

ORDINANCE NO. 2791

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-158-11, AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT NO. PUD-144-02 ZONE TO ADD 'AMBULANCE SERVICE' AS A PERMITTED USE, SUBJECT TO CONDITIONAL USE PERMIT APPROVAL

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

WHEREAS, the case, initiated by Americare Medservices Inc. requesting approval of an amendment to the Planned Unit Development No. PUD-144-02 zone to add 'ambulance service' as a permitted use, subject to Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 4,968 square foot ambulance service business, Americare Medservices Inc. at 11458 Knott Street, Garden Grove. The PUD-144-02 zone (located at the southeast corner of Knott Street and Patterson Drive) includes sixteen (16) parcels with addresses of 11330, 11338, 11350, 11358, 11380, 11388, 11390, 11398, 11400, 11408, 11410, 11418, 11430, 11438, 11450, 11458 Knott Street. (Parcel Nos. 131-024-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, and 16);

WHEREAS, that the City of Garden Grove has determined that the proposed Amendment No. A-158-11 is exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15061(b)(3). The project is also exempt based upon a Class 1 exemption. (Cal. Code Regs., tit. 14, section 15301.);

WHEREAS, the Planning Commission, following a duly advertised Public Hearing on January 20, 2011, at which all interested persons were given an opportunity to be heard, recommended approval of Amendment No. A-158-11;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on March 8, 2011, and all interested persons were given an opportunity to be heard; and

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

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1: Amendment No. A-158-11 is hereby approved pursuant to the facts and reasons stated in Planning Commission Resolution No. 5732-11, a copy of which is on file in the City Clerk's Office and incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 2: Planned Unit Development No. PUD-144-02 is hereby amended to modify the authorized uses through the addition of Condition "T" as follows:

T. The following additional use may be permitted in the Planned Unit Development No. PUD-144-02 (Planned Unit Development) zone, subject to Conditional Use Permit approval:

1. Ambulance Service

Section 3. 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 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

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

ATTEST:

MAYOR

CITY CLERK

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

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on March 8, 2011, with a vote as follows:

AYES: COUNCIL MEMBERS: (5) BROADWATER, DO, JONES, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE