

URGENCY ORDINANCE NO. 2950

AN URGENCY INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING A 10 MONTH AND 15 DAY EXTENSION OF URGENCY ORDINANCE NO. 2949 IMPOSING A MORATORIUM ON THE APPROVAL OF SUBSTANCE ABUSE TREATMENT CENTERS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858.

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

Section 1. Legislative Intent and Findings.

A. On December 20, 2023, pursuant to Government Code Section 65858, the City Council of the City of Garden Grove passed and adopted Urgency Ordinance No. 2949, which is an urgency interim ordinance imposing a moratorium on the approval and establishment of substance abuse treatment centers pending completion of a study and adoption of regulations to address negative impacts that may be created with their development, establishment and operation, in addition to impacts of their establishment in mixed use zones. Many of the City's mixed use zones are programmed for the development housing projects, and the establishment of substance abuse treatment centers in mixed use zones could cause the City to violate State Housing Laws, which require compliance with Housing Element policies to promote housing opportunities and to implement no net loss requirements for uses or activities that prevent the development of housing.

B. Until new regulations are in place, the development of new substance abuse treatment centers continue to pose a current and immediate threat to the public health, peace, safety and general welfare for the reasons stated in Section 1 of Urgency Ordinance No. 2949.

C. The City has commenced a zoning study to determine the appropriate zoning, development standards, other proper regulations applicable to substance abuse treatment centers to protect the public health, safety, and welfare of the community.

D. City staff require additional time in which to thoroughly review and evaluate the issues giving rise to Urgency Ordinance No. 2949, and to finalize the necessary zoning study and process a Zoning Code amendment.

E. The City has noticed and conducted a public hearing to consider the adoption of this ordinance as provided by law.

F. The City Council has reviewed, considered, and approved the evidence and findings in the accompanying staff report of the adverse impacts that may be caused by substance abuse treatment centers.

Section 2. Extension of Moratorium for 10 months and 15 days.

Pursuant to California Government Code Section 65858(a), Urgency Ordinance No. 2949 is hereby extended for an additional 10 months and 15 days beyond the original 45 days authorized on December 20, 2023, until December 19, 2024.

Section 3. Effective Date. This interim ordinance shall become effective immediately upon its adoption.

Section 4. Urgency. This interim ordinance is necessary for the immediate protection of the public health, welfare, and general safety for the reasons identified in Section 1 hereof and Section 1 of Urgency Ordinance No. 2949.

Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

The foregoing Urgency Ordinance was passed, approved, and adopted by the City Council of the City of Garden Grove on the 23rd day of January 2024.

/s/ STEVE JONES
MAYOR

ATTEST:

/s/ TERESA POMEROY, CMC
CITY CLERK

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

I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was passed by the City Council of the City of Garden Grove, by a vote of four-fifth (4/5th) of the members thereof, at a meeting held on the 23rd day of January, 2024 by the following vote:

AYES:	COUNCIL MEMBERS:	(7)	BRIETIGAM, O'NEILL, DOVINH, KLOPFENSTEIN, NGUYEN-PENALOZA, TRAN, JONES
NOES:	COUNCIL MEMBERS:	(0)	NONE
ABSENT:	COUNCIL MEMBERS:	(0)	NONE

/s/ TERESA POMEROY, CMC
CITY CLERK