retail Shopping Center).
Non-Vehicular Vending Kiosk	<u>P</u>	See Section 9.18.070.010 (Non- Vehicular Vending Kiosk). <u>For Non-Vehicular Vending in the CC-1 zone, see Section 9.18.090.040.H for additional requirements.</u>
Pets and Pet Supplies	<u>P</u>	
Sporting Goods	<u>P</u>	

Variety, Dry Goods Stores	<u>P</u>	In the CC and NMU zones, buildings with up to 40,000 sf of gross floor area are permitted by right; buildings larger than 40,000 sf may be allowed with a conditional use permit.
Food/Drink Sales and Service		
Convenience Grocery	<u>P</u>	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Food, Carry-out	<u>P</u>	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Meat Market	<u>P</u>	See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages. No sale or slaughter of live animals shall take place, be allowed or provided for.
Vehicular Vending (Food Truck)	<u>P</u>	See Section 9.18.070.020 (Vehicular Vending Food Truck). <u>For Vehicular Vending in the CC-1 zone see Section 9.18.090.040.H for additional requirements.</u>
<u>Bar with or without Entertainment</u>	<u>C</u>	<u>See Section 9.18.060 (Alcohol Beverage Sales) and Section 9.18.030.080 (Bar/Nightclub).</u>
Brew Pub	<u>C</u>	See Section 9.18.060 (Alcohol Beverage Sales).
Coffeehouse	<u>P</u>	Refer to Title 5, Chapter 70 (Regulation of Coffeehouses) for additional applicable provisions. <u>The roasting of coffee beans incidental to the operation of a coffeehouse is permitted in the CC-1 zone.</u> <u>In the CC-1 zone a, a coffeehouse with live entertainment shall require a CUP and shall meet the requirements of Section 9.18.030.150 (Eating</u>

		<u>Establishments with Limited Entertainment).</u>
Eating Establishment/Restaurant with Entertainment	<u>C</u>	See Section 9.18.030.140 (Eating Establishment with Entertainment; Bars/Nightclubs). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
Eating Establishment/Restaurant with Limited entertainment	<u>C</u>	See Section 9.18.030.150 (Eating Establishment with Limited Entertainment). See Section 9.18.060 (Alcohol Beverage Sales) for any associated sale of alcoholic beverages.
<u>Wineries</u>	<u>C</u>	<u>See Section 9.18.060 (Alcohol Beverage Sales).</u>
Other Services		
<u>Incidental Instruction (15 students or Less)</u>	<u>I</u>	
<u>Multi-tenant Retail, Office, Studio Space for short term use.</u>	<u>C</u>	<u>Uses to be parked pursuant to Section 9.18.140.030.</u>
<u>Community Garden</u>	<u>P</u>	

SECTION 7. Section 9.18.070.010 (Nonvehicular Vending Kiosks) of Chapter 9.18 of Title 9 of the Garden Grove Municipal Code is hereby amended to add a sentence at the end of the first paragraph of said Section as follows (added language in **bold/italicize/underline**):

SECTION 9.18.070.010: Non-vehicular Vending Kiosks. In the GGMU-1, GGMU-2, and GGMU-3 zones, non-vehicular vending kiosks may be established as a permanent use on a site, except within a required side or rear yard setback area, subject to the following regulations. In the CC-3, NMU, and AR zones, non-vehicular vending kiosks may be established as an incidental use subject to the following regulations. **In the CC-1 zone, non-vehicular vending kiosks may be established as a permanent use pursuant to Section 9.18.090.040.H and subject to the following regulations.**

SECTION 8. Section 9.18.070.020 (Vehicular Vending (Food Truck)) of Chapter 9.18 of Title 9 of the Garden Grove Municipal Code is hereby amended to add additional language to the first paragraph of said Section as follows (added language in **bold/italicize/underline**):

SECTION 9.18.070.020: Vehicular Vending (Food Truck). The preparation, sale, display, and consumption of food and/or beverages

may occur from any vehicle that is parked, stopped, or standing upon any property where such is permitted as an incidental ***or permanent*** use, as set forth in Table 9.18-1 (Use Regulations for the Mixed Use Zones). Incidental ***and/or permanent*** vehicular vending, where permitted shall be subject to the following conditions. ***Vehicular vending within the CC-1 zone shall also be subject to additional regulations pursuant to Section 9.18.090.040.H.***

SECTION 9. Section 9.18.110.020 (Development Standards for Commercial Uses within All Mixed Use Zones) is hereby amended to add a sentence at the end of the first paragraph of said Section as follows (added language in ***bold/italicize/underline***):

SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed use developments, ***with the exception of the conversion of single-family homes to commercial structures and uses in the CC-1 zone, which shall comply with the provisions of Section 9.18.090.040.***

SECTION 10: 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 11: 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.

**INITIAL STUDY AND
NEGATIVE DECLARATION**



GARDEN GROVE

CITY OF GARDEN GROVE

**CC-1 AND AR ZONES:
LAND USE CODE AMENDMENT**

Lead Agency:

City of Garden Grove
11222 Acacia Parkway
Garden Grove, California 92840

Contact: Lee Marino, Senior Planner

March 2015

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NOTICE OF AVAILABILITY AND INTENT TO ADOPT A
NEGATIVE DECLARATION FOR
CC-1 AND AR ZONES: LAND USE CODE AMENDMENT

DATE: March 11, 2015

TO: Interested Agencies, Organizations, and Individuals

Notice is hereby given that City of Garden Grove has completed an Initial Study to assess the impacts associated with focused amendments to the CC-1 and AR Zones (Land Use Code Amendment) in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the Guidelines for Implementing the California Environmental Quality Act (Government Code Section 15000 et seq.).

PROJECT LOCATION: The proposed project would affect all properties with a current zoning designation of *Civic Center Area - East (CC-1) and Adaptive Reuse (AR)*. The CC-1 zone applies to properties within the three blocks east of Civic Center Drive and south of Acacia Parkway. The CC-1 zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The AR zone applies to approximately six blocks located north of Garden Grove Boulevard, south of Lakeside Drive, west of Nelson Street/Century Boulevard, and east of Brookhurst Street. The AR zone allows for a mix of work-live, light industrial, technology, creative industry, office, limited entertainment, and complementary uses near the City's civic core. See Initial Study Figures 1 and 2. The City of Garden Grove is located in central Orange County, bordered by the cities of Anaheim, Stanton, and Cypress to the north; Los Alamitos to the northwest; Seal Beach to the west/southwest; Westminster and Fountain Valley to the south; Santa Ana to the south and southwest; and Orange to the east.

DESCRIPTION OF THE PROPOSED PROJECT: The project consists of an amendment to Chapter 18 ("Mixed Use Regulations and Development Standards"), Chapter 4 ("Definitions"), and Chapter 32 ("Procedures and Hearings") of Title 9 ("Land Use") of the Garden Grove Municipal Code. The amendment would add language to allow certain uses in the Civic Center - East (CC-1) and Adaptive Reuse (AR) zones not currently permitted in these zones, with additional performance standards and regulations for such uses. The proposed code amendment does not propose any physical changes or alterations to any particular properties in the CC-1 and AR zones.

POTENTIAL IMPACTS: No potentially significant environmental impacts of the project have been identified.

PUBLIC REVIEW PERIOD: Begins: March 11, 2015 Ends: March 31, 2015

PUBLIC HEARING: A public hearing will be held before the Garden Grove Planning Commission on April 2, 2015 in the City Council Chambers of the Community Meeting Center at 11300 Stanford Avenue, Garden Grove.

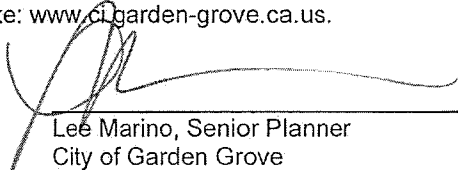
The Initial Study/Negative Declaration is being circulated for public review and comment for a period of 20 days. Any person may submit written comments to the Planning Division before the end of the review period. If you challenge the City's action in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the Planning Division prior to the end of the review period. Comments may be sent by mail, fax, or e-mail to the following address:

Lee Marino, Senior Planner
City of Garden Grove
Planning Division
11222 Acacia Parkway
Garden Grove, California 92840

Phone: (714)741-5302
Fax: (714)741-5578
Email: leem@ci.garden-grove.ca.us

LOCATION WHERE DOCUMENT CAN BE REVIEWED: The City of Garden Grove has prepared an Initial Study and a Draft Negative Declaration for the project, pursuant to CEQA. Copies of these documents may be reviewed at the following locations during normal business hours: 1) City of Garden Grove Planning Division, 11222 Acacia Parkway, Garden Grove, California 92840; 2) Garden Grove Library, 11200 Stanford Avenue, Garden Grove, California 92840; and 3) on the City's website: www.ci.garden-grove.ca.us.

3-10-15
Date: _____



Lee Marino, Senior Planner
City of Garden Grove

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DRAFT NEGATIVE DECLARATION

PROJECT: CC-1 AND AR ZONES LAND USE CODE AMENDMENT

PROJECT LOCATION: Various areas throughout Garden Grove, located in Orange County, California (as indicated on the attached maps – Figure 1: Regional Location and Figure 2: Project Area)

LEAD AGENCY AND PROJECT PROPONENT: City of Garden Grove

PROJECT DESCRIPTION: The proposed project is the adoption and implementation of land use code amendments (Chapter 9.18 of the Land Use Code). The proposed code amendments would apply to the CC-1 and AR zones. The amendments would allow additional permitted and conditionally permitted commercial uses in these zones, and would establish greater flexibility for off-site parking. The proposed code amendments are intended to implement and adhere to policies in the General Plan, which was comprehensively updated in 2008. The proposed project consists of changes to regulatory documents that guide the development of properties citywide. The project would not directly result in any new construction or development.

A copy of the Initial Study is attached. Questions or comments regarding this Initial Study/Negative Declaration may be addressed to:

Lee Marino, Senior Planner
City of Garden Grove
Planning Division
11222 Acacia Parkway
Garden Grove, California 92840

Phone: (714)741-5302
Fax: (714)741-5578
Email: leem@ci.garden-grove.ca.us

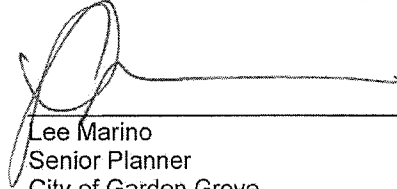
DETERMINATION: The conclusion of the Initial Study is that the project will not cause a significant impact on the environment. A **NEGATIVE DECLARATION** has been prepared.

FINDING OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT: Based on the Initial Study of possible significant effects of the proposed project, it has been determined that the project will not have a significant adverse effect on the environment. Preparation of an Environmental Impact Report is not required.

DECLARATION OF COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT: This document has been prepared in accordance with the California Environmental Quality Act.

3-10-15

Date:



Lee Marino
Senior Planner
City of Garden Grove

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INITIAL STUDY
PROJECT: CC-1 AND AR ZONE LAND USE CODE AMENDMENTS

General Information

1. Project Title:

City of Garden Grove CC-1 & AR Zone Land Use Code Amendments

2. Lead Agency Name and Address:

City of Garden Grove
 Planning Division
 11222 Acacia Parkway
 Garden Grove, California 92840

3. Contact Person:

Lee Marino, Senior Planner
 Phone: (714)741-5302
 Fax: (714)741-5578
 Email: leem@ci.garden-grove.ca.us

4. Project Location:

The City of Garden Grove is located in central Orange County and is bordered by the cities of Anaheim, Stanton, and Cypress to the north; Los Alamitos to the northwest; Seal Beach to the west/southwest; Westminster and Fountain Valley to the south; Santa Ana to the south and southwest; and Orange to the east (see **Figure 1**).

The proposed project would affect all properties with a current zoning designation of *Civic Center - East (CC-1)* and *Adaptive Reuse (AR)*. The CC-1 zone applies to properties three blocks east of Civic Center Drive and south of Acacia Parkway. The AR zone applies to properties approximately six blocks north of Garden Grove Boulevard, and roughly south of Lakeside Drive, west of Nelson Street/Century Boulevard, and east of Brookhurst Street (see **Figure 2**).

5. Permit application(s) for the project:

None. The proposed code amendments have been initiated by the City.

6. General Plan Designation/Zoning:

The applicable General Plan land use designations are *Civic Center Mixed Use* and *Industrial/Residential Mixed Use 2*. The implementing zones affected by this project are as follows:

General Plan Designation	Zone
Civic Center Mixed Use <i>42 du/ac for residential, 0.5 FAR for nonresidential</i>	Civic Center - East (CC-1) <i>21 du/ac for residential, 0.5 FAR for nonresidential</i>
Industrial/Residential Mixed Use 2 <i>32 du/ac for residential, 0.5 FAR for nonresidential</i>	Adaptive Reuse (AR) <i>32 du/ac for residential, 0.5 FAR for nonresidential</i>

7. Surrounding Land Uses:

Development surrounding properties in the CC-1 and AR zones includes residential at varying densities, retail and service commercial, offices, public and civic facilities, industrial, schools, parks, and open space uses.

The CC-1 zone is a Mixed Use zone situated in the Civic Center region of the City. The Civic Center area is considered the "Heart of the City" and serves as a community focal point. Significant uses located in the Civic Center include City Hall, the Community Meeting Center (CMC), the Village Green, the Police Department, the Library, and other civic uses. Existing uses located in areas surrounding the CC-1 zone include Garden Grove High School north of the Community Center Park, north of Stanford Avenue. Directly north across Acacia Parkway from the CC-1 zone are the police department, an adult day care and services center, and multi-family residential uses. To the east, single-family residential neighborhoods border the zone, and to the south are two vacant parcels, single-family residential uses, and an adult educational center.

Residential uses extend to the western edge of the Civic Center area, abutting the AR zone. The AR zone is host to a mix of light industrial, technology, and complementary uses near the City's civic core. The AR zone includes the district headquarters for the Garden Grove Unified School District and a local branch of the U.S. Postal Service office, along with private residences and small commercial and light industrial properties. The zone is bounded on the northeast by a former rail line route, now referred to as the Orange County Transit Agency (OCTA) right-of-way. Large multifamily residential complexes are located beyond the OCTA right-of-way on Lakeside Drive South and to the southwest along Nutwood Street. A large commercial center (Home Depot) and single-family residential uses are located to the east. A variety of small-scale commercial uses are located south of the AR zone along Garden Grove Boulevard.

8. Project Description

General Plan Guiding Policy

The Garden Grove General Plan establishes the foundation for land use policy throughout the City. General Plan goals, policies, and implementation measures relevant to this project include the following:

Goal LU-1 The City of Garden Grove is a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision.

Policy LU-1.3 Encourage a wide variety of retail and commercial services, such as restaurants and cultural arts/entertainment, in appropriate locations.

Policy LU-1.4 Encourage active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed use areas.

Policy LU-1.5 Mixed Use should be designed to:

- Create a pleasant walking environment to encourage pedestrian activity.
- Create lively streetscapes, interesting urban spaces, and attractive landscaping
- Provide convenient shopping opportunities for residents close to their residence.
- Integrate with surrounding uses to become a part of the neighborhood rather than an isolated project.
- Use architectural elements or themes from the surrounding area, as appropriate.
- Provide appropriate transition between land use designations to minimize neighbor compatibility conflicts.

LU-IMP-1B Amend the Zoning Code to implement mixed use zoning districts that provide development standards for mixed use development, which should address minimum density and intensity requirements; allowable uses; horizontal and/or vertical mix of uses, building heights; and parking standards.

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

Policy LU-4.3 Allow for mixed use development at varying intensities in Focus Areas as a means of revitalizing underutilized parcels.

Policy LU-4.4 Avoid density increases or intrusion of non-residential uses that are incompatible with existing neighborhoods.

Policy LU-4.5 Require that the commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas.

Policy LU-4.6 Where residential/commercial or residential/industrial mixed use is permitted, ensure compatible integration of adjacent uses to minimize conflicts.

LU-IMP-4A Monitor existing and review all requests to expand intensive commercial or industrial uses.

Goal LU-10 Restoration of the Civic Center as the heart of the City.

Policy LU-10.3 Redevelop, consolidate and rezone properties within the Civic Center area to accommodate the mix of uses allowed in this focus area.

Additional direction is provided in the General Plan through the narrative intent and desired character and uses established for each land use. For this project, the applicable General Plan land use categories are Civic Center Mixed Use and Industrial/Residential Mixed Use 2.

Civic Center Mixed Use

Intent: The Civic Center Mixed Use (CC) is a new land use designation in the General Plan 2030 for the area that includes City Hall, the neighborhood bounded by 9th Street, Acacia Parkway, and Garden Grove Boulevard, Main Street, the Community Meeting Center, and the Village Green. This area is the center of the community.

Desired Character and Uses: The Civic Center Mixed Use (CC) designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. These uses should contribute to the sense that this area is the heart and soul of the community, as well as a public gathering place.

Industrial/Residential Mixed Use 2

Intent: The Industrial/Residential Mixed Use 2 (IR2) designation is a new land use designation in the General Plan 2030. This designation will apply to the south of the OCTA right-of-way, both north and south of Stanford Avenue extending south to Garden Grove Boulevard.

Desired Character and Uses: The intent for the Industrial/Residential Mixed Use 1 (IR1) designation is to allow existing industrial uses to remain and to allow for new uses, such as artist's lofts with a residential component (i.e., live/work units).

Goal CON-7 Significant historical, architectural, archeological, and cultural value resources shall be preserved and protected.

Policy CON-7.2 Preserve Garden Grove's significant historic resources to promote community identity, stability, and aesthetic character.

CON-IMP-7B Determine appropriate zoning and land development guidelines in order to protect historic resources from incompatible development.

CON-IMP-7F Encourage new commercial development or renovations to existing commercial structures in historic areas to be compatible with existing historic architectural character.

The Project

The City of Garden Grove proposes to amend Chapter 18 ("Mixed Use Regulations and Development Standards"), Chapter 4 ("Definitions"), and Chapter 32 ("Procedures and Hearings") of Title 9 ("Land Use") of the Garden Grove Municipal Code. The amendment would add language to allow certain uses in the Civic Center - East (CC-1) and Adaptive Reuse (AR) zones not currently permitted in these zones, and would establish additional performance standards for such uses. The amendment would also allow required parking to be provided at an off-site location farther than 1,500 feet from the use served. No specific development applications are proposed at this time. The project consists only of a Title 9 (also referred to as the Land Use Code) text amendment. Thus, no physical changes or alterations to any particular property are proposed at this time.

CC-1 Zone

At the time that the CC-1 zoning standards were created, the intent was to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. Currently, Title 9, Section 9.18.010 ("Mixed Use Zones – Purpose") allows for the adaptive reuse of single-family homes in the CC-1 district with certain commercial uses in order to preserve the existing older structures. The proposed amendment would allow for the expanded reuse of such properties with additional commercial uses and would permit specific uses as a matter of right. Other uses with operating characteristics of a more intense nature, such as entertainment uses, would be subject to approval of a Conditional Use Permit (CUP). The amendment is intended to allow a greater range of uses by creating additional standards that address reuse of existing homes, as well as the compatibility of uses consistent with policy direction in the Garden Grove General Plan, as cited above.

The CC-1 zone applies to properties three blocks east of Civic Center Drive and south of Acacia Parkway. The CC-1 zone allows for institutional and educational uses, together with a mix of residential and commercial uses. The intent of the CC-1 zone is to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. Existing residential structures may continue to be used for residential purposes or may be adapted for commercial use, provided that applicable development standards can be met. The zone allows a maximum floor-area ratio (FAR) of 0.50 for non-residential uses and residential densities up to 21 dwelling units per acre (du/ac). The proposed code amendment would not change these standards.

AR Zone

The AR zone applies to properties approximately six blocks north of Garden Grove Boulevard, south of Lakeside Drive, west of Nelson Street, and east of Brookhurst Street. The AR zone allows for a mix of work-live, light industrial, technology, creative industry, office, limited entertainment, and complementary uses near the City's civic core. The zone allows a maximum FAR of 0.5 for non-residential uses and residential densities up to 32 du/ac. The proposed code amendment would not change these standards or any other development standards affecting the allowable quantity of development. The City approved the mixed use General Plan land use designations and implementing zoning in the AR zone to encourage the revitalization of underutilized parcels. The subject Code Amendment continues to encourage revitalization of underutilized property by allowing additional commercial uses and creating additional compatibility standards to assist in guiding new development and the adaptive reuse of existing properties.

The proposed text amendment includes the following components:

Chapter 18 Revisions

The text amendment would add five new performance standard sections to the CC-1 zone. These include:

- **Conversion of Single-Family Homes to Commercial Structures and Uses:** This section would allow single-family homes to be converted to a commercial structure via a ministerial process, with compliance to all existing requirements of Chapter 18. New development standards associated with the text amendment would include the following:
 - Developers converting an existing home to commercial use and any additions or modifications would be required to maintain the architectural style and house façade, and the use must be buffered from existing residential properties with fencing, landscaping, and low-level lighting to reduce noise and light intrusion.
 - Hours of operation for all commercial uses in the CC-1 zone would be limited to 7:00 A.M. to 10:00 P.M. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties. Requests for extended hours of operation shall require approval through the Director's Review procedure set forth in Chapter 9.32.
 - Parking for commercial uses would be required to comply with Section 9.18.140 ("Parking"), with the exception that off-site parking would be permitted to be located farther than 1,500 feet from the site it is serving. Any such off-site parking must be located within the CC-1 zone or within adjacent areas to the CC-1 zone that are zoned CC-3 or CC-OS. Off-site parking for commercial uses in the CC-1 would be eligible for ministerial approval.
 - Additional usage limitations relating to entertainment and/or alcohol would require a CUP and be subject to operational conditions and buffering. If entertainment and/or consumption of alcohol is conducted outdoors, buffering must include but not be limited to sound attenuation walls and landscaping to protect adjacent residential uses.
- **Shared Outside Eating Areas:** This section pertains to the establishment of outside eating areas between properties and uses. New standards would require that outside eating areas serving alcohol only be permitted to have direct access to and from the establishment serving alcohol and that these areas be sufficiently buffered to "maintain the peaceful enjoyment of adjacent properties."
- **Non-vehicular and Vehicular Vending:** This section outlines standards for vending from non-vehicular kiosks and vehicles, which may include converted camper trailers, nostalgic vans, food trucks, etc. The new standards would allow such uses to park temporarily or permanently on site and off site (but not within a required rear or side yard). The size, design, and usage of such vehicles and kiosks are further defined in the proposed ordinance.
- **Event Space:** This section pertains to outdoor and indoor event spaces, including banquet facilities. The new standards would require compliance with applicable requirements of Chapter 18 ("Mixed Use Regulations and Development Standards") of Title 9 ("Land Use") of the Municipal Code.
- **Additional Compatibility Standards:** This section pertains to additional standards intended to ensure compatibility of uses within the CC-1 zone, outlining a variety of commercial and mixed-use operations. Limitations on vibration, noxious odors, lighting, and hours of operation are detailed.

Additionally, the Permitted Uses table in Section 19.18.020 ("Uses Permitted") would be modified to add new specific permitted and conditional uses for miscellaneous residential and commercial

operations for CC-1 and the AR zones, along with definitions and supplementary regulations and commentary.

All existing development standards of the Land Use Code designating minimum areas, width, densities, lot coverage, and architectural character would remain the same, and all uses would be required to comply with all other applicable Sections of Chapter 18 of the Land Use Code. Rules regarding alcohol on premises or entertainment, which would require a Conditional Use Permit, are also outlined.

The table below identifies the proposed new regulations.

SECTION 19.18.020: PERMITTED USES (the following uses will be added to CC-1 and AR)

Table 9.18-1 Mixed Use Zones and Land Use Regulations	CC-1	AR	Additional Regulations and Comments
Miscellaneous Residential and Incidental to Residential			
Live-Work	P		
Cottage Food Operations	P		No minimum spacing limit is required for Cottage Food Operations provided that the use complies with all other requirements of Section 9.08.020.02.50B.
Commercial/Office			
Medical, Dental and Related Health Service Support Facilities	P		
Retail Trade			
Art Gallery/Tattoo Shop	C		See Section 9.18.030.041
Event Space Banquet Facility (Indoor)	C		See Section 9.18.090.040I
Event Space (Outdoor)	C		See Section 9.18.090.040I
Department Store	P		
Furniture	P		
Food Hall	C	C	Parking to be provided pursuant to Section 9.18.140.030.
Garden Shop/Small Scale Nursery (Retail Only No Production permitted)	P		
Indoor Multi-Tenant shopping Center	C	C	See Section 9.18.030.230
Non-Vehicular Vending	P		See Section 9.18.070.010. For Non-Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.
Pets & Supplies	P		
Sporting Goods	P		
Variety/Dry Goods	P		
Food/Drink Sales and Service			
Convenience Store	P		See Section 9.18.060
Grocery Store	P		See Section 9.18.060
Food, Carry-out	P		See Section 9.18.060
Liquor Store	C		See Section 9.18.060
Meat Market	P		See Section 9.18.060

Table 9.18-1 Mixed Use Zones and Land Use Regulations	CC-1	AR	Additional Regulations and Comments
Vehicular Vending	P		See Section 9.18.070.020 For Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.
Bar with or without Entertainment (Night Clubs not permitted in CC-1, CC-2, CC-3, CC-OS, & AR zone)	C		See Section 9.18.060 (Alcohol Beverage Sales) See Section 9.18.030.060 (Bar/Nightclub)
Brew Pub	C		See Section 9.18.060
Eating Establishment/Restaurant with Entertainment	C		See Section 9.18.030.140 See Section 9.18.060
Eating Establishment/Restaurant with Limited entertainment	C		See Section 9.18.030.150 See Section 9.18.060
Winery	C		See Section 9.18.060 (Alcohol Beverage Sales)
Other Services			
Incidental Instruction (15 students or Less)	I		
Multi-tenant Retail, Office, Studio Space for short term use.	C	C	Uses to be parked pursuant to Section 9.18.140.030.
Community Garden	P		

Chapter 4 Revisions

The proposed Land Use Code amendments includes a text addition to Section 9.04.060 ("Definitions") to include the definition of "Live-Work" structures. These would refer to structures that combine living space occupancy with incidental work space, and in which the individual live-work units are occupied and used by a single-household. Live-work can either consist of structures specifically designed and built to function in this manner, or existing residential structures that have been structurally modified to accommodate work activity and residential occupancy in compliance with the California Building Code, General Plan, and Municipal Code. The amendment also includes new definitions for "wineries" and "food halls."

Chapter 32 Revisions

Finally, the amendment would add text to Chapter 32, Section 9.32.030D ("Land Use Action Procedures") for subsection 9.32.030D.3(2)(a)(d). This revision would exempt from the site plan application process any single-family home in the CC-1 zone that converts to commercial structures and uses.

9. Framework for Environmental Analysis

This Initial Study has been prepared to analyze the potential effects resulting from changes to the Land Use Code to allow additional complementary uses to locate in the CC-1 and AR zones, consistent with existing General Plan policy. The action of adopting these regulatory and policy documents would not directly create any environmental impact, as adoption would not result directly in any construction activity. The provisions of the Land Use Code would be applied to land use and development proposals either on a ministerial or discretionary basis, as dictated by the terms of the Code. No direct physical impacts on the environment are related to instituting the new standards within the Land Use Code Amendment. Development proposals by land owners and their authorized agents could introduce the potential for physical impacts. Thus, the CC-1 and AR Zones Land Use Code Amendment could facilitate projects, the construction of which could produce environmental effects. Potential impacts are analyzed in this Initial Study within this framework.

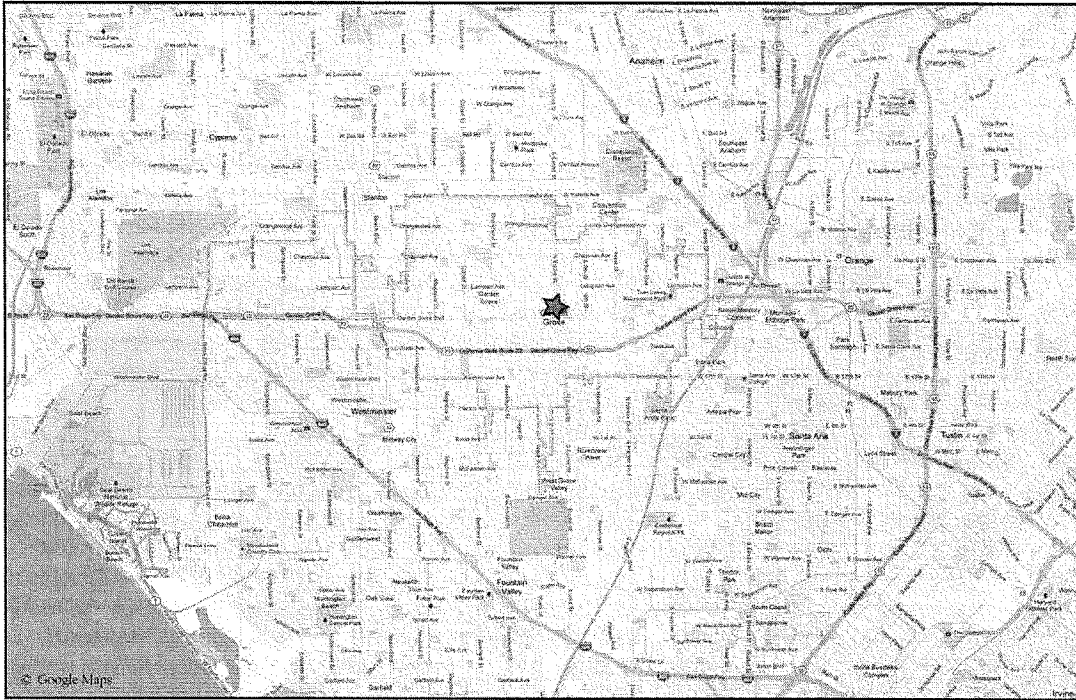
Tiering upon the General Plan Program EIR

Tiering involves the incorporation by reference of generalized discussions from a previous Environmental Impact Report (EIR) into a subsequent environmental document to focus the discussion within the subsequent document on issues specific to the action under review. Section 15152 of the CEQA Guidelines states that agencies are encouraged to tier environmental analyses to avoid repetitive discussion within subsequent environmental documents and focus on issues directly related to the topic of evaluation. Using the tiering process does not allow for avoidance of a discussion related to issues directly affected by an action, but does limit the examination of issues to those that were not addressed in a previous EIR, and should incorporate measures designed to reduce or avoid environmental impacts. Tiering is appropriate in situations where the proposed action is consistent with the General Plan or where changes in zoning will produce conformity with the General Plan.

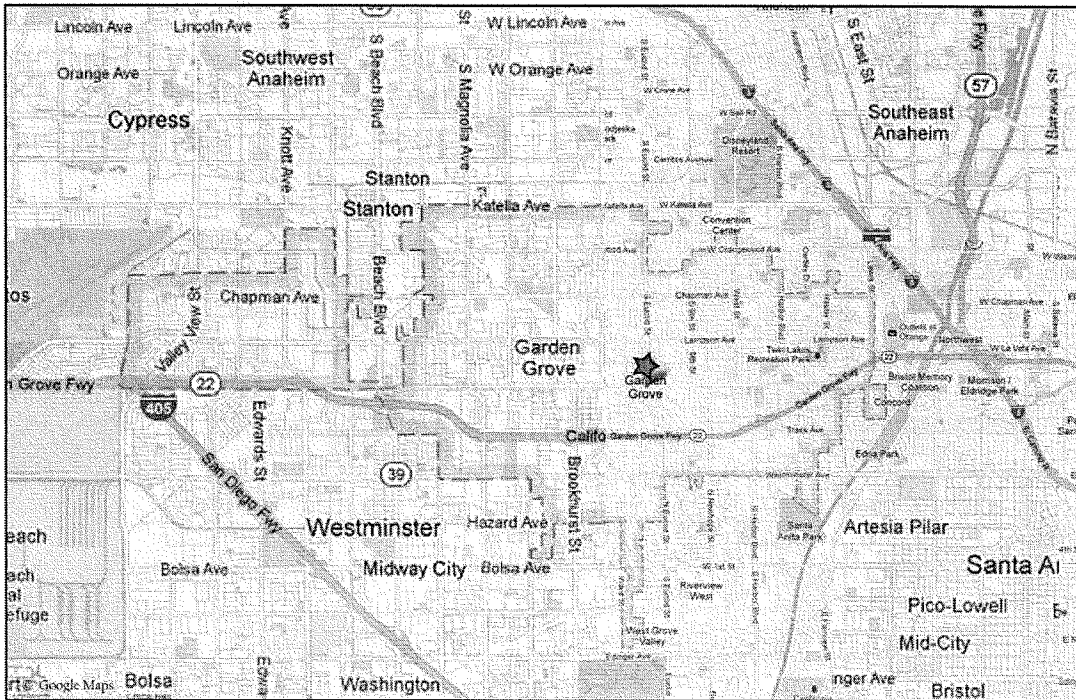
This Initial Study tiers upon the certified Final EIR (FEIR) for the 2008 Garden Grove General Plan Update (State Clearinghouse No. 200841079). The FEIR is available for review at the City of Garden Grove Community Development Department (11222 Acacia Parkway, Garden Grove, CA 92840). The project's minor revisions to the Land Use Code implement General Plan goals, policies, and implementation programs. Thus, the impacts associated with the long-term implementation of the General Plan through the Land Use Code largely have been analyzed in the prior General Plan FEIR. This Initial Study focuses on assessing any changed conditions since 2008 certification of the General Plan FEIR that may result in new environmental effects not previously identified.

10. Other Public Agencies Whose Approval Is Required

No approvals are required from any other public agency.

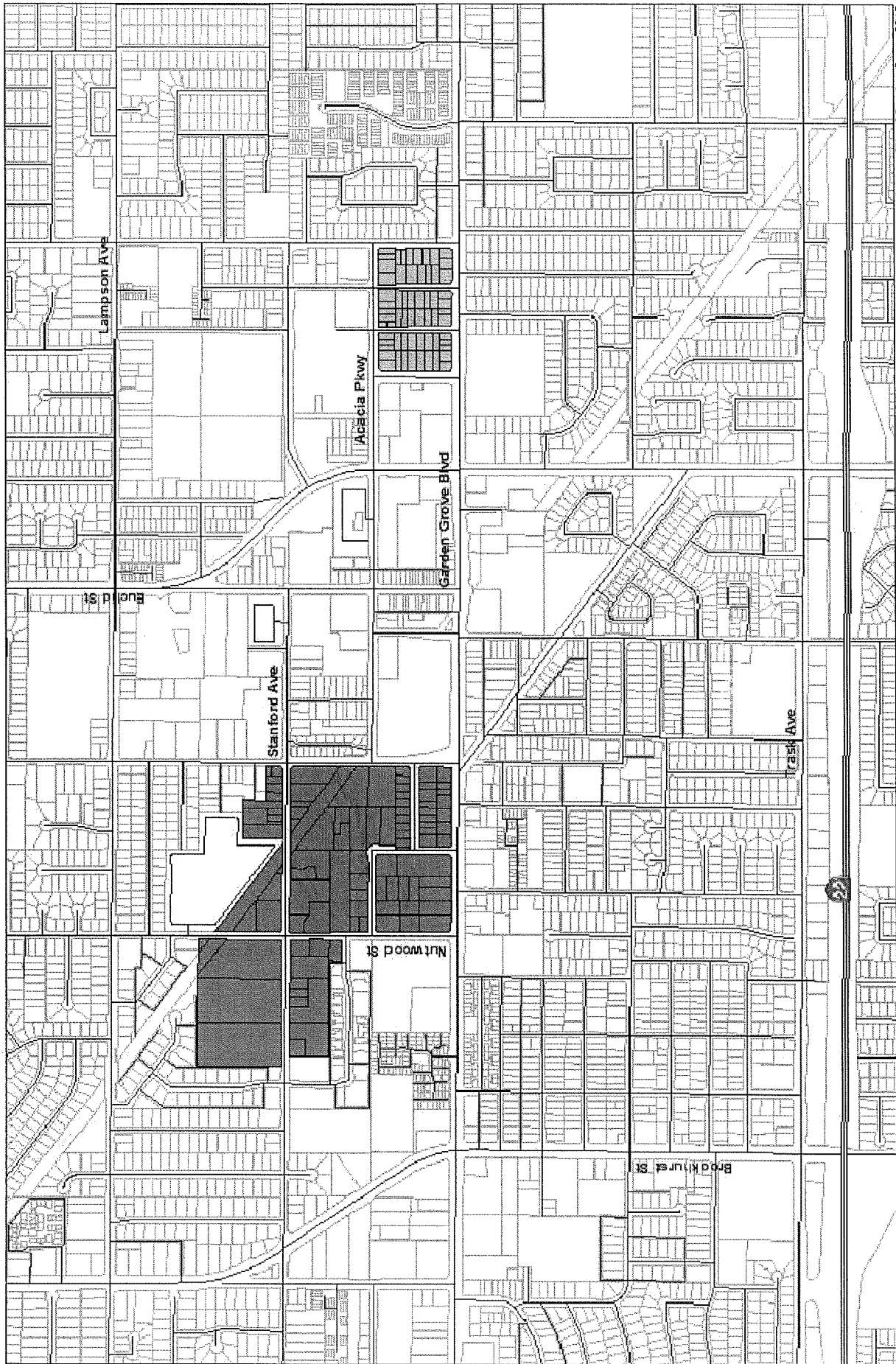


Regional Context Map



Vicinity Map

Figure 1
Regional Context and Vicinity



Source: City of Garden Grove 2015

Zoning
 Adaptive Reuse Zone (AR)
 Civic Center East (CC-1)

Base Map
 Freeway
 Streets

0 250-500 1,000 1,500
 Feet



Figure 2
 Project Area

INITIAL STUDY CHECKLIST

The checklist presented in this Section follows the checklist format and presentation of information identified in the *CEQA Guidelines*, Appendix G. Potential environmental effects of the project are classified and described in the checklist under the following general headings:

- “No Impact” applies where the impact simply does not apply to projects like the one involved. For example, if the project site is not located in a fault rupture zone, then the item asking whether the project would result in or expose people to potential impacts involving fault rupture should be marked as “No Impact.”
- “Less Than Significant Impact” applies where the impact would occur, but the magnitude of the impact is considered insignificant or negligible. For example, a development which would only slightly increase the amount of surface water runoff generated at a project site would be considered to have a less-than-significant impact on surface water runoff.
- “Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” Incorporated mitigation measures must be outlined in the checklist, and a discussion must be provided which explains how the measures reduce the impact to a less-than-significant level. This designation is appropriate for a Mitigated Negative Declaration, where potentially significant issues have been analyzed and mitigation measures have been recommended.
- “Potentially Significant Impact” applies where the project has the potential to cause a significant and unmitigatable environmental impact. If there are one or more items identified as a “Potentially Significant Impact,” an EIR is required.

ENVIROMENTAL EVALUATION

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less -Than- Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area?			X	

Substantiation:

- a) **No Impact.** No scenic vistas or other scenic resources have been identified within the project area of the proposed code amendment.¹ The proposed code amendment would expand allowable uses within the urban infill areas of the Civic Center - East (CC-1) and Adaptive Reuse (AR) zones. The amendment does not propose any changes to allowable scale and massing, and is generally intended to regulate uses within existing structures. Therefore, the proposed amendment will have no impact on scenic vistas.
- b) **No Impact.** No scenic vistas or other scenic resources have been identified within the project boundaries of the proposed code amendment.² The California Department of Transportation (Caltrans) does not list any highways within the City of Garden Grove as officially designated scenic highways.³ The project does not involve the removal or alteration of any scenic resources. Adoption and implementation of the amendment would have no impact on scenic resources within view of any State Scenic Highway.
- c) **No Impact.** The proposed code amendment would establish new allowable uses within the CC-1 and AR zones. The allowable uses would comply with development regulations contained in Title 9 ("Land Use") of the City's Municipal Code. The amendment does not propose any changes to allowable scale and massing, and is generally intended to regulate uses within existing structures. As such, the standards and regulations in the code amendment are consistent with maximum density and intensity allowances set forth in the General Plan and analyzed in the General Plan FEIR. The areas in which amendments are proposed are located within or adjacent to focus areas which were qualitatively analyzed for aesthetic impacts in the General Plan FEIR; impacts were found to be less than significant.

¹ Garden Grove General Plan Update EIR, 2008, p. 5.3-3.

² Ibid.

³ California Department of Transportation, California Scenic Highway Mapping System. (<http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm>) Consulted 2/6/2015.

Existing code standards that address massing, scale, articulation, and bulk of buildings to ensure harmony with the scale and character of surrounding development are not being modified with the proposed amendments. The proposed amendment includes additional use and performance standards to ensure compatibility between uses. Furthermore, any additions or modifications permitted as per the amendment must maintain the architectural style and house façade of existing structures. The new uses associated with the amendment are similar in function and general aesthetics to previously allowed uses within the zones. Signage associated with existing and new uses is regulated by the provisions of Chapter 9.20 (Sign Standards) of this Title; no changes to that Chapter of the Land Use Code are proposed. Therefore, implementation of the amendments would have no impact on visual quality within the CC-1 and AR zones.

- d) **Less than significant.** The proposed project does not involve any construction project. The proposed code amendment would add language to allow certain uses in the CC-1 and AR zones. The General Plan FEIR found that new development would be concentrated in "Focus Area" neighborhoods, including the CC-1 and AR zones. Future development would have potential to create new shade and shadow impacts.⁴ These impacts would be less than significant with the implementation of Policy LU-2.1 and Policy LU-2.4, which protect residential areas from the effects of potentially incompatible uses and ensure consistency and intensity of land use to the immediate neighborhood.⁵ The proposed code amendments include restrictions to minimize light from new commercial uses, with buffering measures, such as low-level lighting, utilized to limit light intrusion. Specifically, outdoor lighting associated with commercial use is not allowed to adversely impact surrounding residential uses, but is limited to providing sufficient illumination for access and security purposes. Lighting would not blink, flash, oscillate, or be of unusually bright intensity or brightness. Commercial operations would be restricted to hours of operation (7:00 A.M., to 10:00 P.M.), unless otherwise extended through Director's Review. (see proposed Section 9.18.090.030.F and J). Impact would therefore be less than significant.

⁴ Garden Grove General Plan Update EIR, 2008. p. 5.3-14.

⁵ Garden Grove General Plan Update EIR, 2008. p. 5.3-15.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board.

Would the Project:

- | | |
|--|----------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | X |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)? | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | X |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | X |

Substantiation:

- a) **No Impact.** The City has no land use designations or zones for agriculture,⁶ and no commercial farm operations occur in the CC-1 and AR zones. According to the California Division of Farmland Mapping and Monitoring Program, no lands within these zones are designated as farmland of local or statewide importance, unique farmland, or prime farmland.⁷ No impact would result from the proposed code amendments.
- b) **No Impact.** The CC-1 and AR zones are not intended for agricultural production, and no commercial farm operations occur in the City. The California Department of Conservation indicates that no Williamson Act contracts exist in the City of Garden Grove,⁸ as such, no impact would result in the CC-1 and AR zones.
- c-d) **No Impact.** Garden Grove is a fully urbanized community, with vegetation limited to street trees and groundcover in local parks and on private properties. The City had no areas designated for forest land or timberland prior to this amendment, nor do the proposed code amendments propose any changes that would affect any such areas. The Land Cover Mapping and Monitoring Program (LCMMP) is a satellite photo survey conducted jointly by the California Department of Forestry and Fire Protection and the United States Department of Agriculture Forest Service Region 5. The LCMMP identifies no areas as forestland within the CC-1 or AR zones.⁹ Because no forest or timberland exists within the project area, no impact would result.
- e) **No Impact.** No farmland or forest land exists within the CC-1 and AR zones; thus, no conversion of any land use would affect farmlands or forest land. No impact would occur.

⁶ Garden Grove General Plan 2008, Land Use Element (pp. 2-18 to 2-28).

⁷ California Department of Conservation, Farmland Mapping and Monitoring Program. FMMP Survey Area. (http://www.consrv.ca.gov/dlrp/fmmp/overview/survey_area_map.htm). Consulted 2/5/2015.

⁸ California Department of Conservation. Williamson Act Program. (<http://www.conservation.ca.gov/dlrp/fmmp/Pages/Orange.aspx>). Consulted 2/18/2015.

⁹ California Department of Forestry and Fire Protection and the USDA Forest Service. California Land Cover Mapping and Monitoring Program (LCMMP) (http://frap.cdf.ca.gov/projects/land_cover/index.html). GIS data mapped 2/20/2015.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Substantiation:

a-c) **Less than Significant Impact.** The City of Garden Grove is located within the South Coast Air Basin (SCAB) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD and the Southern California Association of Governments (SCAG) are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the Basin. The AQMP is a series of plans adopted for the purpose of reaching short- and long-term goals for those pollutants for which the Basin is designated as a "nonattainment" area because it does not meet federal and/or state Ambient Air Quality Standards (AAQS). To determine consistency between the project and the AQMP, the project must comply with all applicable SCAQMD rules and regulations, comply with all proposed or adopted control measures, and be consistent with the growth forecasts utilized in preparation of the Plan.

Both the State of California (State) and the Federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants (known as 'criteria pollutants'). These pollutants include ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), inhalable particulate matter with a diameter of 10 microns or less (PM₁₀), fine particulate matter with a diameter of 2.5 microns or less (PM_{2.5}), and lead (Pb). The State has also established AAQS for additional pollutants. The AAQS are designed to protect the health and welfare of the populace within a reasonable margin of safety. Where the state and federal standards differ, California AAQS are more stringent than the national AAQS.

Air pollution levels are measured at monitoring stations located throughout the air basin. Areas that are in nonattainment with respect to federal or state AAQS are required to prepare plans and

implement measures that will bring the region into attainment. Table 1 (South Coast Air Basin Attainment Status-Orange County) summarizes the attainment status in the project area for the criteria pollutants.

Table 1
South Coast Air Basin Attainment Status – Orange County

Pollutant	Federal	State
O ₃ (1-hr)	N/A	Nonattainment
O ₃ (8-hr)	Nonattainment	Nonattainment
PM ₁₀	Nonattainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
CO	Attainment	Attainment
NO ₂	Attainment	Nonattainment
SO ₂	Attainment	Attainment
Pb	Nonattainment	Nonattainment

Sources: CARB 2011, U.S. EPA 2012

The General Plan FEIR determined that implementation of the current General Plan would result in a significant and unavoidable cumulative air quality impact related to a cumulative increase in criteria pollutants in both the short term and long term,¹⁰ and would therefore affect consistency with the AQMP. The proposed code amendments are consistent with General Plan land use policies, and the amendments would not propose any changes to the levels of development allowed under the current General Plan. There are no proposed changes to maximum allowable densities or intensities, nor are there any subtle changes that could affect development footprints, such as changes to setbacks, lot coverage requirements, or building height. No changes are proposed that would increase development standards to allow additional square footage beyond that permitted by the General Plan. Thus, the proposed land use code amendments do not include any development allowances not accounted and evaluated in the General Plan FEIR.

The proposed code amendments would have no direct affect on air quality because they do not propose construction or development. The existing Land Use Code permits the conversion of single-family homes into commercial uses within the CC-1 zone and allows for a variety of commercial and industrial uses within the AR zone. The amendment would permit additional types of commercial uses to locate in existing or new structures. These uses would implement General Plan goals and policies and existing regulations of the Land Use Code.

The proposed amendments advance the goals and policies of the adopted General Plan. The development regulations and guidelines in the amendments implement several General Plan goals and policies relating directly to air quality and greenhouse gas emissions, including facilitation of land use development patterns (mixed-use) that can reduce vehicle miles traveled. Land uses and development standards included in the amendments are aimed at implementing State legislation to encourage a reduction in the need for vehicle trips and to facilitate improved urban planning practice. Mixed Use zones such as CC-1 and AR allow the City to take advantage of the benefits afforded by a mix of residential and commercial uses to achieve a reduction in the need to travel by car for everyday trips and errands. By locating different land uses in close proximity to one another, vehicle emissions and vehicle miles traveled (VMTs) are minimized and sprawl is reduced.

¹⁰ Garden Grove General Plan Update EIR, 2008. pp. 5.5-20, 5.5-24.

The amendments would guide how future proposed projects are developed, but would not authorize any plan or project for construction. The standards and directives contained within the code amendments would not result in any direct emissions that would contribute to an existing or potential violation of an air quality standard. The amendments do not include any provisions that would supersede or otherwise conflict with rules and procedures governing assessment or control of air pollutant emissions. All future proposed development projects would be required to adhere to all General Plan and Land Use Code goals, policies, and standards. The City would continue to cooperate with SCAQMD and SCAG to implement the goals of the General Plan Air Quality Element and the Air Quality Management Plan. Transportation control measures included in the General Plan focus on reducing the number of trips, improving traffic flow, and utilizing alternative methods of transportation, all of which help reduce total emissions that contribute to ozone and particulate levels in the region.¹¹ Implementation of the proposed code amendment would not change or otherwise interfere with pollution control strategies and would not change any of the impacts anticipated in the General Plan FEIR because no changes to development standards, in terms of maximum allowable square feet or units, would occur. The proposed code amendments, therefore, would not have considerable effects on the levels of regional ozone or particulates. Potential emissions would not exceed levels anticipated in the General Plan FEIR, and impacts relative to air quality standards would be less than significant. Implementation of the proposed code amendment would not impact air quality and would not conflict with or obstruct implementation of the applicable air quality plan. The impact would be less than significant.

The CEQA Air Quality Handbook indicates that consistency with AQMP growth assumptions must be analyzed for new or amended General Plan elements, Specific Plans, and 'significant projects.' Significant projects include airports, electrical generating facilities, petroleum and gas refineries, designation of oil drilling districts, water ports, solid waste disposal sites, and off-shore drilling facilities. This project does not involve a General Plan Amendment or Specific Plan, and is not considered a "significant project". Furthermore, the project would not involve any new housing or employment uses which would affect population or employment growth. Based on the consistency analysis presented above, impacts would be less than significant.

- d) **Less than Significant Impact.** Sensitive receptors include children, the elderly, pregnant women, and those with existing health problems that are affected by air pollution.¹² The General Plan FEIR concluded that carbon monoxide hotspots would not be experienced at any locations within the City due to the volume of traffic experienced under build-out conditions and the relatively low ambient concentrations.¹³ The proposed code amendments promote new land uses and regulations consistent with the Land Use Code and General Plan goals and policies, and are designed to alleviate air quality impacts through a reduction in vehicle miles traveled in personal vehicles and siting of land uses in close proximity to public transportation and essential goods and service establishments. The proposed code amendments would create additional opportunities for trip reduction by expanding land uses in the CC-1 and AR zones. Individual future projects would be required to adhere to the existing and new standards contained in the Land Use Code to ensure that individual development projects are consistent with General Plan goals and policies and established to minimize impacts on air quality within the City and region. Adverse air quality impacts to sensitive receptors would be less than significant.
- e) **Less than Significant.** The proposed code amendments create new permitted and conditionally permitted land uses for the CC-1 and AR zones. These uses generally would consist of residential, commercial, and civic uses, none of which would be expected to create unusual substantial odors, except where inappropriate refuse disposal practices occur. Future uses would be required to comply with City regulations and policies regarding odor control. Businesses operated in the City of Garden Grove must store waste in approved covered receptacles and contract with the prescribed disposal company to routinely remove all waste produced at a site. Furthermore, the proposed code

¹¹ Garden Grove General Plan 2008, Circulation Element (pp. 4-31 to 4-40).

¹² California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective, April 2005 (p.1).

¹³ Garden Grove General Plan Update EIR, 2008. pp. 5.5-28 to 29.

amendments include standards for mixed use development to reduce odor impacts on residential components of mixed-use development projects. Specifically, the amendment states that no future use, activity, or process shall produce perceptible noxious odors at the property lines of the site. Any future commercial project that proposes outdoor cooking (such as a smoker or a barbeque) for a special event would be required to obtain a special use permit for special events. Adherence to existing and proposed City regulations, such as Section 9.18.150.010 ("On-site Accommodation for Recycle Materials Containers and Collection Areas") would limit the escape of odors to the open air. Any odor resulting from the proposed code amendments would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the Project:				
a) Have a substantial adverse affect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, polices, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Substantiation:

- a) **No Impact.** The City of Garden Grove is highly urbanized and built out, with no forest, river, wildlife, or similar resources. Biological resources in the project area are almost nonexistent due to the urban nature of the CC-1 and AR zones and surrounding areas.¹⁴ The General Plan FEIR found that the General Plan would have no impacts on biological resources, including any protected

¹⁴ Garden Grove General Plan 2008, Conservation Element (p. 10-3).

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS.				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for the people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Substantiation:

- a) **No Impact.** The proposed code amendments would not directly result in any new construction or physical change to the environment. The proposed code changes implement General Plan policies and programs intended to enhance mixed use areas. The proposed amendments are use-related and do not include any revisions to development standards that would modify the allowable building footprint for any parcel. Adoption and implementation of the new standards would not provide exceptions to existing laws governing the use and disposal of any hazardous materials. As noted in the General Plan FEIR, compliance with measures established by Federal, State, and local regulatory agencies is considered adequate to offset the negative effects related to the use, storage, and transport of hazardous materials in the City. In addition, goals, policies, and implementation measures in the General Plan address hazardous materials and safety.³¹ The project would not conflict with any of these policies, and would not exempt any future development from the City's programs to control and safely dispose of hazardous materials and wastes.

General Plan FEIR Mitigation Measure PHS-2 states: "Establish and adopt development standards which ensure that new mixed use districts that include residential uses near industrial development do not create an unacceptable risk of human exposure to hazardous materials."³² The existing standards established for the Adaptive Reuse Mixed Use zone implement this mitigation measure. Development standards in this zone allow residential uses only as part of a work/live development or as part of a balanced mixed-use development. Industrial uses are limited; they must be low impact in nature and compatible with any nearby existing or allowed residential uses, and no outdoor activities are permitted. As part of the code amendments, new uses would be conditionally permitted in the AR zone: food halls, indoor multi-tenant shopping centers, and multi-tenant retail, office, studio space for short-term use. These new uses are consistent with the other uses allowed in this zone and pose no additional hazard to the area. With implementation of existing development standards and standard City practices and policies regarding hazardous waste and hazardous materials, no impact from the use, transport, or disposal of hazardous wastes or materials is anticipated.

- b-c) **No Impact.** The proposed code amendments would not directly result in any new construction or physical change to the environment. Proposed new uses to be permitted in the CC-1 and AR zones are generally residential and commercial (retail/entertainment) in nature and not associated with quantities of hazardous materials. The General Plan FEIR concluded that compliance with measures established by Federal, State, and local regulatory agencies is considered adequate to offset the negative effects related to the reasonably foreseeable upset and accident conditions involving the release of hazardous materials in the City.³³ Additional General Plan goals, policies, and implementation measures, as well as mitigation measures contained in the General Plan FEIR, further reduce accidental release of hazardous materials impacts to a less-than-significant level. The proposed code amendments do not revise any of these policies. Individual development projects would be required to comply with City, Federal, and State requirements and any other applicable City regulations relating to hazardous materials. No impact would result.
- d) **No Impact.** According to the databases maintained as the Cortese List, no areas located within the CC-1 or AR zones are identified on the Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List or the State Water Resources Control Board (SWRCB) list of cleanup sites.³⁴ There are six cases for Leaking Underground Storage Tanks (LUST) within the AR zone; however, all of these cases have been completed and closed.³⁵ Because this amendment involves no physical ground-disturbing activities or hazardous activities, no impact on a

³¹ Garden Grove General Plan Update EIR, 2008. p. 5.9-9.

³² Ibid.

³³ Garden Grove General Plan Update EIR, 2008. p. 5.9-11.

³⁴ California Environmental Protection Agency. Cortese List Data Resources. www.calepa.ca.gov/SiteCleanup/CorteseList/ [March 2015].

³⁵ California State Water Resources Control Board Geotracker Database. <https://geotracker.waterboards.ca.gov/> [March 2015].

site listed on the Cortese database would occur. Any future development project that occurs pursuant to Land Use Code regulations would be evaluated on a project-by-project basis to determine if such development is occurring on a site listed on a current regulatory hazardous materials site list. In addition, adherence to General Plan Policy SAF-9.1—which requires the enforcement of regulations related to the use, storage, and transportation of hazardous materials—would result in a less than significant impacts related to contaminated sites.

Policy SAD-9.1: Continue to strictly enforce Federal, State, and local laws and regulations related to the use, storage, and transportation of toxic, explosive, and other hazardous and extremely hazardous materials to prevent unauthorized discharges.

No impact would result from the proposed project.

- e, f) **No Impact.** The Joint Forces Training Base (JFTB) Los Alamitos is located in western Orange County within the City of Los Alamitos. The JFTB is primarily utilized for helicopter training and missions. Garden Grove is not located within the accident potential zone of the JFTB. However, the westernmost portion of Garden Grove is located within the Airport Environs Land Use Plan height restriction zone for JFTB. Additionally, a Horizontal Imaginary Surface height limit applies to nearby areas, whereby no buildings are permitted to rise above the height of the Horizontal Imaginary Surface. The Horizontal Imaginary Surface boundary encompasses all areas within a 10,000 foot radius from any JFTB runway and limits building heights to 150 feet above ground level.³⁶ No areas in the CC-1 or AR zones are located within 10,000 feet from a JFTB runway. Furthermore, the proposed project would not affect or change height restrictions that were identified in the 2008 General Plan and analyzed in the General Plan FEIR. The amendments would not affect or change any height restrictions that are currently being imposed by the AELUP, nor any General Plan FEIR mitigation measures. No impact would result.
- f) **No Impact.** There are no private airstrips within the vicinity of the City of Garden Grove. No impact would result.^{37 38}
- g) **No Impact.** The Garden Grove Emergency Operations Plan, adopted in 2004, outlines emergency response actions in the event of a hazardous materials emergency.³⁹ The proposed code amendments would expand allowable uses for the CC-1 and AR zones in the Land Use Code and would not directly result in any new construction. The proposed changes implement policies and programs approved in the Garden Grove General Plan Update.

The Environmental Health Division of the County of Orange is designated as the Certified Unified Program Agency, the local administrative agency that coordinates the regulation of hazardous materials and hazardous wastes in Orange County, including Garden Grove, through the following programs: Hazardous Material Disclosure, Business Emergency Plan, California Accidental Release Prevention, Hazardous Waste Inspection Program, Underground Storage Tank Inspection Program, and the Aboveground Petroleum Storage Tank program. As no particular construction project is proposed, no public or private street would be closed and the project would have no effect upon existing opportunities for emergency access/evacuation within and around the CC-1 and AR zones. The project will not impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan. No impact would occur.

³⁶ Email communication with Kari A. Rigoni Executive Officer Airport Land Use Commission for Orange County. 6/15/2011.

³⁷ Federal Aviation Administration. Airports Facilities Data.
http://www.faa.gov/airports/airport_safety/airportdata_5010/menu/index.cfm Consulted 2/6/2015.

³⁸ AirNav, LLC. Airport Information. <http://www.airnav.com> Consulted 2/6/2015.

³⁹ Garden Grove General Plan Update EIR, 2008. p. 5.9-3.

- h) **No Impact.** Garden Grove is not located within a Fire Hazard Severity Zone pursuant to the latest maps prepared by the California Department of Forestry and Fire Protection.⁴⁰ Due to the urban character of the CC-1 and AR zones and the surrounding area, there are no wildland conditions that would apply. No impact would occur.

⁴⁰ California Department of Forestry and Fire Protection. Fire Hazard Severity Zones Maps. http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones.php Consulted 2/6/215.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HYDROLOGY AND WATER QUALITY.

Would the project:

- | | | | | |
|---|--|--|---|---|
| a) Violate any water quality standards or waste discharge requirements? | | | | X |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of the pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | | | X | |
| c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | | | X | |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | | | X | |
| e) Create or contribute runoff water which would exceed the capacity of the existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | | | X | |
| f) Otherwise substantially degrade water quality? | | | | X |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | | | X | |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | | | X | |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | | | X | |
| j) Inundation by seiche, tsunami, or mudflow? | | | | X |

Substantiation:

- a) **No Impact.** The proposed code amendments do not authorize any particular development or construction that would discharge to water bodies. The project permits new residential and commercial uses in the CC-1 and AR zones and does not include any components that would change or conflict with water quality regulations or any waste discharge standards. All new development projects must comply with the City's local procedures to control storm water runoff to prevent violations of regional water quality standards, in accordance with its co-permittee obligations under the countywide municipal storm water permit program, a component of the NPDES program of the federal Clean Water Act. New development and significant reconstruction projects within the City would be required to comply with Title 6 of the City's Municipal Code, which contains regulations to meet federal and State water quality requirements related to storm water runoff, including preparation of a Storm Water Pollution Prevention Plan (SWPPP) that incorporates Best Management Practices (BMP) during construction. Furthermore, the General Plan contains goals, policies, and implementation measures to reduce water quality impacts. General Plan Policy CON-2.4 requires the continued compliance with federal, State, and regional governments and agencies to protect and improve the quality of local and regional groundwater resources available to the City. Impacts would be less than significant.
- b) **Less than Significant Impact.** Garden Grove's Public Works Department, Water Services Division is the primary water service provider of potable water to the residents of the City, serving an area of approximately 17.8 square miles. Garden Grove well water is extracted from 11 local wells located within the Orange County Ground Water Basin. The basin has a surface area of approximately 224,000 acres (350 square miles) and is managed by the Orange County Water District (OCWD). Basin recharge is generally from the Santa Ana River, precipitation, and injection via wells along the Talbert Barrier, a seawater intrusion barrier. The City uses approximately 30,500 acre-feet per year (AFY) of potable water resources to meet all constituent demands. According to the General Plan FEIR, the current water supply, delivery system, and contingency options for the City of Garden Grove are adequate to meet the needs of the community through the proposed General Plan build out.⁴¹

The proposed code amendments would allow additional permitted and conditionally permitted uses within the urban infill areas of the CC-1 and AR zones. No particular development or construction project would be authorized through the code amendments. Any future new development that would occur would not likely result in an increase of impervious surfaces because the impacted areas are already built out. The proposed code amendments are consistent with General Plan land use policies analyzed in the General Plan FEIR and do not involve any revisions to development standards that would permit more intensity or density than was otherwise analyzed in the General Plan FEIR. Through compliance with Federal and State requirements, Title 6 of the Municipal Code, the 2010 Urban Water Management Plan, and the goals, policies, and implementation measures included in the General Plan, long-term implementation of land use policy would not result in a significant depletion of groundwater resources or supply. Thus, impacts associated with the proposed code amendment would be less than significant.

- c-d) **Less than Significant Impact.** The proposed code amendments would allow additional permitted and conditionally permitted uses within the urban infill areas of the CC-1 and AR zones. No particular development or construction project is authorized. The CC-1 and AR zones are fully developed. Wind and water both cause erosion that could be deposited in local or regional washes and other water bodies. Due to the urbanized nature of the CC-1 and AR zones, new uses and potential new development or modifications to existing structures would not substantially alter the drainage pattern of the area, and would not result in substantial erosion or siltation on- or off-site. Future development projects would be required to construct necessary drainage improvements to accommodate storage volumes and flood protection for existing and future runoff, in compliance

⁴¹ Ibid, p. 5.10-7.

with General Plan FEIR Mitigation Measure HYD-1.⁴² Impacts related to erosion and siltation would be less than significant.

- e) **Less than Significant Impact.** The proposed code amendments consist of text amendments to Title 9 that would allow new residential and commercial uses in the CC-1 and AR 1 zones, without resulting in the direct construction of any new development. Residential and commercial uses generally do not generate significant water pollutants through point discharges but may contribute to water quality impacts due to community-wide and regional urban runoff. Any new development activity would be required to comply with NPDES requirements regarding the quality of storm water runoff, consistent with Title 6 of the Municipal Code. No physical ground disturbance would be authorized with adoption of the Land Use Code amendments. The City has recognized the need to monitor and improve the local storm drain system to ensure it adequately accommodates future development. Policies and implementation measures to ensure that project-related storm water mitigation techniques are employed and monitored are included in the General Plan. Furthermore, General Plan FEIR Mitigation Measure HYD-1 would ensure new development projects are designed to result in less-than-significant impacts related to the drainage system capacity.⁴³
- f) **No Impact.** The proposed code amendments would not directly result in any new construction or development. No new sources of runoff, waste discharges, or hazardous material sites would arise from adoption and implementation of the amended Land Use Code. Any future development project pursuant to these regulations would be required to comply with City, County, and State regulations that protect water quality. No other impacts to water quality would occur.
- g, h) **Less than Significant Impact.** Portions of the City of Garden Grove are located within a 100-year flood hazard area, including areas directly adjacent to the CC-1 and AR zones.⁴⁴ The Land Use Code includes a Flood Hazard Overlay Zone, which adopts Floodplain Management Regulations for areas of special flood hazards within the City. Zone regulations address methods and provisions to restrict or prohibit uses in certain areas, require uses vulnerable to floods to be protected at time of construction, control the alteration of natural floodplains, stream channels and natural protective barriers that help accommodate or channel flood waters, control filling, grading, dredging and other development which may increase flood damage and prevent or regulate the construction of flood barriers. The proposed code amendments would not revise any of this existing language pertaining to flood hazard protection. Impacts related to flooding would be less than significant.
- i) **No Impact.** Western portions of the City could potentially be subject to inundation if the Prado Dam or Carbon Canyon Dam were to fail. However, the CC-1 and AR zones are located outside of the inundation boundaries indicated in the General Plan FEIR. The proposed code amendments do not authorize any development that would increase the risk of exposure of people or structures to dam inundation hazards. No impact would occur.
- j) **No Impact.** The CC-1 and AR zones are not located near any body of water or water storage facility that would be considered susceptible to seiche.⁴⁵ The City of Garden Grove is located inland from the Pacific Ocean and as such, is not subject to tsunami hazards. The CC-1 and AR zones are in relatively flat and fully urbanized areas of the City and therefore not susceptible to mudflows. No impact would occur.

⁴² Ibid. p. 5.8-26.

⁴³ Ibid. p. 5.8-26.

⁴⁴ Ibid. p. 5.8-6.

⁴⁵ Ibid. p. 5.8-3.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE. Would the project:				
a) Physically divide or disrupt an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X

Substantiation:

- a) **No Impact.** The proposed code amendments allow additional uses to the CC-1 and AR zones but do not authorize any construction or development. There would be no physical divide or disruption of established planning areas in the General Plan or current zone boundaries established via the Land Use Code. The proposed code amendment represents refinements to zoning regulations of the CC-1 and AR zones to implement adopted land use policy. The proposed amendment would encourage compatible uses. Therefore, no impact would result.
- b) **No Impact.** The proposed project would not conflict with any applicable land use plan and supports the Mixed Use strategies encouraged by the General Plan. The proposed code amendments are consistent with the General Plan and Title 9. Therefore, no impact would result.
- c) **No Impact.** The CC-1 and AR zones are highly urbanized and built out, with no forest, river, wildlife, or similar resources.⁴⁶ According to the Conservation Plans and Agreements database, there are no Habitat Conservation Plans or Natural Community Conservation Plans located within the City of Garden Grove.⁴⁷ No impact could occur.

⁴⁶ Garden Grove General Plan 2008, Conservation Element (p. 10-3).

⁴⁷ U.S. Fish & Wildlife Service. Conservation Plans and Agreements Database. http://ecos.fws.gov/conserv_plans/public.jsp Consulted 2/20/2105.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Substantiation:

a-b) **No Impact.** The CC-1 and AR zones are located in completely urbanized areas. There are no mineral extractions or process facilities within or near the CC-1 or AR zones. The General Plan FEIR concluded that there would be no impacts associated with mineral resources.⁴⁸ The proposed code amendments would not change any land use code language that would otherwise allow mineral resource recovery. Therefore, no impact would result.

⁴⁸ Garden Grove General Plan Update EIR, 2008. p. 8-3.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Substantiation:

- a) **Less Than Significant Impact.** The proposed code amendments would not result directly in any construction activity and thus would not directly result in the exposure of any persons to short-term construction noise or any long-term excessive noise conditions. The amendments would allow the conversion of single-family homes to commercial structures, with both indoor and outdoor event usage permissible as pursuant to the existing Land Use Code policies. Though these uses would strive to achieve consistency with the General Plan, they could result in the exposure of future developments and residents to noise levels that could exceed the City's Noise and Land Use Criteria Compatibility Criteria (table 5.6-6 in the General Plan Noise Element). The proposed code amendment therefore proposes hours of operation for commercial use to be limited to the hours of 7:00 A.M. and 10:00 P.M. unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties, or as otherwise permitted through Director review (proposed Land Use Code section 9.18.090.040.F3). Loading and unloading of heavy trucks would be prohibited between the hours of 8:00 P.M. and 6:00 A.M. (proposed Land Use Code section 9.18.090.040.J2). The amendments also require residential portions of mixed-use projects to be designed to limit interior noise caused by commercial and parking portions of a project to a maximum of 45 decibels (db) Community Noise Equivalent Level (CNEL) on an annual basis in any

habitable room with windows closed (proposed section 9.18.090.040.J3). In all cases, uses would be required to comply with Chapter 8.47 (Noise Control) of the Garden Grove Municipal Code.

The General Plan FEIR adds that the implementation of specific policies and Mitigation Measures NOI-2, NOI-3, and NOI-4, impacts would reduce the impact to a Less Than Significant level.⁴⁹

Future development would be subject to standard environmental review pursuant to CEQA and the City's local implementation procedures. This typically includes preparation of a project-specific noise impact analysis to determine if the development will be exposed to excessive noise levels and identify appropriate mitigation, as required by General Plan Policy N-1.2. The most common type of exterior mitigation involves barriers that could include walls or berms. Interior noise levels would be controlled through common building techniques, particularly in specifying window requirements with minimum standard transmission coefficient. Impacts related to exposure of persons to ambient noise levels in excess of identified standards would be less than significant with implementation of the noise policies and implementation measures in the Garden Grove General Plan.

Future uses in the CC-1 and AR zones would be subject to the policies of the existing General Plan designed to minimize noise impacts to residential properties. The following noise policies of the General Plan would be implemented during the City's standard environmental review process during the entitlement process. Impacts related to noise levels in excess of established standards and permanent increases in ambient noise levels will be less than significant with implementation of the following noise policies of the Garden Grove General Plan:

- | | |
|--------------|--|
| Policy N-1.1 | Require all new residential construction in areas with an exterior noise level greater than 55 dBA to include sound attenuation measures. |
| Policy N-1.2 | Incorporate a noise assessment study into the environmental review process, when needed for a specific project for the purposes of identifying potential noise impacts and noise abatement procedures. |
| Policy N-1.3 | Require noise reduction techniques in site planning, architectural design, and construction, where noise reduction is necessary consistent with the standards in Tables 7-1 and 7-2, Title 24 of the California Code of Regulations, and Section 8.47 of the Municipal Code. |
| Policy N-1.4 | Ensure acceptable noise levels are maintained near schools, hospitals, convalescent homes, churches, and other noise sensitive areas. |
| N-IMP-1B | Require that new commercial, industrial, any redevelopment project, or any proposed development near existing residential land use demonstrate compliance with the City's Noise Ordinance prior to approval of the project. |
| N-IMP-1C | Implement noise mitigation by placing conditions of approval on development projects, and require a clear description of mitigation on subdivision maps, site plans, and building plans for inspection purposes. |
| N-IMP-1D | Require construction activity to comply with the limits established in the City's Noise Ordinance. |
| N-IMP-1E | Require buffers or appropriate mitigation of potential noise sources on noise sensitive areas. |
| N-IMP-1K | Enforce the Noise Ordinance to ensure that stationary noise and noise emanating from construction activities, private development, and/or special events are minimized. |
| N-IMP-1L | Continue to enforce noise abatement and control measures. |
| Policy N-2.5 | Ensure the effective enforcement of City, State, and Federal noise levels by all appropriate City Divisions. |
| N-IMP-2A | Require a noise impact evaluation for projects, if determined necessary through the environmental review process. Should noise abatement be necessary, the |

⁴⁹ Garden Grove General Plan Update EIR, 2008. p. 5.6-34.

City shall require the implementation of mitigation measures based on a technical study prepared by a qualified acoustical professional.

- b) **Less Than Significant Impact.** Vibration is the movement of mass over time. It is described in terms of frequency and amplitude and unlike sound; there is no standard way of measuring and reporting amplitude. Vibration impacts are temporary and rare except in cases where large equipment is used near existing, occupied development, such as in the case of construction. The proposed code amendments do not authorize any particular development activity, nor does the project allow for any new noise- or vibration-intensive land uses in CC-1 or AR that would lead to the establishment of a noise/vibration environment different from that already permitted in these respective zones. The amendments also state that “no use, activity or process shall produce continual vibrations” that are perceptible, without instruments, by the average person at the property lines of the site or the interior of on-site residential units. All land use activities would be required to comply with the noise and vibration regulations contained in Section 8.47 of the Municipal Code. Since the proposed project would not substantially change or conflict with land use policies or any noise element policies, the impact would be less than significant.
- c) **Less than Significant Impact.** The project would create a significant noise impact if it causes an increase in on-site ambient noise or for adjacent receptors on an ongoing basis. It is also important to consider the existing noise environment—if the existing noise environment is quiet and the new noise source greatly increases the noise exposure—impacts would occur. Residential and mixed-use development in the CC-1 and AR zones would be compatible with the surrounding uses that consist of residential, commercial, institutional, and industrial uses. The proposed code amendments would not increase residential densities or commercial intensities and therefore would not increase ambient noise from traffic or operational sources beyond those analyzed in the General Plan FEIR. While the proposed project does allow certain new uses to occur in these areas, the areas already permit a variety of commercial, residential, institutional, and industrial uses. Thus, impacts would be less than significant.
- d) **Less than Significant Impact.** The proposed Land Use Code amendments would not directly authorize any new construction or change of use. The proposed amendments implement policies and programs approved in the City of Garden Grove 2008 General Plan and augment permitted and conditionally permitted uses in the CC-1 and AR zones.

Of the new allowed uses, proposed new residential uses would not generate substantial periodic noise. Typical periodic noise associated with housing is solid waste pick-up. With regard to commercial uses, the proposed permitted commercial uses are generally of a retail or entertainment nature. Typical periodic noise includes truck deliveries, music playing at restaurants, and people talking within and around establishments. These noises are common in an urban setting. Temporary increases in local noise levels would be associated with construction activities to develop new projects or modify existing structures. Construction noise would be controlled through the time restrictions set in Section 8.47.060 of the City’s Municipal Code, limiting construction activity to the hours between 7:00 A.M. to 10:00 P.M. Furthermore, future projects would be subject to the City’s standard environmental review procedures to ensure that temporary and periodic noise is assessed and mitigated, if necessary. Continued enforcement of the City’s noise restrictions and environmental review procedures will ensure temporary and periodic noise impacts associated with new projects within the CC-1 and AR would be less than significant.

The General Plan FEIR concluded that compliance and/or adherence to the City’s Noise Ordinance, policies and implementation measures in the General Plan, and adherence to FEIR mitigation measure NOI-1 would reduce short-term construction noise impacts to less than significant levels.⁵⁰ The proposed code amendments are consistent with General Plan policy and intent to allow commercial and residential uses within these mixed use areas. The impact would be less than significant.

⁵⁰ Ibid. p. 5.6-24.

- e) **No Impact.** A portion of the City lies within the 65 CNEL and the 60 CNEL noise contours of the Los Alamitos Joint Forces Training Base. However, this area does not include the CC-1 and AR zones.⁵¹ No impact would occur.
- f) **No Impact.** There are no private airports or airstrips within two miles of Garden Grove. There would be no impacts related to excessive noise near a private airstrip.

⁵¹ Airport Environs Land USE Plan for Joint Forces Training Base Los Alamitos, 2002. Appendix D.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?			X	

Substantiation:

- a) **Less than Significant Impact.** The proposed code amendments would allow additional permitted and conditionally permitted uses within the CC-1 and AR zones, which could include the conversion of residential single-family homes to commercial uses. The amendments would not allow for increases in housing density or nonresidential land use intensities beyond those set forth in the General Plan or Municipal Code. No new infrastructure, roadways, or buildings are proposed as part of the amendments. The General Plan accounts for forecasted growth and includes policies to reduce potential growth related impacts.⁵² The project would not revise any of these policies. Impact would be less than significant.
- b-c) **Less than Significant Impact.** The proposed code amendments would not directly displace any housing or people because the project does not authorize the demolition or conversion of any housing unit. The existing code currently permits single-family homes located within the CC-1 zone to be converted to commercial use. The proposed code amendments would allow the conversion of existing homes to commercial uses to be approved by ministerial action. Pursuant to State law, tenants living in units for over a year will be required to receive advance written notice when a property owner opens escrow for sale of a property.⁵³ This will provide adequate time for occupants of existing housing to find new housing. The proposed code amendments would not influence economic factors, such as the relocation of a large employment base to a different region, which could require the construction of new housing.

Conversion of single-family homes to commercial uses could reduce total number of residences; however, conversion of this type (from single family to a commercial use within the existing structure) is limited to the three block area of the CC-1 zone. An estimated 60 residential units are located within this three-block area. As of 2014, citywide in Garden Grove there were an estimated total of 47,723 residential units.⁵⁴ Given the relatively limited number of housing units located within

⁵² Garden Grove General Plan Update EIR, 2008. p. 5.2-7.

⁵³ California Department of Consumer Affairs. *California Tenants: A Guide to Residential Tenants' and Landlords' Rights and Responsibilities*. 2010.

⁵⁴ California Department of Finance, 2014. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2014 with 2010 Census Benchmark. <http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php> [March 2015]

this area, substantial numbers of existing housing would not be lost, and impacts resulting in housing displacement or displacement of persons would be less than significant.

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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of the new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?			X	
b) Police Protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

Substantiation:

The proposed code amendment consists of text change to the Land Use Code, allowing additional uses in the CC-1 and AR zones, without proposing physical changes or alterations to any particular property. The project implements General Plan policies and programs and, in particular, adopted land use policy. The project would not facilitate any new development activity beyond that analyzed in the General Plan FEIR. The General Plan FEIR concluded that measures are in place to meet public services needs through the review of individual projects and the application of standard City requirements.

- a) **Less Than Significant Impact.** The General Plan includes goals, policies, and implementation measures that address fire protection services and identify the need to provide adequate resources to respond to health and fire emergencies within the City, including adequate staffing of fire response personnel and trained medical technicians.⁵⁵ The proposed code amendments would not result in any changes to these policies and would not propose an increase in density or intensity that would affect fire protection. Future potential plans for development and redevelopment would be reviewed by City staff to determine any impacts of development on emergency services and are also subject to review by Garden Grove's Police and Fire Department for compliance with applicable standards and policies. The impact on fire protection services would be less than significant.
- b) **Less Than Significant Impact.** The Garden Grove Police Department (GGPD) plans for increases in population and related police protection service demand. The General Plan FEIR concluded that no service shortfall requiring additional personnel or equipment is anticipated as a result of the General Plan Update.⁵⁶ The Code amendment would not increase development allowances beyond that analyzed in the General Plan FEIR. As individual projects are proposed within the City, GGPD service levels and staffing requirements would be evaluated to determine if additional staffing and/or facilities would be required, and to identify whether any unique service needs are required. With continuation of established development review practices and procedures, impact on police protection services would be less than significant.

⁵⁵ Garden Grove General Plan Update EIR, 2008. p. 5.12-5.

⁵⁶ Ibid. p. 5.13-4.

- c) **Less Than Significant Impact.** The code amendments do not propose physical changes or alterations to any particular property. For future projects, any impact to the provision of school services is mitigated through the payment of development impact fees pursuant to the Leroy F. Green School Facilities Act.⁵⁷ Individual project applicants for new development would be required to pay the statutory fees so that space can be constructed, if necessary, to accommodate the impact of project-generated students, maintaining impacts at a less than-significant level.
- d) **Less Than Significant Impact.** The CC-1 and AR zones are intended for mixed use, which could include additional residential development. The General Plan FEIR concluded that impacts regarding the adequate availability of parkland, recreational facilities, and trails would be significant and unavoidable given the limited amount of vacant land in the City.⁵⁸ The provision of parks is guided by the policies of the General Plan Parks and Recreation Element that promote the long-term increase in parkland and recreational facilities utilizing a number of financing strategies. The City requires dedication of land or payment of a fee in-lieu or a combination of both as a condition of approval for residential subdivisions. The purpose of the dedication and/or fee is to provide parks and recreation facilities. Dedication and/or payment of the fee would help to reduce potential impacts of future residential development on parks and recreational facilities. The amendment allows new uses in the CC-1 and AR zones and does not substantially revise cumulative development capacities which could increase demand for parkland. Any new impacts associated with the project on parks and recreation areas would be less than significant.
- e) **Less Than Significant Impact.** See responses a-d.

⁵⁷ City of Garden Grove. General Plan Environmental Impact Report. May 2008.

⁵⁸ Garden Grove General Plan Update EIR, 2008. p. 5.15-8.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. RECREATION

- | | |
|---|---|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated? | X |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | X |

Substantiation:

- a) **Less Than Significant Impact.** The proposed code amendments consist of text changes to the Land Use Code to allow additional uses in the CC-1 and AR zones, the project does not involve any physical changes or alterations to any particular property. The project implements General Plan policies and programs and, in particular, adopted land use policy. The project would not facilitate any new development activity beyond that analyzed in the General Plan FEIR. As indicated in the General Plan FEIR, new development activity facilitated by land use policies would lead to demand for increased park space; however, the City has limited ability to provide additional park facilities. While this impact was identified in the General Plan FEIR as significant and unavoidable,⁵⁹ adoption of this code amendments would not result in any substantial new development potential beyond that previously analyzed in that FEIR. The impact on park and recreation facilities would be less than significant.
- b) **No Impact.** The code amendments do not involve the development of any recreational facilities. The code amendments propose changes in use in the CC-1 and AR zones; these uses are generally residential and commercial, not recreational, in nature. No impact would result.

⁵⁹ Ibid.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratios on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Substantiation:

a-b) **Less Than Significant Impact.** The land use code amendments would not directly result in any new construction and as such, would not directly result in the generation of vehicle trips. The amendments would implement General Plan policies and programs and establish more mixed uses, which would encourage and facilitate vehicle trip reduction.

As indicated in the General Plan FEIR, new development activity facilitated by land use policies would, over the long term, lead to a decrease in operating conditions at a number of intersections in the City. However, with the construction of needed circulation improvements identified in the General Plan, or required fair share payments, impacts would be reduced to a less-than-significant level. As new development proposals are analyzed by the City and peak-hour intersection impacts are identified, either construction of needed circulation improvements or fair share payments would be required as mitigation and/or conditions of approval.⁶⁰

Adoption of the code amendments would not result in any new development potential beyond that previously analyzed in the General Plan FEIR. The amendments would encourage and facilitate the

⁶⁰ Garden Grove General Plan Update EIR, 2008. p. 5.4-47.

mixed uses pursuant to General Plan goals and policies regarding transportation.⁶¹ The implementation of the proposed code amendment has the potential to reduce overall trips over time by creating complementary uses within walking distance of each other.

The Congestion Management Program (CMP) is administered by the Orange County Transportation Authority (OCTA). The CMP establishes a service goal of level of service (LOS) E or better on all CMP roadway segment. CMP intersections within Garden Grove include State Route 22 (SR-22) westbound ramps at Valley View Street, SR-22 westbound ramps at Harbor Boulevard, and SR-22 westbound at Beach Boulevard. Any future project would be required to prepare a traffic impact analysis (TIA) if it generates 2,400 or more daily trips. For developments that will directly access a CMP Highway System link, a TIA is required if it will result in 1,600 or more daily trips.⁶² As future projects are proposed, the City will determine if a traffic impact analysis is required as part of the City's standard environmental review process and determine potential future impacts to CMP facilities.

The proposed project would allow off-site parking in the CC-1 zone to occur farther than would otherwise be permitted. Elsewhere in the City, off-site parking may be permitted within 1,500 feet of the subject use. Pursuant to the code amendment, off-site parking in CC-1 is permitted to be located further than 1,500 feet from the site it is serving, provided that such off-site parking is located in the CC-1 zone or within the CC-3 and CC-OS zones that are located east of Euclid Street, west of 9th Street, north of Garden Grove Boulevard, and South of Stanford Avenue. This off-site parking may be approved by ministerial action under the proposed code amendment. While this revised standard extends the area in which parking for uses within the CC-1 zone may occur, it continues to limit off-site parking to the immediately surrounding areas, and is consistent with General Plan policy to achieve a mixed-use district. The off-site parking locations and programs would be reviewed by City staff to ensure that adequate parking is provided to comply with Municipal Code standards.

The impact of the proposed code amendments on the roadway system would be less than significant.

- c) **No Impact.** The General Plan FEIR concluded that the General Plan Update would not result in any impact on air traffic patterns.⁶³ The proposed code amendments do not authorize construction or development that would otherwise conflict with limits established in the General Plan Land Use Element. The CC-1 and AR zones are not located within a 10,000 foot radius of JFTB runways, where heights are limited to 150 feet.⁶⁴ The proposed code amendments are focused on permitted and conditionally permitted uses and does not authorize any construction that would result in the need to redirect or otherwise alter air traffic patterns. Furthermore, the proposed code amendments would not result in substantial population growth that could significantly increase air traffic. There would be no change to regulations that would allow for any structures to affect air traffic patterns of safety beyond that which was analyzed in the General Plan FEIR. No impact would result.
- d) **No Impact.** The project does not involve the construction of any roadway and would have no effect on the City's street and site design standards.
- e) **Less than Significant Impact.** The project does not involve any road construction or any development activity and thus will not obstruct or restrict emergency access to or through the City. New developments would be required to comply with all applicable fire code and ordinance requirements for construction and access to the affected site. Individual projects would be reviewed by the Garden Grove Fire Department to determine the specific fire requirements applicable to the

⁶¹ Garden Grove General Plan Update EIR, 2008. p. 5.4-49-5.4-51.

⁶² Orange County Transportation Authority. 2011 *Orange County Congestion Management Program*. 2011.

⁶³ *Ibid.* p. 8-4.

⁶⁴ Email communication with Kari A. Rigoni Executive Officer Airport Land Use Commission for Orange County. 6/15/2011.

specific development and to ensure compliance with these requirements. With continued application of project review procedures, impacts involving emergency access will be less than significant.

- f) **No Impact.** The proposed code amendments have no direct affect on any local or regional policies involving support of alternative transportation. The amendments implement General Plan policies that support Mixed Use development and use of alternative transportation modes. The CC-1 and AR zones have the potential to positively influence alternative transportation use by allowing a mix of uses near local and regional transportation facilities such as existing bus lines and potential future transit provided along the OCTA right-of-way. No negative impacts on alternative transportation policies would occur.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
h) Would the project include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality basin, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors and/or odors)?				X

Substantiation:

a, b,

e) **Less Than Significant Impact.** The proposed code amendments consist of text changes to the Land Use Code to allow additional uses in the CC-1 and AR zones. The amendment implements General Plan policies and programs and, in particular, adopted land use policy. The project would not facilitate any new development activity beyond that analyzed in the General Plan FEIR, as no development standards pertaining to intensity or density would be revised.

The Garden Grove Sanitary District (GGSD) is the agency responsible for the refuse and sewer utilities in Garden Grove and some areas outside City limits. Once wastewater passes through the City's sewer system, the Orange County Sanitation District (OCSD) is responsible for its treatment. Wastewater treatment requirements for the Orange County Sanitation District treatment facilities are established by the Santa Ana Regional Water Quality Control Board (RWQCB). These treatment requirements establish pollutant limits for effluent discharges to receiving waters. The General Plan FEIR concluded that the City's wastewater systems have adequate capacity to accommodate development associated with implementation of the General Plan.⁶⁵ The proposed code amendments are consistent with the levels of development analyzed in the General Plan FEIR.

The City will identify the need for expansion of water and wastewater facilities, such as water and sewer mains, as needed, on a project-by-project basis during its standard environmental review process. Any environmental impacts related to the construction or expansion of water or wastewater facilities will be analyzed and mitigated for at the time of development. Additionally, fees are required to construct new sewer infrastructure and/or incremental expansions to the existing sewerage system to accommodate individual development, which would mitigate the impact of the development on the sewerage system.⁶⁶ Furthermore, the proposed code amendment would not change or interfere with Regional Water Quality Control Board wastewater treatment requirements. The impact on any wastewater treatment capabilities would be less than significant.

- c) **No Impact.** The project implements General Plan policies and programs and, in particular, adopted land use policy. The project would not facilitate any new development activity beyond that analyzed in the General Plan FEIR. As such, storm water drainage facilities are anticipated to be sufficient. New development projects are required to ensure project-specific and citywide drainage systems have adequate capacity to accommodate new development.⁶⁷ Construction of drainage devices would be subject to standard construction requirements for erosion control and water quality requirements.

The City has recognized the need to monitor and improve the storm drain system to ensure it is adequately accommodating future development. Policies and implementation measures to ensure that project-related storm water mitigation techniques are employed and monitored are included in the General Plan. Additionally, the General Plan FEIR includes a mitigation measure (HYD-1) to ensure that new development is coordinated with the City's Public Works Department to determine if any drainage improvements are required. The proposed project would not change any of these policies, and new projects would be required to conform to these existing policies. No impact on storm water facilities is anticipated.

- d) **No Impact.** The City of Garden Grove receives its potable water through 11 existing local extraction wells and imported water from the Metropolitan Water District of Southern California, via the Municipal Water District of Orange County connections. Additionally, a small portion of the City is served by the Golden State Water Company. The proposed code amendments do not authorize construction or redevelopment of any particular property. The project, by expanding allowable uses within mixed-use zones, implements General Plan policies and programs and, in particular, adopted land use policy. The proposed code amendments would not facilitate any new development activity beyond that analyzed in the General Plan FEIR. The General Plan FEIR concluded that current and planned water supplies are sufficient to meet demand based on General Plan build-out conditions. Review of future projects would continue to be carried out to ensure that the projects are consistent with all General Plan goals, policies, and implementation measures. No impacts on water supplies or water supply infrastructure would occur.

⁶⁵ Garden Grove General Plan Update EIR, 2008. p. 5.11-2.

⁶⁶ Ibid. p. 5.11-3.

⁶⁷ Ibid. p. 5.8-25.

- f, g) **Less Than Significant Impact.** Garden Grove is served by a number of landfills. Olinda Alpha Landfill is owned and operated by Orange County and is permitted to handle 8,000 tons/day of refuse, with a closure date in 2021. The Frank R. Bowerman landfill, located in Irvine, is also owned and operated by the County of Orange and has a permitted maximum of 8,500 tons/day. The Frank R. Bowerman landfill is currently slated for closure in December 2022. The Prima Deshecha landfill is located in San Juan Capistrano and is owned and operated by Orange County. The facility has a permitted capacity of 4,000 tons/day and has a closure date of December 2067.⁶⁸

As indicated in the General Plan FEIR, compliance with City and County waste reduction programs and policies would reduce the volume of solid waste entering landfills. Individual development projects within the City would be required to comply with applicable State and local regulations, thus reducing the amount of landfill waste by at least 50 percent. However, new development activity facilitated by land use policies of the General Plan would lead to increased solid waste production over the long term.⁶⁹ The proposed code amendments implement General Plan policies and programs and in particular, adopted land use policy. The proposed code amendments would not facilitate any new development activity beyond that analyzed in the General Plan FEIR, and thus would not lead to any significant solid waste production beyond that previously indicated. The proposed code amendments do not involve construction or redevelopment of any particular property. Review of future projects would continue to be carried out to ensure that the projects are consistent with all General Plan goals, objectives, and policies. Adherence to such requirements would reduce potential impacts associated with solid waste to a less-than-significant impact level.

- h) **No Impact.** The proposed code amendments do not involve construction or development to storm water treatment facilities. No impact would result.

⁶⁸ City of Garden Grove. General Plan Environmental Impact Report. May 2008.

⁶⁹ Ibid. p. 5.16-5.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? **X**

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) **X**

- c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? **X**

Substantiation:

a) **Less Than Significant Impact.** The results of the preceding analyses and discussions of responses to the entire Initial Study Checklist have determined that the proposed code amendments would have no effect upon sensitive biological resources, and would not result in significant impacts to historical, archaeological, or paleontological resources. The CC-1 and AR zones are fully urbanized and do not contain any forest, river, wildlife, or similar resources, which would preclude impacts to unique, rare, endangered, or threatened species. The uses proposed in the code amendments are generally similar to other allowed uses within the same zone, expanding allowable commercial (generally retail and entertainment) and mixed residential/commercial uses. In addition, the proposed code amendments include new standards to encourage the retention of existing structures in the CC-1 zone, reducing project-specific development impacts.

Several existing structures have been identified within the project area as locally significant historic resources. The Land Use Code amendments would not affect regulations protecting historical or cultural resources. The proposed amendments would facilitate conversion of single-family residences for commercial use within the CC-1 zone, which may present additional preservation options to property owners. The proposed code amendments do not authorize any plan for a development or redevelopment on any property. The proposed code amendments are intended to provide a framework for future projects in the CC-1 and AR mixed-use zones to follow to achieve the goals and policies of the General Plan. The proposed code amendments would not result in any effects that would degrade the quality of the environment.

b) **Less Than Significant Impact.** Cumulative effects resulting from implementation of the City's goals and policies were evaluated in the General Plan FEIR. The proposed code amendment

would not change any of these policies and does not propose any specific development or redevelopment project that could contribute to short-term or long-term cumulative impacts that were not addressed sufficiently in the General Plan FEIR. The proposed project provides consistency with General Plan goals and policies aimed at minimizing negative environmental impacts over the long term. Adoption and implementation of the proposed code amendment would not create any significant impacts beyond those previously identified in the General Plan FEIR.

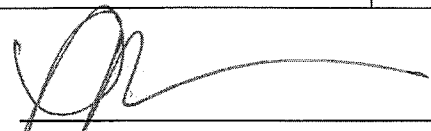
- c) **Less Than Significant Impact.** The proposed code amendments consist of text changes to Municipal Code Title 9 ("Land Use Code"), allowing additional uses in the CC-1 and AR zones. The amendments implement General Plan policies and programs and, in particular, adopted land use policy. The project would not facilitate any new development activity beyond that analyzed in the General Plan FEIR, as no development standards pertaining to intensity or density would be revised. The proposed code amendments are designed to implement planning approaches that integrate complementary uses and work to reduce travel in personal vehicles and commuting to work. By achieving the associated reduction in vehicle travel, a corresponding reduction in air quality emissions, traffic impacts, urban sprawl, and outdoor water use can be realized. The project would not result in substantial adverse effects on human beings.

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	<input checked="" type="checkbox"/>
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described previously have been added to the project. A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.	<input type="checkbox"/>
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	<input type="checkbox"/>
I find that the project MAY have a significant effect(s) on the environment, but as least on effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standard, and 2) has been addressed by mitigation measures based on an earlier analysis as described on attached sheets. If the effect is potentially significant impact or potentially significant unless mitigated an ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that need to be addressed.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.	<input type="checkbox"/>

Date: 3-10-15



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REFERENCES

AirNav, LLC. Airport Information. 2015.

California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005.

California Department of Conservation. Farmland Mapping and Monitoring Program. 2008.

California Department of Conservation. Williamson Act Program. 2006.

California Department of Conservation. California Geological Survey, Seismic Hazard Zones: Anaheim Quadrangle. 1999.

California Department of Finance. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2014 with 2010 Census Benchmark
<http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php>

California Department of Forestry and Fire Protection. Fire Hazard and Severity Zones Maps. 2015.

California Department of Forestry and Fire Protection and the USDA Forest Service. California Land Cover Mapping and Monitoring Program (LCMMP), 2006.

California Department of Transportation. California Scenic Highway Mapping System. Updated December 7, 2007.

California Environmental Protection Agency. Cortese List Data Resources.
www.calepa.ca.gov/SiteCleanup/CorteseList/

City of Garden Grove. Garden Grove General Plan Update Final Environmental Impact Report. (SCH # 2008041079). 2008.

City of Garden Grove. Garden Grove General Plan 2030. 2008.

City of Garden Grove. Code of Ordinances, Municipal Code.

Federal Aviation Administration. Airports Facilities Data. 2015.

Orange County Airport Land Use Commission. Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos. 2002.

Orange County Transportation Authority. 2011 Orange County Congestion Management Program. 2011.

Rigoni, Kari. (Executive Officer Airport Land Use Commission for Orange County). Email communication 6/15/2011.

South Coast Air Quality Management District. Final 2012 Air Quality Management Plan.

U.S. Fish & Wildlife Service, Conservation Plans and Agreements Database. 2015.

U.S. Fish & Wildlife Service, National Wetlands Survey. 2015.

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ACRONYMS

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AELUP	Airport Environs Land Use Plans
AR-MU	Adaptive Reuse Mixed Use
AQMP	Air Quality Management Plan
CARB	California Air Resources Board
CBC	California Building Code
CC	Civic Center
CC-OS	Civic Center Open Space (zone)
CMP	Congestion Management Plan
CNEL	Community Noise Equivalent Level
CUP	Conditional Use Permit
EIR	Environmental Impact Report
FEIR	Garden Grove General Plan 2030 Final Environmental Impact Report
FAR	Floor-Area ratio
DB/DBA	Decibels / A-weighted
FEIR	Final Environmental Impact Report
FMMP	Farmland Mapping and Monitoring Program
GGMU	Garden Grove Boulevard Mixed Use
GGSD	Garden Grove Sanitation District
GGPD	Garden Grove Police Department
GHG	Greenhouse gases
HCP	Habitat Conservation Plan
JFTB	Joint Forces Training Base
LCMMP	Land Cover Mapping and Monitoring Program
LOS	Level of Service
NCCP	Natural Community Conservation Planning
NPDES	National Pollution Discharge Elimination System

OCSD	Orange County Sanitation District
OCTA	Orange County Transportation Authority
OCWD	Orange County Water District
PM	Particulate matter
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
TIA	Traffic Impact Analysis
VOC	Volatile organic compound
VMT	Vehicle miles traveled

RESOLUTION NO. 5843-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION AND APPROVE AMENDMENT NO. A-013-2015, AN AMENDMENT TO CHAPTER 18 (MIXED USE REGULATIONS), CHAPTER 4 (DEFINITIONS), AND CHAPTER 32 (PROCEDURES AND HEARINGS) OF TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE.

WHEREAS, the City of Garden Grove proposes Amendment No. A-013-2015, a zoning text amendment to portions of Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code to add additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); add definitions for new uses in Chapter 4 (Section 9.04.060); add additional standards for the conversion of single-family homes to commercial uses ministerially along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and revise Section 9.32.030D.3(2)(a)(d) of Chapter 32 exempting single-family home conversions to any other use in the CC-1 zone from the requirement to submit a Site Plan application; and

WHEREAS, Amendment No. A-013-2015, is referred to herein as the "Project"; and

WHEREAS, pursuant to 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.*, an initial study was prepared and it has been determined that the proposed Project qualifies for a Negative Declaration because the proposed Project cannot, or will not, have a significant effect on the environment; and

WHEREAS, the Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on April 2, 2015 and considered all oral and written testimony presented regarding the Project, the initial study, and the Negative Declaration.

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

1. The Planning Commission has considered the proposed Negative Declaration together with comments received during the public review process.

2. The Planning Commission finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment.

3. The Planning Commission recommends adoption of the Negative Declaration to City Council.

4. The record of proceedings on which the Planning Commission's 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 Community Development.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on April 2, 2015, does hereby recommend that the City Council approve Amendment No. A-013-2015.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-013-2015, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by City of Garden Grove.
2. The City of Garden Grove proposes to amend Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code to add additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); add definitions for new uses in Chapter 4 (Section 9.04.060); add additional standards for the conversion of single-family homes to commercial uses ministerially along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and revise Section 9.32.030D.3(2)(a)(d) of Chapter 32 exempting single-family home conversions to any other use in the CC-1 zone from the requirement to submit a Site Plan application.
3. The Community Development Department has prepared a Negative Declaration for the Project that (a) concludes that the proposed project cannot, or will not, have a significant adverse effect on the environment, and (b) was prepared and circulated in accordance with applicable law, including CEQA and CEQA's implementing guidelines.
4. Report submitted by City staff was reviewed.
5. Pursuant to legal notice, a public hearing was held on April 2, 2015, and all interested persons were given an opportunity to be heard.

6. The Planning Commission gave due and careful consideration to the matter during its meeting of April 2, 2015; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 are as follows:

FACTS:

In August of 2008, the City Council approved a comprehensive update to the City's General Plan. The General Plan update focused on preserving residential neighborhoods, guiding the remaining development and redevelopment opportunities, and encouraging the revitalization of selected areas.

In March of 2012, the City Council approved Mixed Use zones along with development standards in order to implement the new Mixed-Use Land Use designations and to create the consistency between the City's General Plan and Zoning Ordinance that is required by State Law. Additionally, the creation of the mixed use zones addressed the State's requirements to reduce vehicle trips, reduce greenhouse gas emissions, improve overall air quality, and create additional housing opportunities. It was essential that the mixed use zones were created and approved in order to meet those requirements.

Since the adoption of the Mixed Use zoning Code, there has been interest in the adaptive reuse of the existing homes in the CC-1 zone by converting them to commercial uses in order to preserve the older homes and maintain the character of the neighborhood. Prior to the adoption of the mixed use zoning, there was the mindset to assemble the properties and to create larger institutional uses and larger residential projects. The previous zoning (prior to the current Mixed Use zoning) encouraged the redevelopment of the area rather than its preservation. The intent of the current zoning is to preserve the older structures by allowing them to be converted to commercial uses.

In order to assist in facilitating the goals of the existing zoning and to further encourage the preservation of the existing structures the subject Code Amendment has been proposed that includes specific standards for the adaptive reuse of the existing structures, along with compatibility standards in order to ensure the compatibility of uses with the CC-1 zone. Additionally, specific standards are proposed for shared outside eating areas, non-vehicular and vehicular vending, and event space.

The Code Amendment also proposes adding uses to the CC-1 zone that currently are permitted in other areas of the Downtown area as well as added a few new uses such as Live-Work, Event space, Food Hall, Garden Shop/Small Scale Nursery, and Winery along with definitions for the Live-Work, Wineries, and Food Hall uses. The Food Hall and Indoor Multi-Tenant Shopping Center uses have also been included in the Land Use Chart for the AR zone. In order to maintain consistency throughout

Multi Family and Use zone

Live Work

live = LIVE

the Title 9 Code Sections 9.18.070.010, 9.18.070.020, 9.18.110.020, and 9.32.030D are also proposed to be modified.

FINDINGS AND REASONS:

1. The proposed Code Amendment is internally consistent with the goals, policies, and elements of the General Plan.

The proposed Amendment includes amendments to Chapter 18 (Mixed Use Regulations), Chapter 4 (Definitions), and Chapter 32 (Procedures and Hearings) of Title 9 of the Municipal Code to: add additional uses to the Land Use chart for the CC-1 (Civic Center Mixed Use 1) and the AR (Adaptive Reuse) zones that are not currently permitted in these zones (Section 9.18.020); add definitions for new uses in Chapter 4 (Section 9.04.060); add additional standards for the conversion of single-family homes to commercial uses ministerially, along with additional standards for parking location, outside eating areas, and non-vehicular and vehicular vending, event space, and additional compatibility standards in the CC-1 zone (Sections 9.18.090.030, 9.18.090.040, 9.18.070.010, 9.18.070.020, and 9.18.110.020); and revise Section 9.32.030D.3(2)(a)(d) of Chapter 32 exempting single-family home conversions to any other use in the CC-1 zone from the requirement to submit a Site Plan application.

The General Plan has goals and policies that address land use compatibility and the preservation of cultural and historical resources. Goal LU-4 of the General Plan Land Use Element calls for the "City to seek to develop uses that are compatible with one another", Policy LU-4.3 provides for the allowance of mixed use development at varying intensities as a means for revitalizing underutilized parcels. The City approved the mixed use zoning in both the CC-1 and AR zones in order to revitalize underutilized parcels. The subject Code Amendment continues to foster the revitalization of underutilized property by allowing additional commercial uses in the CC-1 and AR zones and creating additional compatibility standards to assist in guiding new development and the adaptive reuse of existing properties. Policy 4.6 promotes the compatible integration of adjacent uses to minimize conflicts where residential/commercial mixed use is permitted. The proposed Amendment furthers this policy by providing additional regulations and compatibility standards between commercial and residential uses located in the CC-1 zone.

Goal CON-7 of the Conservation Element of the General Plan calls for the preservation and protection of significant historical, architectural, archeological, and cultural value resources. Policy CON-7.2 calls for the preservation of Garden Groves significant historic resources to promote community identity, stability, and aesthetic character. At the time that the CC-1 zone Mixed Use zoning was created, the intent was to allow uses and development approaches that maintain the character and form of the established neighborhoods within the Civic Center district. The CC-1 Code

currently encourages the adaptive reuse of the existing structures in order to preserve the existing older structures. The proposed amendment will further the Policy by creating additional standards that address reuse of existing homes as well as the compatibility of uses.

2. The proposed Code Amendment will promote the public health, safety, and welfare.

The proposed Amendment includes regulations that address the adaptive reuse of existing structures that include hours of operation, the buffering of commercial uses to residential uses, special standards for non-vehicular and vehicular vending, the security of residents, noise intrusion, and light and glare. Therefore, the proposed regulations promote the public health, safety, and welfare of persons, working and residing in the area.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Code Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D (General Plan Amendment/Code Amendment).
2. The Planning Commission recommends that the City Council adopt an Ordinance approving Amendment No. A-013-2015 and amending Garden Grove Municipal Code Chapter 4 (Definitions), Chapter 18 (Mixed Use Regulations), and Chapter 32 (Procedures and Hearings of Title 9 as follows:

Amend Section 9.04.060 (Definitions) to add three new definitions to read as follows:

"Live-Work" means a structure that combines living space occupancy with incidental work space, and in which the individual live-work units are occupied and used by a single-household. Live-work can either consist of structures specifically designed and built to function in this manner, or existing residential structures that have been structurally modified to accommodate work activity and residential occupancy in compliance with the California Building Code. The living space occupies the majority of the live-work structures square footage and the working space is reserved for and regularly used by one or more occupants of the unit. Live-work units can include renter-occupant and/or owner-occupant. "Live-Work" does not include "Home Occupations" that are allowed in the single-family residential, multi-family residential, mixed-use zones.

“Wineries” means a commercial facility used for the production and distribution of wine with incidental accessory uses and activities in conjunction with the winery, including, but not limited to wine tasting, food service and restaurants, gift sales, and special events.

“Food Hall” means a facility consisting primarily of three (3) or more lease areas within an enclosed building that have a shared entrance/lobby area where the primary uses are food related, but may include small retail venues, shared eating areas, and limited live entertainment. Lease areas may have access to the exterior of the building along with outside eating areas, both private and shared with other uses.

Amend Table 9.18-4 (Development Standards for the Civic Center Mixed Use Zones) of Section 9.18.090.030 (Civic Center Zone Development Standards) as follows to add a note regarding the applicability of the maximum lot coverage requirement in the CC-1 zone (additions in underline/bold/italics):

**TABLE 9.18-4
Development Standards for the Civic Center Mixed Use Zones**

DEVELOPMENT STANDARDS	CIVIC CENTER MIXED USE ZONES			
	CC-1	CC-2	CC-3	CC-OS
Lot Coverage				
Minimum Lot Coverage	Not Applicable	70%	Not Applicable	Per site plan review process
Maximum Lot Coverage	50%*	Not Applicable	Not Applicable	

***Maximum lot coverage requirement applies to stand-alone residential development only; does not apply to commercial or mixed use developments.**

Add new subsections F, G, H, I, and J to Section 9.18.090.040 (Additional Regulations Specific to the CC-1 Zone) to read as follows:

F. Conversion of Single-Family Homes to Commercial Structures and Uses. Any legally established single-family home located within the CC-1 zone may be converted to a commercial structure and use, provided that the conversion complies with the following standards and all other applicable requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title.

1. Compliance With Other Mixed Used Regulations and Development Standards. Except as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
2. Maintenance of Residential Appearance. Converted homes shall maintain the residential appearance of the structure in order to

maintain compatibility with the character and scale of the existing neighborhood.

3. Buffering From Residential Uses. Residential properties converted to commercial uses shall be buffered from existing residential properties in accordance with standards established by the Community Development Director. Buffering measures shall include, but not be limited to, fencing, landscaping, and low level lighting in order to reduce noise and light intrusion.
4. Hours of Operation. Hours of operation for all commercial uses in converted homes within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties. Requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.D.11 of Chapter 9.32 of this Title.
5. Pedestrian Linkages. When converting existing homes to a commercial use, pedestrian linkages providing a connection between the commercial uses and other streets and remote parking lots shall either already exist or be created in conjunction with the conversion.
6. Parking. Parking for commercial uses shall comply with Section 9.18.140, with the exception that off-site parking is permitted to be located further than 1,500 feet from the site it is serving, provided that it is located in the CC-1 zone or within the CC-3 and CC-OS zones that are located east of Euclid Street, west of 9th Street, north of Garden Grove Boulevard, and south of Stanford Avenue. Off-site parking areas in the CC-1 zone that support commercial uses in converted single family homes may be approved ministerially by the Community Development Director or his/her designee, provided that such parking areas meet all the requirements in Chapter 18 of this Title.
7. Additions/Modifications of Structures in Conjunction with Conversions. Additions/modifications of less than 1,000 square feet or 50% of the existing building area associated with conversions of single-family homes to commercial uses and structures shall not be subject to the Site Plan review procedure set forth in Chapter 9.32, provided that any such addition/modification maintains continuity with the architectural style of the remainder of the existing structure. Conversions Additions/modifications of 1,000 or more square feet or 50% or more of the existing building area, or which would, in the determination of the Community Development Director, not

maintain continuity with the architectural style of the remainder of the existing structure, shall require Site Plan approval pursuant to the provisions of Chapter 9.32.

8. Additional Compatibility Standards. The additional compatibility standards set forth in subsection J of this Section 9.18.090.040 shall also apply to single family homes converted to commercial uses and structures.
9. Ministerial Approval of Conversions. If the Community Development Director or his/her designee determines that all of the standards and requirements set forth in sub-subsections 1 through 8, above, are satisfied, he/she may ministerially approve a request to convert any legally established single-family home located within the CC-1 zone to a commercial structure and use. The Community Development Director is authorized to establish such forms, procedures, standards, and guidelines as are necessary to implement this ministerial approval process and to ensure compliance with the standards and requirements set forth in this Subsection F.
10. Conditional Use Permit Required for Uses Involving Entertainment and/or Alcohol Sales. Any home that converts from a residential use to a commercial use that will include entertainment and/or alcohol sales shall be appropriately buffered from adjacent residential uses, be subject to operational conditions, and require review and approval of a Conditional Use Permit. If entertainment and/or consumption of alcohol is conducted outdoors, buffering measures shall include, without limitation, sound attenuation walls and landscaping in order to protect adjacent residential uses. If the entertainment and/or alcohol sales is conducted, and the use does not meet the distance requirements for the subject uses as prescribed in Section 9.18.030 (Special Operating conditions and Development Standards), a Waiver of Distance and Location Provisions may also be requested through the Conditional Use Permit process. In conjunction with the approval of a Conditional Use Permit, the hearing body may grant a waiver to any distance or location provision if it makes all of the following findings:
 - a. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
 - b. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;

- c. That the use will not interfere with operation so other businesses or uses within the area;
- d. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization;
- e. That the establishment complies with all other distance and pedestrian and vehicular requirements of this Code; and
- f. That all applicable regulations of this Code will be observed.

G. Shared Outside Eating Areas. Shared outside eating areas may be created between properties and uses. No shared outside eating area where alcohol is allowed shall have a separate entrance or exit. All outside eating areas that allow the consumption of alcohol shall only be permitted to have direct access to and from the establishments that serve the alcohol. Outside eating areas shall be sufficiently buffered from adjacent residential uses in a manner that will protect the peaceful enjoyment of adjacent residentially developed properties.

H. Non-Vehicular and Vehicular Vending. Both non-vehicular kiosks and vehicular vending may include, without limitation, converted camper trailers, nostalgic vans, and food trucks, and may be temporarily or permanently installed/parked both on-site and off-site. In addition to meeting the requirements of Sections 9.18.070.010 and 9.18.070.020, both non-vehicular and vehicular vending shall comply with the following standards:

1. The design, materials, and colors are to be well crafted and considerate of the immediate surroundings of the proposed installation.
2. The size of a non-vehicular vending kiosk located within the CC-1 zone may exceed 36 square feet provided that size of the kiosk is appropriate in scale and massing for the location it is intended for. In no case shall the kiosk be larger than 100 square feet.
3. Graphics and signs shall be appropriate to the size and design of the cart/trailer/kiosk and shall not cause light or glare on adjacent streets and residentially developed properties. Typical sign area approved is up to six (6) square feet, not including menu boards, which are typically temporary and/or not permanently affixed to the kiosk.

4. Kiosks, may not be placed in any required parking space, driving aisle, or walkway. If installed/parked within the public right-of-way, the kiosk/vehicle shall be appropriately separated and buffered from adjacent vehicular traffic through the use of low fencing, planters, or similar barrier. Any street parking that is lost due to the installation of a vending structure shall be replaced elsewhere within the CC-1 zone either within the public right-of-way or within a joint-use parking lot.
 5. Wheels located under the cart/trailers/kiosks are preferred (such as casters) and shall be permanently inflated. Projecting wheels must have fenders.
 6. Hitches attached to the cart/trailer/kiosk must be removable and detached during operation hours.
 7. The use of propane tanks may be permitted subject to the City's Fire Department and Building Division review and approval. Propane tanks must be attached to (or within) the kiosk and the kiosk must allow for adequate ventilation and screening.
 8. The location design, and layout of both non-vehicular and vehicular vending structures shall be subject to the review and approval of the Community Development Director or his/her designee. All vending structures located within the public right-of-way shall meet all requirements of the Public Work's Department for encroachments into the public right-of-way and shall be subject to the review and approval of the Public Work's Director.
 9. No external power, piping or plumbing is allowed. All vending structures shall be self-contained.
- I. Event Space.** Outdoor and Indoor event spaces, including banquet facilities shall comply with the following with the standards and all other application requirements of Chapter 18 (Mixed Use Regulations and Development Standards) of this Title:
1. With the exception as otherwise provided in this Section, all uses shall comply with all other applicable provisions in Chapter 18 of this Title.
 2. Parking for uses within outdoor and indoor event spaces shall comply with Section 9.18.140.
 3. Hours of operation shall be determined through the Conditional Use Permit process.

J. Additional Compatibility Standards. The following standards are intended to ensure the compatibility of uses within the CC-1 zone:

1. Within mixed use developments, residential units shall be designed to ensure the security of residents through the provision of secured entrances and exits that are separate from the non-residential uses, and are directly accessible to parking areas. Non-residential and residential uses shall not have common entrance hallways or common balconies. These separations shall be shown on the development plan, and the separations shall be permanently maintained. All commercial development/use shall submit a security plan to the Police Department for review and approval by the Police Chief or his designee prior to establishment of the use.
2. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic, trash collection, routine deliveries or late night activity. No use shall produce continual loading or unloading of heavy trucks at the site between the hours of 8:00 p.m. and 6:00 a.m. Hours of operation for all commercial uses within the CC-1 zone shall be limited to 7:00 a.m. to 10:00 p.m. daily, unless located within an integrated development that provides adequate buffering to adjacent residentially developed properties, or otherwise authorized pursuant to a Conditional Use Permit or Minor Deviation Land Use Permit approved pursuant to Chapter 9.32. For uses requiring approval of a Conditional Use Permit, extended hours of operation may be authorized pursuant to the Conditional Use Permit. For uses not requiring a Conditional Use Permit or other discretionary land use approval, requests for extended hours of operation shall require approval of a minor deviation land use permit pursuant to Section 9.32.D.11 of Chapter 9.32 of this Title.
3. Residential portions of a mixed use project shall be designed to limit the interior noise caused by the commercial and parking portions of the project, to a maximum of forty-five (45) decibels (db) community Noise Equivalent Level (CNEL) on annual basis in any habitable room with windows closed. Proper design may include, but shall not be limited to, building orientation, double or extra strength windows, wall and ceiling insulation, and orientation and insulation of vents. Where it is necessary that window be closed in order to achieve the required level, means shall be provided for ventilation/cooling to provide a habitable environment.

4. No use, activity or process shall produce continual vibrations or noxious odors that are perceptible, without instruments, by the average person at the property lines of the site or within the interior of on-site residential units.
5. Outdoor lighting associated with commercial uses shall not adversely impact surrounding residential uses, but shall provide sufficient illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity or brightness.

Amend Table 9.18-1 (Use Regulations for Mixed Use Zones) of Section 19.18.020 (Permitted Uses) to add the following permitted and conditionally permitted uses in the CC-1 and AR zones (Note: *Italicized uses are new to entire Code*)

**Table 9.18.1
Use Regulations for the Mixed Use Zones**

Table 9.18.1 Mixed Use zoned and Land Use Regulations	CC-1	AR	Additional Regulations and Comments
Miscellaneous Residential and Incidental to Residential			
<i>Live-Work</i>	<i>P</i>		
<i>Cottage Food Operations</i>	<i>P</i>		<i>No minimum spacing limit is required for Cottage Food Operations provided that the use complies with all other requirements of Section 9.08.020.02.50B. (this sections needs to be inserted into Section 9.18.020)</i>
Commercial/Office			
Medical, Dental and Related Health Service Support Facilities	P		
Retail Trade			
Art Gallery/Tattoo Shop	C		See Section 9.18.030.041
<i>Event Space/Banquet Facility (Indoor)</i>	<i>C</i>		<i>See Section 9.18.090.040I</i>
<i>Event Space (Outdoor)</i>	<i>C</i>		<i>See Section 9.18.090.040I</i>
Department Store	P		
Furniture	P		
<i>Food Hall</i>	<i>C</i>	<i>C</i>	<i>Parking to be provided pursuant to Section 9.18.140.030.</i>
<i>Garden Shop/Small Scale Nursery (10,000 square feet and smaller.)</i>	<i>P</i>		<i>Retail only, no production permitted.</i>

Indoor Multi-Tenant shopping Center	C	C	See Section 9.18.030.230
Non-Vehicular Vending	P		See Section 9.18.070.010. For Non-Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.
Pets & Supplies	P		
Sporting Goods	P		
Variety/Dry Goods	P		
Food/Drink Sales and Service			
Convenience Store	P		See Section 9.18.060
Grocery Store	P		See Section 9.18.060
Food, Carry-out	P		See Section 9.18.060
Liquor Store	C		See Section 9.18.060
Meat Market	P		See Section 9.18.060
Vehicular Vending	P		See Section 9.18.070.020 For Vehicular Vending in the CC-1 zone see Section 9.18.090.040H for additional requirements.
<i>Bar with or without Entertainment</i>	C		<i>See Section 9.18.060 (Alcohol Beverage Sales)</i> <i>See Section 9.18.030.080 (Bar/Nightclub)</i>
Brew Pub	C		See Section 9.18.060
Coffee House with or without Bean Roasting	P		Refer to Title 5, Chapter 70 In the CC-1 zone a, a coffee house with live entertainment shall require a CUP and shall meet the requirements of Section 9.18.030.150 (Eating Establishments with Limited Entertainment)
Eating Establishment/Restaurant with Entertainment	C		See Section 9.18.030.140 See Section 9.18.060
Eating Establishment/Restaurant with Limited entertainment	C		See Section 9.18.030.150 See Section 9.18.060
<i>Wineries</i>	C		<i>See Section 9.18.060 (Alcohol Beverage Sales)</i>

Other Services			
<i>Incidental Instruction (15 students or Less)</i>	I		
<i>Multi-tenant Retail, Office, Studio Space for short term use.</i>	C	C	Uses to be parked pursuant to Section 9.18.140.030.
Community Garden	P		

Amend the first paragraphs of Sections 9.18.070.010 and 9.18.070.020 of Section 9.18.070 (Outdoor Sales of Goods and Merchandise) as follows (added language in bold/italicize/underline):

SECTION 9.18.070.010 Nonvehicular Vending Kiosks. In the GGMU-1, GGMU-2, and GGMU-3 zones, non-vehicular vending kiosks may be established as a permanent use on a site, except within a required side or rear yard setback area, subject to the following regulations. In the CC-3, NMU, and AR zones, non-vehicular vending kiosks may be established as an incidental use subject to the following regulations. **In the CC-1 zone, non-vehicular vending kiosks may be established as a permanent use pursuant to Section 9.18.090.040.H and subject to the following regulations.**

SECTION 9.18.070.020. The preparation, sale, display, and consumption of food and/or beverages may occur from any vehicle that is parked, stopped, or standing upon any property where such is permitted as an incidental **or permanent** use, as set forth in Table 9.18-1 (Use Regulations for the Mixed Use Zones). Incidental **and/or permanent** vehicular vending, where permitted shall be subject to the following conditions. **Vehicular vending within the CC-1 zone shall also be subject to additional regulations pursuant to Section 9.18.090.040.H.**

Amend the first paragraph of Section 9.18.110.020 (Development Standards for Commercial Uses within All Mixed Use Zones) as follows (added language in bold/italicize/underline):

SECTION 9.18.110.020: Development Standards for Commercial Uses within All Mixed Use Zones. In addition to the other applicable requirements of this Chapter, the provisions of this subsection 9.18.110.020 apply to all commercial developments and commercial portions of residential/commercial mixed use developments, **with the exception of the conversion of single-family homes to commercial structures and uses in the CC-1 zone, which shall comply with the provisions of Section 9.18.090.040.**

Amend Subsection D.3.a.3 of Section 9.32.030 pertaining to Land Use Action Procedures for Site Plans as follows (added language in bold/italicize/underline):

- 3. Site Plan.
 - a. Applicability. A site plan application shall be required prior to the issuance of a building permit for:
 - 3. All Zones. Conversion of a single-family home to any other use, **with the exception of conversions of single-family homes in the CC-1 zone that are subject to ministerial approval pursuant to Section 9.18.090.040.F.**

Amend Subsection D.11.a of Section 9.32.030 pertaining to Land Use Action Procedures for Minor Deviations as follows to add a new sub-section 13 (added language in bold/italicize/underline):

- 11. City Manager or Designee Review – Minor Deviations.
 - a. Applicability. The City Manager or designee is vested with the following minor deviation land use permit and related authority:
 - 13. To allow extended hours of operation for commercial uses within the CC-1 zone in accordance with Section 9.18.090.040.**

species.¹⁵ The proposed code amendments do not allow development within any areas that were otherwise preserved for open space or biological resource preservation. New uses associated with the proposed code amendments would be located within existing structures. Therefore, the amendments would have no impact on endangered, threatened, or rare species or their habitats, or on locally designated species.

- b) **No Impact.** The City is highly urbanized and built out. What open space does exist is in the form of managed parks and recreational areas. Information included in the General Plan and General Plan FEIR indicates that the CC-1 and AR zones do not contain any natural areas that support riparian or other sensitive natural communities. No impact would occur.
- c) **No Impact.** Because the City of Garden Grove is fully urbanized, there are no remaining natural wetlands.¹⁶ The existence of small areas of artificially created wetland conditions due to urban runoff and storm drainage systems is considered possible, but highly unlikely. Adverse impacts to wetlands would not occur as a result of implementing the proposed project.
- d) **No Impact.** Given its built-out, urban character and the fact that Garden Grove is surrounded by urban communities, no wildlife dispersal or migration corridors or wildlife nursery sites pass through or exist within the CC-1 and AR zones. Thus, the proposed code amendments would have no impacts on the migration of native or wildlife species.
- e-f) **No Impact.** Title 11, Chapter 32 of the Garden Grove Municipal Code governs tree protection in the City. The proposed code amendments would not affect or change any policies pertaining to Title 11, Chapter 32 of the Municipal Code or any other conservation plans, such as the 1996 Natural Community Conservation Plan & Habitat Conservation Plan (HCP), which was adopted by the County of Orange to serve as a conservation plan for the central and coastal subregion. The proposed code amendments would have no impact on the existing preservation or conservation plans, as the HCP does not apply to any areas zoned CC-1 or AR.¹⁷ The regulations of Title 9 ("Land Use Code") do not supersede any other regulations or requirements adopted or imposed by the City, the State of California, or any Federal agency that has jurisdiction by law over uses and development. Future projects proposed within the CC-1 and AR zones would continue to be reviewed to ensure consistency with all General Plan goals, objectives, and policies, and in compliance with the Land Use Code. Adherence to such requirements would reduce potential impacts associated to a level of no impact.

¹⁵ Garden Grove General Plan Update EIR, 2008. pp. 8-2.

¹⁶ U.S. Fish & Wildlife Service, National Wetlands Survey. Consulted 2/6/2015.
<http://www.fws.gov/wetlands/Data/Mapper.html>. Consulted 2/6/2015.

¹⁷ California Department of Fish & Wildlife. NCCP Plan Summary – County of Orange (Central/Coastal) NCCP/HCP.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES. Would the project:

- | | | | | |
|--|--|--|---|--|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | | | X | |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 | | | X | |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | X | |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | | | X | |

Substantiation:

a-d) **Less than Significant Impact.** The City of Garden Grove is virtually built out, with only a few vacant parcels remaining. The proposed code amendments do not propose any changes to General Plan land use designations or the zoning for any parcel that was previously identified for preservation or open space. The proposed code amendments do not authorize any particular development project, nor do they involve any changes to development standards that would change allowable development intensities, densities, or building footprints. The proposed code amendments are intended to facilitate adaptive reuse of existing structures.

One prehistoric site has been identified within Garden Grove's boundaries, and an additional 12 historic archaeological sites dating from the early 1900s have been found. A 1986 historic and architectural inventory identified 132 buildings as locally significant resources. Three structures—the Ware/Stanley House within Heritage Park, the Harry A. Lake House, and the Reyburn House—are candidates for nomination to the *National Register of Historic Places*. None of the three candidates for nomination to the *National Register* are located within the CC-1 or AR zones. Of the 132 locally significant properties inventoried in the 1986 survey, a number are located within the CC-1 (16 addresses) and AR (one address) zones.¹⁸

These code amendments do not propose any changes to historic designations of any recognized historical sites or structures, and would not change or have any effect upon the City's existing preservation objectives or policies. The amendment would not authorize any adverse impacts to a historical resource and in fact offers opportunities for preservation by broadening the types of uses permitted to locate within existing structures. The proposed code amendments would not authorize any plans for development/construction or redevelopment that would physically disturb any site; therefore, the project would have no impact on human remains. Procedures to notify the County Coroner and Native American representatives are implemented in accordance with California Health and Safety Code Section 7050.5 for all development projects within the City.

The General Plan Conservation Element contains policies to conserve historic, cultural, archeological, and paleontological resources, and to ensure the protection of known resources. In particular, Conservation Element Implementation Measure 7F states: "Encourage new commercial

¹⁸ Garden Grove General Plan Update EIR, 2008. (Appendix L: Cultural Resources Assessment).

development or renovations to existing commercial structures in historic areas to be compatible with existing historic architectural character.”¹⁹ In addition to General Plan policies and program, the General Plan FEIR includes mitigation measures that would reduce potential impacts to undocumented archaeological resources, cultural resources, and historical structure/resources to less than significant levels.²⁰ The proposed code amendments would have no impact on these policies or implementation measures. Review of future projects would continue to be carried out to ensure that the projects are consistent with all General Plan goals, objectives, and policies and General Plan mitigation measures. Adherence to such requirements would reduce potential impacts associated with this issue to a less-than-significant level.

¹⁹ Garden Grove General Plan 2008, Conservation Element (p. 10-9).

²⁰ Garden Grove General Plan Update EIR, 2008. (p. 5.17-8).

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the Project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Substantiation:

a.i, ii) **Less than Significant Impact.** The proposed code amendments consist of text amendments that would not directly result in any new construction or development. No portions of Garden Grove are located within a State-designated Alquist-Priolo Earthquake Hazard Zone.²¹ However, two fault splays associated with the inactive Pelican Hills Fault Zone traverse the central and western portions of the City in a northwest to southeast trending direction, in proximity to the CC-1 and AR zones. The two splay faults associated with the Pelican Hill Faults are inactive; therefore, they do not create a significant risk for ground rupture or seismic ground shaking. Additionally, several potentially active faults cross nearby the City. The Newport-Inglewood, Whittier, and Palos Verdes Faults are the most likely to cause high ground acceleration. The San Andreas Fault has the highest probability of generating a maximum credible earthquake in California. The Norwalk Fault, though closer to the City, is predicted to generate smaller magnitude earthquakes as it is not a designated Alquist-Priolo Earthquake Fault. Based on Garden Grove's location within the seismically active Southern California region, existing and future structures would be susceptible to ground shaking events.

The General Plan 2030 includes policies and implementation measures to reduce the risk associated with seismic activity by ensuring that new structures are safe through proper design and construction in accordance with the most recent version of the State and County codes, and to encourage rehabilitation or elimination of structures susceptible to collapse or failure in an earthquake, with historic buildings being treated with special consideration to ensure their preservation (General Plan Policies SAF-6.2 and 6.3). Any future construction projects will be subject to all applicable City, State, and local building regulations, including the California Building Code (CBC) seismic standards as approved by the Garden Grove Building and Safety Division. The General Plan FEIR concluded that impacts associated with seismic-related ground shaking were less than significant due to mandatory compliance with the building codes and policies contained in the Garden Grove General Plan.²² No new impacts associated with ground shaking would occur with the adoption of the proposed code amendments. Impacts would be less than significant.

a.iii) Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly the medium sand to silt range) are located over a high groundwater table. Affected soils lose all strength during liquefaction and foundation failure can occur. According to the Seismic Hazard Evaluation of the Anaheim 7.5 minute quadrangle, approximately two-thirds of the City, including the areas zoned CC-1 and AR, is located in Zone of Required Investigation for liquefaction.²³ This indicates that the area has been subject to historic occurrence of liquefaction, or local geological, geotechnical, and groundwater conditions indicate a potential for permanent ground displacement such that mitigation as defined in Public Resources Code Section 2693(c) would be required. Appropriate measures that reduce the ground shaking and liquefaction effects of earthquakes are identified in the California Building Code, including specific provisions for seismic design and addressed in the City of Garden Grove General Plan goals and policies.

General Plan Implementation Measure SAF-IMP-6C and the CBC require that a soils and geological report be prepared for any new development, with the exception of single-family homes. This report would involve investigation for liquefaction potential. The Seismic Hazards Mapping Act specifies that the lead agency of the project may withhold development permits until geologic or soils investigations are conducted for specific sites and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils. If a geologic report

²¹ Garden Grove General Plan Update EIR, 2008. p. 5.7-4.

²² Ibid. p. 5.7-16-5.17-17.

²³ California State Department of Conservation. California Geological Survey, Seismic Hazard Zones. Anaheim Quadrangle, March 25, 1999.

concludes liquefaction impacts cannot be reduced to less than significant, with mitigation as necessary, development will not be permitted.²⁴ Therefore, impacts will be less than significant.

- a.iv) The topography in the CC-1 and AR zones is relatively flat, with no canyons or steep topographic incisions. In addition, according to the Seismic Hazard Evaluation of the Anaheim 7.5 minute quadrangles, these areas are not located in an Earthquake-Induced Landslide Zone.²⁵ Impacts involving landslides or mudflows would not occur.
- b) **Less than Significant Impact.** The proposed code amendments would not directly result in the construction of any development or any physical change in the environment. Topsoil is used to cover surface areas for the establishment and maintenance of vegetation due to its high concentrations of organic matter and microorganisms. The City of Garden Grove is highly urbanized, with very few vacant parcels that have the potential to generate significant erosion or topsoil loss. Within the CC-1 and AR zones, all parcels are currently covered by disturbed vegetation or impermeable surfaces, and no visible surface topsoil conditions exist. No areas previously identified for open space or preservation are proposed to allow new development; the proposed amendments would propose new uses only for areas in the CC-1 and AR zones. Impacts would be less than significant.
- c-d) **Less than Significant Impact.** No known ongoing or planned large-scale extractions of groundwater, gas, oil, or geothermal energy that would cause subsidence occur within the CC-1 and AR zones.²⁶ However, the City is underlain by sediment highly susceptible to liquefaction. General Plan Safety Element Implementation Measure SAFIMP-6C requires that all new development have a site-specific geology report prepared by a registered geologist or soils?; this would ensure that impacts related to expansive soils impacts are evaluated on a project-by-project basis. The General Plan FEIR concluded that compliance with the goals, policies, and implementation measures of the General Plan and the City's Building Code would ensure potential impacts would be reduced to a less than significant level.²⁷

The proposed amendments would not directly result in the construction of buildings. All future development projects pursuant to the Land Use Code would be required to adhere to the development standards contained in the City's Building Code to prevent hazardous soil conditions that could lead to building failure. The project does not involve any changes to these safety regulations. No impact from liquefaction, lateral spreading, subsidence, liquefaction, or collapse would occur as a result of the proposed code amendments.

- e) **No Impact.** All parcels subject to the proposed amendments lie within the service area boundaries of the Garden Grove Sanitary District, which provides sewer service to the City of Garden Grove.²⁸ Existing buildings that would support adaptive reuse of structures are connected to the public sewer system. Any new projects would be required to connect to the public sewer system. Because of this, no impact would result from the proposed code amendments.

²⁴ Garden Grove General Plan Update Program EIR, 2008. P. 5.7-18.

²⁵ California State Department of Conservation. California Geological Survey, Seismic Hazard Zones. Anaheim Quadrangle, March 25, 1999.

²⁶ Garden Grove General Plan Update EIR, 2008. p. 5.7-20.

²⁷ Ibid. p. 5.7-20.

²⁸ Garden Grove General Plan 2008, Infrastructure Element (p. 6-2).

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Substantiation:

- a) **Less than Significant Impact.** Atmospheric gases, which allow solar radiation into the atmosphere but prevent heat from escaping, thus warming the Earth's atmosphere, are referred to as greenhouse gases. Greenhouse gases are released into the atmosphere by both natural and anthropogenic (human) activity. The principal greenhouse gases resulting from anthropogenic activity that enter and accumulate in the atmosphere are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases such as hydrofluorocarbons. The accumulation of these gases in the atmosphere at levels in excess of natural activity levels increases the Earth's temperature, resulting in changing climatic conditions in different parts of the planet, including California. Potentially adverse long-term climate change effects in California have been predicted by the California Climate Action Team, a consortium of California governmental agencies formed to coordinate efforts to meet the state's greenhouse gas reduction targets. Such climate change effects could include:
- Reduced snow pack and water runoff from snow melt in the Sierra Mountains, adversely affecting California's water supplies
 - Increased temperatures, drier conditions that could increase wildfire hazards
 - Sea-level rise that could increase flood hazards along parts of the California coastline, increase intrusion of salt water into coastal aquifers, and potentially increased storm runoff and high tides could overwhelm sewer systems

The Garden Grove General Plan includes seven goals, 26 policies, and 28 implementation measures in the Air Quality Element that would contribute to better air quality in the City and throughout the region.²⁹ Specifically, goals and policies in the General Plan call for meeting State and Federal air quality standards, increased community awareness and participation, a diverse and energy-efficient transportation system to reduce vehicular emissions (one of the primary contributors to greenhouse gas emissions), efficient development that promotes alternative transportation, and a balance of land uses.

Land use planning that mixes uses and encourages pedestrian activity and use of public transit is a major component that will help reduce greenhouse gases and curb climate change. Both the CC-1 and AR zones include regulations aimed at stimulating pedestrian activity, providing for urban-scale, fully integrated commercial and residential mixed use developments, and meeting broader State objectives for sustainable development approaches mandated by Assembly Bill 32 (Health and Safety Code Section 38500 et seq.) and Senate Bill 375 (Transportation Planning: travel demand models; sustainable communities strategy; environmental review). These Mixed Use zones facilitate an integrated planning approach designed to connect residential uses and everyday

²⁹ Garden Grove General Plan 2008, Infrastructure Element (pp. 8-2 to 8-6).

goods and service needs in central locations within integrated neighborhoods, thereby reducing the vehicle trips associated with shopping, entertainment, and dining; reducing air quality impacts and greenhouse gas emissions; promoting healthier lifestyles; and lessening the impact on the surrounding circulation system. In addition, policies in the Circulation Element of the General Plan support transportation demand management, bikeways, and alternative forms of transportation.³⁰ The proposed code amendments would not change or conflict with any of these policies; the amendments would expand upon these policies allowing additional uses within mixed use zones.

The proposed code amendments do not include any regulations or other policies that would encourage inefficient building practices. The proposed code amendments would result in development levels consistent with those analyzed in the General Plan FEIR, as the proposed code amendments do not propose to amend any building regulations that would raise or otherwise change development levels that could contribute to an increase in greenhouse gas emissions. The proposed code amendments do not authorize any specific development project; thus, adoption would not directly generate any greenhouse gas emissions.

Adoption and implementation of the proposed code amendments would not affect building energy demands nor generate any additional vehicle trips (nor more miles traveled) beyond those associated with the existing General Plan and analyzed in the General Plan FEIR; development capacities associated with the project remain generally consistent with the existing policy. Both commercial and residential uses are already permitted to locate within the areas without the code amendments; the amendments simply allow for additional types of residential and mixed residential/commercial uses. Review of future projects would continue to be carried out to ensure that the projects are consistent with all General Plan goals, objectives, and policies, including those that help the City contribute to air quality and regional greenhouse gas reduction efforts. Adherence to such policies and guidelines, along with Building Code regulations that encourage energy efficiency (the City has adopted the 2013 edition of the California Building Code) would reduce potential impacts to a less-than-significant level.

- b) **Less Than Significant Impact.** Standards and regulations passed by the California legislature either directly or indirectly affect greenhouse gas emissions and climate change. Of those regulations, Assembly Bill 32, the California Climate Solutions Act of 2006 (AB 32), is considered the most important legislation designed to decrease greenhouse gas emissions. AB 32 requires that statewide greenhouse gas emissions be reduced to 2000 levels by the year 2010, 1990 levels by the year 2020, and to 80 percent less than 1990 levels by year 2050. These reductions would be accomplished through an enforceable statewide cap on greenhouse gas emissions that would be phased in starting in 2012. In 2008, Senate Bill 375 (SB 375) was adopted in part to implement AB 32 goals for reduction of transportation-based greenhouse gas emissions through the direct linkage between regional transportation and land use/housing planning.

As discussed in Section VII a) above, the proposed code amendments would implement General Plan policy with respect to mixed uses around the Civic Center area and as live/work opportunities. Due to the mix of uses allowed and encouraged by the CC-1 and AR zones, the amendments would help achieve the goals of reducing vehicular trips and thereby reduce total vehicular-based greenhouse gas emissions. The proposed code amendments do not increase any development capacity that would generate a change in the amount of vehicle miles traveled, and are consistent with the City's General Plan policies to reduce greenhouse gases. The proposed code amendments do not conflict with AB 32, SB 375, or any plans or programs that have been adopted to achieve those legislative mandates. Impacts would be less than significant.

³⁰ Garden Grove General Plan 2008, Circulation Element (pp. 5-35 to 5-36).