



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

NOVEMBER 3, 2016

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

REGULAR SESSION - 7:00 P.M. - 'B' ROOM

ROLL CALL: CHAIR O'NEILL, VICE CHAIR KANZLER
COMMISSIONERS BARKER, MARGOLIN, NUYGEN, PAREDES,
ZAMORA

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center B Room at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: September 15, 2016
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
 - C.1. TENTATIVE PARCEL MAP NO. PM-2016-164

APPLICANT: RUSSELL FENTON

LOCATION: NORTHEAST CORNER OF LAMPSON AVENUE AND
INDUSTRY STREET AT 7180 LAMPSON AVENUE
AND 12570 INDUSTRY STREET

REQUEST: Tentative Parcel Map approval to subdivide an approximately 3.3-acre property into two separate parcels of approximately 1.8-acres (7180 Lampson Avenue) and 1.5-acres (12570 Industry Street). The property is improved with two freestanding industrial buildings, with each to be on its own separate parcel. The site is in the M-P (Industrial Park) zone. This project is exempt pursuant to CEQA Section 15315 – Minor Land Divisions.

STAFF RECOMMENDATION: Approve Tentative Parcel Map No. PM-2016-164, subject to the recommended conditions of approval.

C.2. CONDITIONAL USE PERMIT NO. CUP-086-2016
SITE PLAN NO. SP-029-2016

APPLICANT: SIMPSON HOLDINGS GARDEN GROVE, LLC
LOCATION: 10150 TRASK AVENUE

REQUEST: Conditional Use Permit and Site Plan approval to construct a 55'-4" high auto dealership electronic freeway-oriented sign, along with a Site Plan review request to deviate from the required sign design standard requirements, pursuant to PUD-110-96 (Rev. 12), for an existing automobile dealership (Simpson Chevrolet). The site is in the PUD-110-96 (Rev. 12) (Planned Unit Development) zone. This project is exempt pursuant to CEQA Section 15311 – Accessory Structures.

STAFF RECOMMENDATION: Approve Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016, subject to the recommended conditions of approval.

C.3. RECOMMENDATION OF AMENDMENT NO. A-016-2016

APPLICANT: CITY OF GARDEN GROVE
LOCATION: CITYWIDE

REQUEST: The Commission will consider for recommendation to the City Council of an Ordinance amending the Zoning and Subdivision Code enacting regulations for the payment of drainage facilities fees and citywide park fees for new development projects. The park fees are only applicable to new residential projects. The Ordinance further codifies more specific requirements for the dedication of parkland and/or the payment of an in-lieu fee applicable to new residential subdivisions and adds a provision

to the traffic impact mitigation fee regulations allowing the fee to be adjusted pursuant to development impact fee studies. The ordinance does not set the amount of each fee. The regulations being codified by the Ordinance require that the City Council set the amount of the fees by resolution.

STAFF RECOMMENDATION: Recommend approval of Amendment No. A-016-2016 to City Council.

C.4. STREET NAME CHANGE NO. SNC-001-2016

APPLICANT: CITY OF GARDEN GROVE

LOCATION: 9762 TO 9972 CATHERINE AVENUE. PROPERTIES AFFECTED ON CATHERINE AVENUE (APN) ARE: 9762 (133-121-08), 9772(133-121-09), 9792 (133-121-10), 9821 (133-122-07), 9822 (133-122-27), 9832 (133-122-26), 9842 (133-122-25), 9852 (133-122-24), 9862 (133-122-23), 9872 (133-122-22), 9891 (133-122-08), 9892 (133-122-21), 9901 (133-122-09), 9902 (133-122-20), 9911 (133-122-10), 9912 (133-122-19), 9931 (133-122-11), 9932 (133-122-18), 9941 (133-122-12), 9942 (133-122-17), 9951 (133-122-13), 9952 (133-122-16), 9971 (133-122-14), AND 9972 (133-122-15)

REQUEST: To change the street name on Catherine Avenue to Dalton's Way from 9762 Catherine Avenue to 9972 Catherine Avenue. The City of Garden Grove has determined that an environmental review is not applicable to the subject name change.

STAFF RECOMMENDATION: Approve Street Name Change No. SNC-001-2016.

D. MATTERS FROM COMMISSIONERS

E. MATTERS FROM STAFF

F. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION
B Room, Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes
Thursday, September 15, 2016

CALL TO ORDER: 7:22 p.m.

ROLL CALL:

Chair O'Neill
Vice Chair Kanzler
Commissioner Barker
Commissioner Margolin
Commissioner Nuygen
Commissioner Paredes
Commissioner Zamora

Absent: Margolin, O'Neill

PLEDGE OF ALLEGIANCE: Led by Barker

ORAL COMMUNICATIONS – PUBLIC – None.

July 21, 2016 MINUTES:

Action: Received and filed.

Motion: Zamora Second: Barker

Ayes: (5) Barker, Kanzler, Nuygen, Paredes, Zamora

Noes: (0) None

Absent: (2) Margolin, O'Neill

PUBLIC HEARING – SITE PLAN NO. SP-027-2016 AND VARIANCE NO. V-013-2016.
FOR PROPERTY LOCATED AT 13512 NEWHOPE STREET, SOUTHWEST CORNER OF
NEWHOPE STREET AND TRASK AVENUE.

Applicant: Katie Metz (Outfront Media)
Date: September 15, 2016

Request: Site Plan approval to relocate certain specific existing billboards and convert them into one (1) two-sided electronic billboard along the Garden Grove (22) Freeway, in conjunction with a request for Variance approval to allow the relocated billboard within 350 feet of a residential zoned property. A Mitigated Negative Declaration has been prepared for this project and will be considered for adoption along with the subject

Site plan and Variance applications. The site is in the PUD-104-72 (Planned Unit Development) zone.

Action: Public Hearing held. Speaker(s): Collin Smith

Handouts included correspondence from the Department of Transportation with a copy of the Outdoor Advertising Display Permit Application (ODA) attached and a comment letter from the Orange County Flood Control District (OCFCD).

Action: Resolution No. 5867-16 was approved.

Motion: Zamora Second: Barker

Ayes: (5) Barker, Kanzler, Nuygen, Paredes, Zamora

Noes: (0) None

Absent: (2) Margolin, O'Neill

MATTERS FROM COMMISSIONERS: Commissioner Zamora noted that the Brookhurst Triangle property had graffiti and trash. Staff said the matter would be communicated to the division that handles real estate.

Commissioner Zamora asked for an update on the sale of the Cottage properties. Staff replied that relocation efforts were in motion; that tenants were notified with a time frame; that the financial aspect could be reviewed once tenants were moved out; and that the project would go through the entitlement process.

Commissioner Barker asked why temporary buildings at schools did not come through Planning Commission. Staff explained that the placement of temporary buildings was governed by the state; that the City had no jurisdiction; and that most schools need the temporary buildings as they undergo renovations.

Commissioner Barker also observed that school fields that were fenced made the schools look like prisons and made it more difficult for residents to use the fields.

Commissioner Paredes mentioned that he attended the Neighborhood Improvement and Conservation Commission on September 12th and listened to presentation about the homeless situation. He acknowledged the officer's work and asked where the homeless from the flood channel were relocated. Staff responded that the concentration of homeless at the Knott/Brookhurst flood control channel were scattered and congregated elsewhere; that some homeless veterans were assisted by the Outreach Team, and some homeless just do not want the help; also, that all patrol officers carry informational handouts for assistance with housing, food, etc.

Commissioner Zamora asked about the plan for the fenced-in parking lot on Main Street. Staff explained that the fence was a deterrent to day laborers, who congregated there and created traffic safety issues.

Commissioner Zamora then commended the Police Department in regard to addressing parking issues on Trask Avenue, where the signs say there is no parking between the hours of 10:00 a.m. and 6:00 p.m. With police assistance, there were no cars during the week, however, there were cars on the weekend because of Costco.

Commissioner Zamora also asked if the Commissioners could be notified of community meetings. Staff explained about potential Brown Act issues, as a majority of Commissioners should not be at the same meeting. Information and evidence for land use applications should be introduced at a public hearing, though the request was reasonable, and the matter would be looked into.

On that note, Vice Chair Kanzler commented that the Planning Commission was another version of a neighborhood meeting. He then asked if a joint meeting could occur with the Planning Commission and Main Street Commission in regard to the Cal Poly Study for the Bicycle Master Plan, especially to discuss the downtown. Staff would try to have a meeting scheduled in the next few months.

MATTERS FROM STAFF: Staff mentioned that the Planning Commission Meetings of October 6th and 20th would be cancelled and that the November 3rd meeting was on with a few items.

ADJOURNMENT: At 8:07 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, October 6, 2016, at 7:00 p.m. in the B Room of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Zamora Second: Paredes

Ayes: (5) Barker, Kanzler, Nuygen, Paredes, Zamora

Noes: (0) None

Absent: (2) Margolin, O'Neill

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Southeast corner of Lampson Avenue and Industry Street, at 7180 Lampson Avenue and 12570 Industry Street
HEARING DATE: November 3, 2016	GENERAL PLAN: Industrial
CASE NO.: Tentative Parcel Map No. PM-2016-164	ZONE: M-P (Industrial Park)
PROPERTY OWNER: Russell Fenton	APN: 215-011-02
APPLICANT: Russell Fenton	CEQA DETERMINATION: Exempt

REQUEST:

A request to subdivide an MP (Industrial Park) zoned property, approximately 3.3-acres in size, into two separate parcels approximately 1.8-acres and 1.5-acres in size, respectively. The property is improved with two freestanding industrial buildings, each to be on their own separate parcel. The site is at 7180 Lampson Avenue and 12570 Industry Street.

BACKGROUND:

The subject property is located at the southeast corner of Lampson Avenue and Industry Street and is zoned M-P (Industrial Park) with a General Plan Land Use designation of Industrial. The property is developed with two freestanding industrial buildings. The properties to the east, south, and west, across Industry Street, are zoned M-P and are developed industrially. The properties to the north, across Lampson Avenue, are zoned PUD-105-71 Rev. 90 and are also developed industrially.

In 1979, the two freestanding industrial buildings were constructed on the property. The building located at 7180 Lampson Avenue is approximately 39,290 square feet in size and the building located at 12570 Industry Street is approximately 37,688 square feet in size. Both buildings are utilized as warehousing and distribution facilities. At the time the structures were built, a Site Plan application was not required for new buildings in the MP zone, however, the buildings complied with all applicable Municipal Code provisions at the time of construction. Both buildings

PARCEL MAP NO. PM-2016-164

were constructed on one parcel, but developed in such a manner that each has its own vehicular access, loading areas, and site landscaping.

Tentative Parcel Map No. PM-99-142 was previously approved by the City of Garden Grove on July 7th, 1999, to subdivide the existing 3.3-acre site into two parcels, Parcel 1 and Parcel 2, however, the final parcel map was not prepared nor filed for record. Therefore, the entitlements have expired.

DISCUSSION:

The applicant is requesting to subdivide the existing 3.3-acre parcel, into two separate parcels as follows:

	Lot Area
Parcel 1	79,638 S.F. (1.82 Acres)
Parcel 2	66,052 S.F. (1.51 Acres)

Parcel 1, consisting of 79,638 square feet in lot area, will be the north corner lot, and will continue to be improved with the Lee's Sandwiches warehouse. Parcel 2, consisting of 66,052 square feet in lot area, will be the lot to the south. The building in Parcel 2 is currently vacant. The buildings are currently separated by a seven foot high chain link fence located midway between the two buildings on Industry Street. The proposed property line, which will subdivide the two parcels, runs the length of this fence.

The proposed subdivision exceeds the minimum lot size provisions for M-P lots, which is 15,000 square feet. The proposed subdivision will not create any nonconformities in regard to building setbacks from the new property line. Other site development requirements, such as parking areas and landscaping, are existing and will not be altered as a result of the proposed subdivision. At the time the project was approved, the project met the minimum Code requirements for the number of parking spaces, however, the project does not conform to today's parking requirements and is considered nonconforming. A total of 90 parking stalls are provided on the property. As a result of the subdivision, the parking breakdown and shortage per parcel is as follows:

	Parking Stalls Provided	Parking Stalls Required	Parking Stall Shortage
Parcel 1	52 Standard, 2 Handicap	79	25
Parcel 2	34 Standard, 2 Handicap	76	40

Recent observation of the site does not find parking deficiencies on either proposed parcel, however, a reciprocal vehicular access, parking, and maintenance agreement will be required to be recorded against both properties in perpetuity since each property will not stand alone for parking.

PARCEL MAP NO. PM-2016-164

In regard to landscaping, a total of 10,195 square feet of landscaping is provided on the property. As a result of the subdivision, the landscaping breakdown and shortage per parcel is as follows:

	Landscaping Provided	Landscaping Required	Landscaping Shortage
Parcel 1	7,728 S.F.	7,963 S.F.	235 S.F.
Parcel 2	2,467 S.F.	6,605 S.F.	4,138 S.F.

A condition has been included that requires all landscape areas to be maintained and not reduced in size.

The applicant will also be responsible for the completion of the conditions of approval recommended by the City, which include the repair and/or replacement of damaged slats on the chain-link fencing located along the proposed property line and along the south property line of Parcel 2, the repair of the metal railing located along the loading dock areas, and the repair of the rolling vehicular gate on Parcel 2. Additionally, all mechanical equipment within public view must be screened, as required by the Municipal Code. Further, staff is also including a condition of approval to require that a trash enclosure be constructed on Parcel 1. The property, which will comprise Parcel 2, already has a trash enclosure. Finally, the proposed subdivision is consistent with the City's General Plan, the City's Subdivision Ordinance, and the State Subdivision Map Act.

If the Tentative Parcel Map is approved, the applicant will be responsible for the preparation of the Final Parcel Map, which will be reviewed and approved by the City Engineer and City Council, and recorded with the County of Orange.

RECOMMENDATION:

Staff recommends that the Planning Commission approve Tentative Parcel Map No. PM-2016-164, subject to the recommended Conditions of Approval.



Karl Hill
Planning Services Manager



By: Mary Medrano
Assistant Planner

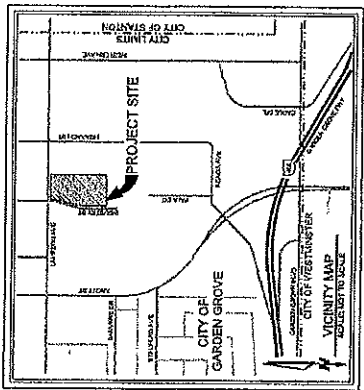
7180 LAMPSON AVENUE
12570 INDUSTRY STREET

PM-2016-164
CITY OF GARDEN GROVE, CA



TENTATIVE PARCEL MAP NO 2016 - 164

IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA
SURVEYED MAY 9, 2016



LEGAL DESCRIPTION
 PARCEL 1: 1.00 ACRES MORE OR LESS, BEING A PORTION OF PARCEL 164, AS SHOWN ON THE TENTATIVE PARCEL MAP NO. 2016-164, CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA.

SCHEDULE B - SECTION II EXCEPTIONS
 THE PROVISIONS OF THE ZONING ORDINANCE SHALL APPLY TO THIS PARCEL MAP EXCEPT WHERE SHOWN OTHERWISE ON THIS PARCEL MAP.

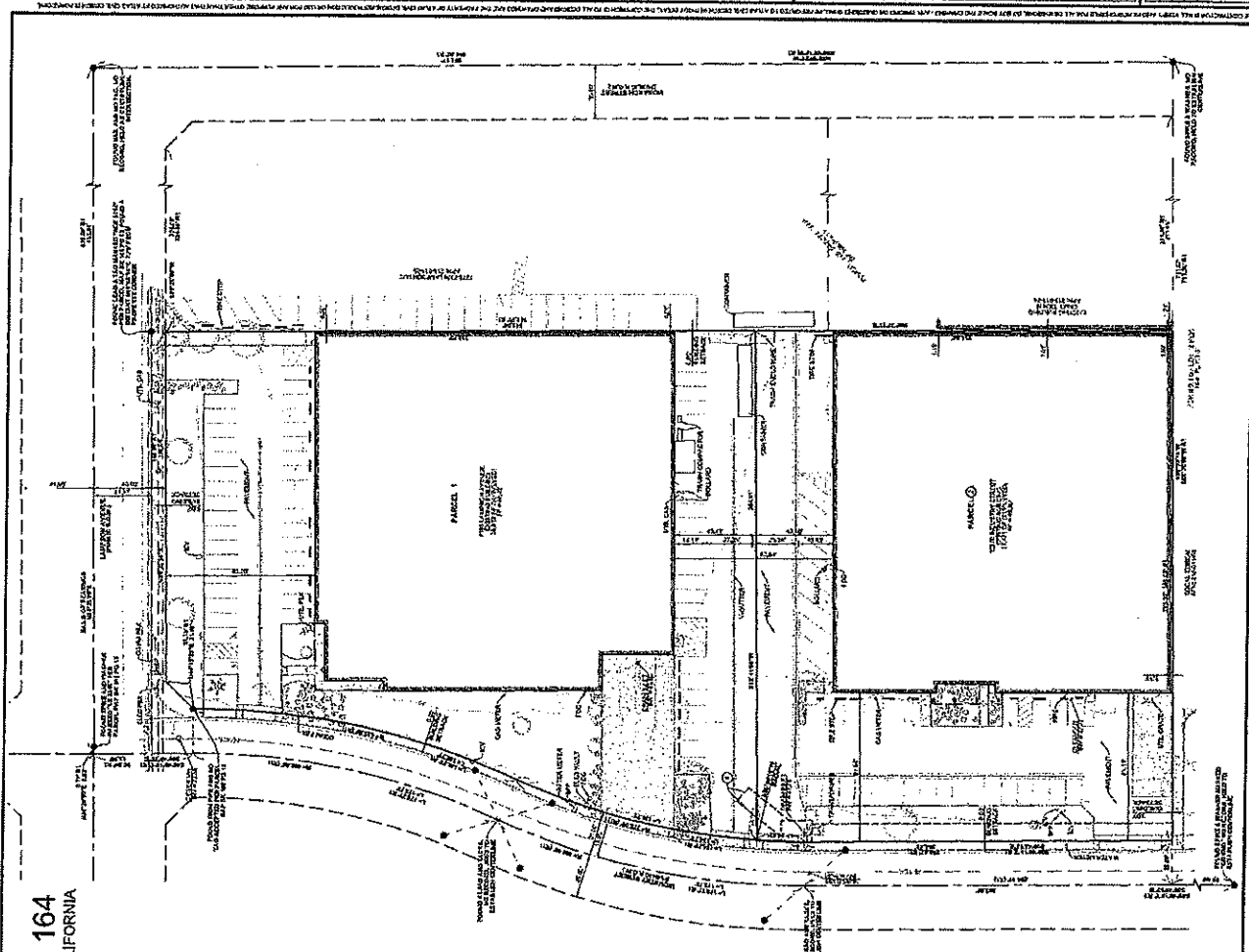
BASEIS OF BEARING
 BEARING AND DISTANCE TO THE NEAREST ADJACENT CORNER OF THE CITY OF GARDEN GROVE.

BENCHMARK INFORMATION
 THE BENCHMARK IS A CONCRETE PIPER WITH AN IRON PLATE, BEING THE CORNER OF THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA.

SURVEY NOTES
 1. THIS PARCEL MAP IS PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING ORDINANCE.
 2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

UTILITY PROVIDERS
 CITY OF GARDEN GROVE
 WATER
 GARDEN GROVE
 POWER
 GARDEN GROVE

LEGEND
 CITY OF GARDEN GROVE
 CITY OF STANFORD
 CITY OF WESTMINSTER
 CITY OF ANAHEIM
 CITY OF FULLERTON
 CITY OF COSTA MESA



PROJECT & ZONING INFORMATION
 PARCEL 1: 1.00 ACRES MORE OR LESS, BEING A PORTION OF PARCEL 164, AS SHOWN ON THE TENTATIVE PARCEL MAP NO. 2016-164, CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA.

RECORD LEGEND
 1. THIS PARCEL MAP IS PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING ORDINANCE.
 2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

UTILITY PROVIDERS
 CITY OF GARDEN GROVE
 WATER
 GARDEN GROVE
 POWER
 GARDEN GROVE

LEGEND
 CITY OF GARDEN GROVE
 CITY OF STANFORD
 CITY OF WESTMINSTER
 CITY OF ANAHEIM
 CITY OF FULLERTON
 CITY OF COSTA MESA

Atlas Civil Design
 2711 Orange Ave., Suite 200
 Garden Grove, CA 92647
 Tel: 714.634.1212
 Fax: 714.634.1213

DATE	REVISIONS

CITY OF GARDEN GROVE
 TENTATIVE PARCEL MAP 2016 - 164
 7180 LAMPSON AVE & 12570 INDUSTRY AVE
 CITY OF GARDEN GROVE, COUNTY OF ORANGE
 STATE OF CALIFORNIA

PROJECT NUMBER: 164
 SHEET NO. 0 OF 1
 DRAWN BY: J.L. SANCHEZ
 CHECKED BY: J.L. SANCHEZ

RESOLUTION NO. 5868-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING TENTATIVE PARCEL MAP NO. PM-2016-164 FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LAMPSON AVENUE AND INDUSTRY STREET, AT 7180 LAMPSON AVENUE AND 12570 INDUSTRY STREET.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on November 3, 2016, does hereby approve Tentative Parcel Map No. PM-2016-164 to subdivide an existing 3.3-acre parcel located at 7180 Lampson Avenue and 12570 Industry Street, currently identified as Parcel No. 215-011-02, into two separate parcels consisting of 79,638 square feet and 66,052 square feet, respectively.

BE IT FURTHER RESOLVED in the matter of Tentative Parcel Map No. PM-2016-164, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Russell Fenton, owner of the subject property.
2. The applicant is requesting Tentative Parcel Map approval to subdivide an existing 3.3-acre parcel into two separate parcels. Lot 1 will be 79,638 square feet in area and Lot 2 will be 66,052 square feet in area.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that this project is categorically exempt from CEQA pursuant to Article 19, Section 15315, Minor Land Divisions, of the of the CEQA Guidelines (14 Cal. Code Regs., Section 15303).
4. The property has a General Plan designation of Industrial and is zoned M-P (Industrial Park). The site is currently improved with two existing freestanding industrial buildings.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by the City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 3, 2016, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on November 3, 2016.

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:

The subject property is located at the southeast corner of Lampson Avenue and Industry Street and is zoned M-P (Industrial Park) with a General Plan Land Use designation of Industrial. The property is developed with two freestanding industrial buildings. The properties to the east, south, and west, across Industry Street, are zoned M-P and are developed industrially. The properties to the north, across Lampson Avenue, are zoned PUD-105-71 Rev. 90 and are also developed industrially.

In 1979, the two freestanding industrial buildings were constructed on the property. The building located at 7180 Lampson Avenue is approximately 39,290 square feet in size and the building located at 12570 Industry Street is approximately 37,688 square feet in size. Both buildings are utilized as warehousing and distribution facilities. At the time the structures were built, a Site Plan application was not required for new buildings in the MP zone, however, the buildings complied with all applicable Municipal Code provisions at the time of construction. Both buildings were constructed on one parcel, but developed in such a manner that each has its own vehicular access, loading areas, and site landscaping.

Tentative Parcel Map No. PM-99-142 was previously approved by the City of Garden Grove on July 7th, 1999, to subdivide the existing 3.3-acre site into two parcels, Parcel 1 and Parcel 2, however, the final parcel map was not prepared nor filed for record. Therefore, the entitlements have expired.

FINDINGS AND REASONS:

The proposal meets the required findings under section 9.40.060 (Tentative Maps – Findings Required).

1. The proposed map is consistent with the City's General Plan in that the subdivision of the existing parcel into the proposed new parcels is consistent with the State Subdivision Map Act. Conditions of Approval require that the two (2) new parcels maintain shared access and parking. The project is consistent with the existing General Plan designation of Industrial.
2. The design and improvement of the proposed two-lot subdivision is consistent with the M-P (Industrial Park) zone, Title 9 of the Garden Grove Municipal Code, and the General Plan provisions for location, proximity to similar uses, lot width, and overall depth.
3. The site is physically suitable for the existing development and complies with the spirit and intent of the M-P (Industrial Park) zone and Title 9 of the City's Municipal Code.

4. The project is categorically exempt from the California Environmental Quality Act (CEQA).
5. The design of the subdivision is not likely to cause problems to the public health, safety, and welfare, and the two (2) new parcels in conjunction with the existing parcel will continue to operate as one integrated development as required by the existing and proposed conditions of approval.
6. The design of the subdivision will not conflict with the easements of record or easements established by court judgment acquired by the public-at-large for access through or use of property within the subdivision; if such easements exist, then alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public.
7. The design and improvements of the subdivision are suitable for the existing site improvements, and the subdivision can move forward in compliance with the applicable zoning regulations.
8. The design and improvement of the proposed subdivision are suitable for the proposed project and the subdivision will be in compliance with the applicable zoning regulations.
9. The design of the subdivision, to the extent feasible, does have allowance for future passive or natural heating and cooling opportunities.
10. The proposed subdivision of the existing parcel will have no effect on the housing needs of the region and of the public service needs. Furthermore, the character of the subdivision is compatible with the design of existing structures in the general area. The proposed subdivision will not cause a need for additional housing in the area. The existing buildings and businesses will continue to operate as an integrated development.

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. Tentative Parcel Map No. PM-2016-164 does possess characteristics that justify the request in accordance with the Garden Grove General Plan and the Garden Grove Municipal Code.

2. In order to fulfill the purpose and intent of the Municipal Code, and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Tentative Parcel Map No. PM-2016-164.

EXHIBIT "A"
Tentative Parcel Map No. PM-2016-164

7180 Lampson Avenue - 12570 Industry Street

CONDITIONS OF APPROVAL

General Conditions

1. The applicant shall record a "Notice Of Agreement With Conditions of Approval and Discretionary Permit," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required prior to the recordation of the Final Parcel Map. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the appropriate hearing body.
2. Approval of this Tentative Parcel Map shall not be construed to mean any waiver of: Applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the Garden Grove Municipal Code shall apply. The applicant shall obtain, and abide by, any necessary permits or licenses required to prepare, process and receive Final Parcel Map approval including recordation of this map, in compliance with all applicable laws.
3. The previously approved floor plans, plot plans, building design and colors, parking and circulation of the existing site improvements as well as the proposed Tentative Parcel Map design, are integral parts of the decision approving this Tentative Parcel Map application. There shall be no change in the design of the plans and the operation of the commercial center without the approval of the Community and Economic Development Department. Any change in the approved plans or use of the property, that has the effect of expanding or intensifying the proposed development, shall be required to obtain the appropriate entitlements.
4. The applicant/property owner shall submit signed letters acknowledging receipt of the decision approving Tentative Parcel Map No. PM-2016-164, and his/her agreement with all conditions of approval.

Public Works Water Services Division

5. The backflow devices for the domestic and irrigation at 12570 Industry Street might not be per current standards or current in their testing. Contact Water Quality at 714-741-5395 to verify.

6. The building at 12570 Industry Street is fire sprinklered, but the connection is off the fire line at 7180 Lampson Avenue. Domestic and fire sprinkler lines cannot cross property lines, therefore a new fire service connection off the main on Industry Street for 12570 Industry Street will be required and a DCDA located on the property.
7. Fire service connection shall have above ground backflow device with a Double Check Detector Assembly (DCDA) per City Standard B-773. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above ground assembly shall be screened from public view as required by the Planning Services Division.

Public Works Engineering Division

8. The applicant shall submit an updated title report along with copies of the recorded instruments listed in the title report.
9. The applicant shall submit copies of the reference maps used to prepare legal description and the plat.
10. Ties to Horizontal Control: Prior to the recordation of the Final Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City in Auto Cad DWG format.
11. Digital Map Submission: Prior to recordation of the Final Parcel Map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City in Auto Cad DWG format.

Community and Economic Development Department

12. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action

Tentative Parcel Map No. PM-2016-164
Conditions of Approval

concerning Tentative Parcel Map No. PM-2016-164. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

13. Prior to the recordation of the Final Parcel Map, the applicant shall repair and/or replace any damaged slats on the rolling vehicular gate of Parcel 2 and on chain-link fencing located between buildings, along the proposed property line, and along the south property line of Parcel 2.
14. Prior to the recordation of the Final Parcel Map, the applicant shall repair any damaged metal railing located along the loading dock areas of both Parcel 1 and Parcel 2.
15. All landscaped areas, including the areas located within the public right-of-way, are the responsibility of the applicant/property owner, and must be maintained at all times. All landscape areas shall not be reduced in size.
16. All mechanical equipment within public view must be screened at all times with 15 gallon shrubs minimum, or as approved by the Community and Economic Development Department.
17. Prior to the recordation of the Final Parcel Map, the applicant shall construct a new trash enclosure on Parcel 1 (7180 Lampson Avenue) in accordance with the City of Garden Grove Standard Plan B-502. Building permits are required. The final location shall be approved by the Community and Economic Development Department. The trash enclosure shall have latchable gates. The trash bin shall be kept inside of the enclosure and the gates shall be kept closed and secured except during disposal and pickup. The trash enclosure areas shall be maintained in a neat and sanitary manner.
18. Prior to the recordation of the Final Parcel Map, the applicant shall provide a reciprocal access, parking, and maintenance agreement between the two (2) parcels in a manner meeting the approval of the City Attorney.
19. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Tentative Parcel Map No. PM-2016-164 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within two (2) years of the expiration of the appeal period and thereafter diligently advanced until completion of the project.

Building Division

20. Any occupancy classification for current or future tenants may not be Group F-1 (Moderate-Hazard) nor Group H (High-Hazard) per the California Building Code 2013, or any other occupancy group that exceeds the maximum allowable floor area required as the result of the subdivision. The current occupancy classifications on Parcel 1, Group B (Business) and Group S-1 (Storage), are in compliance.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C-2	SITE LOCATION: Southeast corner of Trask Avenue and Brookhurst Street, at 10150 Trask Avenue
HEARING DATE: November 3, 2016	GENERAL PLAN: Heavy Commercial
CASE NOS: Conditional Use Permit No. CUP-086-2016 & Site Plan No. SP-029-2016	ZONE: PUD-110-96 (Rev.12) (Planned Unit Development)
APPLICANT: David Simpson	APN: 099-681-01,02, 099-682-01,02,03
PROPERTY OWNER: David Simpson	CEQA DETERMINATION: Exempt

REQUEST:

A request for Conditional Use Permit and Site Plan approval to construct a 51'-0" high freeway-oriented auto dealership electronic (LED) readerboard sign along with a Site Plan review request to deviate from the required sign design standard requirements pursuant to PUD-110-96(Rev.12) for an existing automobile dealership (Simpson Chevrolet).

BACKGROUND:

The subject site is an approximately 5.1-acre site consisting of five (5) properties located at the southeast corner of Trask Avenue and Brookhurst Street and is developed with the Simpson Chevrolet automobile dealership. The properties maintain a General Plan Land Use Designation of Heavy Commercial and are zoned Planned Unit Development No. PUD-110-96 (Rev.12). The properties to the north, across Trask Avenue are zoned R-1 (Single-family Residential), C-2 (Community Commercial), and R-2 (Limited Multi-family Residential) and are developed with single-family homes, multi-family homes, and a gas station with carwash and commercial building. The properties to the east are zoned PUD-102-71 and are developed industrially. The property to the west is zoned PUD-110-96 (Rev.12) and is developed with the Hyundai automobile dealership. The site abuts the Garden Grove (22) Freeway to the south.

In November of 2012 the City approved an Amendment to the sign standards of PUD-110-96 to allow auto dealerships on a minimum two (2)-acre site to request approval of a freeway-oriented electronic readerboard sign via the Conditional Use Permit Process. The electronic readerboard sign is required to be located within ten (10) feet of the Garden Grove freeway, maintain an overall maximum height of 59-feet and be in compliance with all state and federal laws. Additionally, the top 8-feet of the sign is required to include an arched top feature that includes "Garden Grove" copy and a grouping of strawberries on a lattice background graphic under the

"Garden Grove" copy. However, the Planned Unit Development does allow deviations from the development standards, including the sign design via the Site Plan review process.

DISCUSSION:

At the time of the applicant's submittal of the subject application, the applicant originally requested approval of a Conditional Use Permit in order to install a 55'-4" high freeway-oriented electronic readerboard sign located on the southeast portion of the subject site, adjacent to the Garden Grove Freeway right-of-way. Since that time, concerns were raised regarding the sign's height and the potential visibility to the sign face from the residential properties to the north. In order to address those concerns, the applicant conducted a second flag test on October 17, 2016 to determine what the more appropriate height of the sign should be. Based on the flag test, the applicant has agreed to lower the overall height of the sign to 51'-0". Therefore, the applicant has modified their request to reduce the proposed sign height from 55'-4" to 51'-0".

The design of the sign reflects a single blue metal clad support and a 14'-8" x 33'-0" (483.78 square foot) full color LED (Light-Emitting Diode) display cabinet under a 5'-0" x 33'-0" internally illuminated cabinet sign with the "Chevrolet" copy and logo. Below the LED cabinet are a 5'-6" x 33'-0" cabinet and a 2'-6" x 29'-6" cabinet with "Simpson" and "Garden Grove" copy, respectively. The arched design with the grouping of strawberries on a lattice background graphic under the "Garden Grove" copy is not being proposed for the top of the sign.

Since the design of the sign does not include the required arched top feature with the "Garden Grove" copy and a grouping of strawberries on a lattice background graphic under "Garden Grove" copy, the applicant is requesting consideration of a Site Plan review, pursuant to the requirements in PUD-110-96(Rev.12), in order to allow the Garden Grove identifier to be placed below the LED cabinet and to deviate from the prescribed development standards of the PUD.

Staff is of the opinion that while the original intent of the arched feature was to provide consistency with the other auto dealership signs and provide identification for the Garden Grove Auto Center, the arched feature is dated and the proposed sign is a more modern and cleaner design that is more appropriate for the auto dealerships. Additionally, the applicant has included the "Garden Grove" copy in order to maintain the Garden Grove Auto Center identity. Other than the location of the "Garden Grove" copy, the sign meets all other requirements of the PUD-110-96(Rev.12). Finally, it is felt that the subject design, if approved, can be a prototype for the other auto dealership's electronic signs in the future if and when they are refurbished.

The project would be subject to several conditions of approval intended to minimize impacts on residents and surrounding property. Proposed conditions of approval for the project include a requirement that the lighting of the sign be directed and shielded so as not to cause light and glare on any adjacent residential properties a

condition that the sign meet the requirements of CalTrans for lighted signs adjacent to freeways, and a condition that the applicant permit the advertising of community events on the sign, as approved by the City Manager. Finally, as part of the new sign installation, the existing pylon sign will be removed prior to issuance of permits for the proposed sign.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

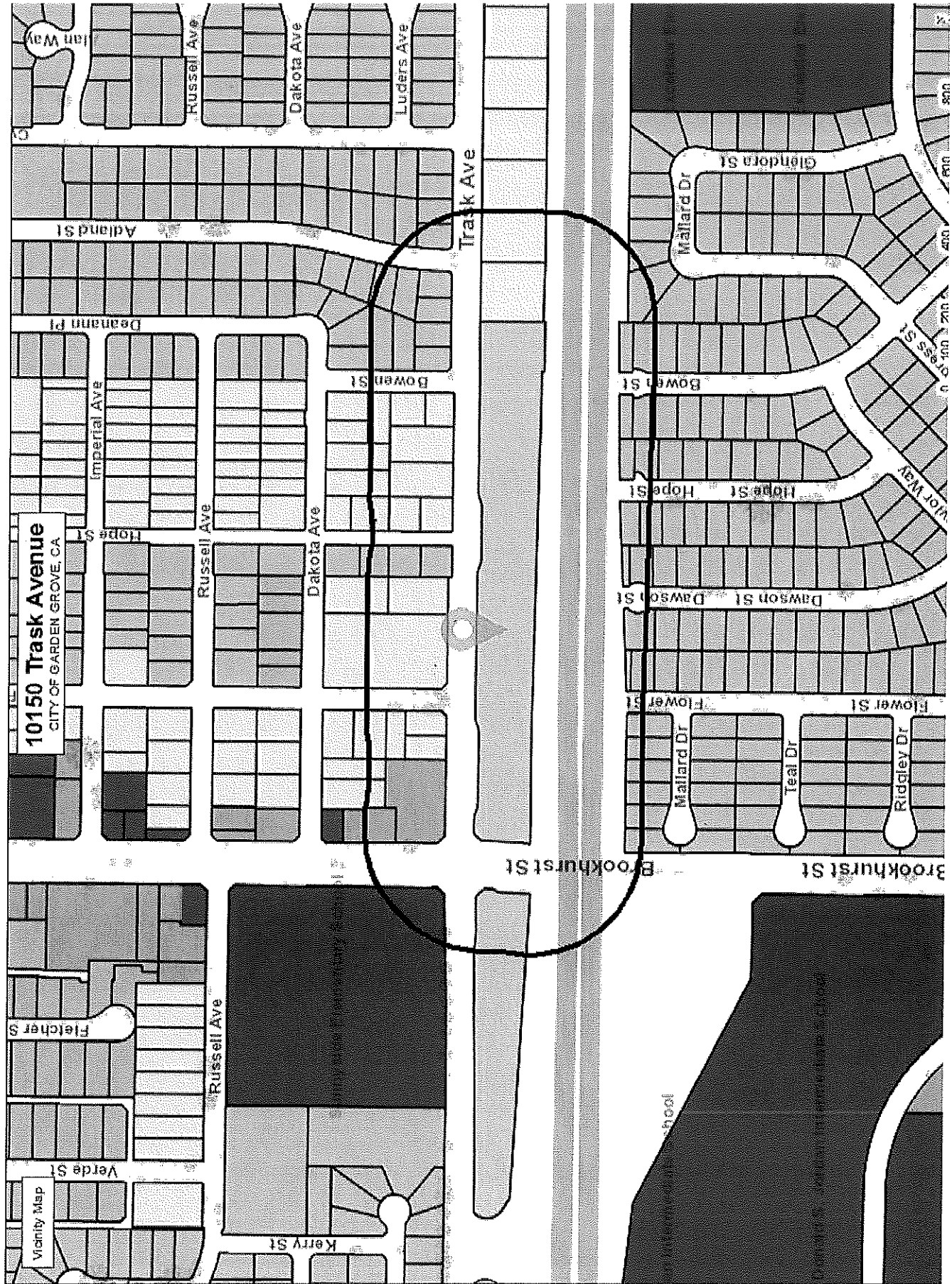
1. Adopt the attached Resolution approving Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016, subject to the recommended Conditions of Approval.



Karl Hill
Planning Services Manager



By: Lee Marino
Senior Planner



PYLON SIGN- DIF ILLUMINATED "V" SHAPE LED DISPLAY (QTY 1)

SQUARE FOOTAGE: 935.0
 FIELD SURVEY REQUIRED
 VECTOR ARTWORK REQUIRED

SPECIFICATIONS

1. FRAMED RETAINERLESS TOP CABINET W/ ALUMINUM SKIN / PAINTED PMS #300 SMOOTH SEMI-GLOSS FINISH P-1
2. FULL BLEED TRANS WHITE FLEX SIGN COMP #2082 VINYL APPLIED 1ST SURFACE TO WHITE FLEX FACE 3M #6630-127 "INTENSE BLUE" V-1 LOGO "CHEVROLET & COPY - GARDEN GROVE" TO BE SHOW THRU
3. DIGITALLY PRINTED CHEVY LOGO VINYL DP-1
4. PAINTED GREY, SMOOTH SEMI-GLOSS FINISH REVEAL P-3
5. ENC- LED FULL COLOR DISPLAY / 20mm PIXELS / 2088 X 480 MATRIX / RF COMMUNICATION ENC PROVIDED BY CUSTOMER & INSTALL BY JONES SIGN CO. DISPLAYS IN "V" CONFIGURATION
6. FRAMED RETAINERLESS BOTTOM CABINET W/ ALUMINUM SKIN PAINTED SHERWIN WILLIAMS BLACK SMOOTH SEMI-GLOSS FINISH P-2
7. ALUMINUM OVER STEEL FRAME/PAINTED PMS #300 CV SMOOTH, SEMI-GLOSS P-1

*INTERNALLY LIT W/ WHITE OSRAM BACK PLUS DS LEDs

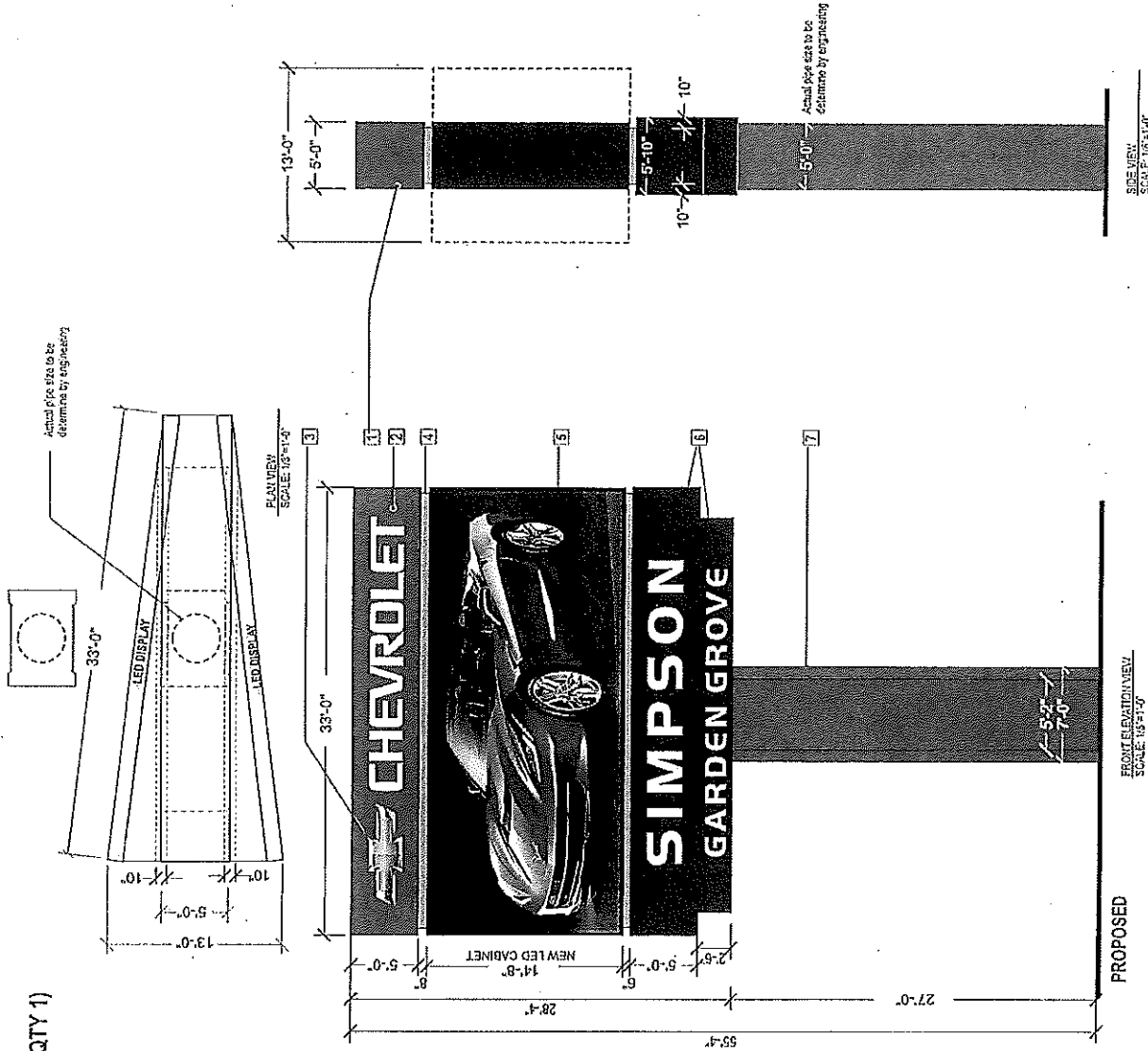
COLORS/FINISHES

- P-1 PMS#300
- P-2 SHERWIN WILLIAMS BLACK
- P-3 GREY, SMOOTH SEMI GLOSS
- V-1 3M S33630-127 "INTENSE BLUE"
- DP-1

FONT:

SIMPSON & GARDEN GROVE: HANDEL GOTHIC D BOL

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY. PLEASE REFER TO COLOR-CALLOUTS AND THEIR APPROPRIATE VENDOR SPECIFIED SAMPLES FOR APPROVED COLOR SPECIFICATIONS



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JOB #: 212084-R5
 DATE: 10.14.2015
 DESIGNER: M. HILL
 ESTIMATOR: M. HILL

REV	DATE	BY	REVISION
1	10/14/15	MH	ISSUED FOR PERMIT
2	10/14/15	MH	REVISED PER COMMENTS
3	10/14/15	MH	REVISED PER COMMENTS
4	10/14/15	MH	REVISED PER COMMENTS
5	10/14/15	MH	REVISED PER COMMENTS
6	10/14/15	MH	REVISED PER COMMENTS
7	10/14/15	MH	REVISED PER COMMENTS

CLIENT APPROVAL: _____ DATE: _____
 LADYLOP APPROVAL: _____ DATE: _____
 DC: _____
 LEAD ENGINEER: _____
 10150 Task Avenue
 Garden Grove, CA
 SHEET NUMBER: 1.0

The client hereby certifies that the information provided in this drawing is true and correct to the best of their knowledge and belief. The client understands that the information provided in this drawing is for informational purposes only and does not constitute a contract. The client agrees to hold the designer harmless for any and all claims, damages, losses, and expenses, including reasonable attorney's fees, arising out of or from the use of this drawing, whether or not such claims, damages, losses, and expenses are caused in whole or in part by the negligence of the designer. This agreement shall be governed by the laws of the State of California. The client agrees to indemnify, defend, and hold the designer harmless for any and all claims, damages, losses, and expenses, including reasonable attorney's fees, arising out of or from the use of this drawing, whether or not such claims, damages, losses, and expenses are caused in whole or in part by the negligence of the designer. This agreement shall be governed by the laws of the State of California.

RESOLUTION NO. 5869-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-086-2016 AND SITE PLAN NO. SP-029-2016 FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF TRASK AVENUE AND BROOKHURST STREET, AT 10150 TRASK AVENUE, ASSESSOR'S PARCEL NOS. 099-681-01, 099-681-02, 099-682-01, 099-682-02, AND 099-682-03.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on November 3, 2016, does hereby approve Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016 for installation and operation of a 51'-0" high on-premise freeway-oriented auto dealership electronic (LED) readerboard sign on property located on the southeast corner of Trask Avenue and Brookhurst Street at 10150 Trask Avenue, Parcel Nos. 099-681-01, 02 and 099-682-01, 02, and 03.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by David Simpson.
2. The applicant has requested approval of Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016 to install a 51'-0" high on-premise freeway-oriented auto dealership electronic (LED) readerboard sign deviating from the standard sign design standards for PUD-110-96 (Rev.12) on property located on the southeast corner of Trask Avenue and Brookhurst Street at 10150 Trask Avenue.
3. The subject site has a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development No. PUD-110-96 (Rev.12).
4. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove has determined that the proposed project is exempt from CEQA pursuant to Article 19, Section 15311 (Accessory Structures) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303).
5. Existing land use, zoning, and General Plan Land Use designation of the areas included in this Conditional Use Permit and in their vicinity have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 3, 2016, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting November 3, 2016; 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 Section 9.32.030, are as follows:

FACTS:

The subject site is an approximately 5.1 acre property located at the southeast corner of Trask Avenue and Brookhurst Street and is developed with the Simpson Chevrolet automobile dealership.

The applicant is requesting approval of a Conditional Use Permit for the installation of a 51'-0" high freeway-oriented electronic (LED) readerboard sign in conjunction with a Site Plan request to deviate from the required sign design standard requirements pursuant to PUD-110-96 (Rev.12) for an existing automobile dealership (Simpson Chevrolet) located at 10150 Trask Avenue.

The existing pylon sign on the Simpson Chevrolet site will be removed prior to issuance of permits for the proposed electronic sign.

FINDINGS AND REASONS:

Conditional Use Permit:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The proposed sign will be consistent with the General Plan Land Use Designation of the property, which is Heavy Commercial, provided that the project complies with all conditions of approval.

2. That the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area.

The installation of a proposed sign will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area. The conditions of approval for the sign will minimize potential impacts to the adjoining area. Provided the conditions of approval for the project are adhered to for the life of the project, the use will be harmonious with persons who work and live in the area.

3. The proposed use will not interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site.

The proposed sign will not unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located within the vicinity of the site, provided that the conditions of approval are adhered to for the life of the project. The sign has been designed to be more streamlined than, but will not

conflict with, other automobile signs along the freeway, and is conditioned not to cause light and/or glare on adjacent streets and properties.

4. The proposed use will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

Provided that the sign is constructed as proposed and adheres to the conditions of approval for the life of the project, the proposed sign will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare. Conditions of Approval require the sign to be installed per requirements of Caltrans for lighted signs adjacent to freeways and that the sign lighting be directed and shielded so as not to cause light and glare on adjacent properties.

5. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The proposed project only proposes the installation of a 51'-0" high freeway-oriented electronic readerboard sign within ten (10) feet of the freeway right-of-way. The sign can be easily accommodated on-site without negatively impacting on and off-site circulation and has been designed to be consistent in design within other freeway-oriented signs with the automobile dealership area.

6. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic to be generated, and by other public or private service facilities as required.

The proposed project only proposes the installation of a freeway-oriented electronic readerboard sign that is located adjacent to the Garden Grove Freeway and Brookhurst Street rights-of-way. The site is adequately served by highways and streets, and the location of the sign will not impede access to and from the site, nor will it require any site or street modifications to accommodate the sign.

Site Plan:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of Title 9 and the General Plan.

Approval of the proposed Site Plan will result in the construction of a freeway-oriented electronic sign that deviates from the prescribed sign design requirements of Planned Unit Development No. PUD-110-96 (Rev.12). The provisions of PUD-110-96 (Rev.12) permit such deviations through approval of a Site Plan. The top 8-feet of the sign is required to include an arched top feature that includes "Garden Grove" copy and a grouping of strawberries on a

lattice background graphic under the "Garden Grove" copy in order to provide identification for the Garden Grove Auto Center. Since the Planned Unit Development does allow deviations from the development standards, including the sign design via the Site Plan review process, the applicant has proposed to place a streamlined cabinet with the "Garden Grove" copy under the LED cabinet rather than the arched top feature.

While the intent of the arched feature standard was to provide consistency with the other auto dealership signs and provide identification for the Garden Grove Auto Center, the arched feature is dated and the proposed sign is a more modern and cleaner design that is more appropriate for the auto dealerships. The "Garden Grove" copy is still included in the sign's design, which will maintain the Garden Grove Auto Center identity. Furthermore, the proposed design can be used as a prototype for the other auto dealership electronic signs in the future if and when they are refurbished. Additionally, other than the location of the "Garden Grove" copy, the sign meets all other requirements of the PUD-110-96 (Rev.12).

Therefore, the approval of the subject Site Plan to allow the deviation will result in a sign design that is in keeping with the intent of the sign design standards of Planned Unit Development No. PUD-110-96 (Rev.12), as well as being consistent with the spirit and intent of the provisions, conditions and requirements of Title 9 and the General Plan. Furthermore, the General Plan does contain policies that promote the use of appropriate and compatible signage in commercial areas and encourages the development of new signs that are up to date with current industry designs. Goal LU-6 of the General Plan Land Use Element calls for the "revitalization of aging, underused or deteriorated commercial corridors, centers, and properties in the City", and Policy LU-6.6 provides that the City should "ensure appropriate and compatible signage is provided within commercial centers."

2. The project will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and points of vehicular and pedestrian access.

The installation of the proposed freeway-oriented electronic sign will not require the relocation of existing parking spaces, or impede on-site vehicular circulation patterns. The sign will be located 10 ft. from the southerly property line that abuts the Garden Grove (22) Freeway. Sufficient parking and vehicular access, and adequate pedestrian access will remain within the project.

3. The project will not adversely affect essential public facilities such as streets and alleys, utilities and drainage channels.

The installation of the proposed freeway-oriented electronic sign will not negatively impact the existing public facilities and will not require additional improvements to public facilities to accommodate the sign. The existing

streets, utilities and drainage facilities within the area are adequate to accommodate the existing development and proposed sign structure. The on-site circulation and parking are sufficient for the existing and proposed development.

4. The project will not adversely impact the Public Works Department's ability to perform its required function.

The project has been reviewed by the Public Works Department. The installation will not be located within any easements and will not require any on or off-site improvements. Therefore, no impact to the Public Work Departments ability to perform its required functions is anticipated.

5. The project is compatible with the physical, functional and visual quality of the neighboring uses and desirable neighborhood characteristics.

While the original intent of the arched feature standard was to provide consistency with the other auto dealership signs and provide identification for the Garden Grove Auto Center, the arched feature is dated and the proposed sign is a more modern and cleaner design that is more appropriate for the auto dealerships. The applicant has included the "Garden Grove" copy in order to maintain the Garden Grove Auto Center identity. Furthermore, the design of the proposed sign can be a prototype for the other auto dealership electronic signs in the future if and when they are refurbished. Other than the location of the "Garden Grove" copy, the sign meets all other requirements of the PUD-110-96 (Rev.12).

Finally, the sign faces have been oriented toward the east and west bound freeway traffic and are not directly facing any residential units that are located to the north. Provided that that the sign complies with City Code requirements; the Conditions of Approval for the project, which require that the sign lighting be directed and shielded so as not to cause light and glare on adjacent properties; and Caltrans requirements for lighted signs adjacent to freeways, the sign will be compatible with the physical, functional and visual quality of the neighboring uses.

6. That through the planning and design of buildings and building placement, the provision of open space, landscaping and other site amenities will attain an attractive environment for the occupants of the property.

The project only involves the installation of a sign structure and does not include the construction of any buildings or housing. The proposed freeway-oriented electronic sign will be located on a commercially developed site. Accordingly, the project will not impact the attractiveness of the environment of any occupants of the property.

7. Construction of the proposed freeway-oriented electronic sign will not have an adverse effect on the public health, welfare, and safety of the community.

The proposed freeway-oriented electronic sign will be located on a 5.1-acre site that is zoned PUD-110-96(Rev.12) and is located on the southeast corner of Trask Avenue and Brookhurst Street. The site is developed with the Simpson Chevrolet automobile dealership. The site maintains a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development (PUD-110-96(Rev.12)). The properties to the north, across Trask Avenue are zoned R-1 (Single-family Residential), C-2 (Community Commercial), and R-2 (Limited Multi-family Residential) and are developed with single-family homes, multi-family homes, and a gas station with carwash and commercial building. The properties to the east are zoned PUD-102-71 and are developed industrially. The property to the west is zoned PUD-110-96(Rev.12) and is developed with the Hyundai automobile dealership. The site abuts the Garden Grove (22) Freeway to the south.

The proposed electronic billboard structure has been sited and designed to comply with all applicable development standards of Planned Unit Development No. PUD-110-96 (Rev.12), with the exception of subject design deviation request to allow the placement of a streamlined cabinet with the "Garden Grove" copy under the LED cabinet rather than the arched top feature. Furthermore, Conditions of Approval, which require the sign to comply with Caltrans requirements for lighted signs adjacent to freeways as well as require that the sign lighting be directed and shielded so as not to cause light and glare on adjacent properties will ensure that any potentially adverse light, glare, or aesthetic impacts on surrounding properties are avoided or minimized.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

The Conditional Use Permit and Site Plan possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.

In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016.

EXHIBIT "A"

Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016 10150 Trask Avenue

CONDITIONS OF APPROVAL

GENERAL CONDITIONS

1. Each owner of the property shall execute, and the applicant shall record, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, on the property within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to the project applicant, the owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission, except as otherwise provided herein
3. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. The approved site plan, elevations and the use of the subject property as represented by the Applicant are integral parts of the decision approving this Conditional Use Permit and Site Plan. Minor modifications to the approved site plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the approved site plan or use, or to these Conditions of Approval, that would result in the intensification of the project or create impacts that have not been previously addressed, and which are determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the Planning Commission or other applicable City hearing body
5. All Conditions of Approval shall be implemented at the Applicant's expense, except where specified in the individual condition.

Community and Economic Development Department

6. This approval shall be for the installation of a 51'-0" high on-premise freeway-oriented electronic readerboard sign in substantial compliance with the approved set of plans submitted with the subject Conditional Use Permit and Site Plan requests and the requirements of PUD-110-96 (Rev. 12), except as modified herein. The sign shall not be operated as a billboard.
7. The existing 75'-0" automobile dealership sign located on the property shall be demolished and all supports removed prior to issuance of a building permits for the proposed electronic readerboard sign. The new sign shall be located in close proximity to the existing 75'-0" sign's location.
8. The maximum height of the readerboard sign shall be 51'-0", measured from grade to top of sign.
9. The design of the sign shall include a single metal clad support, a 14'-8" x 33'-0" LED cabinet topped with a 5'-0" X 33'-0" cabinet with "Chevrolet" copy, and a 5'-0" x 33'-0" cabinet and a 2'-6" x 29'-10" cabinet below the LED cabinet with "Simpson" and "Garden Grove" copy, respectively. The entire sign structure, including supports shall be painted blue to match the blue accents on the building. Color samples shall be submitted along with plans submitted for Building permits.
10. The sign illumination, including the LED screen, shall be dimmed at dusk and shall not cause light and glare on adjacent residential properties, streets, and freeway right-of-way. Maximum output of light during nighttime hours shall be at a level between 5 and 15 percent, subject to approval of the City Manager or his designee. In no case shall the nighttime light level of the sign exceed 15 percent. The readerboard shall maintain one image between the hours of 10:00 p.m. to 7:00 a.m. in order to reduce light and annoyance impacts to the adjacent residential neighborhoods. During all other times, the images on the readerboard shall be maintained at minimum 8 second intervals and shall not change more frequently. The face of the readerboard sign shall be angled away from the adjacent residents located to the northeast of the site so that the face of the sign is directed more in-line with the Garden Grove Freeway right-of-way and away from Trask Avenue.
11. The proposed freeway-oriented electronic readerboard sign shall comply with the CalTrans standards for lighted and readerboard signs that are adjacent to the freeway right-of-way.
12. The applicant shall allow the advertising of community events, as approved by the City Manager. Said advertising shall not exceed ten (10) percent of the overall advertising time the readerboard is changing copy.
13. Hours and days of construction shall be as set forth in the City of Garden Grove's Municipal Code Section 8.47.010, referred to as the Noise Control Ordinance.

Conditional Use Permit No. CUP-086-2016 & Site Plan No. SP-029-2016
Conditions of Approval

14. The applicant and the property owner shall submit signed letters acknowledging receipt of the decision approving Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016, and their agreement with all Conditions of the Approval.
15. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Conditional Use Permit No. CUP-086-2016 and/or Site Plan No. SP-029-2016. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited to, any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
16. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-086-2016 and Site Plan No. SP-029-2016 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.

Fire Department

17. The proposed sign shall not encroach into any required fire lane. Adequate emergency vehicle access shall be maintained at all times. All access gates shall be equipped with a Knox rapid entry keyed access system subject to approval of the Garden Grove Fire Department. Manual gates shall have Knox padlocks.

Public Work's Department Water Division

18. Due to a 10-inch water main, located in an easement that runs north and south through the development, near the location of the proposed sign, plans shall be submitted to the Water Division of the City's Public Work's Department for review and approval and shall note the location of the water main and the easement. The sign structure shall maintain a minimum 15'-0" clearance from the water main. The contractor shall contact the Water Services Division if construction is going to involve any severe vibration, such as pile driving.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.3.	SITE LOCATION: Citywide
HEARING DATE: November 3, 2016	GENERAL PLAN: N/A
CASE NO. A-016-2016	ZONE: N/A
APPLICANT: City of Garden Grove	APN: N/A
OWNER: N/A	CEQA DETERMINATION: Exempt

REQUEST:

A request for the Planning Commission to adopt a resolution, including an exemption pursuant to the California Environmental Quality Act, recommending the City Council approve an Ordinance amending the Land Use Code pertaining to development impact fees.

BACKGROUND:

In July 2015, staff conducted a City Council Study Session to review and update the park in-lieu of land dedication, drainage, and traffic impact fees. Staff proceeded to hire a consultant to develop a revised Development Impact Fee Study ("Study"), as such report is required by the Mitigation Fee Act and Quimby Act to levy and collect fees. The Study includes growth projections, public facility standards and proposed fee schedules required to support future development.

For development fees to be updated, City Council will be required to adopt an ordinance enacting regulations for payment of such fees and make revisions to Title 9 and 10 of the Garden Grove Municipal Code. The Planning Commission is required to review amendments to Title 9 and adopt a resolution recommending City Council approval of the Ordinance Amendment before the City Council considers the item.

DISCUSSION:

This Ordinance enacts regulations for the payment of drainage facilities fees and citywide park fees for new development projects. The park fees are only applicable to new residential projects. The Ordinance further codifies more specific requirements for the dedication of parkland and/or the payment of an in-lieu fee applicable to new residential subdivisions and adds a provision to the traffic impact mitigation fee regulations allowing the fee to be adjusted pursuant to development impact fee studies. The Ordinance does not set the amount of each fee. The regulations being codified by this Ordinance require that City Council set the amount of the fees by resolution.

Approval of the Code Amendment enacting regulations for the payment of development impact fees is exempt from California Quality Environmental Act (CEQA)

pursuant to Sections 15378 and 15061(b)(3) of the CEQA Guidelines in that the adoption of development impact fee regulations do not have the potential to cause a direct or reasonably foreseeable indirect physical change in the environment.

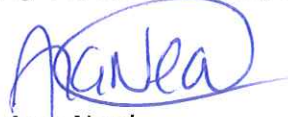
RECOMMENDATION:

Staff recommends that the Planning Commission take the following action:

- Adopt a Resolution recommending that the City Council adopt the ordinance approving the Land Use Code Amendment pertaining to development impact fees.



KARL HILL
Planning Services Manager



By: Ana Neal
Sr. Administrative Analyst

Attachment 1: Resolution
Attachment 2: Ordinance

RESOLUTION NO. 5870-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE AMENDMENT NO. A-016-2016, INCLUDING AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND ENACTING REGULATIONS FOR THE PAYMENT OF DRAINAGE FACILITIES FEES AND CITYWIDE PARK FEES, INCLUDING REVISIONS TO TITLE 9 AND 10 OF THE GARDEN GROVE MUNICIPAL CODE AMENDING CHAPTER 9.44 TO CODIFY THE REQUIREMENTS FOR PARKLAND DEDICATION AND FEES FOR NEW SUBDIVISION AND AMENDING CHAPTER 10.110 TO PROVIDE FOR UPDATES TO TRAFFIC MITIGATION FEES PURSUANT TO DEVELOPMENT IMPACT FEE STUDIES.

BE IT RESOLVED, that the Planning Commission of the City of Garden Grove, in regular session assembled on November 3, 2016, does hereby recommend approval of Amendment No. A-016-2016 to the City Council.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-016-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The proposed Code Amendment was initiated by the City of Garden Grove.
2. The City proposes to enact regulations for the payment of Drainage Facilities Fees and Citywide Park fees, amend Title 9 and 10 of the Garden Grove Municipal Code, thereby amending Chapter 9.44 to codify the requirements for Parkland Dedication and Fees for new Subdivision, and amend Chapter 10.110 to provide for updates to Traffic Mitigation Fees pursuant to Development Impact Fee Studies.
3. The Planning Commission finds that the proposed Code Amendment is exempt from CEQA pursuant to Sections 15378 and 15061(b)(3) of the CEQA Guidelines in that the adoption of development impact fee regulations do not have the potential to cause a direct or reasonably foreseeable indirect physical change in the environment.
4. Report submitted by City staff was reviewed.
5. Pursuant to a legal notice, a public hearing was held on November 3, 2016, 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 November 3, 2016; and

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. 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 Planning Commission recommends approval of Amendment No. A-016-2016 as follows:

The proposed Amendment will enact regulations for the payment of Drainage Facilities Fees and Citywide Park fees, amend Title 9 and 10 of the Garden Grove Municipal Code, thereby amending Chapter 9.44 to codify the requirements for Parkland Dedication and Fees for new Subdivision, and amend Chapter 10.110 to provide for updates to Traffic Mitigation Fees pursuant to Development Impact Fee Studies.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN ENACTING REGULATIONS FOR THE PAYMENT OF DRAINAGE FACILITIES FEES AND CITYWIDE PARK FEES, INCLUDING REVISIONS TO TITLES 9 AND 10 OF THE GARDEN GROVE MUNICIPAL CODE AMENDING CHAPTER 9.44 TO CODIFY THE REQUIREMENTS FOR PARKLAND DEDICATION AND FEES FOR NEW SUBDIVISIONS AND AMENDING CHAPTER 10.110 TO PROVIDE FOR UPDATES TO TRAFFIC MITIGATION FEES PURSUANT TO DEVELOPMENT IMPACT FEE STUDIES.

City Attorney Summary

This Ordinance enacts regulations for the payment of drainage facilities fees and citywide park fees for new development projects. The park fees are only applicable to new residential projects. The Ordinance further codifies more specific requirements for the dedication of parkland and/or the payment of an in-lieu fee applicable to new residential subdivisions and adds a provision to the traffic impact mitigation fee regulations allowing the fee to be adjusted pursuant to development impact fee studies. The ordinance does not set the amount of each fee. The regulations being codified by this Ordinance require that the City Council set the amount of the fees by resolution.

WHEREAS, State law authorizes the City to adopt development impact fees to mitigate the impacts to the City's infrastructure caused by development projects; and

WHEREAS, Willdan Financial Services has prepared a Development Impact Fee Study dated July 6, 2016, analyzing the level of fees required to support future development in the City through 2030 and determining the future development's share of the cost of public facilities and capital improvements for parks, transportation and drainage facilities required as a result of such development; and

WHEREAS, Citywide Park Fees and In-Lieu Park Fees are required to provide funding for the development of City parks to accommodate the residents of development projects, which create a need for and demand upon park facilities, when developers of such projects do not develop park facilities and/or dedicate park land or sufficient amounts thereof; and

WHEREAS, Citywide Park Fees and In-Lieu Park Fees are applied to development projects based upon the impacts that such projects have on park facilities and the need therefor; and

WHEREAS, Transportation Facilities Fees provide funding for necessary improvements to the transportation system to accommodate development, which development creates a need for and demand upon the transportation system; and

WHEREAS, Transportation Facilities Fees are applied to development projects based upon the impacts that such projects have on Transportation Facilities and the need therefor; and

WHEREAS, Drainage Facilities Fees provide funding for necessary improvements to the drainage system to accommodate development, which development creates a need for and demand upon the drainage system; and

WHEREAS, Drainage Facilities Fees are applied to development projects based upon the impacts that such projects have on drainage system facilities and the need therefor; and

WHEREAS, the implementation of the Willdan Financial Services fee study requires revisions to the Municipal Code to clarify the imposition of the fees to be set by resolution of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 9.44 of Title 9 of the Garden Grove Municipal Code is hereby revised in its entirety to read as follows:

CHAPTER 9.44

MITIGATION FEES

Section 9.44.010 Fees for Development Projects

The following fees are required to mitigate impacts to City infrastructure created by development projects.

- A. Traffic Impact Mitigation Fees pursuant to Chapter 10.110 of this Code.
- B. Water Assessment Fee pursuant to Chapter 14.24 of this Code.
- C. General Plan and Cultural Arts Fee pursuant to Chapter 3.48 of this Code.
- D. Drainage Facilities Fees pursuant to this Chapter.
- E. Park Fees pursuant to this Chapter.
- F. Parkway Tree Fee pursuant to Chapter 9.40 of this Code.

Section 9.44.020 Drainage Facilities Fee

New development generates storm water runoff by increasing the amount of land that is impervious to precipitation and such runoff must be controlled through

storm drain facilities. A Drainage Facilities Fee is hereby established to mitigate the costs of new or expanded storm drain facilities required as a result of new development. The fee shall be in such amounts as established by resolution of the City Council.

Section 9.44.030 In-Lieu Park Fees (Quimby)

A. Park Dedication and In-Lieu Fee Requirement for Subdivisions.

In accordance with Government Code 66477, every residential subdivider who creates a subdivision shall be required to dedicate land, pay a fee in lieu thereof, or do a combination of both, as established in this section for the purpose of providing park and recreational facilities to serve future residents of the subdivision. Said park and recreational facilities shall be reasonably accessible for use by the future inhabitants of said subdivision.

B. Relation of Land Required to Population Density.

Consistent with the General Plan, it is hereby found and determined that the public interest, convenience, health, welfare and safety require that 2 acres of land for each 1,000 persons residing within the City be devoted to public park and recreational purposes.

C. Population Density.

For the purposes of this section, population density shall be established by resolution of the City Council, utilizing the following classifications:

1. Single-family residential. Detached single-family homes where there is no more than 1 dwelling unit on a lot.

2. Multiple-family residential. Apartments, common interest developments, townhouses and similar multiple-family residential developments, including detached single-family homes where there is more than 1 dwelling unit on a lot.

D. Amount of Land to Be Dedicated.

The amount of land required to be dedicated by a subdivider pursuant to this section shall be based on the following formula:

$$A = 2(DF \times DU)/1,000$$

Where:

A - Is the area in acres required to be dedicated as park sites.

2 - Is the number of acres for park area per 1000 persons required by the General Plan.

DF - Is the population density factor established by resolution of the City Council pursuant to subdivision (C), as applicable to the proposed development.

DU - Is the number of dwelling units proposed for the development. When the actual number of units is unknown, the number of the units shall be based on the maximum number of units which are permitted by the General Plan and this Title for the property at the time the tentative or parcel map is filed with the City.

E. Amount of Fee In Lieu of Land Dedication.

1. Where there is no public park or recreation facility required or provided within or for the proposed subdivision, or where the subdivision contains 50 lots or fewer, the subdivider shall pay a fee in lieu of land dedication reflecting the value of land required for park and recreation purposes in accordance with the schedule of fees as adopted by resolution of the City Council. This fee shall reflect the amount of land that would otherwise be required to be dedicated under subdivision (D) multiplied by the estimated cost of land acquisition within the City.

2. Nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes in subdivisions of 50 lots or fewer, where the subdivider proposes the dedication voluntarily and the land is accepted by the City Council.

3. When a common interest development project, stock cooperative, or community apartment project exceeds 50 dwelling units, the City may elect to require dedication of land notwithstanding that the number of lots may be 50 lots or fewer.

4. For subdivisions in excess of 50 lots, the City Council may elect to accept a fee in lieu of land dedication. The amount of such a fee shall be based upon the fair market value of land which would otherwise be required for dedication. The fair market value shall be determined by an M.A.I. appraisal acceptable to the City and at the expense of the developer. If more than one year elapses between the date of the appraisal and recording of the final map, the City shall have prepared a new appraisal and shall invoice the subdivider for the cost of the appraisal.

5. If the subdivider objects to the amount of the in-lieu fee required pursuant to this section, an appeal may be made to the City Council pursuant to Chapter 2.60 of this Code.

6. The fee collected shall be deposited and held in appropriate accounts to be expended only for the purpose of developing new or rehabilitating existing

neighborhood or community park or recreation facilities to serve the subdivision on which the fee is charged.

F. Credits.

1. When park and recreational facilities, including equipment, are provided by the subdivider to dedicated land, the value of the recreational facilities or equipment as determined by the City Council, upon the recommendation of the Community Services Director, shall be a credit against the fees to be paid or land to be dedicated pursuant to this section; provided that the recreational facilities or equipment have been made or installed with the prior approval and to the satisfaction of the Community Services Director.

2. Credit shall not be allowed for single purpose commercial recreation facilities whether dedicated or in private ownership.

3. No credit shall be given for private park open space in any subdivision.

G. Time for Payment of Fees and Dedication of Land.

At the time of approval of the tentative tract map or parcel map, the City shall determine the amount of land to be dedicated, and/or the amount of fees to be paid by the subdivider. At the time the final tract or parcel map is submitted to the City Council for approval, the subdivider shall dedicate the land and/or pay required in-lieu fees.

Section 9.44.040 Citywide Park Fees

Every residential developer who creates a residential development not subject to Chapter 9.40 (Subdivisions) of this Code shall be required to remit a park fee as established by resolution of the City Council for the purpose of providing citywide park and recreational facilities. The provisions of this section shall apply to all residential developments, which are not subdivided and subject to Government Code Section 66000 et seq.

SECTION 2: Section 9.40.140(C) of Chapter 9.40 of Title 9 of the Garden Grove Municipal Code is hereby revised to read as follows (deletions in ~~strikethrough~~, additions in **bold**):

C. Parks and Recreation **Facilities** Dedication ~~Facilities~~.

~~1. Dedication of Park Land Required.~~ The subdivider shall dedicate land, or pay a fee in lieu thereof, or a combination of both, as a condition of approval, for the

purpose of providing parks and recreational facilities for future inhabitants of said subdivision **as provided for in Section 9.44.030.**

~~2. Relationship to General Plan. The amount and location of land to be dedicated shall be determined by the City Council according to the standards and principles contained in the recreation element of the General Plan, and any amendments thereto, and said park and recreation facilities shall be reasonably accessible for use by the future inhabitants of said subdivision.~~

~~3. Fee in Lieu of Dedication. In lieu of such park land dedication, the City Council, at its option may require payment of a fee or a combination of dedication and fee. Said dedication and fee shall be established by the City Council by resolution.~~

SECTION 3: Section 10.110.020 of Chapter 10.110 of Title 10 of the Garden Grove Municipal Code is hereby revised to read as follows (deletions in ~~strikethrough~~, additions in **bold**):

10.110.020 Establishment of a Transportation Improvement Program

An analysis of the need for public transportation roadway improvements required by new development was conducted and is set forth in a study entitled "Revised Transportation System Improvement Program," which is on file in the office of the City Traffic Engineer. Said study sets forth the relationship between new developments, the needed improvements, and the estimated costs of those improvements. **Additional traffic and transportation facilities studies or development impact fee studies may be conducted from time to time to update and support the resolution establishing the facilities and fees required to provide for the transportation roadway improvements required by new development.**

SECTION 4: Section 10.110.030 of Chapter 10.110 of Title 10 of the Garden Grove Municipal Code is hereby revised to amend subdivision (F) and add subdivision (G) to read as follows (deletions in ~~strikethrough~~, additions in **bold**):

F. CREDIT FOR CERTAIN STREET WIDENING IMPROVEMENTS. ~~The traffic impact mitigation fee street widening improvements costs include certain items that may be constructed by a developer whose project is located on an arterial highway as indicated in Tables II and III of the "Revised Transportation System Improvement Program."~~ If the City Traffic Engineer determines that the developer is constructing eligible street widening improvements **included in the most current Transportation Facilities Study or Development Impact Fee Study** (right-of-way dedication is not an eligible credit), the developer shall receive credit against the traffic impact mitigation fee. In no case shall the credit exceed the traffic impact mitigation fee **applicable to the project.**

G. CREDIT FOR PRIOR OR EXISTING PROJECTS. In order for a developer to receive credit towards the traffic impact mitigation fee for a prior or existing project, the establishment of the use of the prior or existing project must have been operational after January 1, 1991. The determination of the credit will be based on the most current Transportation Facilities Study or Development Impact Fee Study applicable at the time the credit is requested. In no case shall the credit exceed the traffic impact mitigation fee applicable to the project for which the credit is requested.

SECTION 5: Subdivision (C) of Section 10.110.050 of Chapter 10.110 of Title 10 of the Garden Grove Municipal Code is hereby deleted as follows (deletions in strikethrough):

~~C. Small traffic generators such as walk in sandwich shops/coffee shops that do not increase restaurant type business in the center over 20% of the total floor space in the existing center.~~

SECTION 6: 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 7: 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 30 days after adoption.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.4.	SITE LOCATION: 9762 Catherine Avenue - 9972 Catherine Avenue
HEARING DATE: November 3, 2016	GENERAL PLAN: N/A
CASE NO. SNC-001-2016	ZONE: R-1-7 (Single-Family Residential), OS (Open Space)
APPLICANT: City of Garden Grove	APN: 133-122-08 to 133-122-27 and 133-121-08 to 133-121-10
OWNER: N/A	CEQA DETERMINATION: Exempt

REQUEST:

A request from the residents of 9762 Catherine Avenue to 9972 Catherine Avenue to change the street name from Catherine Avenue to Dalton's Way.

BACKGROUND:

Staff received a petition requesting that Catherine Avenue be renamed Dalton's Way from 9762 Catherine Avenue to 9972 Catherine Avenue. The proposed street name is in recognition of former City Council and Mayor William J. Dalton. Mr. Dalton has been a resident of Garden Grove for nearly 50 years and has devoted almost 40 years to the City as both a police officer and an elected official. Mr. Dalton has resided on Catherine Avenue for nearly 50 years and there are seven additional family members that currently live or own property on Catherine Avenue.

DISCUSSION:

The subject area affects 23 homes and one elementary school. The petition contained signatures from 12 of the homeowners. Staff discussed this with the requestor, Robert Dalton, and he stated that some homes were currently vacant and other homes were owned by the Dalton family. Mr. Robert Dalton also stated that he did contact all the affected residents and they were supportive of the street name change.

Govt. Code section 34091.1 requires a resolution of the City Council to change the name of a City street. Before the Council adopts the resolution, Section 11.28.020 of the Garden Grove Municipal Code requires that the Planning Commission hold a public hearing and make a recommendation to the City Council.

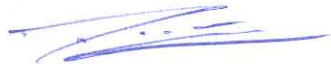
RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

- Consider the matter presented, receive public input, and make a recommendation to the City Council on whether to approve renaming the subject street, Catherine Avenue - inclusive of street addresses 9762 to 9972, from Catherine Avenue to Dalton's Way.
- Consider the approval of a resolution recommending the City Council approve a name change for Catherine Avenue to Dalton's Way from 9762 to 9972 Catherine Avenue.



KARL HILL
Planning Services Manager



By: Dai C. Vu
Acting City Traffic Engineer

Attachment: 1. Location Map
2. Resolution

RESOLUTION NO. 5871-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE STREET NAME CHANGE NO. SNC-001-2016, A NAME CHANGE FOR CATHERINE AVENUE TO DALTON'S WAY FROM 9762-9972 CATHERINE AVENUE.

BE IT RESOLVED in the matter of Street Name Change No. SNC-001-2016, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The proposed Street Name Change was initiated by the City of Garden Grove pursuant to a resident petition.
2. Report submitted by City staff was reviewed.
3. Pursuant to a legal notice, a public hearing was held on November 3, 2016, and all interested persons were given an opportunity to be heard.
4. The Planning Commission gave due and careful consideration to the matter during its meeting of November 3, 2016.

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Garden Grove, in regular session assembled on November 3, 2016, does hereby recommend approval of Street Name Change No. SNC-001-2016 to the City Council.