

ORDINANCE NO. 20-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH, CALIFORNIA AMENDING GROVER BEACH MUNICIPAL CODE ARTICLE IX DEVELOPMENT CODE, CHAPTER 1, SECTION 1.10.020 ZONING MAP AND APPENDIX A PLANNED DEVELOPMENT OVERLAY ZONES

WHEREAS, the City of Grover Beach is a General Law city organized pursuant to Article XI of the California Constitution; and

WHEREAS, pursuant to the authority granted the City by Article XI, Section 7 of the California Constitution, the City has the authority to adopt regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals or public safety; and

WHEREAS, comprehensive zoning and land use regulations lie within the City's authority; and

WHEREAS, an Initial Study and Draft Negative Declaration was prepared for the project and made available for public review in accordance with the requirements of the California Environmental Quality Act (CEQA), and certified by City Council; and;

WHEREAS, the laws and regulations relating to the preparation and public notice of environmental documents, as set forth in the State and local guidelines for implementation of the California Environmental Quality Act (CEQA) have been adhered to; and,

WHEREAS, the Planning Commission held a public hearing on October 28, 2020 and recommended the City Council approve the Development Code amendment;

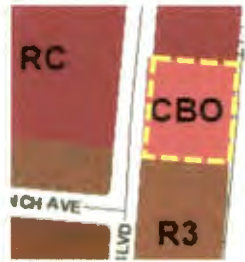


WHEREAS, the City Council of the City of Grover Beach, finds as follows in accordance with Grover Beach Municipal Code (GBMC) Article IX, Section 7.30.060.A:

1. The proposed amendment is consistent with the General Plan, as amended by Resolution 20-42.
2. The proposed amendment is internally consistent with other applicable provisions of the Development Code.
3. The proposed amendment will not be detrimental to the public health, safety, or welfare of the City.
4. The affected sites are physically suitable in terms of design, location, shape, size, operating characteristics, the provision of public and emergency vehicle access, and public services and utilities for the anticipated land uses. The sites are accessible from public rights of way and served by utilities. The proposed zone changes were included in the certified negative declaration.

WHEREAS, the City Council conducted an introduction and first reading of the Development Code amendment on November 16, 2020; and

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVER BEACH AS FOLLOWS:

PART 1. Grover Beach Municipal Code Article IX Development Code, Section 1.10.020 Zoning Map is amended as follows:

APN	Address	Zoning
060-309-002	191 S. Oak Park Blvd.	
060-156-031	809 Ramona Ave.	
060-156-011	247 N. 9th St.	
060-242-044 and 45	164 S 13th St (Cleaver Property)	

PART 2 Grover Beach Municipal Code Article IX Development Code, Appendix A – Planned Development Overlay Zones, is hereby amended as follows:

Planned Development Overlay Zone No. 6.

The Planned Development Overlay Zone No. 6 (PD#6) was adopted on December 7, 2020 (Ord. No. 20-09), in conjunction with the 2020-2028 Housing Element Update and is located at 164 South 13th Street (APNs 060-242-044 and -045). The site shall only be developed with an affordable housing project, with all of the housing units deed restricted to be affordable for households with incomes at or below 80 percent of the County’s median income.

PART 3 Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held invalid by a court of competent jurisdiction, such a decision shall



not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases, be declared invalid.

PART 4 All ordinances and parts of ordinances in conflict with those sections amended or added herein are hereby repealed.

PART 5. Effective Date. This Ordinance shall not become effective and in full force and effect until 12:01 a.m. on the thirty first day after its final passage. Within fifteen (15) days after adoption by the City Council, the Ordinance shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

INTRODUCED at a regular meeting of the City Council held on November 16, 2020 and **PASSED, APPROVED, and ADOPTED** by the City Council on December 7, 2020, on the following roll call vote, to wit:

- AYES: Council Members – Lance, Shah, Mayor Pro Tem and Mayor Lee
- NOES: Council Members – None
- ABSENT: Council Members – None
- ABSTAIN: Council Members – None
- RECUSED: Council Members – None

 JEFF LEE, MAYOR

Attest:



 WENDI SIMS, CITY CLERK

Approved as to Form:



 DAVID P. HALE, CITY ATTORNEY