

## **EXHIBIT "B"**

**General Plan Amendment No. GPA-002-2018  
Amendment No. A-024-2018  
Site Plan No. SP-056-2018  
Conditional Use Permit No. CUP-134-2018  
Lot Line Adjustment No. LLA-018-2018**

13624 through 13650 Harbor Boulevard

### **CONDITIONS OF APPROVAL**

#### **General Conditions**

1. The applicant and each owner of the property shall execute, and the applicant shall record, a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. All Conditions of Approval set forth herein, or contained in Resolution No. 5940-18, shall be binding on and enforceable against each of the following, and whenever used herein, the term "Applicant" shall mean and refer to each of the following: the project applicant, Garden Grove Hotel, LLC, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Except for minor modifications approved by the Community and Economic Development Director pursuant to Condition No. 3, below, any changes to the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-056-2018, Conditional Use Permit No. CUP-134-2018, and Lot Line Adjustment No. LLA-018-2018, so long as the improvements authorized and contemplated by Site Plan No. SP-056-2018, Conditional Use Permit No. CUP-134-2018, and Lot Line Adjustment No. LLA-018-2018 and these Conditions of Approval continue to exist on the Site.
2. Approval of this Site Plan, Conditional Use Permit, and Lot Line Adjustment shall be contingent upon the approval and effectiveness of General Plan Amendment No. GPA-002-2018 and Municipal Code Amendment No. A-024-2018. Furthermore, the approval of the subject entitlements shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications to the Site Plan, Conditional Use Permit, Lot Line Adjustment and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in impacts that have not previously been addressed, may be approved by the Community and Economic Development Director, in his or her discretion.

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Proposed modifications to the project, approved site plan, floor plan, and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

4. All conditions of approval shall be implemented at the applicant's expense, except where otherwise expressly specified in the individual condition.

#### **Public Works Engineering Division**

5. The applicant shall be subject to Traffic Mitigation Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
6. Prior to issuance of a grading permit and for review and approval of the Lot Line adjustment application, the applicant shall submit to the Planning Division an updated title report along with copies of the recorded instruments listed in the title report, reference maps used to prepare legal description and the plat per the County of Orange Lot Line Adjustment Manual.
7. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
8. The two (2) drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120 (Harbor Boulevard).
9. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, if any, shall have wheel stops.
10. Prior to issuance of a grading permit, the Applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading plans.
11. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design of the interior

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streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.

12. A separate street permit is required for work performed within the public right-of-way. The City of Garden Grove completed a street rehabilitation project on Harbor Boulevard in 2014. Harbor Boulevard is currently under a street moratorium. Any utility trench backfilling fronting the project on Harbor Boulevard is subject to 15 feet of asphalt resurfacing (up to 2-inches of asphalt grind and cap) from the center line of proposed utility (water, gas, sewer, communication cables) in both directions and may extend the full width of the street as determined by the City Engineer.
13. Grading plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30' outside the boundary, and designed to preclude cross lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
14. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
15. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition.
16. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
17. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
  - a. Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas;

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- b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP;
  - c. Incorporates structural and Treatment Control BMPs as defined in the DAMP;
  - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs;
  - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs, and
  - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
18. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the Applicant shall:
- a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications;
  - b. Demonstrate that Applicant is prepared to implement all non-structural BMPs described in the Project WQMP;
  - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site, and
  - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
19. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law –AB 1826:
- a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash;
  - b. Provide solid roof or awning to prevent direct precipitation;
  - c. Connection of trash area drains to the municipal storm drain system is prohibited;

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- d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control;
  - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information;
  - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures, and
  - g. Pursuant to state mandated commercial organic recycling law-AB 1826, the Applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
20. The Applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and its contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and its contractor shall be liable for, at applicant's expense, any resurvey required due to its negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.
21. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
22. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:

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- a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.
23. The Applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
24. Prior to issuance of a grading permit, the Applicant submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
25. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.
26. Any required lane closures should occur outside of peak travel periods.
27. Construction vehicles should be parked off traveled roadways in a designated parking.
28. Prior to issuance of a grading permit, the Applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents. Additionally, the project is located in a mapped FEMA flood zone. The project shall comply with all FEMA requirements for flood protection and flood proofing.
29. The Applicant shall remove the existing landscape within sidewalk area along Harbor Boulevard and construct street frontage improvements as identified below. All landscape, sidewalk and lighting improvements installed within the public rights-of-way shall be maintained by the Applicant in a manner meeting the approval of the City Engineer and Planning Division.

#### Harbor Boulevard

- a. The existing substandard driveway approach and landscape fronting the property along Harbor Boulevard shall be removed and curb & gutter, sidewalk and two new driveway approach shall be constructed in accordance with City Standard;

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- b. New 8-inch curb and gutter shall be constructed replacing the existing driveway at 47' from the center line of Harbor Boulevard in accordance with City of Garden Grove Standard Plan B-113 (Type C-8 Modified);
- c. Remove all planter boxes and existing driveway approach fronting the project and replace them with sidewalk panels in accordance to City of Garden Grove Standard B-106;
- d. Remove existing parkway culvert on the northwest corner of the Site and replace it with 8-inch curb and gutter in accordance with City Standard Plan B-113;
- e. The two (2) new driveway approaches to the site on Harbor Boulevard shall be constructed in accordance with City of Garden Grove Standard Plan B-120. Standard Plan B-120 calls for a minimum width of 30 feet for commercial and multi-residential projects, with any deviation from the standard requiring approval by the City Traffic Engineer and detailed on the street improvement plan showing all modifications;
- f. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Harbor Boulevard with Planning Division and Water Division, and
- g. Any proposed new landscaping in public right of way shall be approved by Planning Division and maintained by the owner.

### **Public Works Water Services Division - Water**

- 30. Water meters shall be located within the Harbor right-of-way. Fire services and large water services 3" and larger, shall be installed by contractor with class A or C-34 license, per City water standards and inspected by an approved Water Service Inspector.
- 31. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Property Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property Owner must open a water account upon installation of RPPD device.
- 32. A composite utility site plan shall be part of the water plan approval.

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33. New utilities shall have a minimum 5'-0" (five-foot) horizontal and a minimum 1'-0" (one-foot) vertical clearance from water main and appurtenances.
34. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
35. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at Property Owner's expense.
36. Install fire service connection with an above ground double check detector assembly DCDA per City Standard B-773 (2015). Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works - Water Services Division. Device shall be on private property and is the responsibility of the Property Owner. The above ground assembly shall be screened from public view as required by the Planning Division.
37. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.

#### **Public Works Water Services Division - Sewer**

38. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license.
39. A properly sized grease interceptor shall be installed on the sewer lateral and maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease interceptor. All other waste lines shall be drained through the grease interceptor. Grease interceptor shall be located outside of the building and accessible for routine maintenance. Owner shall maintain comprehensive grease interceptor maintenance records and shall make them available to the City of Garden Grove upon demand.
40. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Existing units are to be removed.
41. If needed, owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints.



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42. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the Property Owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete.

### **Fire Department**

43. The applicant shall submit sprinkler/fire alarm plans to comply with the 2016 Edition of the California Fire Code.
44. The applicant shall show on the plans on-site the fire hydrants and fire Department connections.

### **Building and Safety Division**

45. Project shall comply with the 2016 California Building Code (CBC), 2016 California Mechanical Code (CMC), 2016 California Plumbing Code (CPC), 2016 California Electrical Code (CEC), 2016 California Green Building Standards Code (CGBSC), and the 2016 California Building Energy Efficiency Standards.
46. Accessible routes shall be provided at site arrival points and within a site in accordance with CBC Section 11B206.2 and CBC Chapter 11B Division 4.
47. Building commissioning shall comply with CGBSC Section 5.410 and Energy Standards Section 120.8 and shall be submitted for review at time of permit application.
48. Designated parking for clean air vehicles shall comply with CGBSC Section 5.106.5.2.
49. Future electric vehicle charging shall comply with CGBSC Section 5.106.4 and CBC Chapter 11B Section 11B-228.2.
50. Long term and short term bicycle parking shall be provided per CGBSC Section 5.106.4.
51. Construction waste reduction, disposal and recycling shall comply with CGBSC Section 5.408. and City Construction Waste Management forms shall be completed and imprinted on the Plans.
52. Building allowable area and height shall comply with CBC Chapter 5.
53. All fire-resistance rated constructions shall comply with CBC Chapter 7.
54. Egress and exit discharge shall clearly be labeled and identified and shall comply with CBC Chapter 10. A complete exiting analysis and exiting plans shall be included in building submittal set.

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55. Separation between occupancies shall be provided per CBC Table 508.4 and separation between rooms shall comply with CBC Section 11B-242.
56. Exercise machines and equipment shall comply with CBC Section 11B-236 and 11B-1004.
57. Plumbing elements and facilities shall comply with CBC Chapter 11B, Division 6.
58. Swimming pool shall comply with CBC Section 11B-242.
59. Transient lodging shall provide guest rooms in accordance with CBC Sections 1B-114-1 through 11B-224-6.
60. Landscaping shall comply with outdoor water use per CGBSC Section 5.304.

### **Planning Services Division**

61. The Applicant shall submit a detailed landscape and irrigation plan of all landscape areas. The plan shall be submitted to and be approved by the Community and Economic Development Department, Planning Services Division prior to the issuance of any permit for construction. Said plan shall include substantial plantings that create a natural setting and include type (both common and botanical names), size, location, and quantity of all plant material. The landscaping shall be planted prior to the finalization of the permit for construction. The landscape plan shall also include the following:
  - a. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines;
  - b. Trees planted within ten (10) feet of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low height variety to ensure safe sight clearance. No street trees will be planted in the sidewalk, unless required by the City's Public Works Department. The landscape plan shall maximize the plantings along the perimeter wall where planters are possible. There shall be vine plantings along the length of the perimeter walls. The vines shall be mainly perennial and evergreen with some flowering, deciduous types interspersed;
  - c. The new landscape areas shall reflect the existing character of the site;
  - d. The landscape areas on both sides of the hotel entry driveway on Harbor Boulevard shall incorporate landscape treatment such as color annuals, flowers, and shrubs;

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- e. A complete, permanent, and automatic remote control irrigation system shall be provided for all landscape areas shown on the plan. Subsurface irrigation systems are encouraged. The irrigation plan for any trees planted in the setback areas adjacent to the sidewalks and in the parking lot shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used in other areas, they shall be low flow/precipitation sprinkler heads for water conservation;
  - f. All above ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plan and shall be screened from view by appropriate plantings;
  - g. The Applicant is responsible for the installation of all landscaping, irrigation, and other site improvements on the property. Said responsibility shall extend to all landscaped areas, the landscape setbacks, sidewalk, curb, and pavement of the site, and
  - h. All landscaped areas, including the areas located within the public right-of-way, are the responsibility of the Applicant/Property Owner, and must be maintained at all times. All landscape areas shall not be reduced in size.
62. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
- a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day), and
  - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
63. Prior to the construction of the hotel facility, the site area shall be secured with a six-foot (6'-0") high chain-linked fence with privacy screen and safety gate covers. Access gate(s) are permitted (verify with Engineering for location) and the fence shall be removed upon construction of permanent perimeter fencing and/or completion of the project.
64. The approval and effectiveness of Site Plan No. SP-056-2018 and Conditional Use Permit No. CUP-134-2018 shall be expressly contingent upon the effectiveness and recordation, by the County Surveyor's Office, of Lot Line Adjustment No. LLA-018-2018.

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65. The Applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department for review and approval prior to Building and Safety Division plan check. The project shall also be subject to the following:
- a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property) within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground;
  - b. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Services Division;
  - c. No roof-mounted mechanical equipment, including, but not limited to, dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties, and
  - d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
66. The trash enclosure shall be constructed per City specification, the finish material is to match the hotel's exterior stucco texture and any metal surfaces to be prepped and painted to match, and there shall be vine plantings along the exterior of the trash enclosure walls.
67. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting.
68. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, use of solar, low-emission water heaters, and low-sodium parking lot lights, shall be required to ensure compliance with Title 24.

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69. A final building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits. The final materials board shall include a breakdown by unit of materials to be used and samples/examples of siding, stucco, windows, exterior doors, roofing, color schemes, exterior light fixtures, and roof top light towers.
70. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable laws and regulations.
71. The Applicant shall implement the Mitigation Monitoring and Reporting Program as identified in the Mitigated Negative Declaration, and shall provide updates about the implementation process to the City of Garden Grove Community and Economic Development Department until completion of the project.
72. The Applicant shall comply with the adopted City Noise Ordinance.
73. The Applicant/Property Owner shall abate all graffiti vandalism within the premises. The property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the Property Owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
74. Any satellite dish antennas installed on the premises shall be screened, subject to approval by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
75. Ground level mechanical equipment shall be completely screened with landscaping.
76. Signage for the hotel development shall comply with the City's Sign Ordinance and shall be submitted separately for review and approval by the Planning Services Division.
77. No outside display of merchandise shall be permitted at any time.
78. A prominent, permanent sign, stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES," shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6)

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inches high with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.

79. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
80. Exterior advertisements, displays, or exterior wall advertisements shall not be allowed.
81. The hotel facility shall be subject to Chapter 8.70 of the Municipal Code (Public Lodging).
82. The hotel owner shall comply with the applicable laws and conditions and shall properly manage the hotel to discourage illegal and criminal activity on the premises.
83. Security measures shall be provided to the satisfaction of the Garden Grove Police Department to deter unlawful conduct of employees and hotel guests, promote safe and orderly assembly and movement of persons and vehicles, and to prevent disturbances to the neighborhood by excessive noise created by patrons entering and leaving the premises.
84. The Applicant shall define an outdoor smoking area for employees and hotel guests away from the school properties and submit to the Planning Services Manager the location of the outdoor smoking area and the design of the outdoor furniture for review prior to the commencement of the operation of the hotel.
85. Hotel occupancies shall not exceed thirty consecutive days nor shall any nonconsecutive occupancy exceed 30 days in 45 consecutive days.
86. The total number of guest rooms shall not exceed 124 rooms.
87. All parking spaces that are provided shall be clearly marked. No fewer than 100 on-site parking spaces shall be provided. The parking breakdown includes the following: 80 standard spaces (9'-0"X19'-0"); 20 compact spaces (8'-0"X15'-0"), which will include one (1) ADA van standard space; two (2) car standard spaces; one (1) ADA van electrical vehicle; one (1) ADA car electrical vehicle; three (3) standard electrical vehicle spaces, and three (3) fuel efficient vehicles.
88. In conjunction with Site Plan No. SP-056-2018 and Conditional Use Permit No. CUP-134-2018, the Applicant has requested a 20% reduction from the number of on-site parking spaces otherwise required to be provided pursuant

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to the Garden Grove Municipal Code. City's approval of Applicant's request for this reduction in parking spaces is based on Applicant's representations that the number of parking spaces provided would be sufficient to accommodate the parking demand generated by the proposed hotel use. Accordingly, as a condition of City's approval, Applicant acknowledges and agrees that City may require Applicant to implement additional parking management measures in the future pursuant to this Condition. If, at any time, the subject Site cannot accommodate the parking demand actually generated by the hotel use, and/or if the operation of the hotel use on the Site results in demonstrable nuisances, problems, or issues concerning either on-site or off-site parking, circulation, or traffic, as determined in the reasonable discretion of the Community and Economic Development Director, the property owner and operator of the hotel shall devise and implement a plan approved by the City's Community and Economic Development Director to remedy the nuisances, problems, and/or issues identified. Such a plan acceptable to the City shall be submitted to the City within thirty (30) days of written notice from the City, or such longer period allowed in the discretion of the Community and Economic Development Director. The additional measures required by the approved plan shall be incorporated into these Conditions of Approval, and failure to implement such measures shall be deemed a violation of these Conditions of Approval.

89. Unless a time extension is granted pursuant to Section 9.32.160 of Title 9 of the Municipal Code, the project authorized by this approval of Site Plan No. SP-056-2018, Conditional Use Permit No. CUP-134-2018, and Lot Line Adjustment No. LLA-018-2018, shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period for this approval and thereafter diligently advanced until completion of the project.
90. The Applicant shall, as a condition of Project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning General Plan Amendment No. GPA-002-2018, Amendment No. A-024-2018, Site Plan No. SP-056-2018, Conditional Use Permit No. CUP-134-2018, and/or Lot Line Adjustment No. LLA-018-2018 (collectively, the "Project entitlements"), and/or the adopted Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project. The Applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The Applicant shall further pay any adverse financial award, which may issue against the City including, but not limited

Conditions of Approval for General Plan Amendment No. GPA-002-2018; Amendment No. A-024-2018; Site Plan No. SP-056-2018; Conditional Use Permit No. CUP-134-2018, and Lot Line Adjustment No. LLA-018-2018

to, any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

91. The Applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-056-2018, Conditional Use Permit No. CUP-134-2018, and Lot Line Adjustment No. LLA-018-2018, and his/her agreement with all conditions of the approval.
92. A copy of the resolution, including the conditions approving Site Plan No. SP-056-2018, Conditional Use Permit No. CUP-134-2018, and Lot Line Adjustment No. LLA-018-2018, shall be kept on the premises at all times.
93. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. To the extent applicable, the applicant is hereby notified that the 90-day protest period, commencing from the effective date of approval of Site Plan No. SP-056-2018, Conditional Use Permit No. CUP-134-2018, and Lot Line Adjustment No. LLA-018-2018, has begun.