

ORDINANCE NO. 2806

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
ADOPTING A NEGATIVE DECLARATION AND APPROVING AMENDMENT  
NO. A-162-11, A CODE AMENDMENT TO ALLOW "INDOOR SPORTS FACILITY" USES  
IN THE M-P (INDUSTRIAL PARK) ZONE 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 Alden Management Group, is requesting approval of an amendment to the M-P (Industrial Park) zone to add "indoor sports facility" uses, subject to Conditional Use Permit approval, in conjunction with a request for Conditional Use Permit approval to operate a new 65,000 square foot indoor sports facility, the MAP Sports Facility, at 12552 Western Avenue; and

WHEREAS, that pursuant to the California Environmental Quality Act, California Public Resources Section 21000 et. seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Sections 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 significant adverse effect on the environment. The Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, pursuant to Resolution No. 5749-11 the Planning Commission, at a duly advertised public hearing, recommended adoption of the Negative Declaration and approval of Amendment No. A-162-11 on November 3, 2011; and

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

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on December 13, 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-162-11 is hereby approved and the Negative Declaration adopted pursuant to the facts and reasons stated in Planning Commission Resolution No. 5749-11, 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:** The Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (Code Amendment). The City Council approves Amendment No. A-162-11 as follows:

The proposed Amendment would consist of the following:

1. The definition of uses occurs in the first chapter of Title 9, Chapter 4. Section 90.04.060: Definitions, Subsection C.9 will be modified to include the following definition: **"Indoor Sports Facility"** means an indoor space used by teams to practice sports or engage in league/club play most often during weekday evenings and weekend days. Typical facilities include, but are not limited to, basketball courts, volleyball courts, badminton courts, and indoor soccer fields. Tournament play may be allowed based on the availability of parking. All parking is determined by a parking study."
2. Development standards for commercial, office professional, industrial, and open space zones are found in Chapter 16 of Title 9. The Land Use Matrix in Code Section 9.16.020.030: Uses Permitted will be modified to add the following:

<b>USES</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>O-P</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>M-1</b>	<b>M-P</b>	<b>O-S</b>
<b><u>Indoor Sports Facility</u></b>	-	-	-	-	-	-	-	-	<b>C*</b>	-

\* Use shall be subject to special conditions for specific restrictions as listed in this Section.

3. Section 9.16.020.050: Special Operating Conditions and Development Standards shall be modified to add specific standards for an "Indoor Sports Facility". The new standards will be added after AG. Indoor, Multi-Tenant Retail Shopping Center and all subsequent uses requiring special operating conditions shall be re-lettered accordingly. The special conditions/standards to be added are:
  - AH. Indoor Sports Facility. Subject to the following requirements:
    1. At no time shall an indoor sports facility impede the normal functions of the permitted uses in the zone in which it is located.
    2. The number of Indoor Sports Facilities permitted in the M-P zone is limited to a total of four (4).
    3. An "Indoor Sports Facility" use shall only be located on properties facing and having access on a primary or secondary arterial.
    4. Required parking is determined by the Community Development Department through the review of a Parking Study prepared by a licensed traffic engineer.
    5. The Parking Study shall take into account all aspects of the proposed operation. The operation of "indoor sports facility" uses can have significant differences in the number of parking spaces based on the type of play, whether league or tournament. Among the variables to be considered are the different requirements for different leagues

including the number of players on teams, number of officials, and the scheduling requirements.

6. Proposed indoor sports facilities shall be reviewed based on their proposed operation and individual site. A complete description of the operation shall be submitted and shall include, but not be limited to, the type of sports, the name of the leagues and their requirements, all proposed tournaments or special sporting events proposed, an accounting of coaches and officials, and any accessory uses.

4. Section 9.16.040.150: Parking Spaces required (for commercial/industrial uses) shall be modified under Subsection F Commercial Recreation as follows:

9. Indoor Sports Facility	A Parking Study prepared by a licensed traffic engineer and reviewed by the Community Development Department shall determine the number of parking spaces.
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All subsequent listing of uses and their parking ratios shall be re-lettered accordingly.

SECTION 3: This ordinance shall take effect thirty (30) days after adoption and shall within fifteen (15) days of adoption be published with the names of Council Members voting for and against the same in a newspaper adjudicated and circulated in the City of Garden Grove.

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 December 13, 2011, with a vote as follows:

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