

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING CODE AMENDMENT NO. A-152-09, TO INCORPORATE LANDSCAPE WATER EFFICIENCY REQUIREMENTS INTO TITLE 9 (ZONING ORDINANCE, REORGANIZED OCTOBER 2009) OF THE MUNICIPAL CODE

WHEREAS, the case, initiated by City of Garden Grove, proposes amending Title 9 (Zoning Ordinance) of the Municipal Code to incorporate landscape water efficiency requirements into Title 9;

WHEREAS, the Planning Commission, at a public hearing held on December 3, 2009, determined that this project is exempt from the California Environmental Quality Act (CEQA) based on a Category 7 Exemption (14 California Code of Regulations, Section 15307) for activities that enhance or protect a natural resource;

WHEREAS, pursuant to Resolution No. 5698, the Planning Commission, at a Public Hearing held on December 3, 2009, recommended approval of Amendment No. A-152-09;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on January 26, 2010, and all interested persons were given an opportunity to be heard;

WHEREAS, the City of Garden Grove City Council, in regular session assembled on February 9, 2010, does hereby determine that this project is exempt pursuant to Section 15307, of the California Environmental Quality Act.

WHEREAS, the City of Garden Grove City Council has considered the proposed Code Amendment consisting of the incorporation of landscape water efficiency provisions into Title 9 (Zoning Ordinance) of the Municipal Code, by additions and amendments to Chapter 9.04 General Provisions, Chapter 9.08 Single-Family Residential, 9.12 Multi-Family Residential, and 9.16 Commercial, Office Professional, Industrial, and Open Space as provided in Exhibit "A", incorporated herein as reference, along with the Guidelines for Implementation of the City of Garden Grove Landscape Water Efficiency Provisions, that are to be attached as Appendix 1 to Title 9, together with comments received during the public review process. The record of proceedings on which the City of Garden Grove City Council decision is based is located in the Community Development Department at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development. The City of Garden Grove City Council finds, based upon the exercise of its independent judgment, on the basis of the whole record before it, including comments received, that the project is categorically exempt pursuant to Section 15307, of the California Environmental Quality Act.

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

Section 1. Amendment No. A-152-09 is hereby adopted, and Title 9 of the Garden Grove Municipal Code, is hereby amended as provided in Exhibit "A", pursuant to the facts and reasons stated in Planning Commission Resolution No. 5698, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

Section 3. 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.