

## GARDEN GROVE MUNICIPAL CODE

### PART 5 — BROOKHURST/CHAPMAN SPECIFIC PLAN

(Added by Ordinance No. 2064, dated May 16, 1988.)

9380. Intent and Purpose. The Brookhurst/Chapman Specific Plan is being created to implement a plan for redevelopment, both private and Agency assisted, for this important commercial node in the City. The plan proposes elimination of blight and under utilization in certain portions of the area. This Specific Plan will facilitate harmonious development and an attractive environment for work, shopping, and other commercial and professional activities.

9381. Permitted Uses—Brookhurst/Chapman Office/Financial (OF) Zone. Uses permitted in the Office/Financial Zone shall be:

Administrative and Professional Office  
Financial Services

Outdoor Food Vendors, subject to the following regulations:

- (a) A Conditional Use Permit is required.
- (b) A Conditional Use Permit application shall have the approval of the property owner of the site on which the vendor will operate.
- (c) Vendors shall not be located within any required off-street parking space or aisle for vehicular circulation.
- (d) Vendors shall be restricted to selling food products only and shall be approved by the Orange County Health Department prior to the issuance of a Conditional Use Permit.
- (e) The Conditional Use Permit shall have an annual review by the Zoning Administrator.
- (f) Vendors are expressly prohibited on public sidewalks and public streets.
- (g) Outdoor food vendors in conjunction with grand openings or special event sales shall be regulated by Section 9503.16 of the Municipal Code. (Added by Ordinance No. 2083, dated December 19, 1988; amended by Ordinance No. 2124, dated August 21, 1989.)

9382. Permitted Uses—Brookhurst/Chapman Office/Entertainment (OE) Zone. Uses permitted in the Office-Entertainment Zone shall be:

Administrative and Professional Office

Outdoor Food Vendors, subject to the following regulations:

- (a) A Conditional Use Permit is required.
- (b) A Conditional Use Permit application shall have the approval of the property owner of the site on which the vendor will operate.
- (c) Vendors shall not be located within any required off-street parking space or aisle for vehicular circulation.
- (d) Vendors shall be restricted to selling food products only and shall be approved by the Orange County Health Department prior to the issuance of a Conditional Use Permit.
- (e) The Conditional Use Permit shall have an annual review by the Zoning Administrator.
- (f) Vendors are expressly prohibited on public sidewalks and public streets.
- (g) Outdoor food vendors in conjunction with grand openings or special event sales shall be regulated by Section 9503.16 of the Municipal Code. (Added by Ordinance No. 2083, dated December 19, 1988; amended by Ordinance No. 2124, dated August 21, 1989.)

9383. Permitted Uses—Brookhurst/Chapman Commercial (BCC) Zone. Uses permitted in the Brookhurst/Chapman Commercial are:

All uses permitted in the OF and OE Zones

Art galleries  
Automobile accessory stores - (Installation permitted with CUP)  
Bakeries  
Bakeries, retail  
Barber shops  
Beauty shops  
Book or stationery stores  
Boutiques  
Camera shops  
Christmas tree sales lot  
Clothing stores  
Confectioneries  
Decorator and home accessory shops  
Delicatessens, off-sale beer and wine only  
Dress making or millinery shops  
Drug stores  
Dry cleaners  
Dry goods or notion stores  
Electronic goods  
Florist shops  
Furniture stores, retail



Gift and novelty shops  
 Grocery or fruit stores  
 Hardware stores  
 Hobby stores  
 Ice cream parlors  
 Import and art objects stores  
 Jewelry stores  
 Laundry agencies and clothes cleaning agencies  
 Leather goods stores  
 Limited print shops  
 Liquor stores  
 Meat markets or delicatessen stores  
 Music stores  
 Nurseries

Open air cafes (subject to the approval of a Conditional Use permit)

Outdoor Food Vendors as a permitted use, subject to the following regulations:

- (a) A Conditional Use Permit is required.
- (b) A Conditional Use Permit application shall have the approval of the property owner of the site on which the vendor will operate.
- (c) Vendors shall not be located within any required off-street parking space or aisle for vehicular circulation.
- (d) Vendors shall be restricted to selling food products only and shall be approved by the Orange County Health Department prior to the issuance of a Conditional Use Permit.
- (e) The Conditional Use Permit shall have an annual review by the Zoning Administrator.
- (f) Vendors are expressly prohibited on public sidewalks and public streets.
- (g) Outdoor food vendors in conjunction with grand openings or special event sales shall be regulated by Section 9503.16 of the Municipal Code. (Added by Ordinance No. 2083, dated December 19, 1988; amended by Ordinance No. 2124, dated August 21, 1989.)

Paint stores  
 Pet stores  
 Restaurants  
 Service stations (subject to Conditional Use permit)  
 Shoe repair shops  
 Shoe stores  
 Sporting goods stores  
 Stationers and card shops  
 Tailors  
 Television and radio sales

Theaters (subject to Conditional Use permit)  
 Theaters, subject to the approval of a Conditional Use permit  
 Tobacco shops  
 Travel bureau

~~The following uses shall not be permitted within the Brookhurst/Chapman Specific Plan area:~~

Ambulance service  
 Automatic car wash or automobile laundry  
 Automobile repair (including lube and tune-up) not in conjunction with/service station  
 Convalescent and nursing home  
 X Convenience markets  
 Drive-in milk store  
 Electrical distribution substation, fallout shelter, community hospital, small animal  
 Laundry, automatic  
 Pet grooming: unless in conjunction with pet shop  
 Radio broadcasting studios  
 Sanitarium  
 Self-service or coin operated car washes  
 Service station conversion to other commercial uses  
 Telephone exchanges  
 Trailer parks  
 Two-way radio transmitting towers

Existing uses within this area, which are not permitted under the jurisdiction of this Specific Plan, may remain within the Brookhurst/Chapman Specific Plan area as non-conforming uses.

9384. Brookhurst/Chapman Commercial — Office Financial and Office/Entertainment Zones — Area Standards. The following area standards shall apply:

(a) Minimum Lot Size. The minimum lot size permitted in the Brookhurst/Chapman Specific Plan area is seven thousand two hundred (7,200) square feet. Specific sites may have larger minimum lot sizes. This is noted in Design Guidelines.

(b) Yards, Office/Financial and Office/Entertainment Zones. In these zones of the Brookhurst/Chapman Specific Plan area, the following yard set-backs are required:

Front - ten (10) foot minimum  
 Side:  
 interior lots - five (5) foot minimum  
 corner and reverse lots  
 - interior side yard - five (5) foot minimum  
 - street - ten (10) foot minimum  
 Rear - five (5) foot minimum

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Side and Rear - adjacent residential - ten (10) foot minimum, buildings three stories or more - ten (10) feet or solar, whichever is greater.

(c) Yards, Brookhurst/Chapman Commercial Zone. In the Brookhurst/Chapman Commercial Zone of the Brookhurst/Chapman Specific Plan area, the following yard set-backs are required:

Front - ten (10) foot minimum

Side - not required

Rear - not required

Side and Rear - adjacent residential - ten (10) foot minimum, buildings three stories or more - ten (10) feet or solar, whichever is greater.

(d) Building Height, Office/Financial and Office/Entertainment Zones. No building height limitation.

(e) Building Height, Brookhurst/Chapman Commercial Zone. No building height limitation.

9384.1 Base Zones. The following base zones dictate the development regulations for the Specific Plan zoning. Unless specifically superseded by the Specific Plan zoning, the development regulations of the base zones shall apply:

SPECIFIC PLAN ZONING	BASE ZONE
Office Financial/Office Entertainment	O.P. (Office Professional)
Brookhurst/Chapman Commercial	C-1 (Limited Commercial)

Only those uses specifically listed as permitted in the Specific Plan zoning classification are allowed.

9385. Parking Standards. Standards provided in Section 9217, et seq., shall apply.

9386. Design Review. All office and commercial projects shall be reviewed for their consistency with the guidelines and standards established pursuant to this part according to the design review procedures set forth in Part 21 of Chapter 2 of the Garden Grove Municipal Code Land Use Volume.

## ZONING REQUIREMENTS OVERVIEW

DEVELOPMENT AREAS (a)	ZONING	SETBACKS			BUILDING HEIGHT	REQUIRED PARKING
		FRONT	SIDE	REAR		
1 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217
2 OE		10'	10'	5'	No Limit	Per Section 9217
3 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217
4 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217
5 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217
6 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217
7 OF		10'	10'	10'	No Limit	Per Section 9217
8 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217
9 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217
10 BCC		10'	10' (b)	None (c)	No Limit	Per Section 9217

BCC = Brookhurst/Chapman Commercial Zone

OE = Office/Entertainment Zone

OF = Office/Financial Zone

(a) For a side street only

(b) Unless abutting a residential, then setback shall be ten (10) feet, buildings three stories or more - ten (10) feet or solar, whichever is greater

(c) Subject to conformance with the parking requirements of the Garden Grove Municipal Code Land Use Volume

9387. Architectural Theme. The four quadrants of the Brookhurst/Chapman Specific Plan shall be unified by a common architectural theme which, in conjunction with the public elements of the streetscape and street furniture, shall create an identity for the area as a whole. The purpose of the architectural theme is to establish an underlying compatibility between the buildings in the area through the use of compatible materials, colors and scales, while promoting individual expression and identity. This theme shall be based on the palette of materials and colors used in the new project at the southwest corner of Brookhurst and Chapman.

The architectural theme shall emphasize a simple, contemporary architectural vocabulary consisting of:

Buildings with plaster surfaces suitable for painting.

A common facade line with varying depths

created by slightly recessed windows and doors, elements extending from the facade such as columns and awnings, and elements which create depth but are not attached to the facade, such as trellises.

Off-white, tan, and light pastel colors for primary building surfaces.

The use of colors in the form of paint or tilework, which contrast with the building facade, to emphasize architectural details.

Color used in awnings, signage, and banners.

Integration of major signage of components of structural elements.

9388. Landscape Design Guidelines. The landscaping of all Brookhurst/Chapman Zones shall create a harmonized landscape scene, a variety of trees, shrubs, and ground covers shall be incorporated into the area. The landscaping of the private sector areas shall complement the architectural scale, colors, and materials of the buildings.

A vocabulary of flowering and non-flowering deciduous and evergreen trees, flowering and non-flowering shrubs, ground cover, and flowers shall be integrated throughout the area, creating a variety of colors and textures.

Plants shall be selected which require little maintenance, are readily available, and add color to the environment. Color can be introduced in the form of flowers, flowering trees, and also in the form of plant foliage, for example, the leaf colors as deciduous trees shed their leaves at the end of the growing season.

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For any proposed project, a landscape plan shall be prepared and submitted as part of the design review of the project. Landscaping materials shall also be indicated in all submitted elevations and perspectives. The landscape plan shall indicate the square footage of all landscaped areas and the percentage of the total site devoted to landscaping. The plan shall also list the botanical and common names of all plants with the number of each and their container size and shall clearly portray the permanent irrigation system.

9389. Signage. Signage shall be regulated as provided by Section 9500 of the Zoning Code (Article IX - Land Use) except that specific exceptions or additions, if any, shall be specified in Table I. In general, this Specific Plan varies from the signs permitted in Section 9500 in two main categories: roof signs are prohibited and monument and wall signs are permitted. Pole signs are permitted only as allowed for by the following:

(a) Pole Signs. Pole signs are permitted subject to an approval of a Conditional Use permit and further subject to the following provisions:

1) Pole signs are permitted one (1) per every five (5) acres.

2) The maximum height of any pole sign shall not exceed twenty-five (25) feet.

3) The pole sign shall maintain a minimum distance of fifty (50) feet from any side or rear property line.

4) The pole sign only shall indicate major tenants or shopping center name identification, or a combination thereof.

5) The pole sign shall be architecturally compatible with the existing or proposed development.

6) The applicant shall be required to show proof that the proposed sign will not visually obscure any existing signs on adjacent properties.

7) The pole sign must meet all other applicable Municipal Code provisions.

8) An applicant may make application to the Planning Commission for waiver of any of the aforementioned standards. The waiver shall not be granted unless, the Planning Commission shall make all of the following findings:

a. There exists lack of adequate visi-

bility of existing signage or proposed signage if no waiver is granted.

b. Lack of sign visibility is caused by conditions imposed by adjacent properties.

c. There is no other feasible alternative to a pole sign (i.e., lower sign, greater setback of sign, different location of signs, or similar mitigation).

9) If a pole sign is approved by a sign waiver, the following conditions shall apply:

a. Such sign shall be placed within the middle one-third (1/3) of the subject lot, unless otherwise physically restricted from that portion - one pole sign per lot.

b. The maximum height of any pole sign shall be twenty-five (25) feet but in no case shall it be higher than that which is minimally necessary for adequate visibility of the sign itself, as determined by the hearing body.

c. The pole sign shall be architecturally compatible with the architecture of the existing buildings. The sign face shall be in scale with the height and placement of the pole sign.

d. The pole sign must be located in and not exceed beyond the confines of a permitted landscaped planted.

e. The pole sign shall be removed when the subject lot is developed/redeveloped in conformance with the Specific Plan criteria.

f. The pole sign must meet all other applicable Municipal Code provisions.

9390. Site Plan Review — Method and Purpose. The Brookhurst/Chapman Specific Plan shall be implemented through the use of Site Plan review. A Site Plan shall be required for all rehabilitation, redevelopment, expansion or intensification of existing use of structures and new development. A Site Plan review is required for any exterior changes to structures which require a building permit. No Site Plan shall be approved unless the following findings are made:

(a) The Site Plan is consistent with the intent of this chapter.

(b) The Site Plan complies with the Redevelopment Plan and General Plan.

(c) The Site Plan achieves high contemporary standards of site design.

9391. Nonconforming Uses. Uses presently legal nonconforming or rendered nonconforming

by the adoption of this chapter shall be governed by Section 9218. For existing conforming uses which with the adoption of this part cannot meet the minimum lot size and/or set-back requirements the following provisions shall apply:

(a) Any expansion of the conforming use does not exceed fifty (50) percent for buildings with three thousand (3,000) square feet of floor area and less; or twenty-five (25) percent for buildings with over three thousand (3,000) square feet of floor area.

(b) The requests for expansion must be submitted in writing to the Development Services Department within two (2) years of the effective date of adoption of the ordinance codified in this Part. All expansion applied for after said two (2) year period shall observe all Specific Plan standards.

(c) The proposed development conforms to all standards of the Specific Plan, except lot size or set-back which shall conform to the standards of the prior zone.

(d) No new freestanding structures are permitted.

(e) Such expansion shall be subject to approval of a Site Plan by the Planning Commission.

(f) Approval for expansion shall be on a one-time basis only. All subsequent expansions or any expansion applied for after the date established by adoption of the ordinance shall observe all Specific Plan standards.

(g) Reciprocal access to adjacent property shall be provided by the applicant at the time of development, redevelopment or use intensification of the adjacent property. Documentation of such reciprocal access shall be subject to the approval of the City Attorney.

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ORDINANCE NO. 2511

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-206-99, AN AMENDMENT TO THE BROOKHURST CHAPMAN SPECIFIC PLAN, BROOKHURST CHAPMAN COMMERCIAL(BCSP-BCC) ZONE, TO ALLOW RESTAURANTS WITH LIVE ENTERTAINMENT.

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

WHEREAS, the subject case, initiated by De Hua, proposes to amend the Brookhurst Chapman Specific Plan, Brookhurst Chapman Commercial (BCSP-BCC) zone to allow restaurants with live entertainment, subject to a Conditional Use Permit and a 200 foot separation distance from any parcel occupied by an establishment with live entertainment and any parcel containing a residential dwelling unit; and

WHEREAS, the Planning Commission, at a public hearing held on January 19, 2000, adopted a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act. Further, the Planning Commission determined a de minis impact in relation to fish and game; and

WHEREAS, pursuant to Planning Commission Resolution No. 5083, the Planning Commission of the City of Garden Grove, at a public hearing held on January 19, 2000, recommended approval of Amendment No. A-206-99; and

WHEREAS, the Planning Commission, at a public hearing held on January 19, 2000, in conjunction with Amendment No. A-206-99, approved Conditional Use Permit No. CUP-480-99, to allow the existing Seafood Place Restaurant located at 12201 Brookhurst Street, to operate with live entertainment; and

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on February 22, 2000, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting on February 22, 2000.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. Amendment No. A-206-99 is hereby approved pursuant to the facts and reasons stated in the Planning Commission Resolution No. 5083, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

Section 2. The Brookhurst Chapman Specific Plan, Brookhurst Chapman Commercial (BCSP-BCC) zone, permitted uses shall be amended as follows (changes in **bold**):

9383. Permitted uses -- Brookhurst/Chapman Commercial (BCC) Zone. Uses permitted in the Brookhurst/Chapman Commercial are:

All uses permitted in the OF and OE zones

- Art galleries
- Automobile accessory stores - (installation permitted with CUP)
- Bakeries, retail
- Barber shops
- Beauty shops
- Book or stationery stores
- Boutiques
- Camera shops
- Christmas tree sales lot
- Clothing stores
- Confectioneries
- Decorator and home accessory shops
- Delicatessens, off-sale beer and wine only
- Dress making or millinery shops
- Drug Stores
- Dry Cleaners
- Dry goods or notion stores
- Electronic goods
- Florist shops
- Furniture stores, retail
- Gift and novelty shops
- Grocery or fruit stores
- Hardware stores
- Ice Cream parlors
- Import and art object stores
- Jewelry stores
- Laundry agencies and clothes cleaning agencies
- Leather goods stores
- Limited print shops
- Liquor stores
- Meat markets or delicatessen stores
- Music stores
- Nurseries
- Open air cafes (subject to the approval of a Conditional Use Permit)
- Outdoor Food Vendors as a permitted use, subject to the following regulations:
  - a) A Conditional Use Permit is required.
  - b) A Conditional Use Permit application shall have the approval of the property owner of the site on which the vendor will operate.
  - c) Vendors shall not be located within any required off-street parking space or aisle for vehicular circulation.
  - d) Vendors shall be restricted to selling food products only and shall be approved by the Orange County Health Department prior to the issuance of a Conditional Use Permit.
  - e) The Conditional Use Permit shall have an annual review by the Community Development Department.
  - f) Vendors are expressly prohibited on public sidewalks and public streets.
  - g) Outdoor food vendors in conjunction with grand openings or special events sales shall be regulated by Section 9.08.060 of the Municipal Code.

Paint stores

Pet stores

Regionally oriented uses including, but not limited to, administrative offices, warehousing, storage, and distribution centers, subject to the following:

- a) The property shall have frontage on Gilbert Street;
- b) A Conditional Use Permit shall be required;
- c) The use shall be conducted entirely within the building;
- d) If fleet vehicle storage is proposed, said storage shall be limited to overnight storage of fleet vehicles only (no long term storage of any vehicles is permitted). Said fleet vehicles shall be screened from view of surrounding streets and adjacent properties and shall not be counted towards meeting the required employee and customer parking spaces;
- e) Hours of operation and delivery may be limited through the CUP;
- f) In reviewing the proposed use, consideration shall be given to the physical relationship of the proposed use and the impacts of that use on adjacent residential properties. The CUP may be denied if it is anticipated that the use will create adverse noise, security, parking, and traffic impacts and/or if an adverse effect on the public health, safety, or welfare will be created.

Restaurants

**Restaurants with live entertainment, subject to the following:**

- a) **A Conditional Use Permit is required.**
- b) **Subject parcel shall be a minimum of 200 feet from any other parcel that is improved with a residential dwelling unit.**

Service stations (subject to a Conditional Use Permit)

Shoe repair shops

Shoe stores

Sporting goods stores

Stationers and card shops

Tailors

Television and radio sales

Theaters (subject to a Conditional Use Permit)

Tobacco shops

Travel bureau

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

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the 14th day of March, 2000.

ATTEST:

/s/ BRUCE A. BROADWATER  
MAYOR

/s/ RUTH E. SMITH  
CITY CLERK

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

I, RUTH E. SMITH, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on February 22, 2000 with vote as follows:

AYES:     COUNCILMEMBERS: (5) CHUNG, DALTON, LEYES, ROSEN, BROADWATER  
NOES:     COUNCILMEMBERS: (0) NONE  
ABSENT: COUNCILMEMBERS: (0) NONE

and was passed on March 14, 2000, by the following vote:

AYES:     COUNCILMEMBERS: (5) CHUNG, DALTON, LEYES, ROSEN, BROADWATER  
NOES:     COUNCILMEMBERS: (0) NONE  
ABSENT: COUNCILMEMBERS: (0) NONE

/s/ RUTH E. SMITH  
CITY CLERK