



A G E N D A

GARDEN GROVE PLANNING COMMISSION REGULAR MEETING

April 1, 2021

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

In an effort to protect public health and prevent the spread of the Coronavirus (COVID-19), the Planning Commission members will be teleconferencing and the meeting recorded. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing planning@ggcity.org no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record and will be uploaded to the City's website. Members of the public are asked to consider very carefully before attending this meeting in person and are required to wear face masks and maintain a six foot distance from others. Please do not attend this meeting if you have traveled and/or have had direct contact with someone who has travelled to places experiencing high rates of infection or tested positive for COVID-19, or if you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.

REGULAR SESSION – 7:00 P.M. – COUNCIL CHAMBER

ROLL CALL: CHAIR PEREZ, VICE CHAIR LINDSAY
COMMISSIONERS ARESTEGUI, CUNNINGHAM, LEHMAN, RAMIREZ,
SOEFFNER

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Meeting Assistance: Any person requiring auxiliary aids and services, due to a disability, should contact the Department of Community & Economic Development at (714) 741-5312 or email planning@ggcity.org 72 hours prior to the meeting to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

A. ORAL COMMUNICATIONS - PUBLIC

B. APPROVAL OF MINUTES: March 4, 2021

C. ITEM FOR CONSIDERATION

C.1. Review of the City Code of Ethics, and presentation on, and general discussion of, the role and jurisdiction of the Planning Commission and laws generally applicable to Planning Commission meetings and decisions, including the Brown Act and the Political Reform Act.

D. MATTERS FROM COMMISSIONERS

E. MATTERS FROM STAFF

F. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION
Council Chamber, Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes
Thursday, March 4, 2021

CALL TO ORDER: 7:03 p.m.

ROLL CALL:

Chair Perez
Vice Chair Lindsay
Commissioner Arestegui
Commissioner Cunningham
Commissioner Lehman
Commissioner Ramirez
Commissioner Soeffner

Absent: None.

PLEDGE OF ALLEGIANCE: Led by Commissioner Lehman.

ORAL COMMUNICATIONS – PUBLIC – None.

February 18, 2021 MINUTES:

Action: Received and filed.

Motion: Lindsay Second: Arestegui

Ayes: (7) Arestegui, Cunningham, Lehman, Lindsay, Perez,
Ramirez, Soeffner

Noes: (0) None

PUBLIC HEARING – NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT NO. GPA-002-2021, PLANNED UNIT DEVELOPMENT NO. PUD-104-73 (REV. 2018/REV. 2021), SITE PLAN NO. SP-097-2021 FOR PROPERTY LOCATED ON THE WEST SIDE OF VALLEY VIEW STREET, SOUTH OF CHAPMAN AVENUE AT 12141 VALLEY VIEW STREET.

Applicant: CINEMAS MANAGEMENT, INC.

Date: March 4, 2021

Request: A request to redevelop a 2.15-acre site, currently improved with a bowling alley building, through the re-purposing of the existing bowling alley with new commercial retail and restaurant uses, and the

construction of a new pad drive-thru restaurant. As part of the project, the Planning Commission will consider a recommendation that the City Council (i) approve a General Plan Amendment to change the land use designation of the project site from Civic Institution to Light Commercial, and (ii) approve a text amendment to Planned Unit Development No. PUD-104-73 (REV. 2018) to expand the commercial uses that are permitted to also include the uses permitted in the C-1 zoning district, and to modify the sign requirements of the PUD to allow for multiple-tenant sign cabinets on the existing pole sign. The Planning Commission will also consider approval of a Site Plan to modify and reduce the size of the existing bowling alley building from 33,375 square feet to 19,296 square feet to (i) accommodate an anchor tenant of 12,082 square feet, and three (3) new restaurants with a combined total area of 7,214 square feet, with one tenant designed with a drive-thru lane, and (ii) construct a new 2,000 square foot pad drive-thru restaurant with related site improvements. The site is in the PUD-104-73 (REV. 2018) zone. In conjunction with the request, the Planning Commission will also consider a recommendation that the City Council adopt a Negative Declaration.

Action: Resolution Nos. 6019-21 (GPA/PUD) and 6020-21 (SP) were approved with one amendment to the Conditions of Approval in regard to landscaping at the West wall between the property and residences, to provide sufficient landscaping for sound absorption and as a graffiti deterrent. The suggested plant types were 3-5 gallon vines in the half-diamond planters and one gallon, 5'-0" on-center, Boston Ivy or Creeping Fig in other planters.

Motion: Lindsay Second: Lehman

Ayes: (7) Arestegui, Cunningham, Lehman, Lindsay, Perez, Ramirez, Soeffner

Noes: (0) None

MATTERS FROM COMMISSIONERS: Chair Perez encouraged the use of landscaping as a graffiti deterrent in future cases, as well as generally in the City, as significant graffiti could be found throughout the City.

Vice Chair Lindsay commented that he had caught a graffiti tagger, who was subsequently arrested and charged with felony vandalism. He then announced that he and several Council Members purchased graffiti removal materials for a clean-up on Saturday, March 6th at 3:00 p.m. on Palm Vista.

Chair Perez mentioned the County of Orange Public Health Agency partnered with Mecca to create a community equity collaborative to increase the number of vaccinations for residents in the cities of Santa Ana, Anaheim, and Garden Grove. The number to call for an appointment at the Santa Ana College POD is (714) 278-4670.

MATTERS FROM STAFF: Staff stated the March 18th Planning Commission meeting would be cancelled and the April 1st meeting would include presentations on the Code of Ethics and the Brown Act. Staff then commented that the RHNA appeals for the cities of Riverside and Pico Rivera were approved, resulting in approximately 3,000 units being distributed throughout the region. Garden Grove's RHNA number was increased by 46 units.

ADJOURNMENT: At 7:49 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, April 1 2021, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Judith Moore, Recording Secretary

**City of Garden Grove
INTER-DEPARTMENT MEMORANDUM**

To: Planning Commission

From: Lisa L. Kim

Dept:

Dept: Community & Economic
Development

Subject: REVIEW OF CODE OF ETHICS

Date: April 1, 2021

Chapter 2.02 of the Municipal Code comprises the City's Code of Ethics. Pursuant to that Chapter, the Planning Commission has a duty to review the Code of Ethics annually during their first meeting in the month of April; however, if the first meeting is cancelled, the review shall be re-scheduled to the next regular meeting.

Accordingly, the Code of Ethics is scheduled for your formal review at the Commission meeting of April 1, 2021. There is no resolution required; rather, your action will be documented in the minutes of the meeting.



LISA L. KIM
Assistant City Manager
Community and Economic Development Director

Attachment: Municipal Code Chapter 2.02

Chapter 2.02 CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES

2.02.005 Code Review

All official boards, commissions, and committees of the City are to formally review the following Code of Ethics provided in this chapter with their members annually during their first meeting in the month of April. New members are to be provided a copy of the Code of Ethics for their review when they are appointed or elected to each board, commission, or committee. (2813 § 1, 2012; 1437 § 1, 1975)

2.02.010 Declaration of Policy

The proper operation of municipal government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; and that public office not be used for personal gain. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.020 Responsibilities of Public Office

Public officials are all elective officials of the City and the members of all official boards, commissions, and committees of the City. Public officials and employees are bound to uphold the Constitution of the United States and the Constitution of the State and to carry out the laws of the nation, state, and municipality. Public officials and employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their offices, regardless of personal considerations; recognizing that the public interest must be their primary concern, and that conduct in both their official and private affairs should be above reproach. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.030 Dedicated Service

Public officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or the officially recognized confidentiality of their work. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.040 Fair and Equal Treatment

Preferential consideration of the request or petition of any individual citizen or group of citizens shall not be given. No person shall receive special advantages beyond that which are available to any other citizen. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.050 Use of Public Property

No public official or employee shall request or permit the use of City-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such public official or employee in the conduct of official business. No public official or employee shall use the time of any City employee during working hours for personal convenience or profit. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.060 Obligations to Citizens

A. CONFLICT WITH PROPER DISCHARGE OF DUTIES. No public official or employee, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any

business or transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by law.

B. **INCOMPATIBLE EMPLOYMENT.** No public official or employee shall accept other employment that he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties or require him or her or induce him or her to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

C. **DISCLOSURE OF CONFIDENTIAL INFORMATION.** No public official or employee shall willfully and knowingly disclose for pecuniary gain to any other person confidential information acquired by him or her in the course of and by reason of his or her official duties nor shall any public official or employee use any such information for the purpose of pecuniary gain.

D. **CONFLICT OF INTEREST.** A conflict of interest exists in a matter before a public official for consideration or determination if:

1. The public official has a substantial financial or substantial personal interest in the outcome or as owner, member, partner, officer, employee, or stockholder of any corporation or other professional enterprise that will be affected by the outcome, and such interest is or may be adverse to the public interest in the proper performance of governmental duties by the public official;

2. The public official has reason to believe or expect that he or she will derive direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity;

3. The public official, because of bias, prejudice, or because he or she has prejudged a matter set for public hearing, is incapable because of such bias, prejudice or prejudgment of granting to the matter before him or her a fair and impartial hearing.

4. Personal interest as distinguished from financial interest is defined as including, among other matters, an interest arising from blood or marriage relationships, or close business association. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.070 Disclosure of Interest and Disqualification

A. Any Councilmember who has a conflict of interest as defined herein, in any matter before the City Council, shall disclose such fact on the record of the City Council and refrain from participating in any discussion of voting thereon, provided that such exceptions shall be observed as are required by law.

B. Any member of any official board, commission, or committee who has a conflict of interest as defined herein in any matter before the board, commission, or committee of which he or she is a member, shall disclose such fact on the record of such board, commission, or committee and refrain from participating in any discussion or voting thereon, provided that such exceptions shall be observed as are required by law.

C. Any employee who has a financial or other special interest in a matter before the City Council or any board, commission, or committee and who participates in discussion with, or gives an official opinion to the City Council, or to such board, commission, or committee relating to such matter, shall disclose on the record of the City Council or such board, commission, or committee, as the case may be, the nature and extent of such interest. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.080 Compliance with State Law

Public officials and employees of the City shall comply with applicable provisions of state law relative to conflicts of interest and generally regulating the conduct of public officials and employees. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.090 Violations—Actions

The violation of any provision of this chapter shall be:

- A. As to all City employees, grounds for dismissal from City employment;
- B. As to any appointed position on any board, commission, or committee, grounds for removal from any such board, commission, or committee;
- C. As to any prosecution of any elected public official, the City Council shall make findings of fact by at least a vote of three City Councilmembers that an elected public official has, in fact, violated this chapter as a prerequisite to prosecution. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.100 State Laws—Control

This chapter and its application are intended to be supplemental to and consistent with all applicable state laws. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.110 Violations—Penalty

Any person violating any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, is punishable as provided in Section 1.04.010 of this Code. (2813 § 1, 2012; 1301 § 1, 1972)