

ORDINANCE NO. 2898

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-103-76 (REV. 2018) AMENDING PLANNED UNIT DEVELOPMENT NO. PUD-103-76 TO ALLOW PROFESSIONAL OFFICE USES WITHIN THE "INDUSTRY" SUB-DISTRICT (AREA 4) FOR PARCELS LOCATED WITH ASSESSOR'S PARCEL NUMBERS 131-021-26, 27, 28, 33, 35, 36, 37, 38, 39, 44, 47 & 49; 131-331-36 & 40; 131-651-03, 04, 06, 08, 18, 19, 20, 21, 22, 25, 26, 27, 28, 32, 36, 37 & 38; and 936-751-31 thru 52

City Attorney Summary

This Ordinance approves an amendment to Planned Unit Development No. PUD-103-76 to allow professional office uses within the "Industry" sub-district (Area 4).

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

WHEREAS, on May 11, 1976, the Garden Grove City Council adopted Resolution/Ordinance No. 1501, approving Planned Unit Development No. PUD-103-76 to rezone approximately 212 acres of agricultural land from M-P (Industrial Park) and OS (Open Space) to PUD-103-76 to allow the development of industrial-commercial, multi-tenant industrial, and general light industrial;

WHEREAS, the case, initiated by Tony Wang for Southland Industries, proposes to amend the permitted uses within the "Industry" sub-district (Area 4) of Planned Unit Development No. PUD-103-76 to allow professional office uses;

WHEREAS, the City Council finds that this amendment to Planned Unit Development No. PUD-103-76 zone is exempt from the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulations, Title 14, Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment;

WHEREAS, the subject site has a General Plan Land Use Designation of Industrial and is zoned Planned Unit Development No. PUD-103-76;

WHEREAS, following a Public Hearing held on November 1, 2018, the Planning Commission adopted Resolution No. 5938-18 recommending approval of Planned Unit Development No. PUD-103-76 (REV. 2018);

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on November 27, 2018, and all interested persons were given an opportunity to be heard;

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

WHEREAS, the City Council hereby incorporates by reference the findings and

reasons set forth in Planning Commission Resolution No. 5938-18 and makes the following findings regarding Planned Unit Development No. PUD-103-76 (REV. 2018):

A. The location of the buildings, architectural design, and uses proposed pursuant to the PUD amendment are compatible with the character of existing development in the vicinity and will be well integrated into its setting.

B. The amended plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

C. Provision is made for both public and private open spaces.

D. Provision is made for the protection and maintenance of private areas reserved for common use.

E. The quality of the Project achieved through the proposed amendment to the existing planned unit development zoning is greater than could be achieved through traditional zoning.

F. The amendment to the PUD is internally consistent with the goals, objectives, and elements of the General Plan.

G. The amendment to the PUD will promote the public interest, health, and welfare.

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

SECTION 1: The above recitals are true and correct.

SECTION 2: The City Council finds that this amendment to Planned Unit Development No. PUD-103-76 zone is not subject to the California Environmental Quality Act ("CEQA"; Cal. Pub. Resources Code Section 21000 et seq.) pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 3: Planned Unit Development No. PUD-103-76 (REV. 2018) is hereby approved, pursuant to the facts and reasons stated in the Planning Commission Resolution No. 5938-18, a copy of which is on file in the City Clerk's Office and incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 4: Pursuant to this approval of Planned Unit Development No. PUD-

103-76 (REV. 2018), the Permitted Uses, approved under Planned Unit Development No. PUD-103-76, is amended to read as follows (new text in **bold** and *italics*):

B. PermittedUses

1. Uses primarily engaged in research activities including research laboratories, developmental laboratories, and compatible light manufacturing.
2. Manufacture, research assembly, testing and repair of components, devices, equipment and systems and parts and components.
3. Industries engaged in the distribution and/or storage or warehousing.
4. Construction industries.
5. Service industries which provide a service as opposed to the manufacture of a specific product, such as; but not limited to the following:
  - a. The repair and maintenance of appliances or component parts.
  - b. Tooling.
  - c. Printers.
  - d. Testing shops.
  - e. Small machine shops.
  - f. Repair, maintenance and servicing of above listed items (excluding automobile repair)
6. Support uses, such as but not limited to the following:
  - a. Blueprinting, photostating, photo engraving, printing, publishing and book binding.
  - b. Commercial Sales/Warehousing.
7. Accessory uses and structures when related and incidental to a permitted use.
8. Agriculture as a continuation of the existing land use, and all necessary structures and appurtenances.
- 9. *Professional offices, excluding medical and health support services (Industry sub-district, Area 4 only).***

SECTION 5. 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 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the 11<sup>th</sup> day of December 2018.

ATTEST: /s/ STEVEN R. JONES  
MAYOR

/s/ TERESA POMEROY, CMC  
CITY CLERK

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

I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on November 27, 2018, with a vote as follows:

AYES: COUNCIL MEMBERS: (7) BEARD, O'NEILL, NGUYEN T., BUI,  
KLOPFENSTEIN, NGUYEN K., JONES  
NOES: COUNCIL MEMBERS: (0) NONE  
ABSENT: COUNCIL MEMBERS: (0) NONE

and was passed on December 11, 2018, by the following vote:

AYES: COUNCIL MEMBERS: (7) BRIETIGAM, O'NEILL, NGUYEN T., BUI,  
KLOPFENSTEIN, NGUYEN K., JONES  
NOES: COUNCIL MEMBERS: (0) NONE  
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ TERESA POMEROY, CMC  
CITY CLERK