

**ORDINANCE NO. 20-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH,  
AMENDING THE ZONING MAP AND APPENDIX A OF ARTICLE IX,  
DEVELOPMENT CODE OF THE GROVER BEACH MUNICIPAL CODE**

**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 power 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 police power; and

**WHEREAS**, an Initial Study and Draft Mitigated Negative Declaration 2019-02 (SCH #2019069067) 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 February 26, 2020 and recommended the City Council approve the amendment to the Zoning Map and Development Code Appendix A; and

**WHEREAS**, the City Council held a public hearing on August 24, 2020 and conducted first reading of the ordinance amending the Zoning Map and Development Code Appendix A; and

**WHEREAS**, the City Council on September 21, 2020 adopted the ordinance amending the Zoning Map and Development Code Appendix A; and

**WHEREAS**, the City Council of the City of Grover Beach, hereby makes the following Findings to amend the Zoning Map and Development Code Appendix A to add a Planned Development Overlay:

1. The project is consistent with the General Plan, Local Coastal Program (if applicable), and any applicable specific plan and the proposed land use is allowed within the applicable zone.

**Fact.** The project is consistent with the General Plan, specifically LU Policy 3.4, 9.1, and 9.2, and other pertinent General Plan policies to create a development with adequate internal circulation, preserves Meadow Creek riparian habitat area, and retains a significant portion of the existing oak woodland. The proposed "mixed-use project" is conditionally allowed within the applicable zone and will require approval of a Use Permit and Development Permit subsequent to the approval of a Planned Development Overlay.

2. The project complies with all applicable provisions of this Development Code as modified by the Planned Development Overlay.

**Fact.** The project includes modifications to setbacks, building heights, lot coverage, lot size, lot width, and lot depth. With the adoption of the Planned Development Overlay, the project is consistent with provisions of the Development Code.

3. The approved modifications to the development standards of this Development Code are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of environmental impacts.

**Fact.** The proposed modified development standards are necessary to accommodate a superior design in the proposed hotel architecture, with four-sided architecture that utilizes existing grades, retaining walls, and other techniques to mask height and bulk. The additional heights are necessary to meet project objectives while meeting the applicable goals and policies of the City's General Plan for oak woodland preservation, and retention and enhancement of the Meadow Creek riparian corridor.

4. The project complies with all applicable City design guidelines.

**Fact.** There are no applicable guidelines for the commercial and residential portion of the project, however the project renderings are considered high quality architectural design and the Planned Development Overlay contains language to ensure that compatible high-quality residential development is included in the development.

5. All affected public facilities, services, and utilities are adequate to serve the proposed project.

**Fact.** The project included an analysis of public facilities, services, and utilities that was included in the certified mitigated negative declaration. Based on this analysis, all services are adequate to serve the proposed project.

6. The location, size, site planning, building design features, and operating characteristics of the project are highly suited to the characteristics of the site and surrounding neighborhood, and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan;

**Fact.** The proposed project is highly suitable for the site as the hotel uses are the highest and best use of the property, as the project is located adjacent to and visible from Highway 101. The property is zoned Retail Commercial and is intended for visitor serving uses and the site location has access from El Camino Real and visibility from Highway 101. The project includes a 35-foot landscape buffer and significant setbacks from the hotels to the adjacent residential uses as documented in the staff report in order to be compatible with the residential neighborhood to the west as envisioned by the adopted General Plan. The project has been designed

with the residential portion of the project along the southern boundary to be compatible with future higher density residential development to the south.

7. The site is adequate for the project in terms of size, configuration, topography and other applicable features, and has appropriate access to public streets with adequate capacity to accommodate the quantity and type of traffic expected to be generated by the use.

**Fact.** The site is adequate for the project in terms of size, configuration, and other applicable features. There is appropriate access to El Camino Real and there is adequate capacity on city streets for the type of traffic generated by the use as analyzed in the certified mitigated negative declaration.

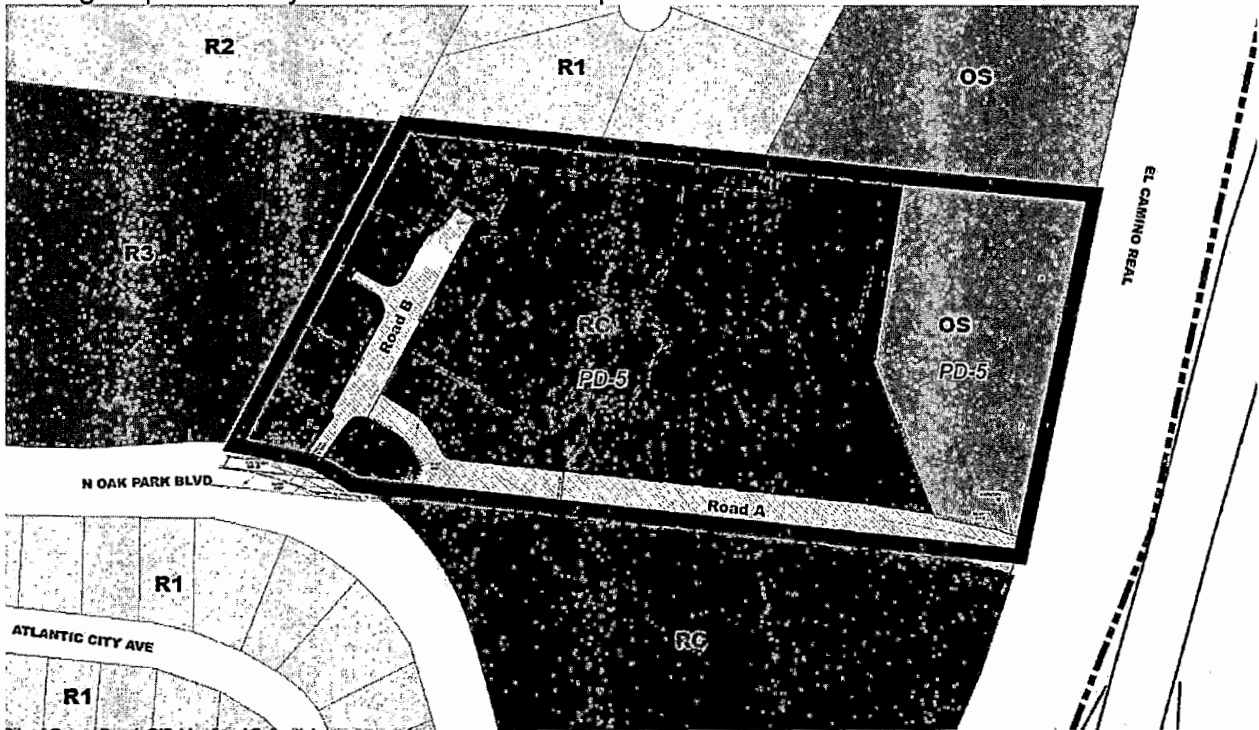
8. The establishment, maintenance, or operation of the proposed project will not, in the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the proposed use or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

**Fact.** The project will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and contains appropriate mitigation measures for the construction and operation of all uses on-site.

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

PART 1. Article IX Development Code, Section 1.10.020 Zoning Map:

1.10.020. Zoning Map. The following adds Planned Development Overlay No. 5 (PD-5) to the Zoning Map of the City of Grover Beach over parent APN 060-031-021 and 022:



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

**Planned Development Overlay Zone No. 5.**

The Planned Development Overlay Zone No. 5 (PD#5) was adopted on September 21, 2020 (Ord. No. 20-\_\_\_), in conjunction with Development Application 18-06 (DA 18-06) and is generally located south of El Camino Real and west of Oak Park Boulevard (Northeast Grover Beach Mixed-Use Development Plan) on parent APN 060-031-021 and 060-031-022. Development shall be permitted as follows:

1. **Development Standards.** The Development Standards shall be as follows:

	Residential Uses (Lots 1-7)	Hotel Uses (Lots 9 & 11)	Common Areas (Lots 8 & 10)	Open Space (Lot 12)
<b>Building Placement Requirements</b>				
Setbacks (minimum as measured from property line)				
Front	5'	0	-	-
Side	0**	0	-	-
Rear	10**	0	-	-
<b>Building Form Requirements</b>				
Building Height (maximum as measured from average grade)***	25'	42'	-	-
Lot Coverage (maximum)	60%	60%	-	-
FAR (maximum)	-	1.5	-	-
<b>Lot Requirements</b>				
Lot Size (min. square feet)	3,000	10,000	10,000	65,300
Lot Width (minimum)	30'	60'	30'	-
Lot Depth (minimum)	50'	100'	-	-
<b>Other Requirements</b>				
Landscaping (percentage of lot)	30%	10%	See DA 18-06	-
Fences (additional requirements in Subsection 5, retaining walls excluded)				
Front (maximum height)	3'	3'	4'	-
Side / Rear (maximum height)	6'	6'	8' to be located adjacent to Lot 10 and existing residences only.	-
Accessory Structures	Consistent with 4.10.030 but limited to rear yard only	Not permitted	-	-
Building Separation (minimum)	0'	10'	-	-
Parking	2 spaces per residences	As required by Development Code Section 3.50	-	-

\*Lot 1 shall have a minimum 5-foot rear setback.

\*\*Lot 2 shall have a minimum 5-foot side setback.

\*\*\*Additional height is allowed for parapet walls that provide architectural enhancements and screen roof mounted equipment in substantial conformance with DA 18-06.

2. **Circulation.** The following are requirements for on-site circulation improvements.

- a. Road A. Road A shall be constructed consistent with the location as shown in DA 18-06.

- b. Road B. Road B shall be constructed consistent with the location as shown in DA 18-06.
  - c. Maintenance. A mechanism shall be record concurrently with Tract 3122 providing a maintenance mechanism for both Road A and Road B.
3. **Residential Requirements.** The following are residential design and development standards for all residential lots.
- a. Permit Requirements. All residential housing units shall be approved with an Administrative Development Permit prior to building permit submittal if consistent with the PD Overlay.
  - b. Density. Residential density shall be a maximum of 9 dwelling units per acre or per the underlying RC zone.
  - c. Building Site. Proposed building shall be located in building envelopes consistent with Recorded Tract 3122.
  - d. Building Orientation. All units shall front on Road B as shown on DA 18-06.
  - e. Architectural Elevations. All units shall have architecturally consistent design and themes and have four-sided architecture.
  - f. Roof Decks. Roof decks are permitted consistent with Development Code Section 2.20.060.
  - g. Mechanical Equipment. All mechanical equipment shall be screened from view from adjacent streets and properties including utility meters, fire risers, and other equipment either on private property or within common lots.
  - h. Landscaping. All landscaping shall be consistent with Development Code Section 3.30.
  - i. Driveways. Driveways shall either be a minimum length of 20-feet or a maximum length of 5-feet when garages are located between 5 and 20-feet from the front property line
  - j. Trash Collection. Individual trash collection shall be used for each residential unit. Provisions shall be made for storage of trash bins within the garage or fenced area.
  - k. Fencing. All residential unit fencing shall be decorative. Dog-eared, chain link, and cyclone type of fencing shall be prohibited throughout residential development.
  - l. Parking. Parking of boats, recreational vehicles, commercial trucks, campers, trailers, etc. shall be prohibited on all residential lots and Common Lot 8.
  - m. Accessory Buildings. The use of residential accessory structures shall be allowed on the rear portion of lots only, with a maximum of two structures, if the structure can meet setback requirements contained in Development Code Section 4.10.030.
  - n. Accessory Dwelling Units. Attached or detached accessory dwelling or junior accessory dwelling units shall be permitted.
  - o. Utilities. All utilities shall be located underground.
  - p. Amendments. Any proposed amendments to construct multi-family residential or increase the number of lots shall require an amendment to DA 18-06. The Planning Commission shall be the decision making body for any amendments to the residential portion of DA 18-06.

4. **Hotel Requirements.** The following are hotel design and development standards for Lots 9 and 11.
  - a. **Architectural Elevations.** Building design shall be consistent with approved DA 18-06. Any deviations from materials or design schemes shall be consistent with Development Code Section 6.30.070.C.
  - b. **Change of uses.** An amendment to DA 18-06 shall be required for a change or expansion of any uses.
  - c. **Mechanical Equipment.** All ground and roof mounted mechanical equipment shall be screened from view from adjacent streets and properties including utility meters, fire risers, and other equipment either on private property or within common lots.
  - d. **Parking Requirements.** A minimum of 176 parking spaces shall be required for the hotel uses. A shared parking requirement shall be recorded at the time of final map recordation. All other parking requirements shall be consistent with Development Code Section 3.50.
  - e. **Utilities.** All utilities shall be located underground.
  
5. **Common Lot Requirements.** The following are requirements for Common Lots 8 and 10.
  - a. **Structures.** Construction of any structures shall be prohibited with the exception of signage on Lot 8 for the purposes of neighborhood identification, common mailbox, retaining walls, and walls/fences.
  - b. **Maintenance.** A mechanism shall be recorded concurrently with Tract 3122 providing a maintenance mechanism for common lots.
  - c. **Lot 10 Wall Height and Material.** The wall height along the western side of Lot 10 shall be 8-feet in height and constructed of decorative masonry materials as approved by the Community Development Director. Wall shall be constructed in location consistent with project approvals.
  
6. **Open Space Lot Requirements.** The following are requirements for Open Space Lot 12.
  - a. **Structures.** Construction of any structures shall be prohibited with the exception of access bridge, culvert, signage, and required frontage improvements.
  - b. **Ancillary Structures.** Ancillary structures such as benches, trailheads, etc. are permitted with approval of an Administrative Development Permit.
  - c. **Maintenance.** A mechanism shall be recorded concurrently with Tract 3122 providing a maintenance mechanism for Lot 12.
  - d. **Open Space Fencing.** Fencing shall be 90% transparent such as split rail, or other decorative type of fencing.
  
7. **Sign Program.** The following are signage requirements for the development.
  - a. **Residential Monument Signage.** To be located on common Lot 8 or any residential lot through a recorded easement. Maximum sign area shall be 16 square feet with a maximum height of 6-feet. Monument sign base shall be constructed with decorative materials compatible with the residential unit design and be a minimum of two feet in height
  - b. **Commercial Freestanding Sign.** To be located near the intersection of Road A and El Camino Real. Maximum sign area shall be 24 square feet with a maximum height

of 6-feet. Monument sign base shall be constructed with decorative materials compatible with the hotel with a minimum height of two feet in height.

- c. Freeway Oriented Pylon Sign. Maximum of two pylon signs allowed with a maximum height of 50-feet. Sign base shall be constructed with decorative materials compatible with the hotel. Sign area shall be a maximum of 125 square feet for each pylon sign.
- d. Wall Signage. Maximum sign area shall be 175 square feet per hotel. A maximum of two walls signs shall be permitted for each hotel. Walls signs shall only be placed on the south and east elevations. Additional sign area may be permitted through an Administrative Use Permit.
- e. Awning Signs. Permitted consistent with Development Code Section 3.60 for commercial uses only.
- f. Temporary Signs. Permitted consistent with Development Code Section 3.60 for all uses.
- g. Additional Sign Area or Height. Additional sign area or height shall be permitted through an Administrative Use Permit.

**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 special meeting of the City Council held on August 24, 2020 and **PASSED, APPROVED, and ADOPTED** by the City Council on September 21, 2020, on the following roll call vote, to wit:

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



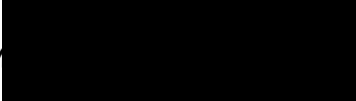
JEFF LEE, MAYOR

Attest:



WENDI SIMS, CITY CLERK

Approved as to Form:



DAVID P. HALE, CITY ATTORNEY