

ORDINANCE NO. 22-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH, CALIFORNIA AMENDING GROVER BEACH MUNICIPAL CODE ARTICLE IX DEVELOPMENT CODE CHAPTERS 2-6 AND 8-9 INCLUDING A ZONING MAP AMENDMENT

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 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, Section 5.40 Utility Undergrounding is amended and the Council hereby rescinds Council Resolution 07-62 that had adopted an interim undergrounding policy; and

WHEREAS, the Council authorizes the Director to make corrections before final publishing to formatting, numbering, section references, and typographical and other non-substantive changes to ensure internal consistency within the Development Code; and

WHEREAS, the Planning Commission held a public hearing on May 3, 2022 and recommended the City Council approve the Development Code amendment; and

WHEREAS, the City Council held a public hearing and conducted first reading of the Development Code amendment on May 23, 2022; and

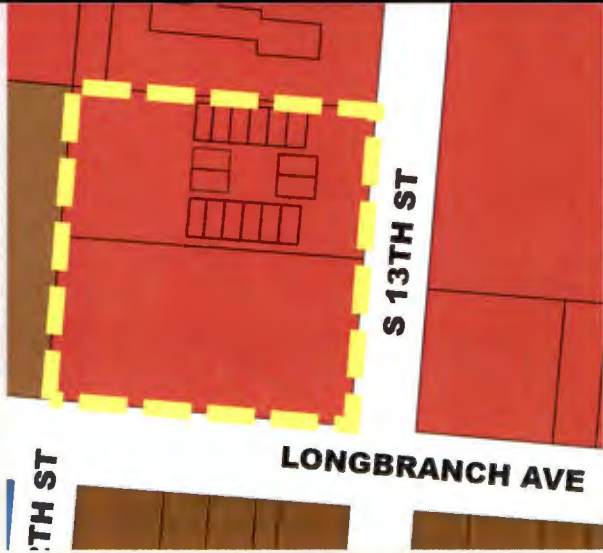
WHEREAS, the City Council of the City of Grover Beach, finds as follows in accordance with Grover Beach Municipal Code (GBMC) Article IX, Section 7.30.060.A:

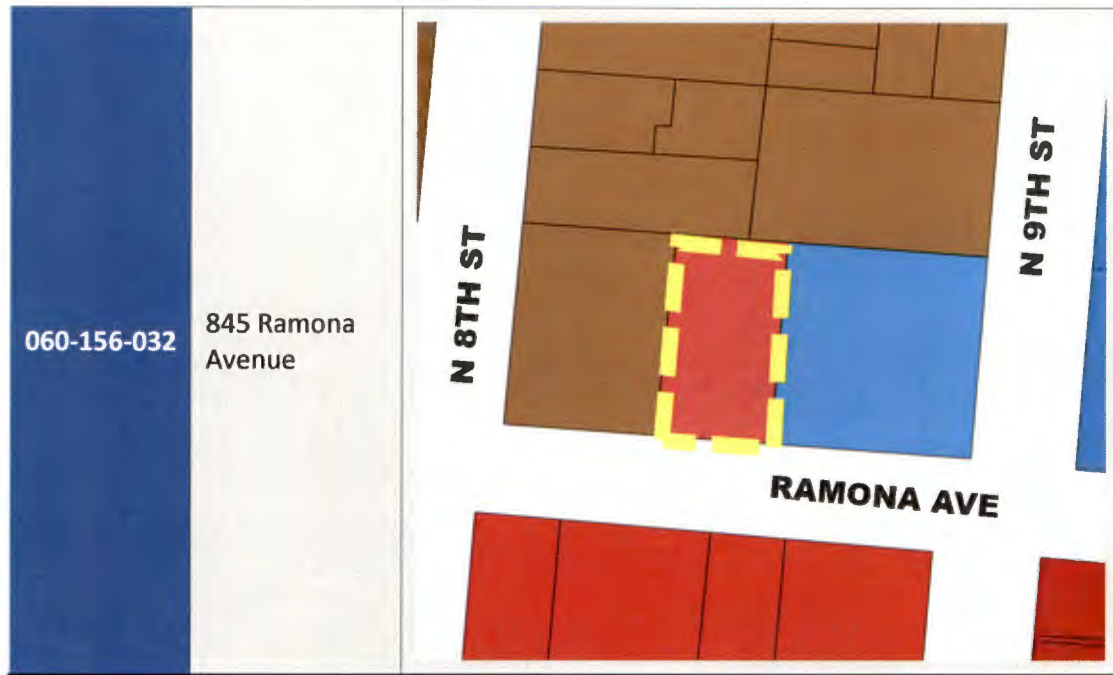
1. The proposed amendment is consistent with the General Plan.
2. The proposed amendment is internally consistent with other applicable provisions of the Development Code.
3. The proposed amendment will not be detrimental to the public health, safety, or welfare of the City.

4. The affected sites of the Zoning Map amendment 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.

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 to change the land-use zoning designations of the parcels identified below from Office Professional (OP) to Commercial Business-Open (CBO) as follows:

APN	Address	Zoning
<p>060-242-040 060-248-001 through 041</p>	<p>200 South 13th Street 1239 Long Branch Avenue</p>	



PART 2. Grover Beach Municipal Code Article IX Development Code, Chapter 2 Zones and Allowable Land Uses is amended as shown in Exhibit A.

PART 3. Grover Beach Municipal Code Article IX Development Code, Chapter 3 Standards for All Development and Land Uses is amended as shown in Exhibit B.

PART 4. Grover Beach Municipal Code Article IX Development Code, Chapter 4 Standards for Specific Development and Land Uses is amended as shown in Exhibit C.

PART 5. Grover Beach Municipal Code Article IX Development Code, Chapter 5 Sections 5.20 Street Improvements and 5.40 Utility Undergrounding are deleted in their entirety and replaced as shown in Exhibit D.

PART 6. Grover Beach Municipal Code Article IX Development Code, Chapter 6 Procedures is amended as shown in Exhibit E.

PART 7. Grover Beach Municipal Code Article IX Development Code, Chapter 8 Subdivision Regulations is amended as shown in Exhibit F.

PART 8. Grover Beach Municipal Code Article IX Development Code, Chapter 9 Definitions, Section 9.10.020 Definition of Specialized Terms and Phrases is amended as shown in Exhibit G.

PART 9. 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 10. All ordinances and parts of ordinances in conflict with those sections amended or added herein are hereby repealed.

PART 11. Effective Date. This Ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty first day after adoption by the City Council for the area not within the Coastal Zone. For the area within the Coastal Zone this Ordinance shall become effective and in full force upon final certification by the California Coastal Commission. Within 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 May 23, 2022 and **PASSED, APPROVED,** and **ADOPTED** by the City Council on June 13, 2022, on the following roll call vote, to wit:

- AYES: Council Members – Miller, Robert, Rushing, Mayor Pro Tem Bright 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