

# COMMUNITY DEVELOPMENT DEPARTMENT

## PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> <p style="text-align: center;"><b>C.3.</b></p>	<b>SITE LOCATION:</b> Southeast corner of Brookhurst Street and Central Avenue, at 13252 Brookhurst Street and 10052 Central Avenue
<b>HEARING DATE:</b> December 7, 2023	<b>CURRENT GENERAL PLAN:</b> Light Commercial (LC) and Low Medium Density (LMD) <b>PROPOSED GENERAL PLAN:</b> Medium Density Residential (MDR)
<b>CASE NOS.:</b> General Plan Amendment No. GPA-001-2023, Zoning Amendment No. A-036-2023, Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273	<b>CURRENT ZONE:</b> C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) <b>PROPOSED ZONE:</b> R-3 (Multiple-Family Residential)
<b>APPLICANT:</b> Melia Homes, Inc.	<b>APN:</b> 099-031-01, 099-031-02, 099-031-08, and 099-031-09
<b>PROPERTY OWNERS:</b> Fraser Partner Properties, LLC for the property located at 13252 Brookhurst Street, and Linh Hoang and Thu Thuy Pham for the property located at 10052 Central Avenue	<b>CEQA DETERMINATION:</b> Mitigated Negative Declaration

**REQUEST:**

The applicant requests to develop a 30-unit residential townhome project, which includes three (3) affordable residential units for “moderate-income” households, on an approximately 1.22-acre site (the “Project”). As part of the project, the Planning Commission will consider a recommendation that the City Council approve the following: (i) A General Plan Amendment to amend the General Plan Land Use Designations of the subject properties from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR) to facilitate the development of the residential project; (ii) A Zoning Map Amendment to change the zoning of the subject properties from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential) to facilitate the development of the residential project; (iii) A Site Plan to construct thirty (30) three-story townhomes along with associated site improvements; and (iv) A Tentative Tract Map to create a one-lot subdivision for the purpose of selling each townhome as a condominium.

The inclusion of three (3) for-sale moderate-income units qualifies the project for a density bonus, reduced parking ratios, concessions and waivers pursuant to the State Density Bonus Law (SDBL). The Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program (MMRP) for the project.

### **BACKGROUND:**

The subject site is located at the southeast corner of Brookhurst Street and Central Avenue. The site abuts an R-2 (Limited Multiple Residential) zoned property to the east, a C-2 (Community Commercial) zoned property to the south, a C-1 (Neighborhood Commercial) zoned property and R-2 zoned properties, across Central Avenue, to the north, and C-2 zoned properties, across Brookhurst Street, to the west. The site is in an area with a mix of uses that include commercial services such as medical offices, restaurants, retail and residential uses, including single- and multifamily dwellings.

The site consists of two (2) vacant properties, each consists of two (2) adjoining parcels: one is located at 13252 Brookhurst Street, and the other is located at 10052 Central Avenue. The combined gross area is 1.22 acres.

The 13252 Brookhurst Street property consists of parcel Nos. 099-031-01 and 099-031-02. The property is a corner lot with dual frontage on Brookhurst Street and Central Avenue. The property has a General Plan Land Use Designation of Light Commercial and is zoned C-1 (Neighborhood Commercial). The property is approximately 41,945 gross square feet (0.96 acres), and was previously improved with a 6,637 square foot one-story restaurant building that was operated by Marie Callender's from 1996 to 2021. After Marie Callender's ceased its operation, the building was left vacant. In December 2021, the building was severely damaged in a fire incident to the degree that the structure was too dangerous to be occupied. Consequently, the building was red-tagged by the Building and Safety Division. On June 28, 2023, a demolition permit was issued, and the building improvements were removed shortly thereafter. The building's foundation remains, and there have been no excavation work or ground disturbing activities.

The 10052 Central Avenue property is a vacant lot abutting the Marie Callender's property to the east. The property also consists of two (2) adjoining parcels: Assessor's Parcel Nos. 099-031-08 and 099-031-09, with one being landlocked. The property has a gross area of 12,350 square feet (0.28 acre). The property has a Land Use Designation of Low Medium Density Residential (LMR), and is zoned R-2. The site was originally improved with a single-family dwelling with an attached garage. On July 27, 2017, a demolition permit was issued to demolish the existing residential building. In 2019, the City approved Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019, which consolidated the properties into one lot for the

purpose of develop the site with a new residential duplex. Although the lot consolidation was recorded, the duplex was never constructed. In 2021, the City approved Director's Review No. DR-054-2021 to allow another duplex design to be built on the site, since the previously approved entitlement expired. However, this entitlement also eventually expired since the development was never constructed. The property remains vacant and unimproved.

The applicant, Melia Homes, Inc., is an experienced housing developer in Southern California and previously worked with the City of Garden Grove on a project located at 9861 11<sup>th</sup> Street<sup>1</sup> that resulted in the construction of thirty-one (31) two- to three-story townhomes. The applicant is now proposing to combine the subject properties and to develop the site with thirty (30) attached townhomes, including three (3) affordable for-sale units for "moderate-income" households, which is equivalent to a proposed density of 24.6 units per acre, along with associated site improvements.

With the inclusion of three (3) for-sale affordable housing units for "moderate-income" households, the project is qualified for a density bonus, a reduced parking ratio, one (1) concession, and waivers pursuant to the State Density Bonus Law (SDBL). Provided the General Plan Amendment and Zoning Amendment are approved, the requested density of 24.6 units per acre is within the allowable density of the R-3 zone, which is 32 units per acre. Thus, no density bonus request is included in the proposal. The requested concession and waivers are as follows:

1. A concession to deviate from the open space amenity requirements (GGMC Section 9.12.040.050.J.7.d).
2. A waiver to reduce the distance separation between two buildings from ten feet (10'-0") to seven feet, six inches (7'-6") (GGMC Section 9.12.040.050.A.1).
3. A waiver to reduce the width of the active recreation area from thirty feet (30'-0") to fifteen feet (15'-0") (GGMC Section 9.12.040.050.J.7.d).
4. A waiver to allow a six-foot (6'-0") tall block wall to be constructed within the front setback along Brookhurst Street (GGMC Section 9.12.040.140.J).
5. A waiver to reduce the landscape setback along Brookhurst Street from fifteen feet (15'-0") to ten feet (10'-0") (GGMC Section 9.12.040.090.Q).
6. A waiver to allow the private open space to be located within the front setback area (GGMC Section 9.12.040.020.D).

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<sup>1</sup> Case No. PUD-010-2019, TT-18169-2019, SP-063-2019, V-022-2019

An Affordable Housing Regulatory Agreement consistent with the State Density Bonus Law and the Garden Grove Municipal Code will be recorded to ensure the affordability of the moderate-income units.

The proposed Project, as designed, is consistent with numerous goals and policies of the General Plan Land Use Element and Housing Element, including the following:

1. Policy LU-1.2: Encourage modern residences in areas designated as Mixed Use.
2. Policy LU-1.3: Support the production of housing Citywide that is affordable to lower- and moderate-income households consistent with the policies and targets set forth in the Housing Element.
3. Policy LU-2.2: Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life.
4. Policy LU-2.4: Assure that the type and intensity of land use are consistent with those of the immediate neighborhood.
5. Policy LU-3.1: Preserve existing and encourage new multifamily residential development in the Focus Areas, allowing mixed-use in older or underutilized commercial centers. Such housing provides convenient access to jobs and activities and supplies a resident clientele to support commercial sales and services in mixed-use areas.
6. Policy LU-3.2: Support development of multifamily housing that provides a diversity of densities, types, and prices that meet the needs of all household income levels.
7. Policy LU-3.3: Encourage developers to build housing projects at or maximum allowable densities.
8. Policy LU-IMP-3E: Use programs and incentives outlined in the Housing Element to produce all types of desired multifamily housing.
9. Goal LU-4: Uses compatible with one another.
10. Policy LU-4.1: Locate higher-density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.
11. GOAL H-2: Housing supply to accommodate housing needs at all affordability levels.

12. Policy H-2.3: Provide density bonuses and other financial and regulatory incentives to facilitate the development of affordable housing.
13. Policy H-3.1: Maintain land use policies and regulations that create capacity for development of a range of residential development types that can fulfill local housing needs, including accessory dwelling units, low-density single-family uses, moderate-density townhomes and middle housing, higher-density apartments and condominiums, senior housing, and mixed-use projects.
14. Policy CD-7.1: Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.

### Neighborhood Meeting

On September 28, 2023, a neighborhood meeting was held at the Community Meeting Center Center, located at 11300 Stanford Avenue, Garden Grove to invite and inform property owners located within a 300-foot radius of the project site about the proposed project. At the meeting, two (2) residents were present and raised concerns about current on-street parking issues in the area. They were concerned that the Project would not provide enough off-street parking within the development, resulting in impacts to the availability of on-street parking in the neighboring area. However, they expressed overall support for the proposed project. The applicant informed the residents that the number of parking spaces provided by the project exceeded the parking requirements under the SDBL.

### **PROJECT STATISTICS:**

	<b>Provided</b>	<b>Code Requirements</b>	<b>Meets Code</b>
<b>Lot Size</b>	1.22 acres	7,200 square feet minimum	Yes
<b>Density</b>	24.6 units per acre	32 units per acre maximum	Yes
<b>Lot coverage</b>	38.9%	50% maximum	Yes
<b>Total Parking</b>	64	53 minimum	<b>State Density Bonus Law</b>
<b>Recreation Area Total</b>	10,190 square feet	9,000 square feet minimum	Yes
Common Area - Active and Passive	4,304 square feet	2,500 square feet minimum	Yes
Private	5,886 square feet	1,800 square feet minimum <sup>2</sup>	Yes

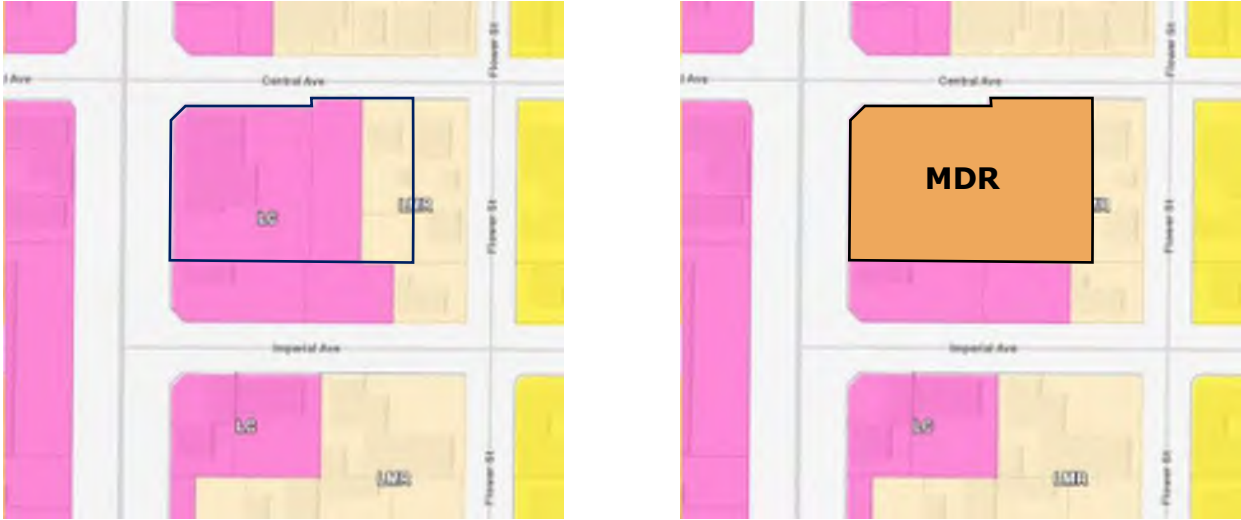
<sup>2</sup> Each unit is required to provide a minimum of sixty (60) square feet of private open space. For thirty (30) units, a minimum of 1,800 square feet of private open space will be required.

	<b>Provided</b>	<b>Code Requirements</b>	<b>Meets Code</b>
<b>Open Space Amenities</b>	See Table A below		<b>Concession requested</b>
<b>Open Space Dimension</b>			
Active	15'-2"	30'-0" minimum	<b>Waiver requested</b>
Passive	12'-0"	10'-0" minimum	Yes
<b>Open Space Location</b>			
Private – patio	Encroachment of two feet (2'-0") into the front setback	Outside of front and street side setback	<b>Waiver requested</b>
<b>Building Setbacks</b>			
<i>1<sup>st</sup> &amp; 2<sup>nd</sup> floor</i>			
West (Front)	25'-0"	20'-0"	Yes
East (Rear)	15'-0"	10'-0"	Yes
North (Street Side)	15'-0"	15'-0"	Yes
South (Interior Side)	20'-0"	10'-0"	Yes
<i>3<sup>rd</sup> floor</i>			
West (Front)	25'-0"	25'-0"	Yes
East (Rear)	15'-0"	15'-0"	Yes
North (Street Side)	15'-0"	15'-0"	Yes
South (Interior Side)	19'-9"	15'-0"	Yes
<b>Landscaping along Brookhurst Street</b>	5'-0"	10'-0"	<b>Waiver requested</b>
<b>Building Separation</b>			
Between two buildings	7'-6"	10'-0"	<b>Waiver requested</b>
<b>Building Height</b>	35'-0"	35'-0" maximum	Yes
<b>Stories</b>	3 stories	3 stories maximum	Yes
<b>Unit size</b>			
2-bedroom unit (PL 1)	1,302	900 square feet minimum	Yes
2-bedroom unit (PL 2)	1,344	900 square feet minimum	Yes
4-bedroom unit (PL 3)	1,928	1,050 square feet minimum	Yes

**DISCUSSION:**

**GENERAL PLAN AMENDMENT:**

The subject site consists of two (2) different General Plan Land Use Designations: Light Commercial (13252 Brookhurst Street) and Low Medium Density Residential (10052 Central Avenue) as shown in Figure 1 below.



**Figure 1:** The map to the left shows the site’s existing General Plan Land Use Designation that includes Light Commercial (LC) and Low Medium Density Residential (LMR). The map to the right shows the proposed change to the Medium Density Residential (MDR) Land Use Designation.

The Light Commercial (LC) Land Use Designation is intended to allow a range of commercial activities that serve local residential neighborhoods and the larger community. The LC Land Use Designation does not support residential uses. The Low Medium Density Residential (LMR) Land Use Designation is intended for smaller-scale multifamily attached or detached housing and is a transition between the detached single-family areas and the higher-density multiple-family areas. The LMR land use designation allows a maximum of up to 21 units per acre, which is lower than the proposed density of 24.6 units per acre for the project.

To facilitate the proposed project, a General Plan Amendment is necessary to change the land use designation of the entire site to Medium Density Residential (MDR) to ensure consistency in land use designation throughout the development, and to facilitate the proposed multifamily residential use. The MDR designation is intended for the development of mainly multifamily residential neighborhoods that provide a variety of housing types, provide access to schools, parks, and other community services, provide a high-quality architectural design that preserves privacy, provide common spaces, recreation areas and services convenient to residents, provide an

excellent environment for family life, and preserve residential property values. The MDR also allows a maximum density of 32 units per acre. With the proposed General Plan Amendment, the subject project will be consistent with the goals of the City’s General Plan.

ZONING AMENDMENT:

Provided the General Plan Amendment request is approved, the requested zone change is necessary to implement the site’s new Land Use Designation. The current zoning of the site does not support the proposed development. The C-1 zone does not allow multifamily residential developments, and the R-2 zone allows multifamily developments at a lower density than the requested density. Figure 2 below shows the current zoning of the site and the proposed zone change.



**Figure 2:** The map to the left shows the site’s existing zoning that includes C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential). The map to the right shows the proposed change to the R-3 (Multiple-family Residential) zone.

The zoning district that implements the MDR Land Use Designation is the R-3 zone. Pursuant to Section 9.12.020.020, the R-3 zone is intended to provide for a variety of types and densities of multifamily residential dwellings. This zone is intended to promote housing opportunities in close proximity to employment and commercial centers. The Project would redevelop a vacant commercial site and the adjacent unimproved residential lot to provide thirty (30) new townhomes pursuant to the R-3 zone development standards. The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential buildings. Recent developments within the one-mile radius from the site consist of both commercial and higher-density residential developments including Brookhurst Place located at the northwest corner of Brookhurst Street and Garden Grove Boulevard (approximately 48 units/acre), and the Garden Brook Senior Housing



located at the south side of Garden Grove Boulevard just west of Brookhurst Street (approximately 78 units/acre). Recently, the City recently approved Site Plan No. SP-111-2022 and Tentative Parcel Map No. PM-2021-190 to allow the development of a five-story mixed use building consisting of both commercial and residential units on a vacant lot located at the southeast corner of Garden Grove Boulevard and Brookhurst Street. The allowed residential density of this project is approximately 28 units per acre.

In addition, surrounding zoning districts from the project site include R-3, which allows up to 32 units per acre, GGMU-1 (Garden Grove Boulevard Mixed Use 1), which allows up to 60 units per acre, and GGMU-3 (Garden Grove Boulevard Mixed Use 3), which allows up to 48 units per acre. Considering the site is surrounded by zoning districts and new developments with a much higher density, the construction of thirty (30) residential units, which is equivalent to 24.6 units/acre, at this location will be appropriate, as the development would create a transition from a higher- to a lower-density neighborhood that is located to the west of the subject site. Thus, the proposed zoning amendment to facilitate the development of thirty (30) townhomes on the site according to the development standards of the R-3 zone will be consistent with the development pattern at this location.

#### STATE DENSITY BONUS LAW:

##### Reduced Parking Ratio

Provided the requested General Plan Amendment and zone change are approved, the inclusion of three (3) for-sale affordable units for "moderate-income" households qualifies the project for a reduced parking ratio under the SDBL. State Law allows one and one-half (1.5) parking spaces for each two- to three-bedroom unit, and two and one-half (2.5) spaces for each four-bedroom unit. Based on the proposed plans and the unit characteristics, the project is required to provide a minimum of 53 spaces, as shown in Table A below. In addition, tandem parking, which normally would not be allowed by the Garden Grove Municipal Code, may also be provided to satisfy the required on-site parking under the SDBL.

The project has been designed to comply with the parking requirements mandated by the State for Density Bonus projects. Based on the proposed design, each unit will be provided with a private two-car enclosed garage (standard or tandem), for a total of 60 garaged spaces. The site will also provide an additional four (4) guest parking spaces located along the southerly property line. With a total of 64 spaces (private and guest parking), the project exceeds the required number of parking spaces required under the SDBL by eleven (11) spaces.

**Table A - Parking Spaces Required Per Unit**

Type	Number of bedrooms	Number of units	SDBL Parking ratio (per unit)	Required parking
PL 1	Two-bedroom	14 units	1.5 spaces	21
PL 2	Two-bedroom	8 units	1.5 spaces	12
PL 3	Four-bedroom	8 units	2.5 spaces	20
<b>Total</b>		30 units	<b>Total</b>	53 spaces

Concessions and Waivers

The applicant has requested one (1) concession and five (5) waivers pursuant to the State Density Bonus Law to facilitate the proposed development.

Concessions

The State Density Bonus Law provides that an applicant is entitled to one (1) "concession or incentive" if it offers to restrict 10% of the for-sale units for moderate-income households. A "concession or incentive" includes a reduction in site development standards or a modification of zoning code requirements or architectural design requirements. The SDBL provides that a city must grant a requested concession or incentive unless it makes a written finding, based upon substantial evidence, that the concession or incentive (1) does not result in identifiable and actual cost reductions to provide for affordable housing costs or for the targeted units; (2) would have a specific, adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households; or (3) would be contrary to state or federal law.

The following concession is requested for the Project:

Concession: The applicant requests a concession to deviate from Section 9.12.040.050.J.7.d of the Municipal Code that requires multifamily residential developments to provide specific amenities as shown in the Multifamily Residential Development Amenity Standards Table within the required active open space. The required amenities are additive based on the number of units. Table B below shows the list of amenities that would be required for the proposed development. The applicant requests a concession under the SDBL to deviate from this requirement.

**Table B – List of Amenities**

	<b>Required</b>
0-5	3 Barbeque with table seating
up to 10	Community Garden Area (min. 60 square feet)
up to 15	Outdoor Active Use Area – 1,500 square feet
up to 20	Provide One of Two: <ul style="list-style-type: none"> <li>● 4 workstations</li> <li>● 250 square foot indoor or outdoor gym</li> </ul>
up to 35	Provide Two of Three: <ul style="list-style-type: none"> <li>● 4 workstations</li> <li>● 250 square foot indoor or outdoor gym</li> <li>● Clubhouse with 400 square foot Kitchen</li> </ul>

Concession Justification

To accommodate all of the required amenities listed on Table A, the applicant contends that additional space for the placement of the required amenities would be needed. As a result, the project’s unit yield would be reduced while the construction cost would be increased, resulting in infeasibility to achieve the desired density allowed by the R-3 zone. Although the project is allowed to deviate from the amenity requirements of the R-3 zone, pursuant to the SDBL, the project still provides ample common space areas consisting of alternative amenities including a barbeque (BBQ) area equipped with large wood shade structures and tables, seating, outdoor furniture, community gardens, and a community dog-bag station as shown on the Landscaping plan (L-1) of the proposed plan. The proposed alternative amenities encourage different types of recreational outdoor activities appropriate for multifamily residential developments. A copy of the Density Bonus Application for the project is attached as Attachment 4. The application includes the applicant’s justification for granting the concession to facilitate the development of the project.

Waivers of Development Standards

The State Density Bonus Law provides that, in addition to a density bonus and concessions or incentives, an applicant may also request the waiver or reduction of development standards that will have the effect of physically precluding the construction of the proposed development, with the required density bonus and concessions or incentives. Similar to a concession or incentive, a city must waive or reduce a development standard that would physically preclude construction of the proposed development unless the waiver or reduction (1) would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; (2) would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or (3) would be contrary to state or federal law.

The following waivers are requested for the Project:

Waiver 1: The applicant requests a waiver or reduction of the development standards under Section 9.12.040.050.A.1 of the Municipal Code, which requires the distance separation between two (2) buildings to be a minimum of ten feet (10'-0"). The project is designed with four (4) buildings that are separated either by a shared driveway or by common open space located between the buildings. The majority of buildings throughout the project provide the minimum ten foot (10'-0") building separation, with exception of the southerly portions of Buildings B and B(R), where Units 15 and 16 are located. These two (2) buildings are separated by a seven foot and six inch (7'-6") wide paseo, which is less than the ten-foot separation requirement. This waiver is only applicable to this specific area of the site.

Waiver 2: The applicant requests a waiver or reduction from the development standards under Section 9.12.040.050.J.7.d of the Municipal Code, which requires the width of any one active open space to be a minimum of thirty feet (30'-0"). The recreation area has varying widths, with the shortest dimension at fifteen feet (15'-0") wide. Since the shortest dimension is considered, the subject open space does not meet the minimum dimension requirement, thus necessitating the waiver request. Nevertheless, the open space will be approximately 3,290 square feet, which exceeds the minimum 900 square foot recreation area requirement.

Waiver 3: The applicant requests a waiver or reduction from the development standards under Section 9.12.040.140.J of the Municipal Code, which prohibits walls, fences, or hedges more than thirty-six inches (36") in height from being erected within the front setback area. Instead, the project proposes a six-foot (6'-0") tall block wall to be constructed within the front setback area. The project site is a corner lot with two frontages: one on Brookhurst Street and the other on Central Avenue. Since the Brookhurst lot frontage is narrower, it is considered the front of the lot. Thus, under Section 9.12.040.140.J of the Municipal Code, the Project would be required to maintain a twenty-foot (20'-0") setback from the property line along Brookhurst Street and no walls, fences, or hedges higher than thirty-six inches (36") in height would be allowed to be erected within the front setback area. It is worth noting that although Brookhurst Street is considered the front of the lot, the proposed design is oriented toward Central Avenue as the main access to the site will be from Central Avenue. No vehicular access to the site is provided along Brookhurst Street; however, a pedestrian gate will be provided on Brookhurst Street. The proposed block wall, located five feet (5'-0") measured from the front property lines, also satisfies the perimeter block walls requirement pursuant to Section 9.12.040.050.U.

Waiver 4: The applicant requests a waiver or reduction from Section 9.12.040.090.Q of the Municipal Code, which would require the project to provide a landscaped fifteen-foot (15'-0") setback area along Brookhurst Street. The project will provide a five-foot (5'-0") landscaped setback area along Brookhurst Street, which will also serve as bio-filtration planter for storm water quality treatment.

Waiver 5: The applicant requests a waiver or reduction from Section 9.12.040.020.D of the Municipal Code to allow private open space to be located within the front setback area. Building A (as shown in the attached project plans) consists of a total of eight units (Unit 1-8) and is oriented toward Brookhurst Street. Each unit is designed with an open patio area abutting the front entry with a depth of six feet by eight inches (6'-8"). Since the building is situated twenty-five feet (25'-0") from the front property line, the open patio area will encroach one foot and eight inches (1'-8") into the required front setback. Although open patio area encroaches into the front setback, the private open patio will be behind the six-foot (6'-0") tall perimeter block wall, as requested under Waiver No. 3, and will not be visible from the public street.

Waivers Justification

The justification for the requested waivers, as provided by the applicant, is to further enhance the project's design, building placement, and on-site circulation. A copy of the density bonus application for the project is attached as Attachment 4. The application includes the applicant's justification for granting the requested waivers to facilitate the development of the project.

SITE PLAN:

Site Design, and Circulation

The Project will be located at the southeast corner of Brookhurst Street and Central Avenue. Section 9.04.060 of the Municipal Code defines the front lot line to be as the line separating the narrowest street frontage of the lot from the street. Since the lot line fronting Brookhurst Street is narrower than the one fronting Central Avenue, the Brookhurst Street side is considered the front lot line, while the Central Avenue side is the street side. The setback requirements are observed accordingly. The buildings will provide a twenty-five (25'-0") foot front setback (west), a fifteen-foot (15'-0") rear setback from the rear property (east), a fifteen-foot (15'-0") street side setback (north), and a nineteen feet and nine inches (19'-9") interior side setback (south). With the exception of the perimeter wall, granted under waiver 3, the proposed buildings meet the setback requirements of the Code.

The applicant proposes to construct four (4) detached buildings labeled as Buildings A, A(R), B and B(R) on the proposed plan. Buildings A and A(R) are mirror images of one other, and will each consist of eight (8) attached units. Building A is located along the westerly property line (front), and Building A(R) is located along the easterly property line (rear). Similarly, Buildings B and B(R) are also mirrored from each other. Buildings B and B(R) each will consist of seven (7) attached units. Both will be centrally located on-site and separated from each other by a common open space.

The site will be accessible from two (2) new thirty-foot wide driveway approaches of Central Avenue. No vehicular access on Brookhurst Street is provided. The new approaches will be connected to a new twenty-five-foot (25'-0") U-shaped drive aisle that circulates through the site. The drive aisle will provide vehicular access to the garage of each unit. Vehicular access and circulation was reviewed by Public Works Engineering Division and Orange County Fire Authority (OCFA) and was deemed to meet applicable standards and requirements.

Pedestrian access to the site will be via the sidewalk fronting Central Avenue, and through a pedestrian gate on Brookhurst Street. In addition, new four-foot (4'-0") community walkways will be installed throughout the development for internal pedestrian circulation. This walkway will lead to each unit's front entry, as well as common recreational areas, and open guest parking spaces. A trash enclosure, designed in accordance with City standards, will be situated along the southerly property line.

Floor Plan

The proposed project will provide thirty (30) three-story units that include twenty-two (22) two-bedroom units, and eight (8) four-bedroom units. The unit sizes will range in size from 1,302 square feet to 1,928 square feet. There are three (3) different types of floor plans that are proposed, as detailed in Table C below.

**Table C - Unit Design**

Type	Number of bedrooms	Number of bathrooms	Living area <sup>3</sup>	Private open space	Private parking
PL 1	Two beds	2.5 baths	1,302	Patio on the ground floor and a balcony on the second floor	Tandem
PL 2	Two beds	2.5 baths	1,334		Standard
PL 3	Four beds	3.5 baths	1,902		Standard

Plan type PL 1 will have a 1,302 square foot living area and a 563 square foot two-car garage that parks tandemly. The main entry and the garage will be located on the ground floor. The living area will consist of a living area, a dining area, a kitchen, and a powder room on the second floor, and two (2) bedrooms and two (2) bathrooms on the third floor. The PL 1 unit will be provided with a 107 square foot open patio abutting the front entry and a 70 square foot balcony on the second floor as the private open space.

Plan type PL 2 will have a 1,334 square foot living area, and a 451 square foot standard two-car garage. The main entry and the garage will be located on the ground floor. The living area includes a small den area on the ground floor, a living room, a kitchen, a dining room, and a powder room on the second floor, and two

<sup>3</sup> Excluding the garage's square footage.

bedrooms with two bathrooms on the third floor. The PL 2 unit will be provided with a 140 square foot open patio abutting the front entry and a 65 square foot balcony on the second floor as the private open space.

Plan type PL 3 will have a 1,902 square foot living area, and a 434 square foot standard two-car garage. The main entry and the garage will be located on the ground floor. The living area includes a bedroom and a private bathroom on the ground floor, a dining area, a kitchen, and a powder room on the second floor, and three bedrooms and two bathrooms on the third floor. The PL 3 unit will also be provided with a 140 square foot open patio abutting the front entry and an 85 square foot balcony on the second floor as the private open space.

### Parking

The project provides a total of sixty-four (64) parking spaces, which exceeds the SDBL parking requirements by eleven (11) spaces. Each unit will be provided with an enclosed garage that can park two (2) cars. PL 1 units will each have a tandem garage, while PL 2 and PL 3 units will each have a standard two-car garage. In addition to the private parking spaces, four (4) guest parking stalls, one of which includes an ADA (Americans with Disabilities Act) parking stall, will be provided along the southerly property line.

### Open Space and Recreational Area

Section 9.12.040.050.J of the Municipal Code requires the proposed development to provide a minimum of 9,000 square feet of open space, which is calculated at 300 square feet per unit. Each unit is required to be provided with a minimum of sixty (60) square feet of private open space that can be in the form of a patio, yard, balcony, deck, or combination thereof. Furthermore, the Code requires the dimension of the private open space to be a minimum of six feet (6'-0") in any direction.

The private open space is designed to comply with the size and dimension requirements of the Code. Each unit will be provided with an open patio area, each at least 100 square feet in area, abutting the front entry, and a balcony, each at least 65 square feet in area, adjacent to the living area on the second floor. Detailed dimensions and square footage of the private open space of each unit type are shown in Table D below. The proposed design exceeds the minimum private open space requirement for each unit.

Since the site is over 14,400 square feet in area and will be improved with more than five (5) units, the Code also requires the development to include a minimum of 2,500 square foot common open space and active recreation area in addition to the required private open space for each unit. In addition, the Code requires any one active recreation area to meet the minimum size of 900 square feet with a minimum dimension of thirty feet (30'-0") in any direction.

The project will provide an approximately 3,290 square foot common recreation open area. This area will be the main active open space serving the entire site. The area will be located between Buildings B and B(R). The area has varying widths, with the shortest width dimension of fifteen feet and two inches (15'-2"), which may be permitted pursuant to Waiver 2, as discussed above. Although the dimensions of the active common recreation area does not meet the minimum dimension requirement, the active open space exceeds the minimum total area requirement of 2,500 square feet by 790 square feet. The design also includes ample amenities and outdoor furniture to encourage different outdoor recreational activities appropriate for multifamily developments.

**Table D – Required Open Space**

<b>Private open space</b>				
Type	Quantity	Location	Dimension	Area (s.f.)
<i>Patio</i>				
PL 1	14	Adjacent to the front entry	6'-8" x 16'-0"	107 (x 14)
PL 2	8		6'-8" x 21'-0"	140 (x 8)
PL 3	8		6'-8" x 21'-0"	140 (x 8)
<i>Balcony</i>				
PL 1	14	Adjacent to the living area	6'-3" x 11'-4"	70 (x 14)
PL 2	8		7'-2" x 9'-1"	65 (x 8)
PL 3	8		6'-8" x 12'-3"	81 (x 8)
<i>Total private open space area</i>				<b>5,886</b>

<b>Common open space</b>				
	Type	Location	Dimension	Area (s.f.)
Courtyard (main)	Active	Central	15'-2" x 102'-0" <sup>4</sup>	3,290
Courtyard	Passive	Northwest	12'-0"x 30'-0"	484
Courtyard	Passive	Northeast	13'-0" x 35'-10"	530
<i>Total common open space area</i>				<b>4,304</b>

<b>Total (private + common)</b>	<b>10,190</b>
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The Code also allows up to 50% of the required common open space areas to be maintained as passive common open space consisting of landscape areas that incorporate pathways, waterscapes, and hardscape areas. Such passive open space cannot be less than ten feet (10'-0") in any direction. The proposed design includes two (2) passive common open spaces: one is approximately 484 square feet in size (12'-0"x 30'-0") and is located at the northwest corner of the site, while the other is approximately 503 square feet in size (12'-0"x 30'-0") and is located at the northeast

<sup>4</sup> The area is oddly shaped, and only shorter dimensions are taken for consideration.



corner of the site. Each passive open space will be provided with a community garden, landscaping, and pathways. The passive open spaces meet the minimum dimension and design requirements. In addition, the total square footage of the proposed passive open space is only 10.67%<sup>5</sup> of the total required common open space.

As shown in Table D, the combined square footage of both private open space and common active recreational area is 10,190 square feet, which exceeds the minimum open space required by the Code by 1,190 square feet.

### Amenities

In addition to the minimum size and dimension requirements, the Code requires multifamily residential developments to provide specific amenities as shown in the Multifamily Residential Development Amenity Standards Table (Section 9.12.040.050). Pursuant to the SDBL, a concession is request requested to deviate from the amenity requirements. The Project still provides different types of amenities serving residents of the development, including a barbeque (BBQ) area equipped with large wood shade structures and tables, seating, outdoor furniture, community gardens, and a community dog bag station as shown on the Landscaping plan (L-1) of the proposed plan.

### Site Landscaping

Section 9.12.040.090 (Landscaping Requirements) requires all areas that are not designated for walkways, parking spaces, drive aisles, and private recreation areas, to be fully landscaped and automatically irrigated. In addition, the applicant is required to provide a landscape and irrigation plan that complies with the requirements of the Municipal Code. The project provides approximately 9,500 square feet of landscaping throughout the site, including setbacks areas, along the drive aisle, and walkways, using a variety of plant materials. All of the landscaped areas will be fitted with automatic irrigation systems that comply with the City's Water Efficiency Guidelines.

### Building Architecture

The proposed multifamily apartment building will be three (3) stories in height and will incorporate a modern contemporary architectural style. The building design includes stucco exteriors, stone veneer, wooden sidings, decorative metal guardrail, and a combination of shed and gable roof which are common characteristics found in this type of architecture. The design incorporates varying roof lines, different materials in architectural exterior features to break down the overall building massing and provide further architectural articulation. The building elevations portray a white,

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<sup>5</sup> The total passive open space area is 960 square feet, while the total required open space is 9,000. Thus, the percentage of passive open space provided is 10.67%.

and grey color scheme, which will be complementary and architecturally compatible with the immediate neighborhood.

#### TENTATIVE PARCEL MAP

In accordance with the State Subdivision Map Act, the applicant is requesting approval of Tentative Tract Map No. TT-19273 consolidate the parcels into a single property with thirty (30) condominium units. Homeowners will be responsible for their unit, while the Homeowner Associate (HOA) will be responsible for maintaining communal areas within the property including, but not limited to, the shared driveway, recreational areas, landscaping, and the overall aesthetic of the site.

The proposed Tentative Tract Map is in conformance with the zoning requirements for the site, as well as the City's Subdivision Ordinance and the State Subdivision Map Act.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., an initial study was prepared (Brookhurst Street – Central Avenue Initial Study/Mitigated Negative Declaration). In accordance with CEQA, the City made the IS/MND available for public review and comment prior to the meeting. The IS/MND concludes that the proposed project will have no, or a less than significant, impact on all relevant environmental factors, provided specified mitigation measures are incorporated. These mitigation measures are included as Conditions of Approval to the proposed Site Plan and Tentative Tract Map. On this basis, a Mitigated Negative Declaration and Mitigation Monitoring Program has been prepared. A complete digital copy of the environmental documents with the corresponding technical studies is attached to this report as Attachment 3.

#### SB330 – Replacement Housing

In 2019, the Legislature adopted, and the Governor approved Senate Bill 330 (SB 330) enacting the Housing Crisis Act of 2019 (Government Code § 66300). Among its provisions, SB 330 imposed new requirements when a proposed new housing development would require the demolition of existing residential units, or residential rental units have been demolished within the five (5) year period preceding the application date. Pursuant to Government Code § 66300(d)(1), the City may not approve a housing development project unless the project will create at least as many residential dwelling units as have been / will be demolished.

Per City's records, the property located at 13252 Brookhurst Street is improved with a restaurant pad building. No existing residential unit will be demolished on this site. The property located at 10052 Central Avenue was once improved with a one-story single-family residential dwelling; however, the structure was demolished in July

2017, which is beyond the five (5) years threshold under SB330. The applicant is not required to verify whether the demolished unit was a “protected unit”. Therefore, no existing residential unit is required to be replaced.

### NO NET LOSS FINDINGS

Government Code Section 65863 requires jurisdictions to maintain adequate sites to accommodate their remaining unmet Regional Housing Needs Allocation (RHNA) by each income category at all times throughout the Housing Element planning period. A jurisdiction may not take any action to reduce the residential density of a parcel identified in the Housing Element sites inventory unless it makes findings that the reduction is consistent with the General Plan, including the Housing Element, and that the remaining sites identified in its Housing Element sites inventory can accommodate its remaining unmet RHNA by each income category, or it identifies additional sites so that there is no net loss of residential unit capacity.

In addition, if a jurisdiction approves a development on a parcel identified in its Housing Element sites inventory with fewer units than shown in the Housing Element, the jurisdiction must either make findings that the Housing Element’s remaining sites have sufficient capacity to accommodate the remaining unmet RHNA by each income level or identify and make available additional adequate sites to accommodate the remaining unmet RHNA for each income category.

In total, the project site consists of four (4) adjoining parcels that include parcels Nos. 099-031-01 and 099-031-02 for property located at 13252 Brookhurst Street; and 099-031-08, and 099-031-09 for property located at 10052 Central Avenue. The APNs 099-031-01 and 099-031-02 are not identified in the City’s Housing Element sites inventory. However, the APNs 099-031-08 and 099-031-09 are identified in the site inventory as having a realistic capacity to accommodate one (1) and three (3) “above moderate income” units, respectively, for a total of four (4) units. Since the proposed General Plan and Zoning amendments will increase the residential densities of these parcels, and the proposed project will be providing three (3) “moderate income” units and twenty-seven (27) “above moderate income” units, the project exceeds the anticipated realistic capacity of the site set forth in the General Plan Housing Element by 3 “moderate income” units and 23 “above moderate income” units. Thus, No Net Loss Findings are not required for this project.

With the proposed construction of three (3) for sale units for “moderate income” units, and twenty-seven (27) “above moderate income” units, the project will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA).

### **RECOMMENDATION:**

Staff recommends that the Planning Commission hold a public hearing and take the following actions:

1. Adopt the attached Resolution No. 6077-23 recommending that the Garden Grove City Council: (i) approve General Plan Amendment No. GPA-001-2023 to amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designations of the subject properties from Light Commercial (LC) and Low Medium Density (LMD) to Medium Density Residential (MDR); (ii) approve Zoning Amendment No. A-036-2023 adopting an Ordinance to amend the City's Official Zoning Map to change the zoning of the subject properties from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential) to facilitate the development of the residential project; and
2. Adopt the attached Resolution No. 6078-23 recommending that the Garden Grove City Council approve Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273, subject to the recommended Conditions of Approval, and contingent upon City Council adoption and effectiveness of an Ordinance approving Zoning Amendment No. A-036-2023 and Resolutions approving General Plan Amendment No. GPA-001-2023 and adopting a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the project.
3. Adopt the attached Resolution No. 6079-23 recommending that the Garden Grove City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the project.



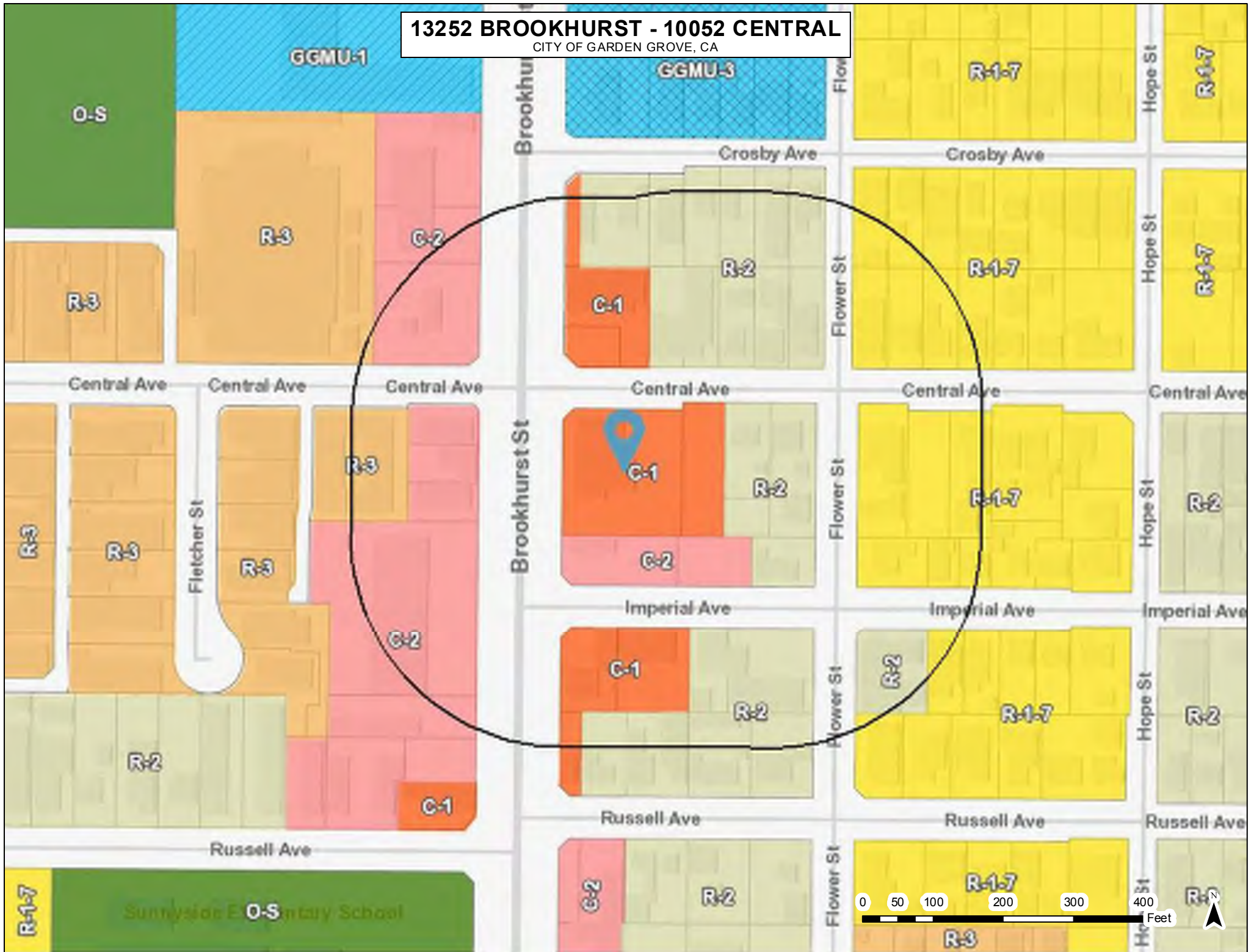
Maria Parra  
Planning Services Manager



By: Huong Ly  
Associate Planner

- Attachment 1: Vicinity Map
- Attachment 2: Plans
- Attachment 3: Initial Study/Negative Mitigation Declaration and associated Mitigation Monitoring and Reporting Program
- Attachment 4: Density Bonus Application
- Attachment 5: Resolution No. 6077-23
- Attachment 6: Resolution No. 6078-23 with Exhibit "A" – Conditions of Approval
- Attachment 7: Resolution No. 6079-23

**13252 BROOKHURST - 10052 CENTRAL**  
CITY OF GARDEN GROVE, CA



**PROJECT SUMMARY**

EXISTING G.P. LC LIGHT COMM./LMR RESID.  
 EXISTING ZONE C1/R2  
 PROPOSED ZONE R-3  
 PROPOSED G.P.A. MDR  
 AFFORDABLE UNITS 10% MODERATE (1 INCENTIVE)  
 PARKING PROVIDED BY GOVERNMENT  
 CODE SECTION 65915

TOTAL UNITS 30 UNITS (38 ALLOWED BY R-3 ZONE)  
 SITE AREA 52,987 S.F. / 1.216 AC  
 DENSITY 24.6 DU/AC  
 LOT COVERAGE 20,630 S.F. / 52,987 S.F. = 38.9%  
 BUILDING HEIGHT 35'

**DWELLING UNIT SUMMARY**

PL 1 14 1,302 SF 2 BD 3 STORY TANDEM  
 PL 2 8 1,334 SF 2 BD+DEN 3 STORY  
 PL 3 8 1,928 SF 4 BD 3 STORY

**PARKING SUMMARY**

REQUIRED PARKING (PER STATE OF CA GOV CODE 65915)  
 PL 1 - (14) 2BD 1.5 STALL/DU = 21 STALLS  
 PL 2 - (8) 2BD 1.5 STALL/DU = 12 STALLS  
 PL 3 - (8) 4BD 2.5 STALL/DU = 20 STALLS  
 TOTAL STALLS REQUIRED = 53 STALLS (1.76 STALLS/DU)

**PROVIDED PARKING**

GARAGE STALLS = 60 STALLS(14 TANDEM)  
 GUEST STALLS = 4 STALLS  
 TOTAL PROVIDED PARKING = 64 STALLS (2.1 STALLS/DU)

**LOT COVERAGE**

BUILDING A FOOTPRINT = 5,723 S.F. X 2 = 11,446 S.F.  
 BUILDING B FOOTPRINT = 4,592 S.F. X 2 = 9,184 S.F.  
 BUILDING COVERAGE = 20,630 S.F.  
 TRASH ENCLOSURE = 229 S.F.  
 OPEN PARKING STALLS = 834 S.F.  
 LOT COVERAGE = 21,693 S.F. / 52,987 S.F. = 0.409 OR 40.9%

**FRONT SETBACK COVERAGE**

FRONT SETBACK (25FT) = 4,387 S.F.  
 FRONT SETBACK COVERAGE = 1,568 S.F.  
 FRONT SETBACK COVERAGE = .3574 OR 35.7% (50% ALLOWED)

**OPEN SPACE SUMMARY**

PRIVATE BALCONIES 2,014 S.F. (6' DIM., 60 SF MIN.)  
 PRIVATE PATIOS 3,289 S.F.  
 ACTIVE COMMON AREAS 4,322 S.F.  
 OTHER COMMON 9,578 S.F.  
 TOTAL PROVIDED 19,203 S.F. (640.1 S.F./U)  
 (EXCLUDES 722 S.F. BIO RETENTION AREA)  
 OPEN SPACE REQ'D 300 S.F./UNIT

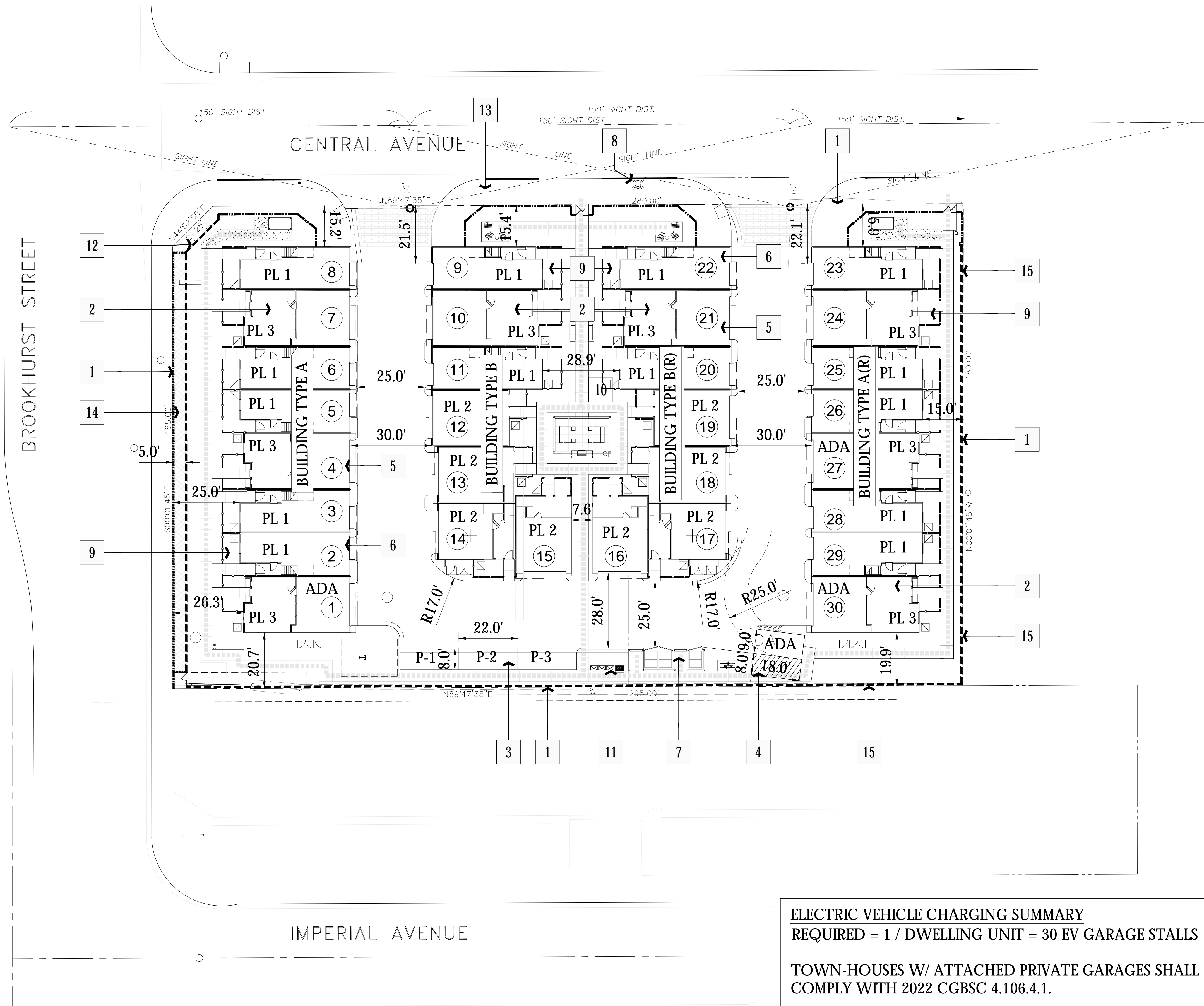
**ACCESSIBLE UNIT SUMMARY**

REQUIRED = 10% OF MULTISTORY DWELLINGS PER CBC 1102A.3.1  
 30 DU X 10% = 3 REQUIRED ACCESSIBLE UNIT

PROVIDED = 3 ACCESSIBLE UNITS (UNITS 1, 27 & 30)

**KEYNOTES**

- 1 PROPERTY LINE
- 2 3-STORY ROW TOWNHOME
- 3 PARALLEL PARKING STALL - 8' X 22' (TYP.)
- 4 ACCESSIBLE PARKING STALL - 9' X 18' (TYP.)  
VAN W/ 8' WIDE STRIPING (PASSENGER SIDE)
- 5 STANDARD 2-CAR GARAGE (20' X 20' MIN.)
- 6 TANDEM 2-CAR GARAGE (10' X 40' MIN.)
- 7 COVERED COMMUNITY TRASH ENCLOSURE
- 8 NEW PUBLIC FIRE HYDRANT
- 9 PRIVATE PATIO
- 10 COMMON OPEN SPACE
- 11 COMMUNITY MAILBOX LOCATION
- 12 PROJECT MONUMENT SIGN WALL SEE LANDSCAPE PLANS
- 13 FOR EXISTING RIGHT OF WAY SEE TTM 19273
- 14 WATER RETENTION - BIO PLANTER
- 15 PRIVACY MEASURE - 12' MIN. HIGH TREES  
SEE LANDSCAPE PLAN L-3



**ELECTRIC VEHICLE CHARGING SUMMARY**  
 REQUIRED = 1 / DWELLING UNIT = 30 EV GARAGE STALLS  
 TOWN-HOUSES W/ ATTACHED PRIVATE GARAGES SHALL COMPLY WITH 2022 CGBSC 4.106.4.1.

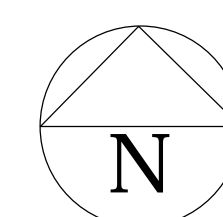
GARDEN GROVE, CA

**BROOKHURST TOWNHOMES - BRECKYN**

SITE PLAN

MELIA HOMES  
 8951 Research Drive, Suite 100  
 Irvine, CA 92618  
 (949) 759-4367

Scale 0 20 40 60  
 MAY 02, 2023



5256 S. MISSION ROAD STE. 404  
 BONSALL, CA. 92003  
 760.724.1198

SP-A



CENTRAL AVE. PERSPECTIVE



BROOKHURST STREET PERSPECTIVE



INTERIOR ALLEY PERSPECTIVE



INTERIOR COURTYARD PERSPECTIVE



REAR PERSPECTIVE



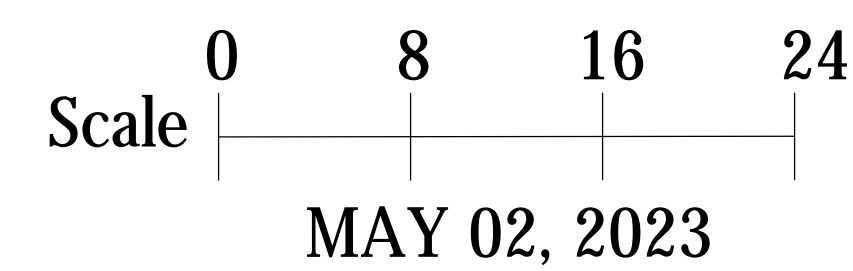
BROOKHURST STREET PERSPECTIVE

GARDEN GROVE, CA

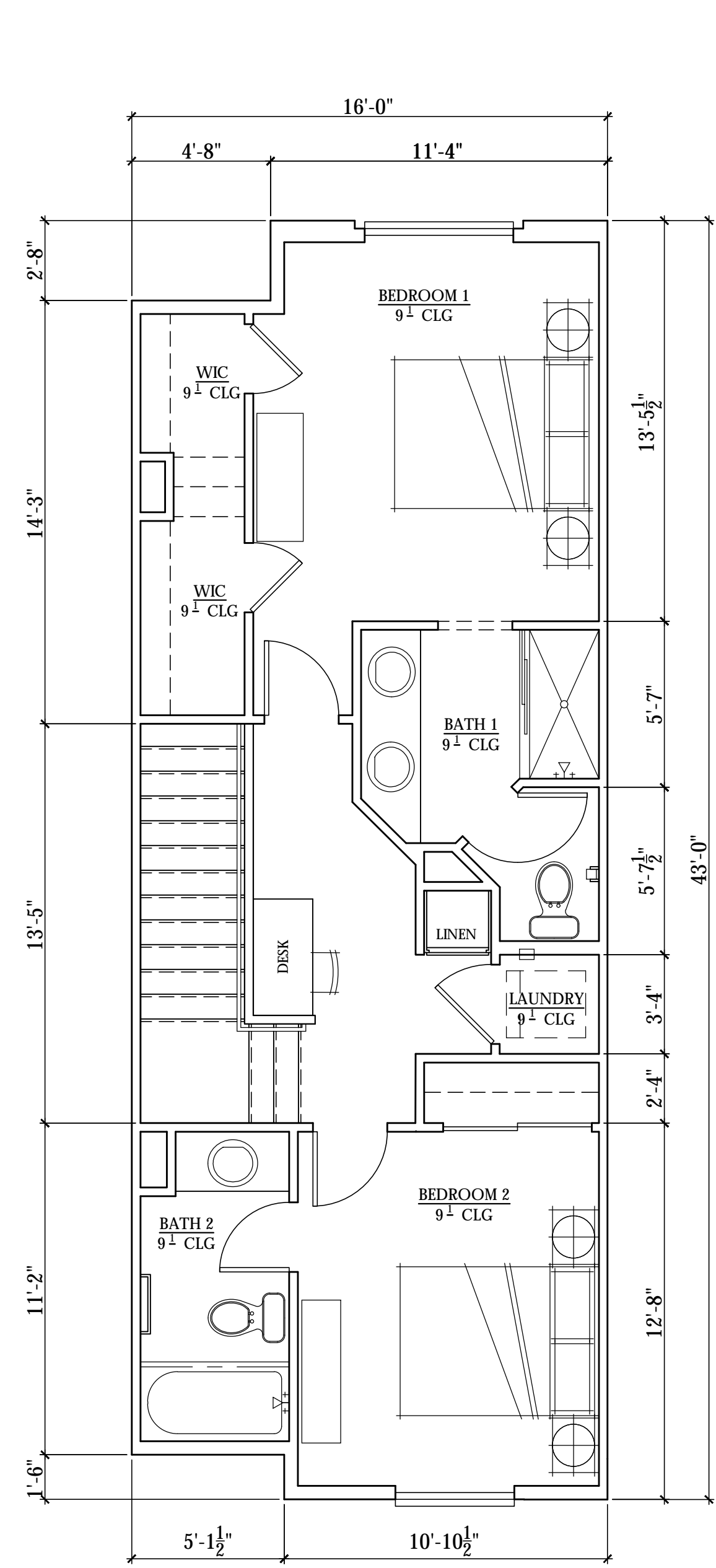
BROOKHURST TOWNHOMES - BRECKYN

PERSPECTIVES

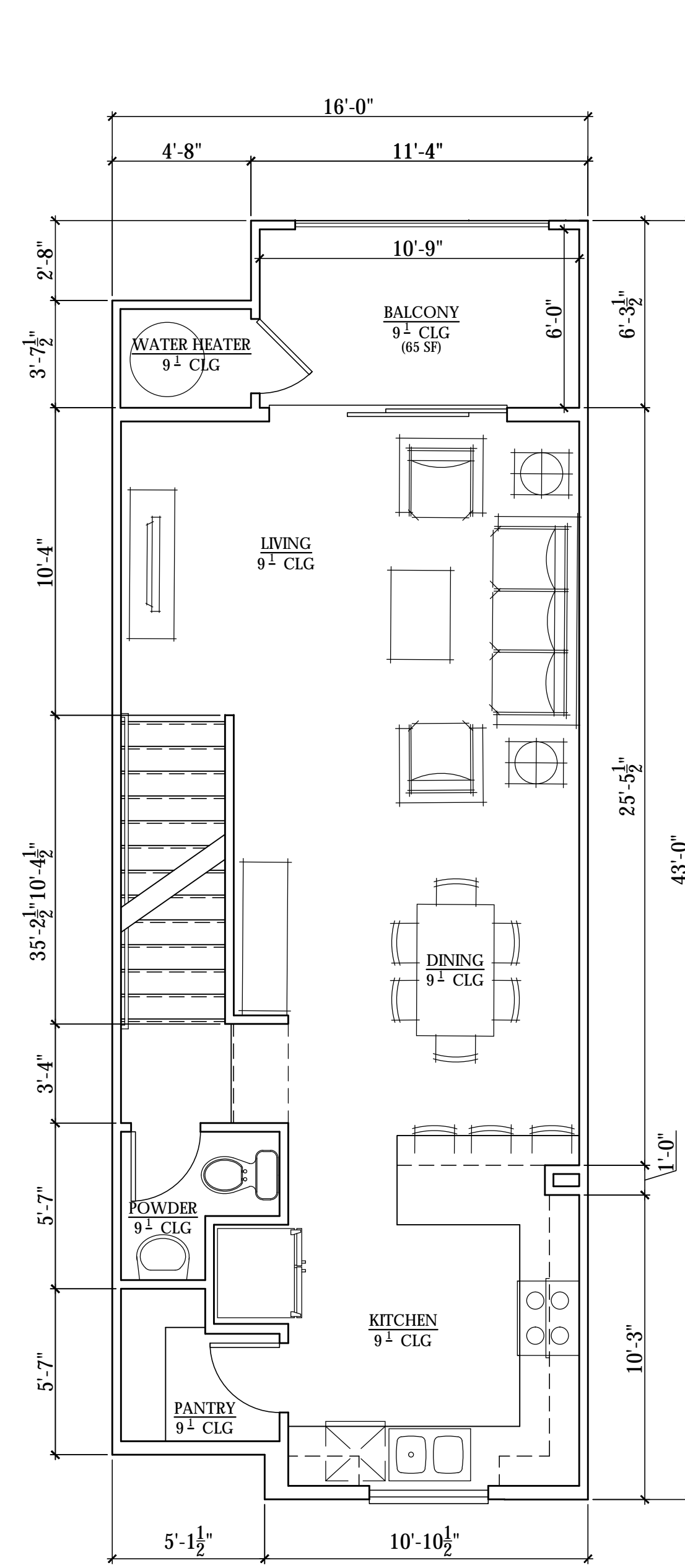
MELIA HOMES  
8951 Research Drive, Suite 100  
Irvine, CA 92618  
(949) 759-4367



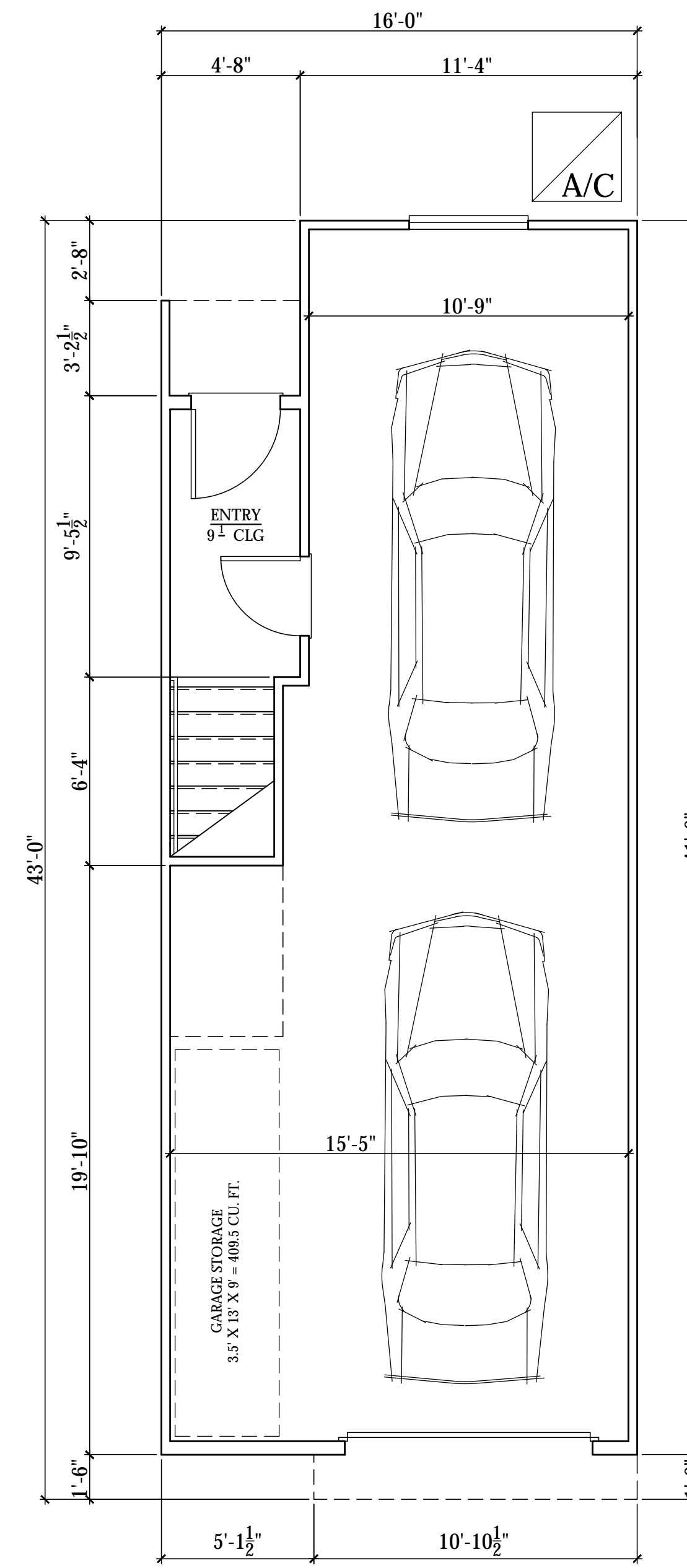
5256 S. MISSION ROAD STE. 404  
BONSALL, CA. 92003  
760.724.1198



3RD FLR



2ND FLR



1ST FLR

**PLAN 1: 2BD/2.5BA**

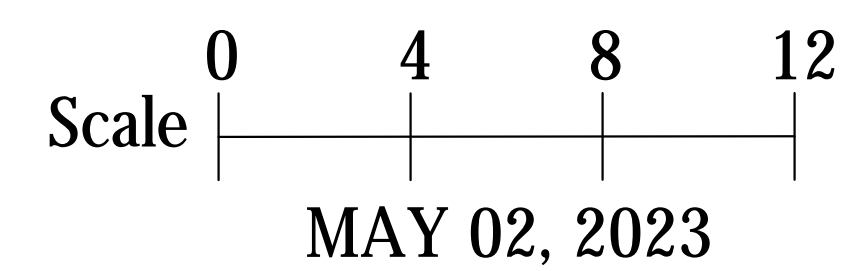
	GROSS LIV.
1ST FLR -	73 S.F.
2ND FLR -	579 S.F.
3RD FLR -	650 S.F.
TOTAL GROSS	1,302 S.F.
BALCONY -	65 S.F.
GARAGE -	563 S.F.

GARDEN GROVE, CA

BROOKHURST TOWNHOMES - BRECKYN

UNIT PLAN 1

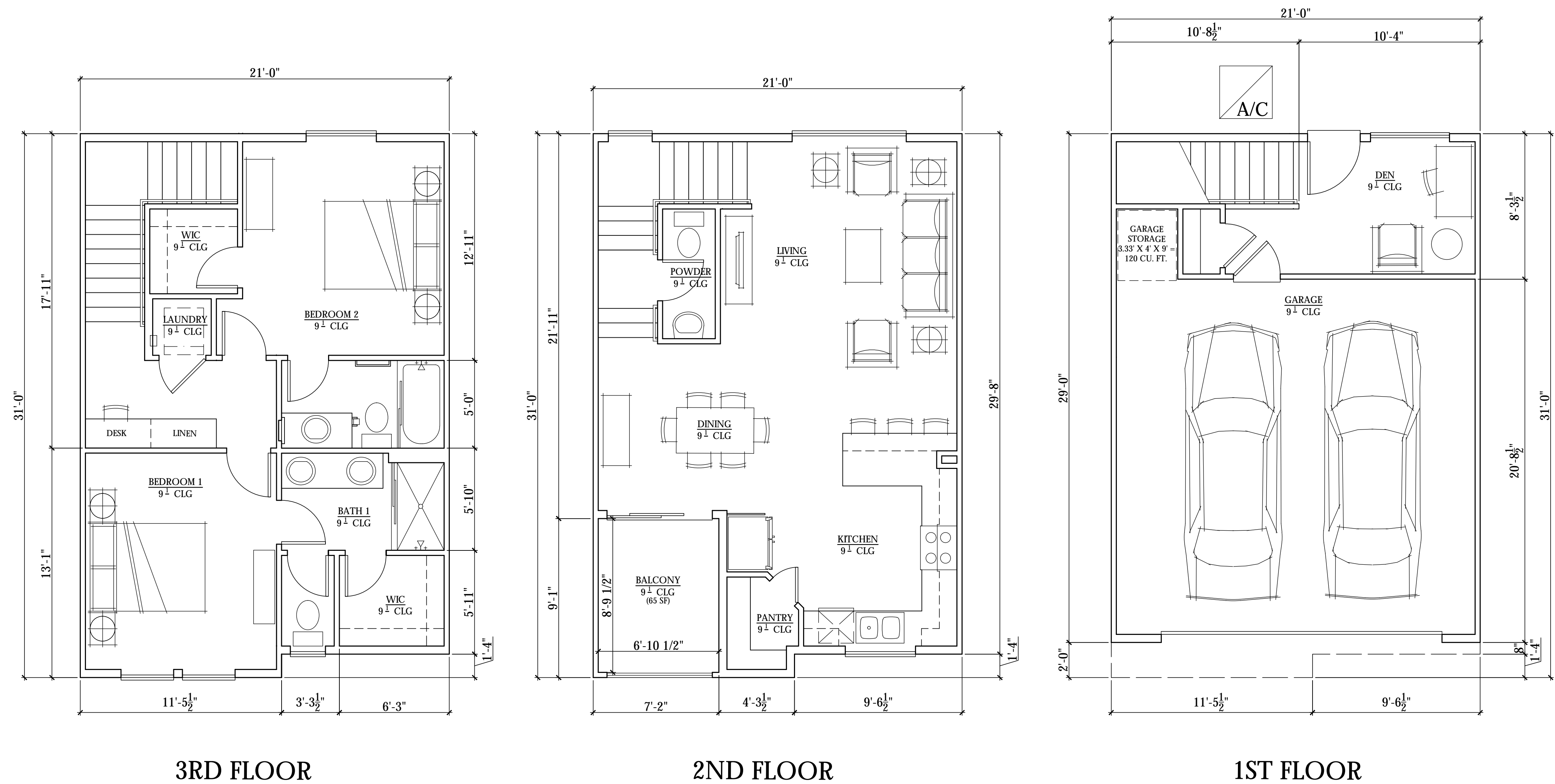
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Irvine, CA 92618  
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BONSALL, CA. 92003  
760.724.1198

A-2





**PLAN 2: 2BD+DEN/2.5BA**

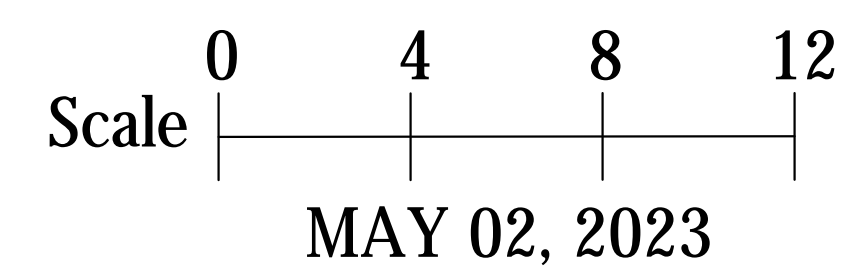
	GROSS LIV.
1ST FLR -	158 S.F.
2ND FLR-	573 S.F.
3RD FLR-	603 S.F.
<b>TOTAL GROSS</b>	<b>1,334 S.F.</b>
BALCONY-	65 S.F.
GARAGE-	451 S.F.

GARDEN GROVE, CA

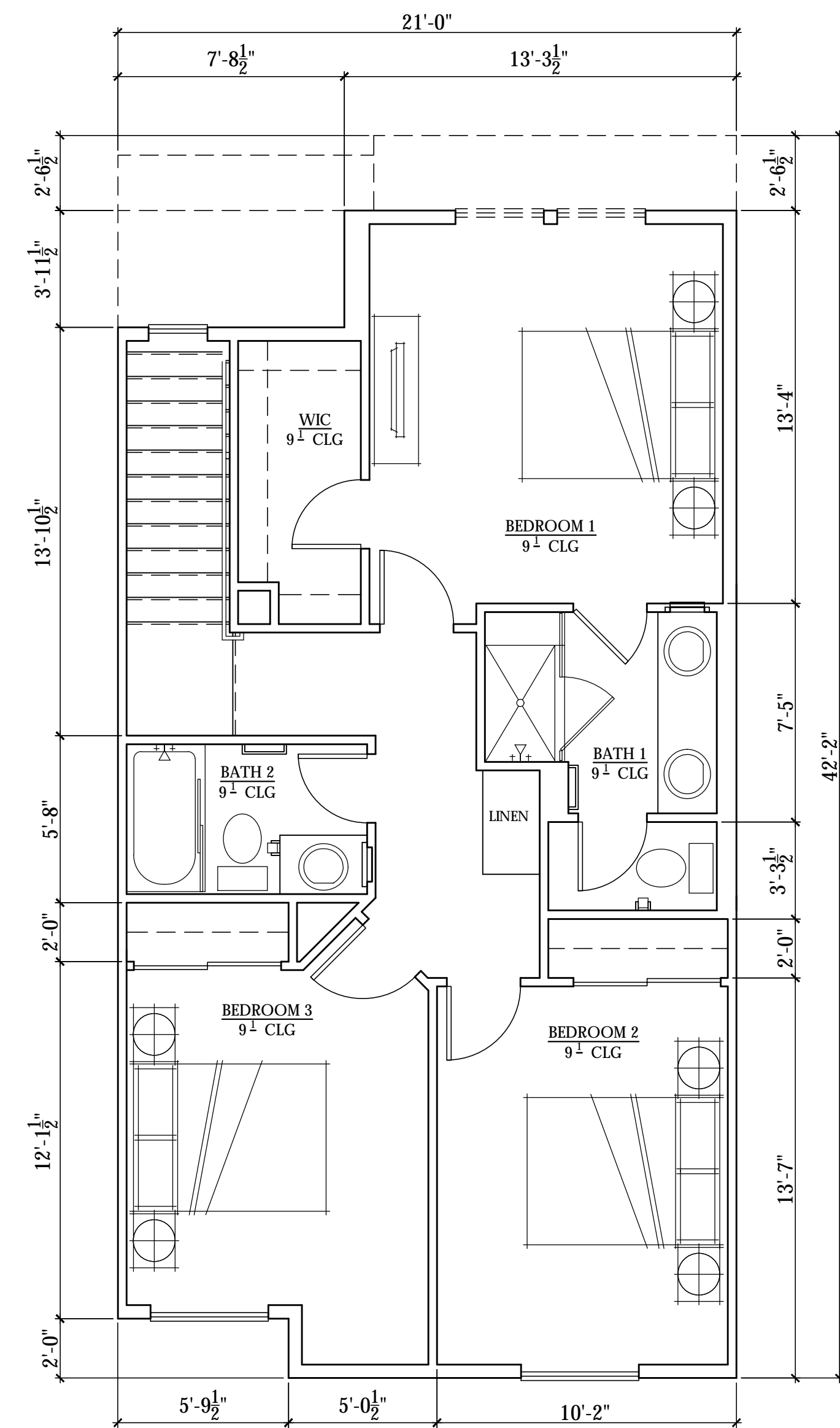
BROOKHURST TOWNHOMES - BRECKYN

UNIT PLAN 2

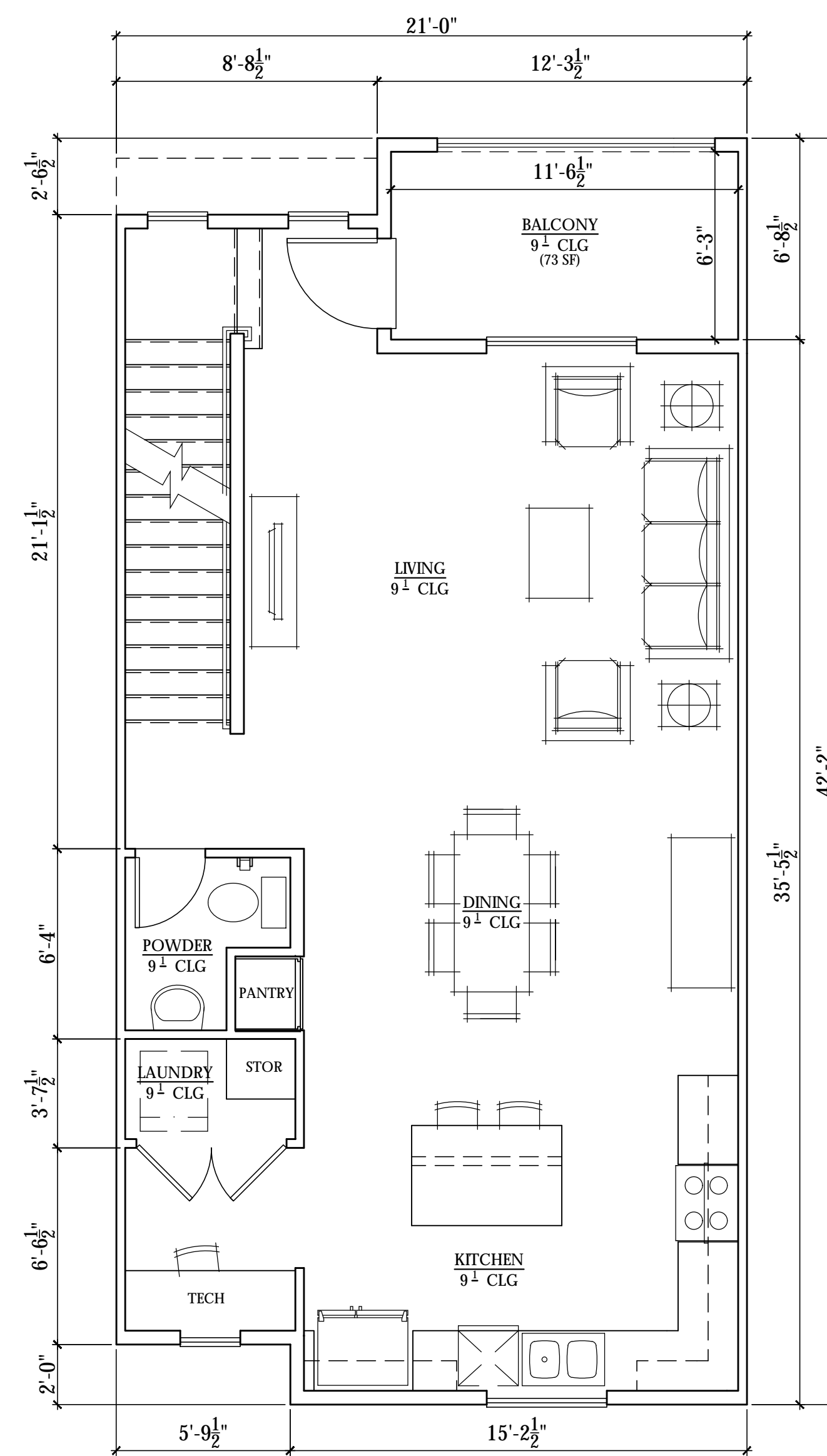
MELIA HOMES  
 8951 Research Drive, Suite 100  
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 (949) 759-4367



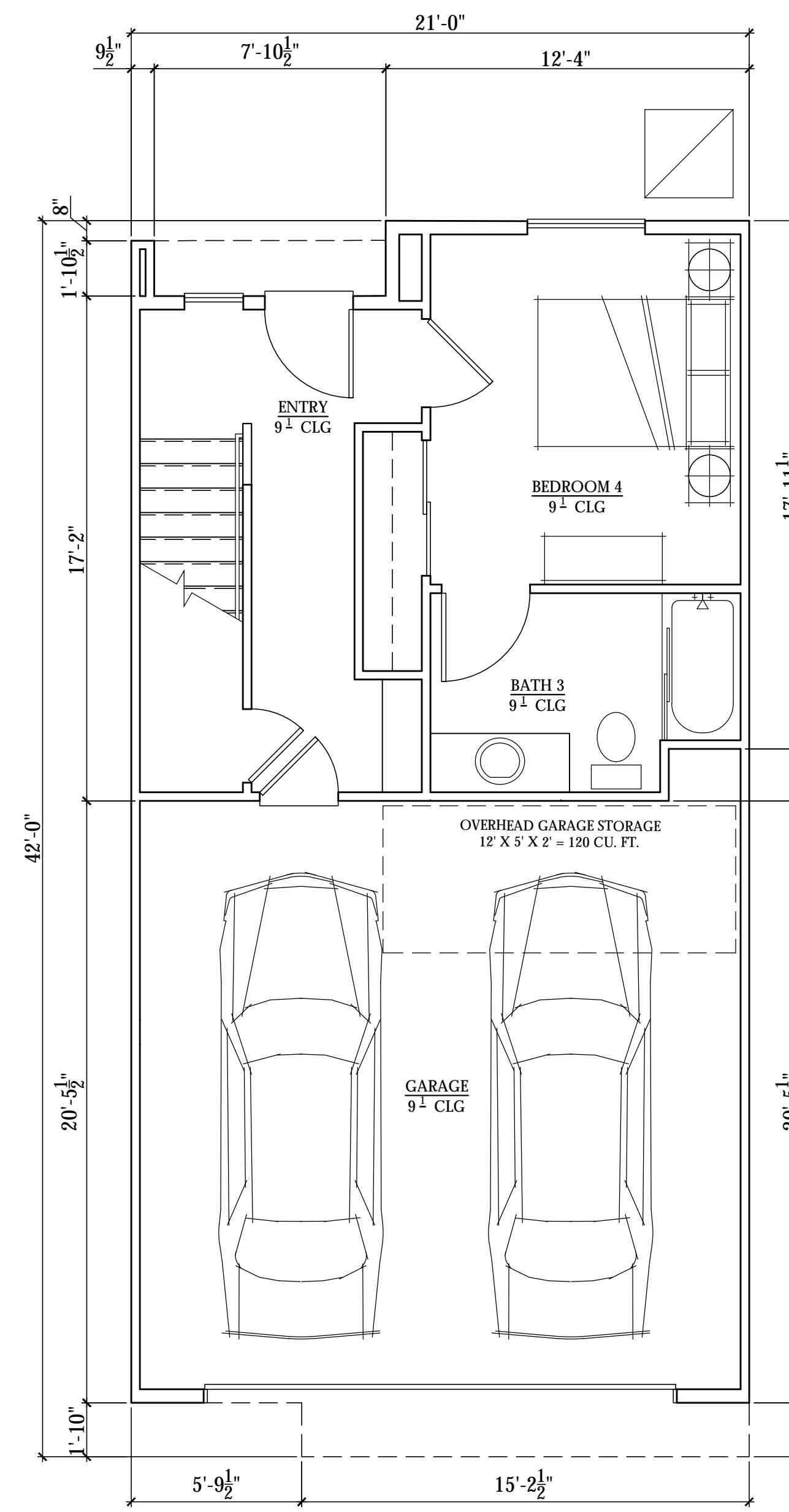
5256 S. MISSION ROAD STE. 404  
 BONSALL, CA. 92003  
 760.724.1198



3RD FLR



2ND FLR



1ST FLR

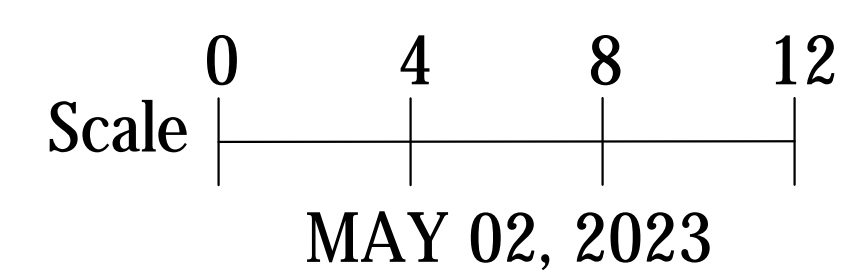
<b>PLAN 3</b>	<b>4BED/3.5BA</b>
1ST FL -	388
2ND FL -	771
3RD FL -	769
<b>TOTAL LIVABLE -</b>	<b>1,928 S.F.</b>
BALCONY -	73 S.F.
GARAGE -	434 S.F.

GARDEN GROVE, CA

BROOKHURST TOWNHOMES - BRECKYN

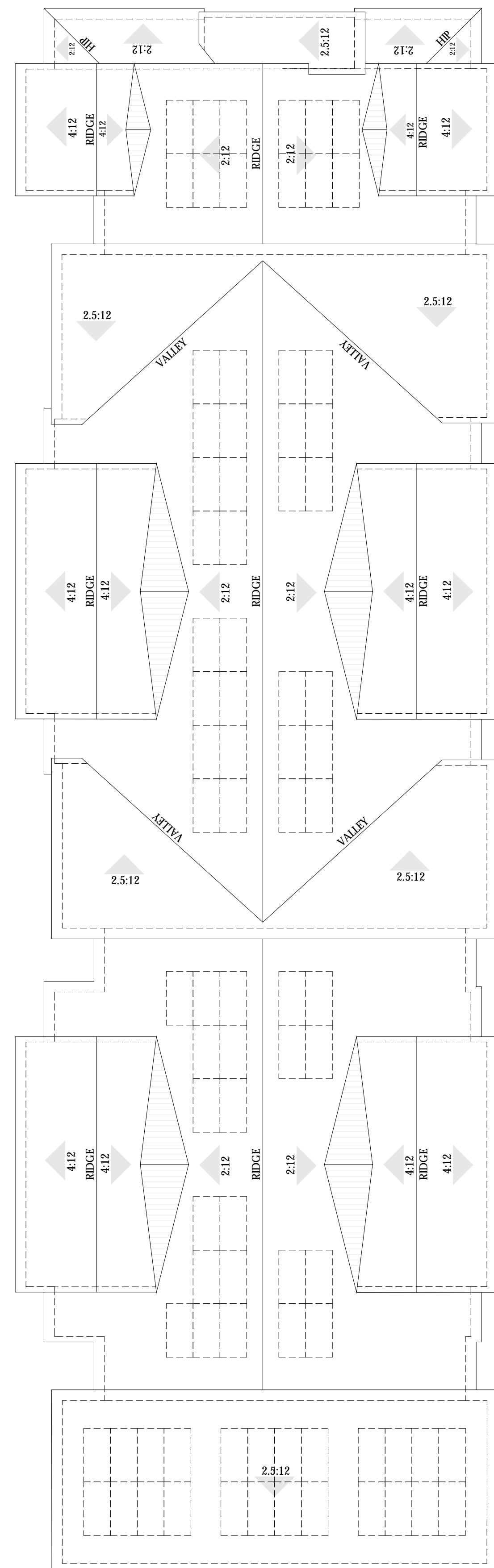
UNIT PLAN 3

MELIA HOMES  
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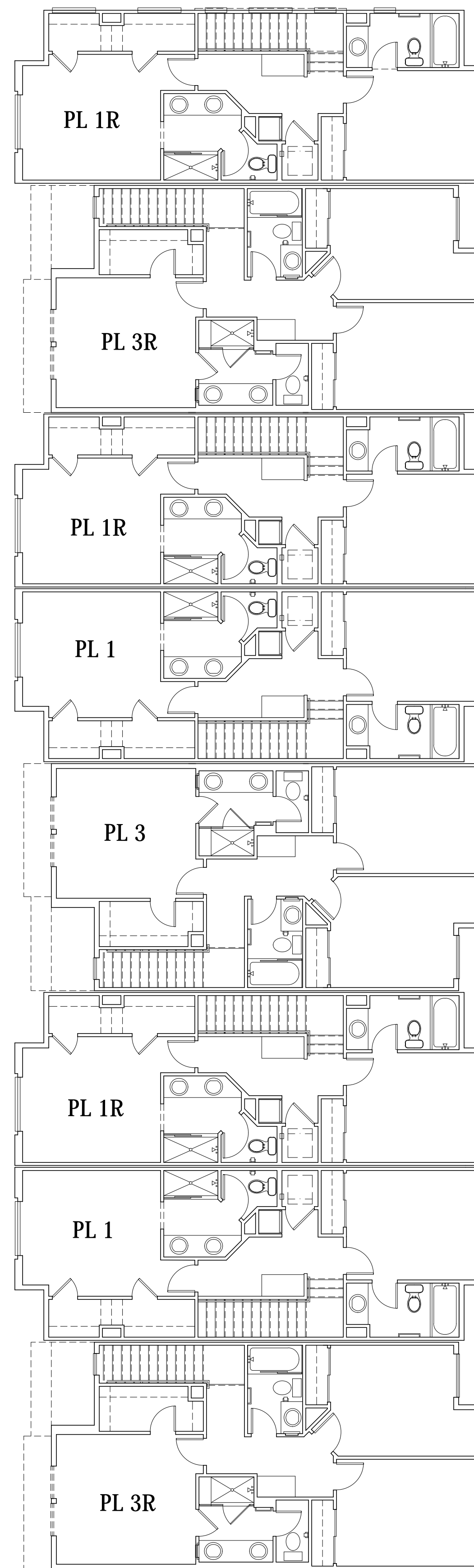


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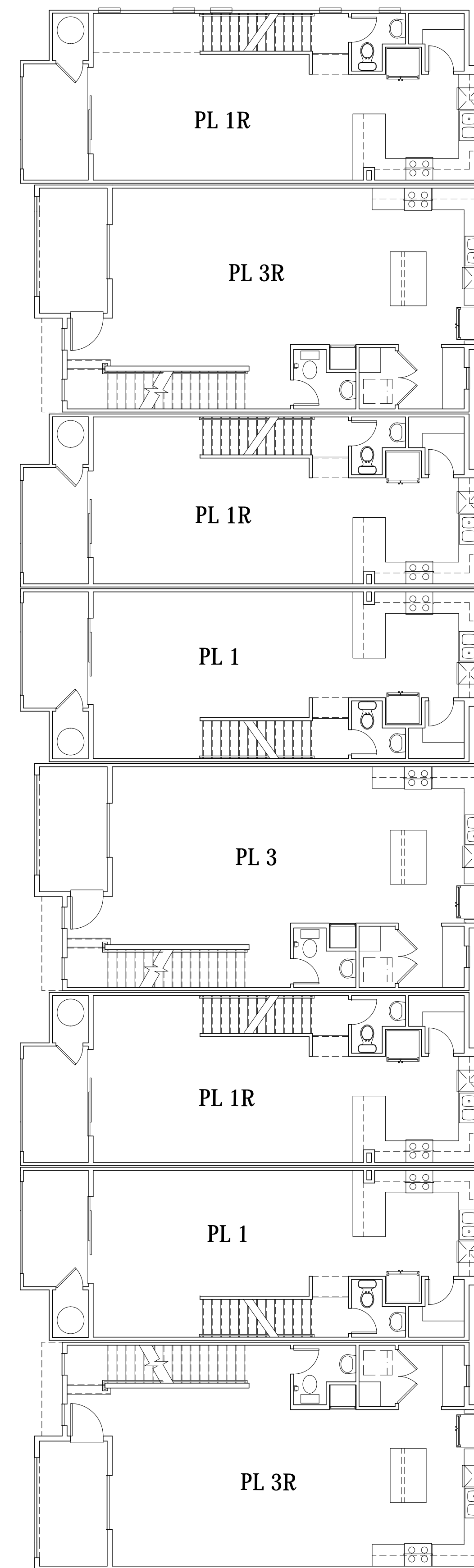
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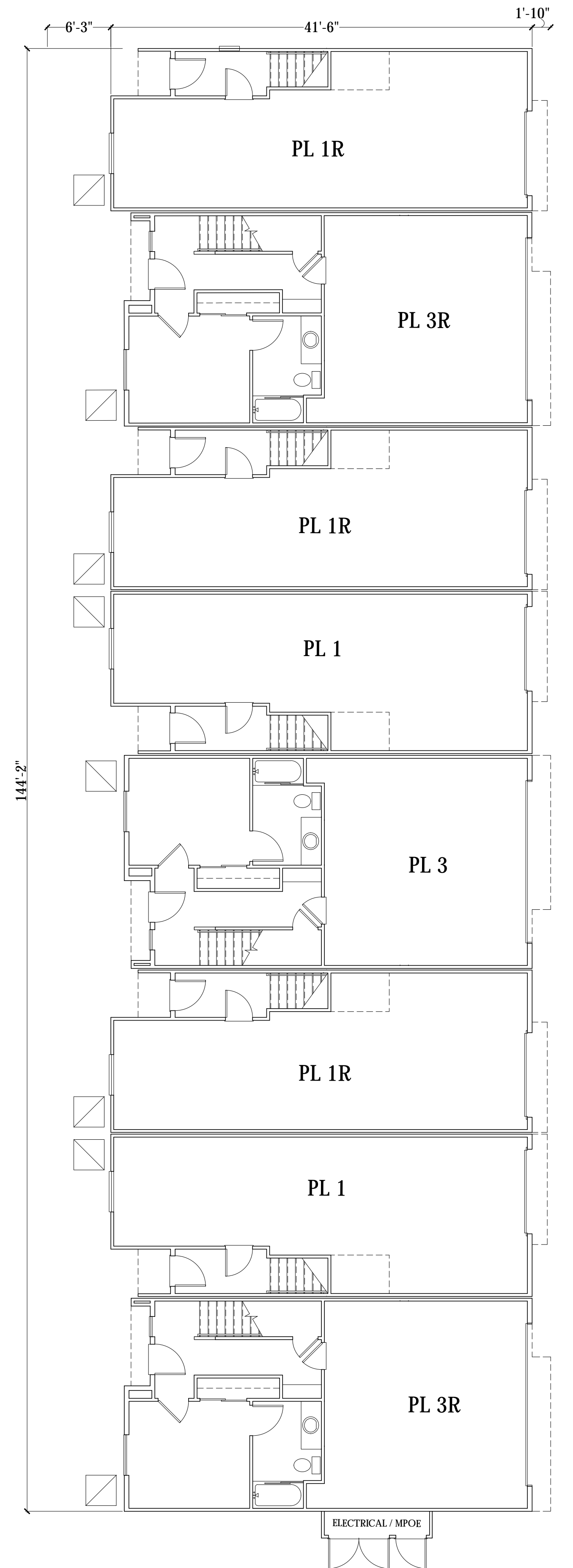
ROOF PLAN



THIRD FLOOR PLAN



SECOND FLOOR PLAN



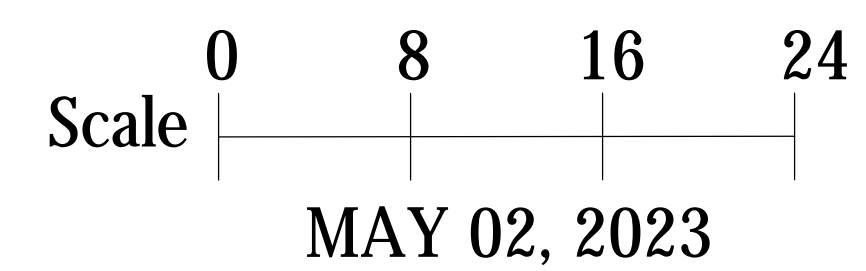
FIRST FLOOR PLAN

GARDEN GROVE, CA

BROOKHURST TOWNHOMES - BRECKYN

BUILDING TYPE A

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5256 S. MISSION ROAD STE. 404  
BONSALL, CA. 92003  
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**MATERIAL SCHEDULE**

1. ROOF - COMPOSITION ASPHALT ROOFING
2. FASCIA - RESAWN WOOD
3. WALL - EXTERIOR 1620 FINISH STUCCO
4. WALL - HORIZONTAL SIDING
5. WALL - STONE VENEER
6. DECORATIVE METAL GUARDRAIL
7. VINYL WINDOW
8. DECORATIVE RESAWN WOOD TRELLIS
9. DECORATIVE STUCCO O/ E.P.S. TRIM
10. STUCCO CONTROL JOINT
11. EXTERIOR LIGHT FIXTURE
12. SECTIONAL GARAGE DOOR W/ TRIM WHERE SHOWN
13. UTILITY CLOSET WITH METAL DOORS
14. STUCCO SOFFIT



**RIGHT ELEVATION**



**REAR ELEVATION**



**LEFT ELEVATION**



**FRONT ELEVATION**

**GARDEN GROVE, CA**

**BROOKHURST TOWNHOMES - BRECKYN**

**BUILDING TYPE A EXTERIOR ELEVATIONS**

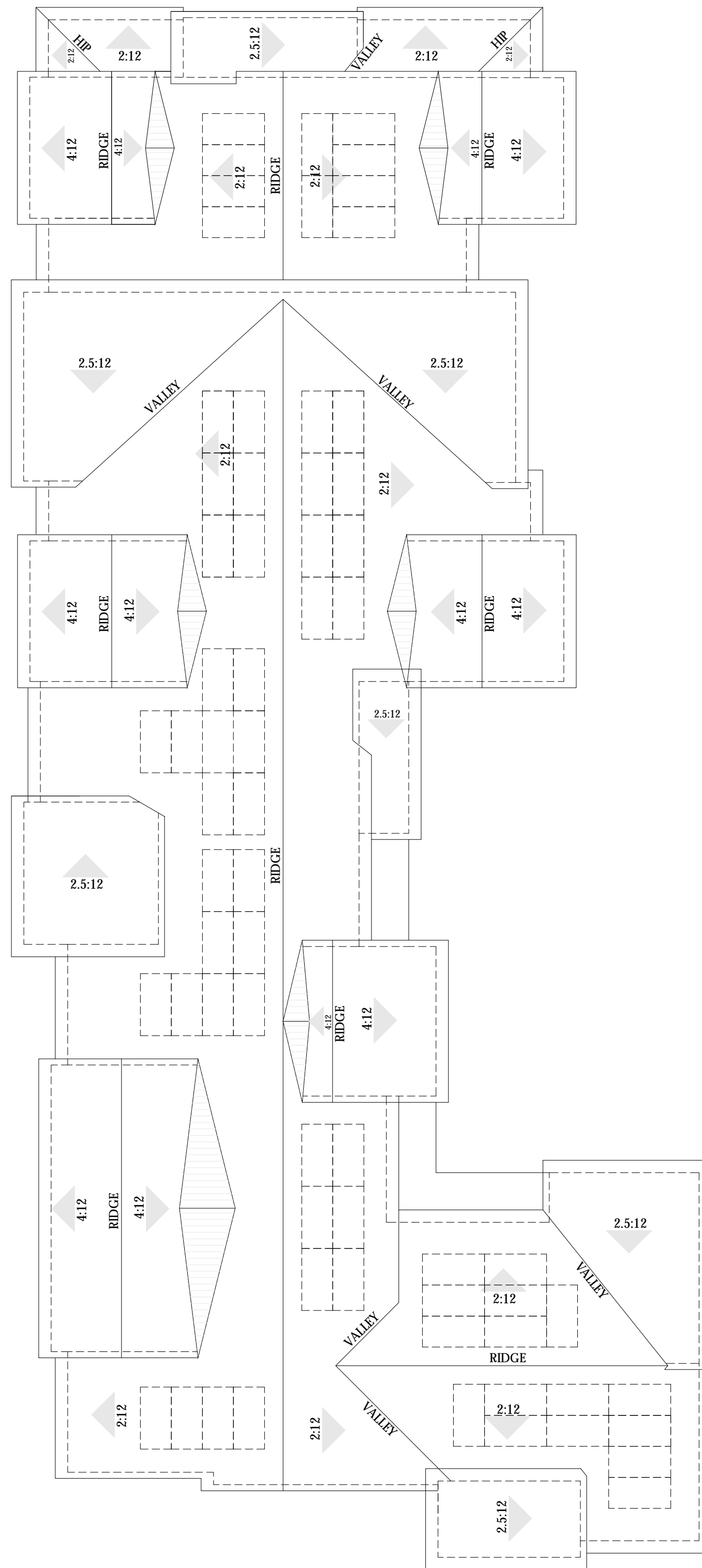
MELIA HOMES  
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Scale 0 8 16 24  
MAY 02, 2023

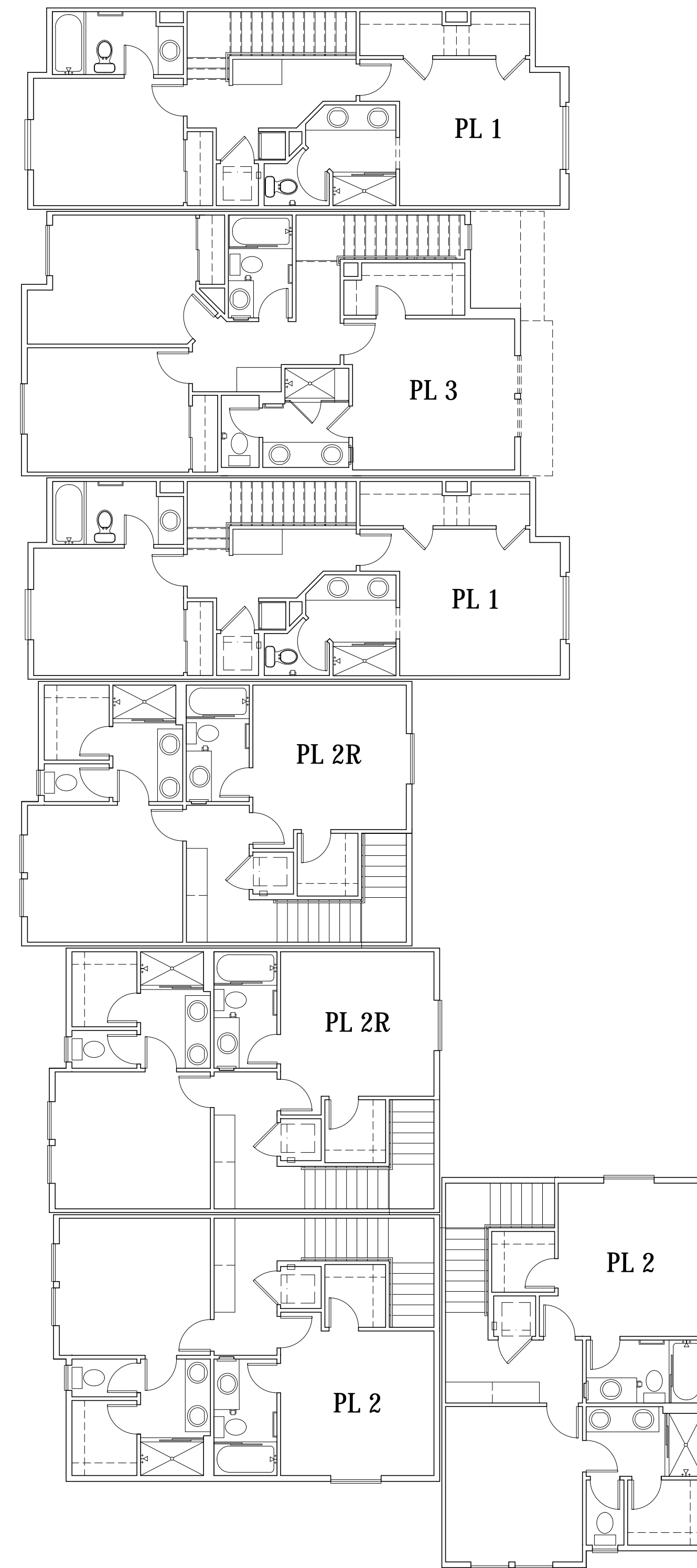
**SUMMA**  
ARCHITECTURE

5256 S. MISSION ROAD STE. 404  
BONSALL, CA. 92003  
760.724.1198

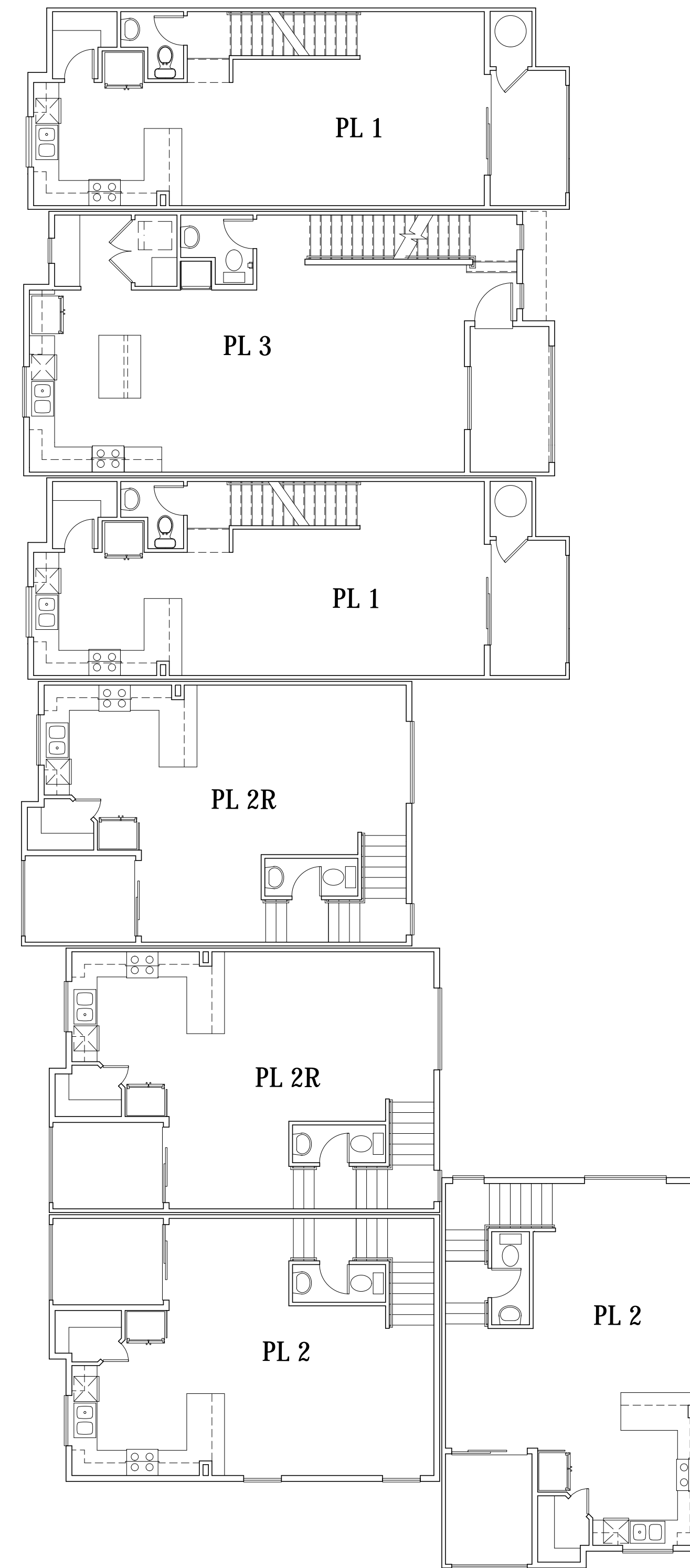
**A-6**



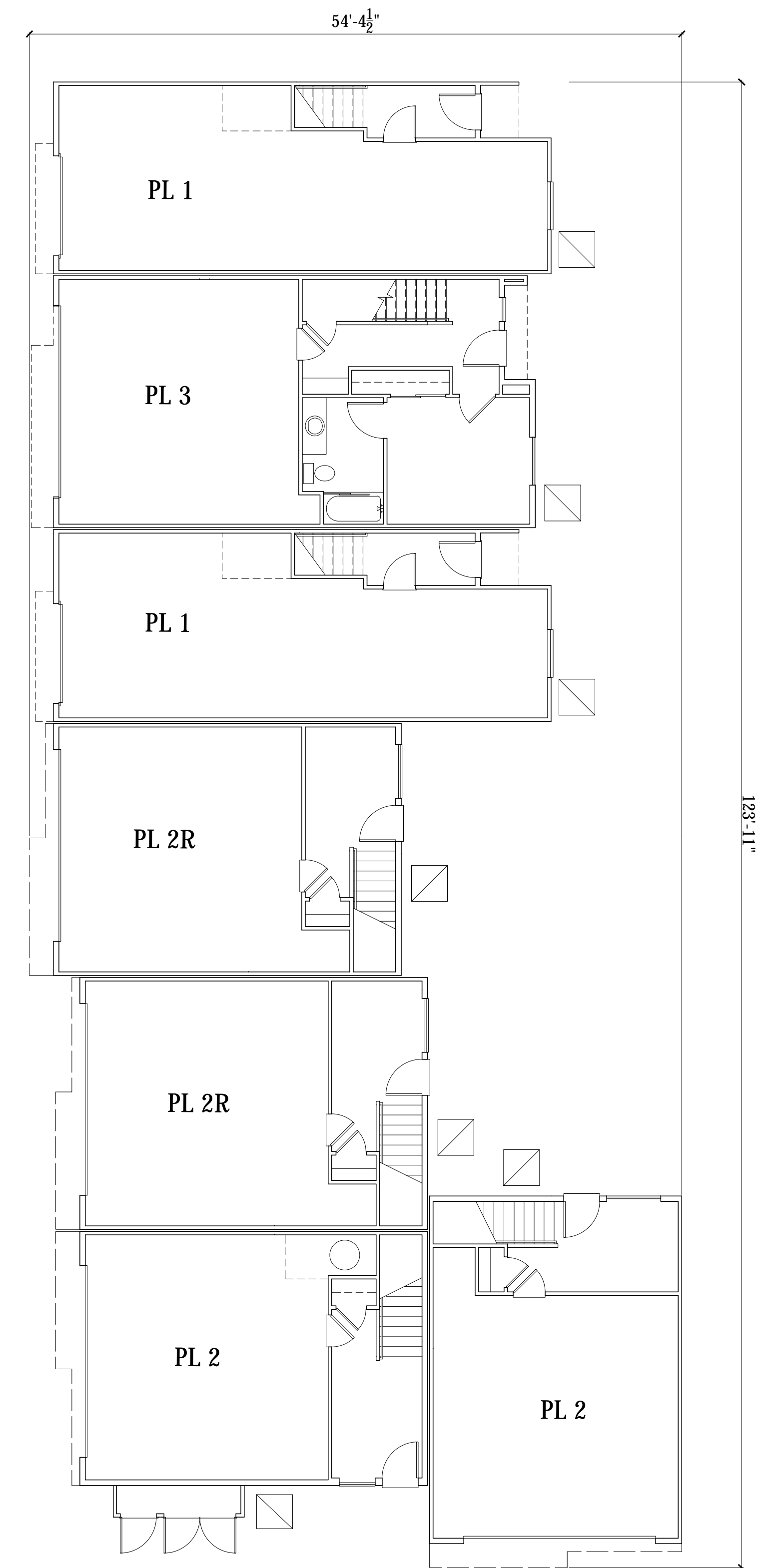
ROOF PLAN



THIRD FLOOR PLAN



SECOND FLOOR PLAN



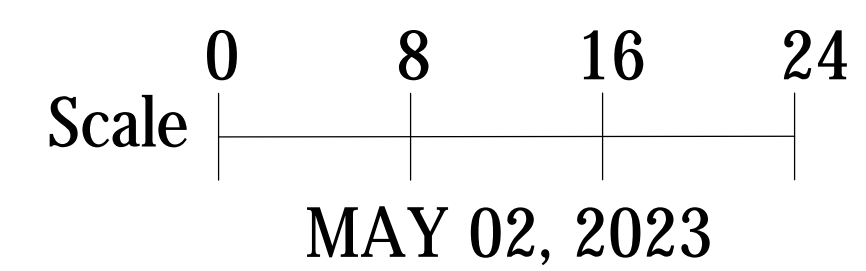
FIRST FLOOR PLAN

GARDEN GROVE, CA

BROOKHURST TOWNHOMES - BRECKYN

BUILDING TYPE B

MELIA HOMES  
8951 Research Drive, Suite 100  
Irvine, CA 92618  
(949) 759-4367



5256 S. MISSION ROAD STE. 404  
BONSALL, CA. 92003  
760.724.1198

A-7

**MATERIAL SCHEDULE**

1. ROOF - COMPOSITION ASPHALT ROOFING
2. FASCIA - RESAWN WOOD
3. WALL - EXTERIOR 1620 FINISH STUCCO
4. WALL - HORIZONTAL SIDING
5. WALL - STONE VENEER
6. DECORATIVE METAL GUARDRAIL
7. VINYL WINDOW
8. DECORATIVE RESAWN WOOD TRELLIS
9. DECORATIVE STUCCO O/ E.P.S. TRIM
10. STUCCO CONTROL JOINT
11. EXTERIOR LIGHT FIXTURE
12. SECTIONAL GARAGE DOOR W/ TRIM WHERE SHOWN
13. UTILITY CLOSET WITH METAL DOORS
14. STUCCO SOFFIT



**RIGHT ELEVATION**



**REAR ELEVATION**



**LEFT ELEVATION**



**FRONT ELEVATION**

**GARDEN GROVE, CA**

**BROOKHURST TOWNHOMES - BRECKYN**

**BUILDING TYPE B EXTERIOR ELEVATIONS**

MELIA HOMES  
8951 Research Drive, Suite 100  
Irvine, CA 92618  
(949) 759-4367

Scale 0 8 16 24  
MAY 02, 2023

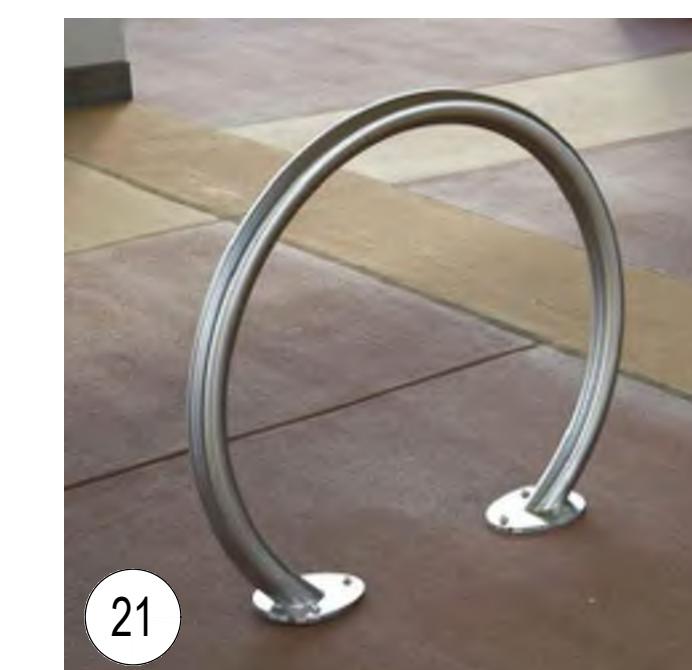


5256 S. MISSION ROAD STE. 404  
BONSALL, CA. 92003  
760.724.1198

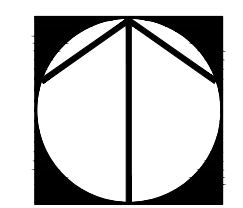
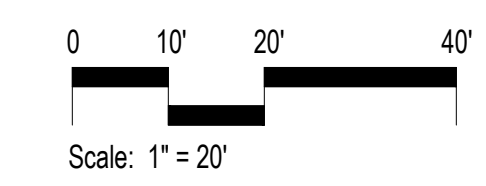


**LEGEND**

1. Central community gathering area with large wood shade structure, BBQ counter, and ADA picnic table seating.
2. 4'x8' Raised herb garden area with decomposed granite paving (self-watered by residents).
3. Paseo with bench seating and shade trees.
4. Passive open space area / reading nook with adirondack seating.
5. Three community cluster mailboxes, per USPS review and approval.
6. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
7. Enhanced stamped paving at main project entryways.
8. Proposed tree, per Planting Plan.
9. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
10. Accessible parking stall and striping, per Civil plans.
11. Guest parking stall.
12. Natural colored concrete driveway, with light broom finish and tooled joints.
13. Proposed entry Project monument.
14. Proposed AC units, per Architecture plans.
15. Common area landscape, builder installed and HOA maintained.
16. Community dog bag station (black in color), for pet owners.
17. Property line.
18. Public street R.O.W.
19. Proposed public street sidewalk, per Civil plans.
20. Transformer to be screened with landscape, quantity and final locations to be determined.
21. Short term bike parking (1 bike racks to accommodate 2 bike stalls).
22. Amazon Parcel Locker.
23. Community trash enclosure. See Sheet L-5 (Trash Circulation & Hauler Route Plan).
24. Proposed bio-filtration planter area, per Civil Engineer's plans.
25. Private patio area; homeowner installed and maintained.
26. SCE PME structure by others.



\*Conceptual images (provided herein are conceptual and subject to change)



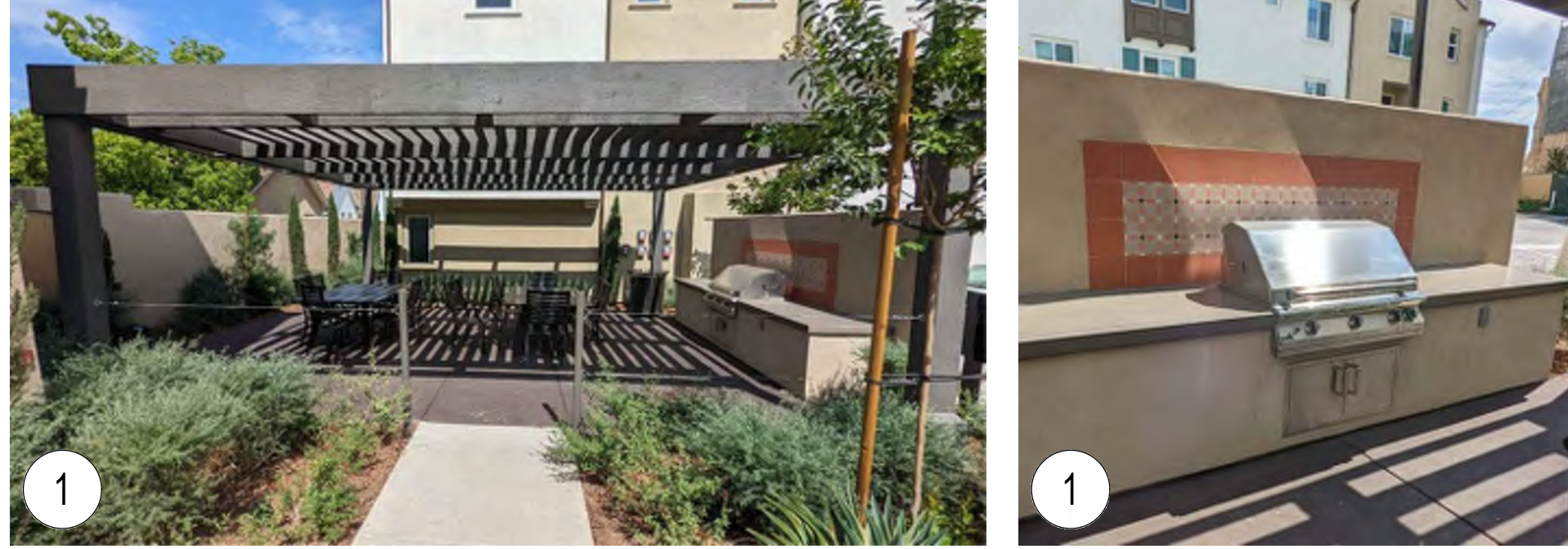
Melia Homes

Schematic Landscape Plan

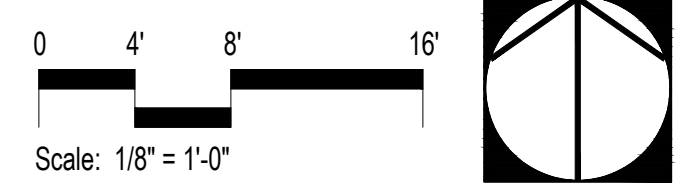


**LEGEND**

1. Central community gathering area with large wood shade structure and BBQ counter and ADA picnic table seating. Picnic table by Dumor.
2. Trash Receptacle by Dumor.
3. Paseo with bench seating and shade trees. Bench by Dumor.
4. Passive open space area / reading nook with adirondack seating. Adirondack chair by Landscapeforms.
5. Proposed tree, per Planting Plan.
6. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
7. Common area landscape, builder installed and HOA maintained.
8. Private patio area; homeowner installed and maintained.
9. Proposed AC units, Architecture plans.
10. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.



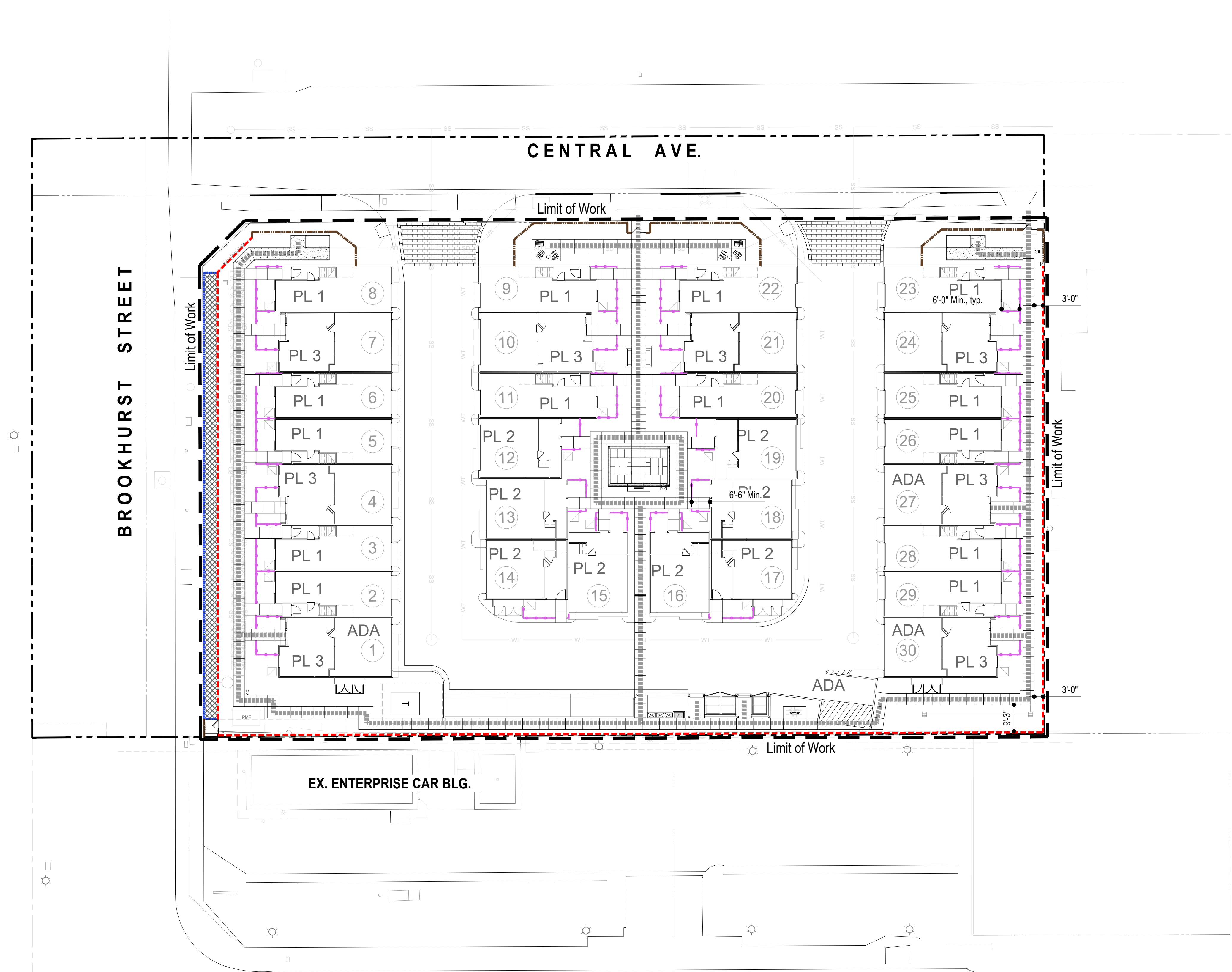
\*Conceptual images (provided herein are conceptual and subject to change)



Schematic Enlargement Plan - Central Community Open Space

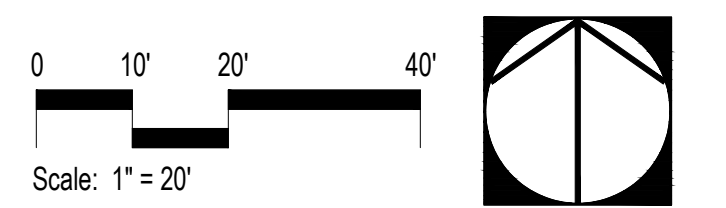
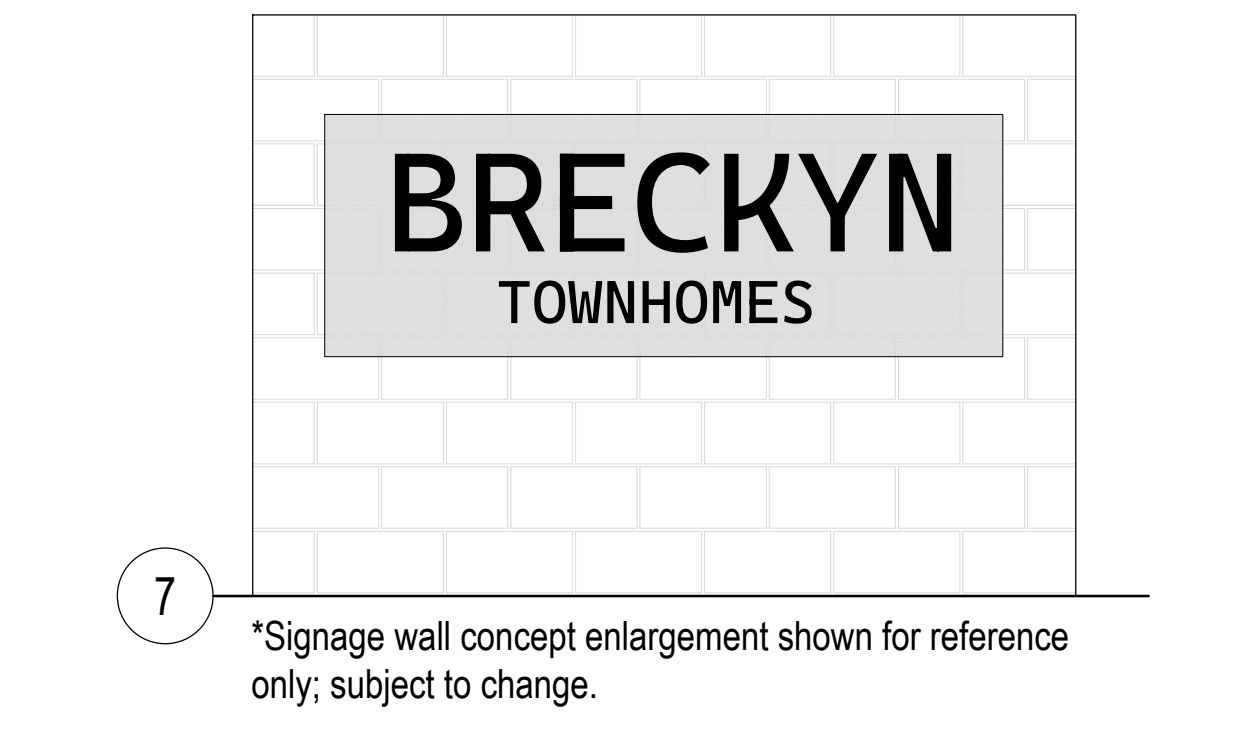
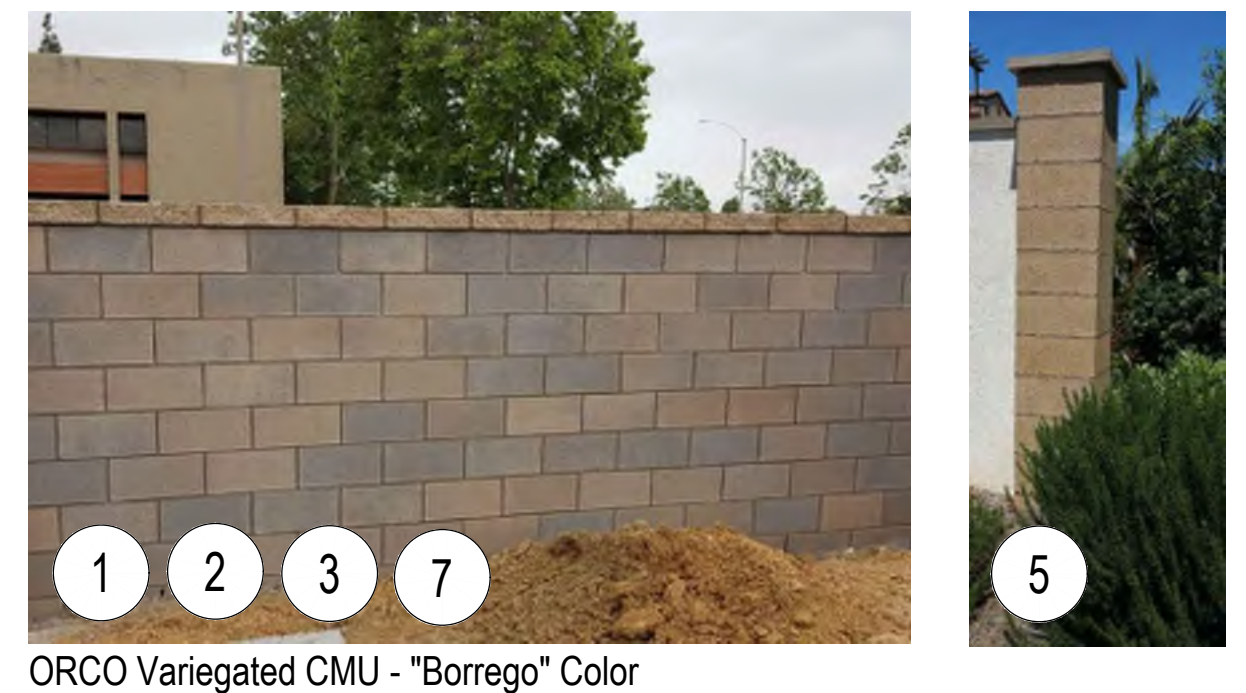
Melia Homes





**WALL LEGEND**

- 1 - 6'-0" High precision CMU wall, with 2" high precision cap (Borrego color; to match architecture).
- 2 - 3'-6" High precision CMU frontage wall, with 2" high precision cap (Borrego color; to match architecture).
- 3 - 3'-6" High precision CMU retaining bio-planter wall, with 2" high precision cap (Borrego color; to match architecture).
- 4 - 3'-6" High vinyl horz. design patio fence (tan or cream color).
- 5 - 6'-6" High (16" sq.) precision CMU pilaster, with 2" high precision cap (Borrego color; to match architecture).
- 6 - 3'-6" High (at Central) & 5'-6" High (at Brookhurst) metal pedestrian (ADA accessible) gate, (black paint color).
- 7 - Monument signage feature (black pin-mounted lettering on proposed 6'-0" high precision CMU wall)
- ADA Path of Travel



\*Conceptual images (provided herein are conceptual and subject to change)

Schematic Wall & Fence Plan

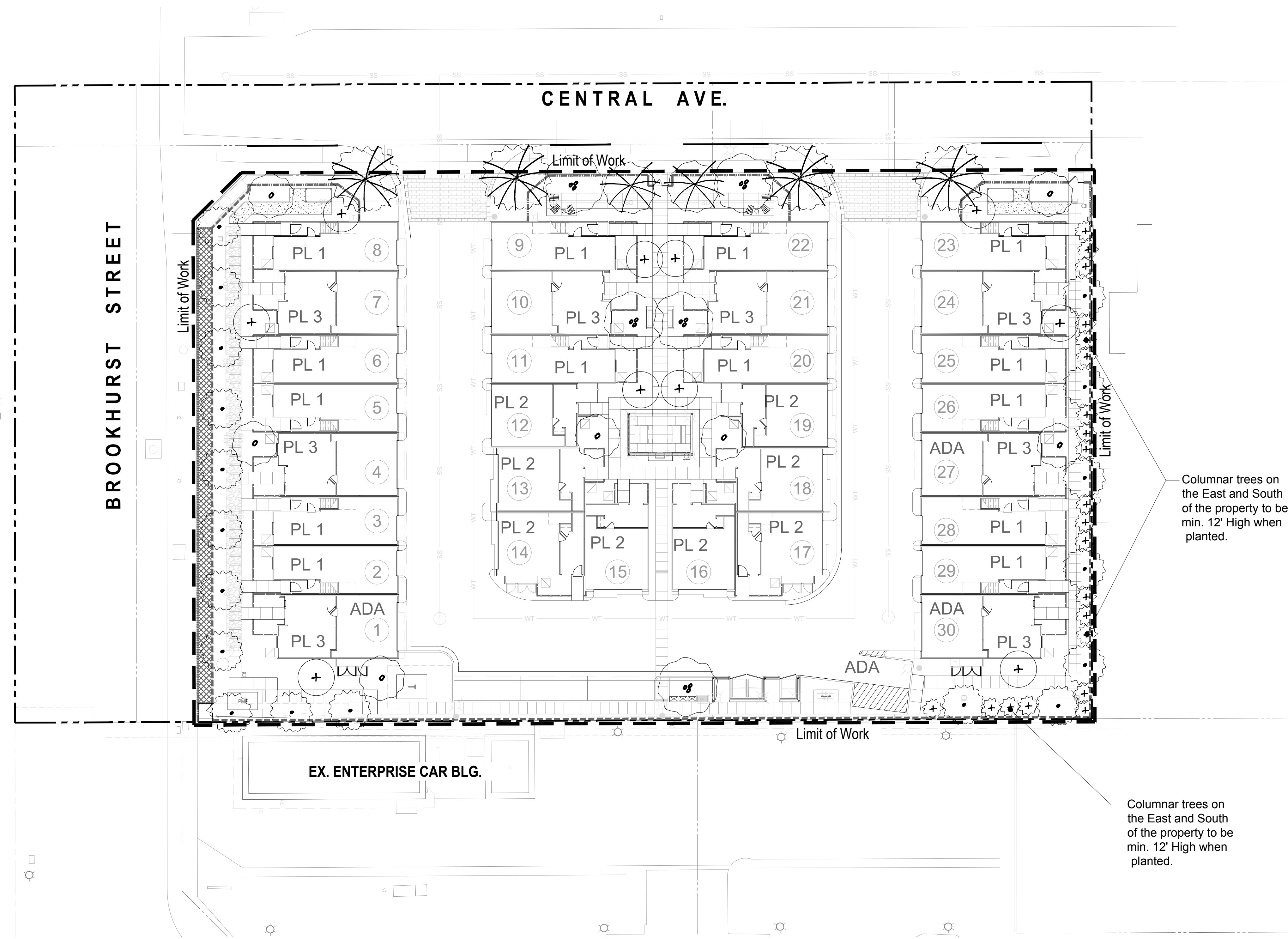
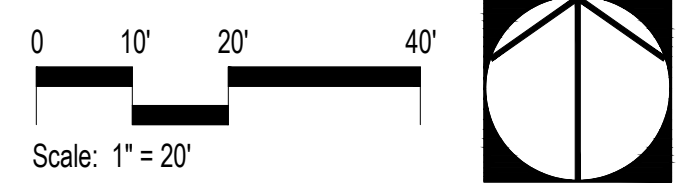
Melia Homes

**PLANTING LEGEND**

Symbol	Type/Form	Suggestions	Trunk	Size	Wucols (R3)	Qty.
Botanical Name (Common Name)						
<b>TREES</b>						
	Specimen	Olive olea 'Wilsonii' (Wilson Olive)	Multi	36" Box	Low	4
	Focal	Magnolia g. 'Little Gem' (L. Gem Magnolia)	Single	36" Box	Medium	2
	Canopy Deciduous	Platanus racemosa (California Sycamore)	Single	24" Box	Medium	5
	Evergreen Flowering	Arbutus unedo (Strawberry Tree)	Multi	24" Box	Low	7
	Deciduous Flowering	Lagerstroemia i.x.f. 'Natchez' (Crape Myrtle)	Single	15 Gal	Medium	10
	Vertical Buffer	Melaleuca quinquenervia (Paperbark Melaleuca)	Multi	15 Gal	Low	18
	Columnar	Cupressus sempervirens (Italian Cypress) Podocarpus macrophyllus (Yew Pine)	Single	15 Gal	Low Medium	21
						TOTAL = 67

SHRUBS and GROUND COVER		WUCOLS (R3)
Agave sp.	Agave	Low
Aloe sp.	Aloe	Low
Bougainvillea sp.	Bougainvillea	Low
Callistemon citrinus 'Little John'	Dwarf Bottlebrush	Low
Carex divulsa	Berkeley Sedges	Low
Carissa m. 'Green Carpet'	Dwarf Natal Plum	Low
Chamaerops humilis	Mediterranean Fan Palm	Low
Dasyliirion longissimum	Mexican Grass Tree	Low
Delosperma cooperi	Trailing Ice Plant	Low
Dianella revoluta 'Little Rev'	Little Rev™ Flax Lily	Low
Iris sp.	Iris	Low
Kalanchoe thyrsiflora	Flapjack Paddle Plant	Low
Lavandula stoechas 'Larkman Hazel'	Hazel™ Spanish Lavender	Low
Nassella pulchra	Purple Needlegrass	Low
Muhlenbergia rigens	Deer Grass	Low
Rhaphiolepis indica 'Clara'	India Hawthorn	Low
Salvia sp.	Sage	Low
Westringia sp.	Westringia	Low
Xylosma congestum 'Compact'	Compact Xylosma	Low
Yucca gloriosa	Spanish Dagger	Low

VINES & ESPALIERS		WUCOLS (R3)
Antigonon leptopus	Coral Vine	Low
Bougainvillea 'Monka' (Oo-La-La® Bougainvillea)	Bougainvillea	Low
Macfadyena unguis-cati	Cat's Claw Vine	Low



Columnar trees on the East and South of the property to be min. 12' High when planted.

Columnar trees on the East and South of the property to be min. 12' High when planted.

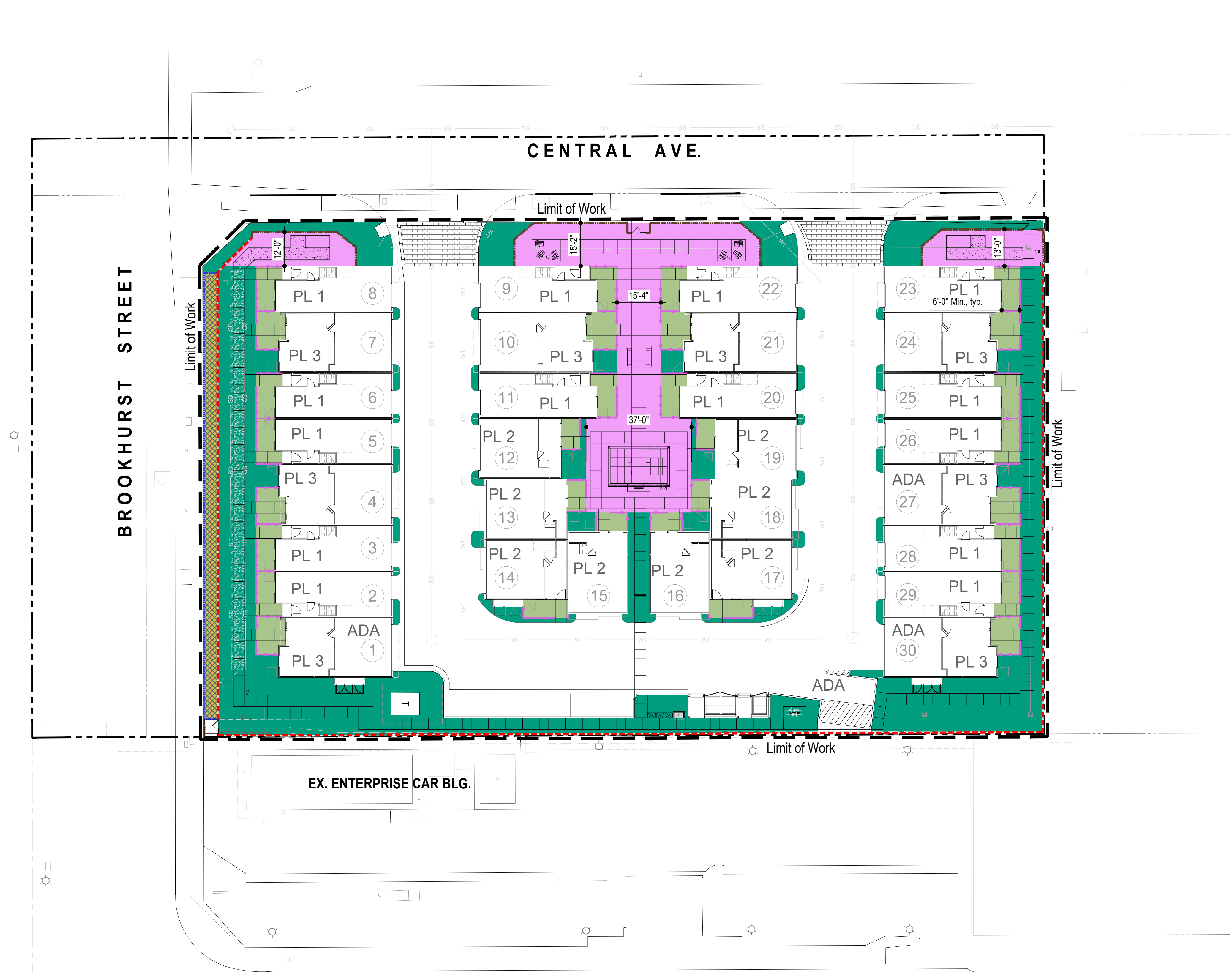
- NOTES:**
- Irrigation (including spray and/or drip) will be provided, in the Construction Document phase, and to be installed per local California water regulations (AB1881).
  - Transformers, back-flow preventers & other above-ground utilities to be screened with landscape as permitted per local codes & regulations.
  - The plant palette listed provides a list of plant material to select from when preparing final landscape construction documents for this project. However, substitutions may be required due to availability, soils tests, or other conditions.
  - All trees within 5' of hardscape to be installed with deep root barriers.
  - 3" mulch depth, to be planted at shrubs and groundcover areas. Mulch Type: Forest Floor (2" minus).
  - All the planting in narrow north facing area will be shade tolerant.
  - Specimen Olive trees, Magnolia, and Crape myrtle 'Muskogee' are required to be tagged at nursery yard by landscape architect.

- BIO-PLANTER NOTES:**
- Plant materials should be tolerant of summer drought, ponding fluctuations, and saturated soil conditions for 48 to 96 hours.
  - It is recommended that a minimum of three types of tree, shrub, and/or herbaceous groundcover species be incorporated to protect against facility failure due to disease and insect infestations of a single species.
  - Native plant species and/or hardy cultivars that are not invasive and do not require chemical inputs should be used to the maximum extent feasible.

**BIO-PLANTER AREAS**

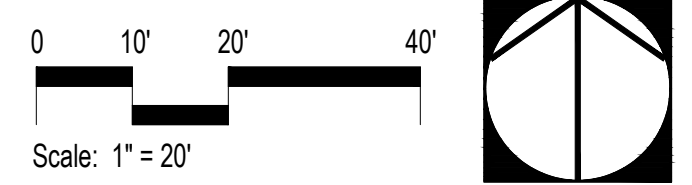
Carex divulsa	Berkeley Sedge	Low
Muhlenbergia rigens	Deer Grass	Low
Salvia sp.	Sage	Low
Yucca gloriosa	Spanish Dagger	Low

**Schematic Planting Plan**

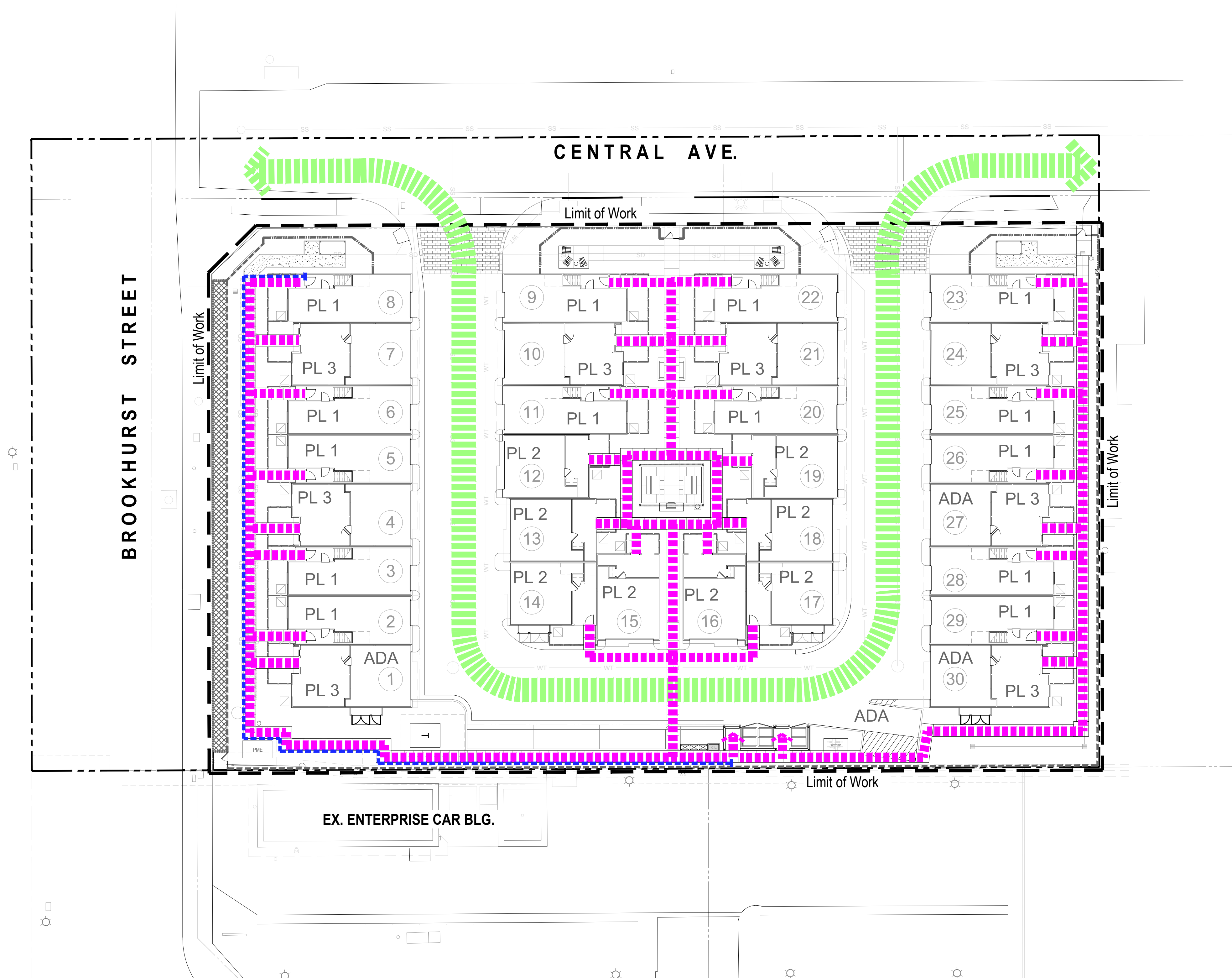


**OPEN SPACE LEGEND**




SYMBOL	NOTES	QTY
	ACTIVE COMMON O.S. Builder installed, HOA maintained.	4,322 sf
	OTHER COMMON O.S. Builder installed, HOA maintained.	9,578 sf
	GROUND -LEVEL PRIVATE O.S. (Min. 6' dimension). Homeowner installed & maintained landscape.	3,289 sf
	PRIVATE BALCONY AREAS (Per Architecture Plans)	2,014 sf
		<b>TOTAL O.S. = 19,925 sf</b>
	RAISED BIO-RETENTION PLANTER Builder installed & HOA maintained.	722 sf

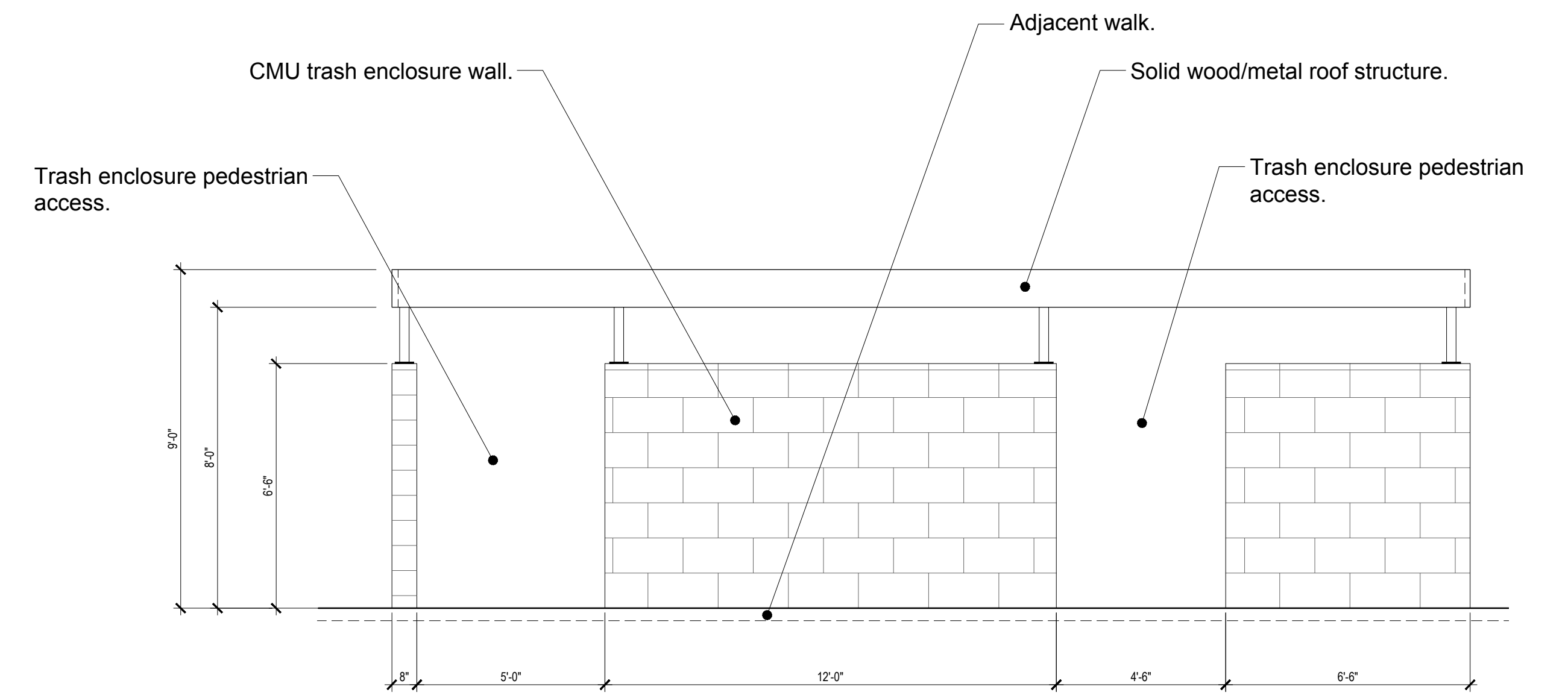


Schematic Open Space Plan

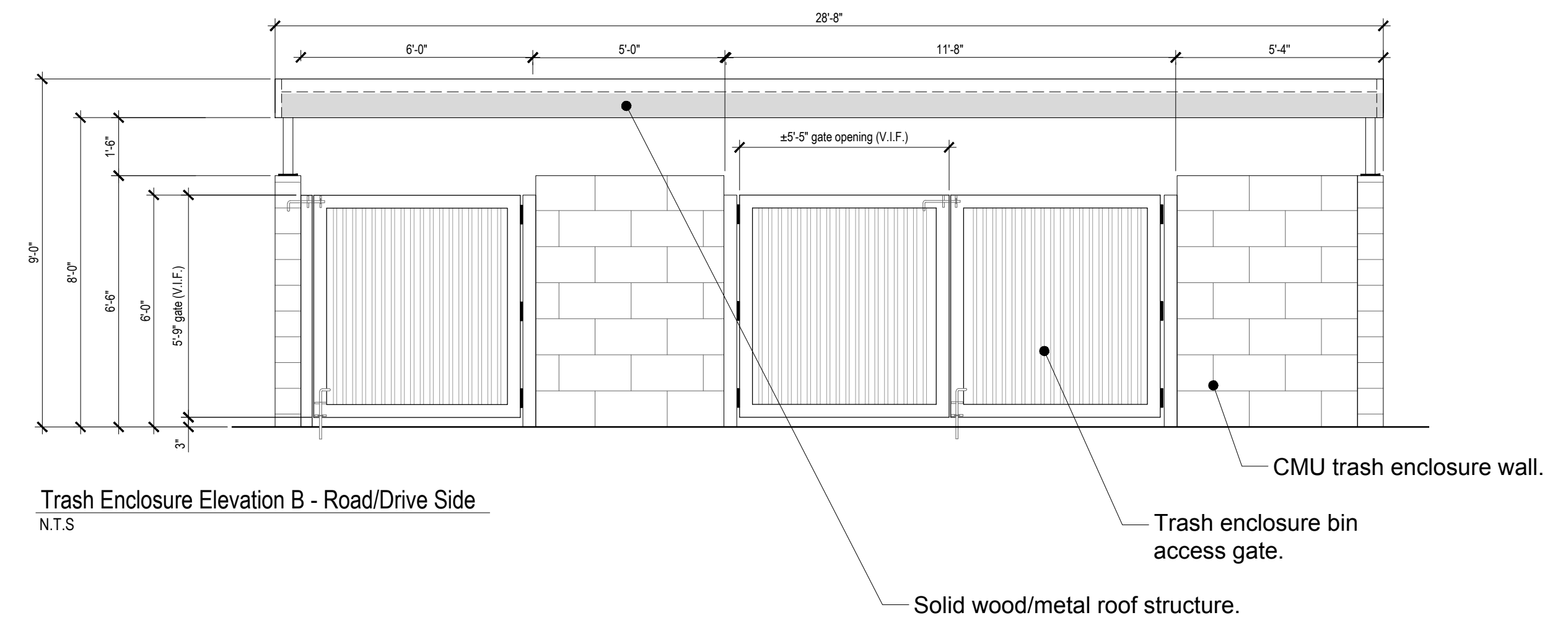


**LEGEND**

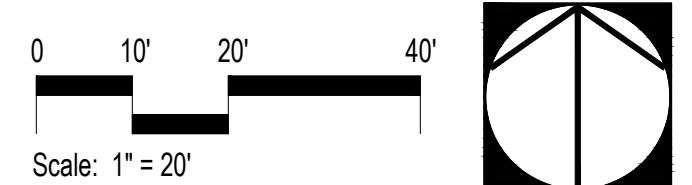
-  Homeowner trash circulation path.
-  (Unit 8 to Trash Enclosure Entry path of travel = 302 LF)
-  Trash hauler path of travel.



Trash Enclosure Elevation A - Pedestrian Access Side  
N.T.S.



Trash Enclosure Elevation B - Road/Drive Side  
N.T.S.



Schematic Trash Circulation & Hauler Route Plan

Melia Homes


2nd City Submittal | Project No.: MH16-D  
Date: May 04, 2023

L-6



LIGHTING SCHEDULE		
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
1	SVE-3 - Pole Light Area Pole Light, HID - Direct Lighting Sales, Model San Vicente #SVE-3 Cast Aluminum, Textured Bronze, RA21 Radius Lamp: Per Elec. Eng., Per Elec. Eng., Per Elec. Eng. Accessories: On DBC-1 Base & 10' round pole.	5
2	GFCI - Outlet Exterior Electrical GFI Outlet Cast Aluminum, Textured Architectural Bronze, Wall	1
3	FX Luminaire DE Down light ideal for large applications. 9.7in. H x 3.0in. Dia. Order code: DE, Aluminum Alloy, (BZ) Bronze Metallic, Mini J-Box for 1/2in. Thr Lamp: DE-9LED, 10W 10.7VA, 2700K, Beamspread: Spot	7
4	FX Luminaire PB Ideal selection for large broad objects or washing light. 2.23" W x 6.72" H x 4.03" L. Order code: PB, Aluminum Alloy, (AB) Antique Bronze, 3-Prong Spike Lamp: PB-1LED, 2W 2.4VA, 2700K, Beamspread: Very Wide Flood	1
5	FX Luminaire PX: Transformer SS, Stainless Steel, Wall 300W	4
6	FX Luminaire NP-9LED-BZ Large directional up light ideal for vertical landscape elements. Order code: NP, Aluminum Alloy, (BZ) Bronze Metallic, Ground Mount Lamp: NP-9LED, 10W 10.7VA, 2700K, Beamspread: Narrow Flood	10

**San Vicente**



**Job Information**

Project: \_\_\_\_\_ Date: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Fixture Type: Cat. # \_\_\_\_\_  
 Lamp: \_\_\_\_\_ Volts: \_\_\_\_\_  
 Options & Accessories: \_\_\_\_\_

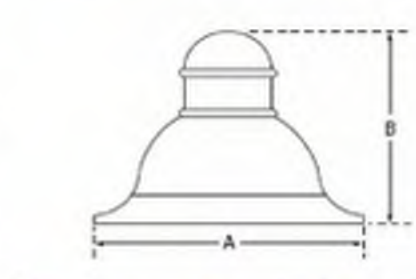
**Specifications**

**Housing:**  
 Cast Aluminum, Textured Bronze, RA21 Radius  
 Cast Aluminum, Textured Architectural Bronze, Wall

**Electrical Assembly:**  
 Cast Aluminum, Textured Architectural Bronze, Wall  
 Cast Aluminum, Textured Architectural Bronze, Wall  
 Cast Aluminum, Textured Architectural Bronze, Wall

**Finish:**  
 Cast Aluminum, Textured Bronze, RA21 Radius  
 Cast Aluminum, Textured Architectural Bronze, Wall  
 Cast Aluminum, Textured Architectural Bronze, Wall

**Dimensions**



Model	A	B	Max. Hgt.	EPG
SVE-1	24"	21"	250'	3.8
SVE-2	26"	21"	300'	3.8
SVE-3	30"	26"	1000'	5.4

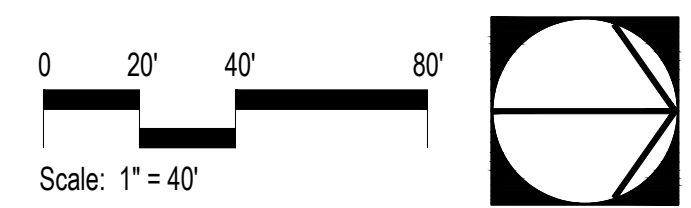
**Notes**

Shield for directional controlling to prevent glare offsite.



Schematic Lighting Plan

Notes:  
Shield for directional controlling to prevent glare offsite.



# TENTATIVE TRACT MAP NO. 19273

FOR PLANNED CONDOMINIUM DEVELOPMENT PURPOSES  
PRELIMINARY GRADING - SEE SHT. 2 FOR BOUNDARY INFORMATION

## AREA DCV CALCULATION

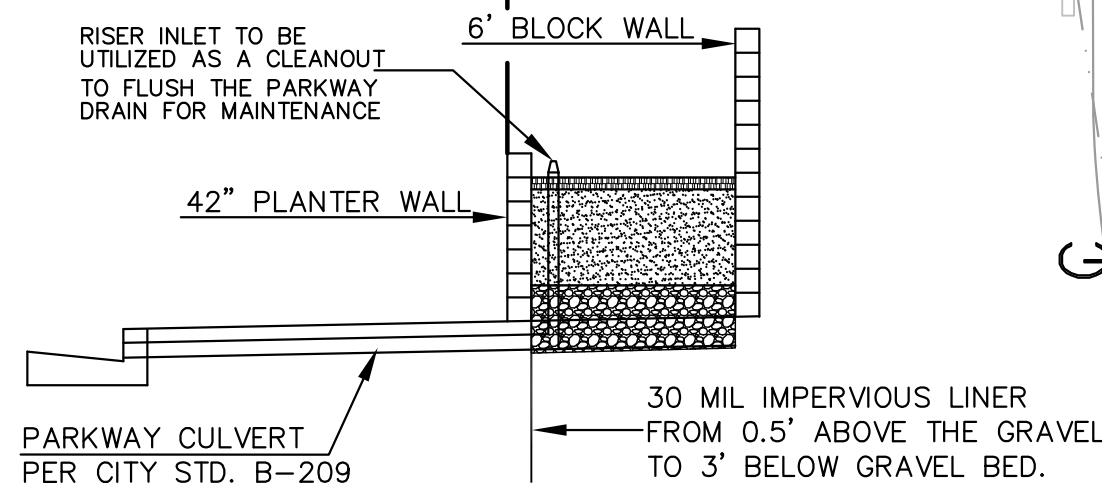
AREA = 52,987 SF / 1.22 AC  
 RUNOFF COEFFICIENT (80% IMPERVIOUS)  
 $C = 0.75 * IMP + 0.15 =$   
 $C = 0.75 * 0.80 + 0.15 = 0.75$   
 D = DESIGN CAPTURE STORM DEPTH (FIGURE III.1) = 0.77  
 $Drem = D - Dhsc = 0.77 - 0 = 0.77$   
 $DCV = C * Drem * AREA (SF) * 1/12$   
 $DCV = 0.75 * 0.77 * 1.22 * 43,560 * 1/12$   
 $DCV = 2,550 CF$

AREA 1  
 DCV = 2,550 CF

STORAGE PIPE VOLUME (55LF\*50.26SF/LF) = 2,764 CF  
 BIOTREATMENT AREA REQUIRED:  
 48HR DRAWDOWN PER WQMP  
 VOLUME (CF) / ((2.5"/HR)\*(1/12 FT/IN) \* 48HR)  
 $2,764 CF / ((2.5"/HR)*(1/12 FT/IN) * 48HR) = 276.4 SF$   
 BIOTREATMENT AREA PROVIDED: 664 SF > 276.4 SF

## PUMP REQUIREMENTS

MINIMUM FLOW (DRAW DOWN IN 48 HRS)  
 $2,764 CF / 48 HRS$   
 $(2,764 CF * 7.48 GAL/CF) / (48 HR * 60 MIN/HR) = 7.18 GPM$   
 MAXIMUM FLOW (MAX FLOW THRU BIO-PLANTER)  
 $664 SF * (2.5"/HR) * (1/12 FT/IN) * (1/60 HR/MIN) * (7.48 GAL/CF) = 17.25 GPM$   
 USE 10.0 GPM PUMP (3 PHASE POWER SOURCE)



BIO-PLANTER DETAIL  
 NO SCALE

EARTHWORK ESTIMATE	QUANTITIES	
	CUT	FILL
ROUGH GRADING	1,304 CY	205 CY
OVER-EXCAVATION WORK (AVE 8' DEEP)	14,815 CY	14,815 CY
SUBSIDENCE (0.2')	-370 CY	---
SHRINKAGE (17.5%)	-2,821 CY	---
SUBTOTAL PROJECT EARTHWORK QUANTITIES	12,928 CY	15,020 CY
BALANCE WITH SPOILS	2,092 CY	---

## BASIS OF BEARING

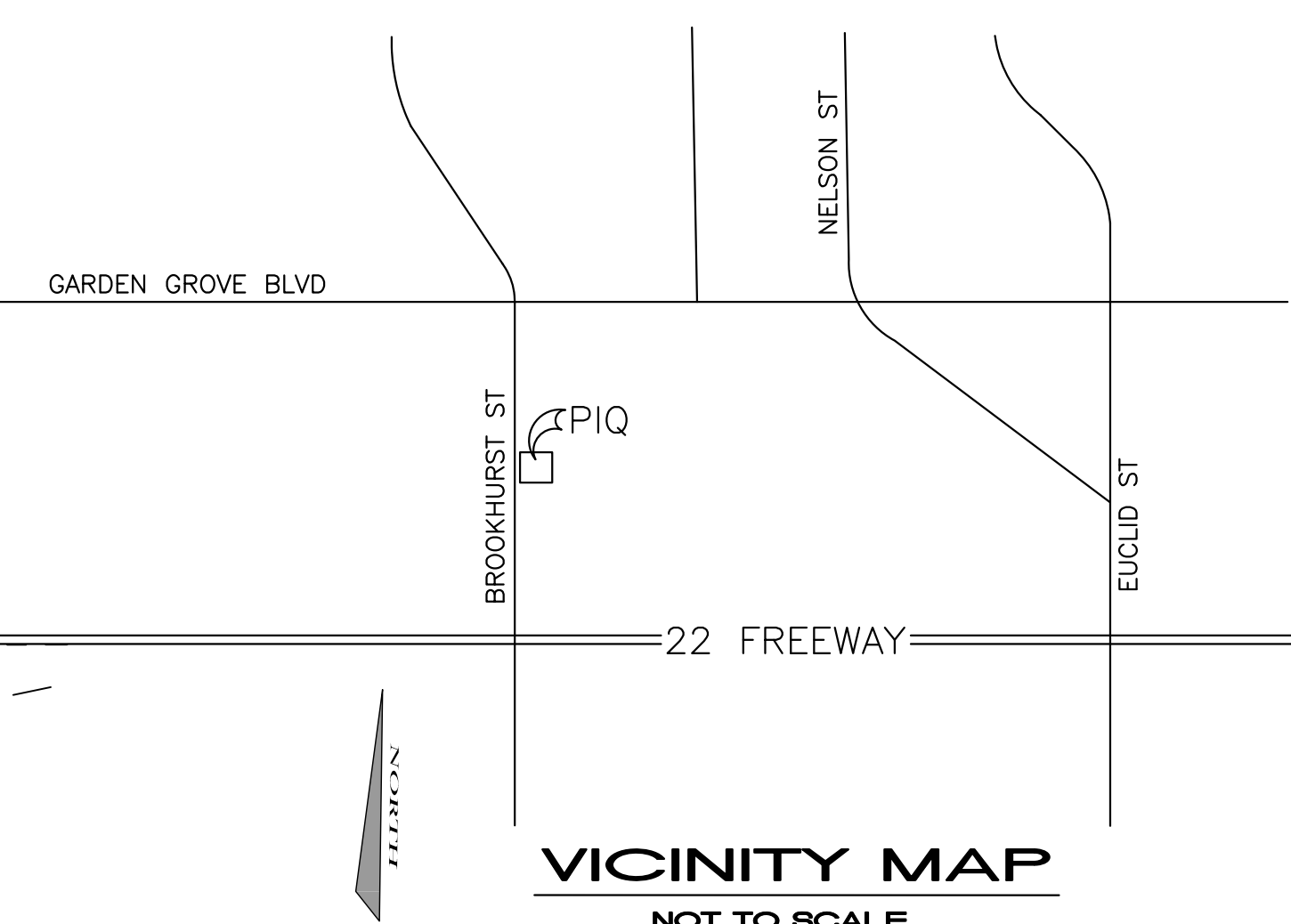
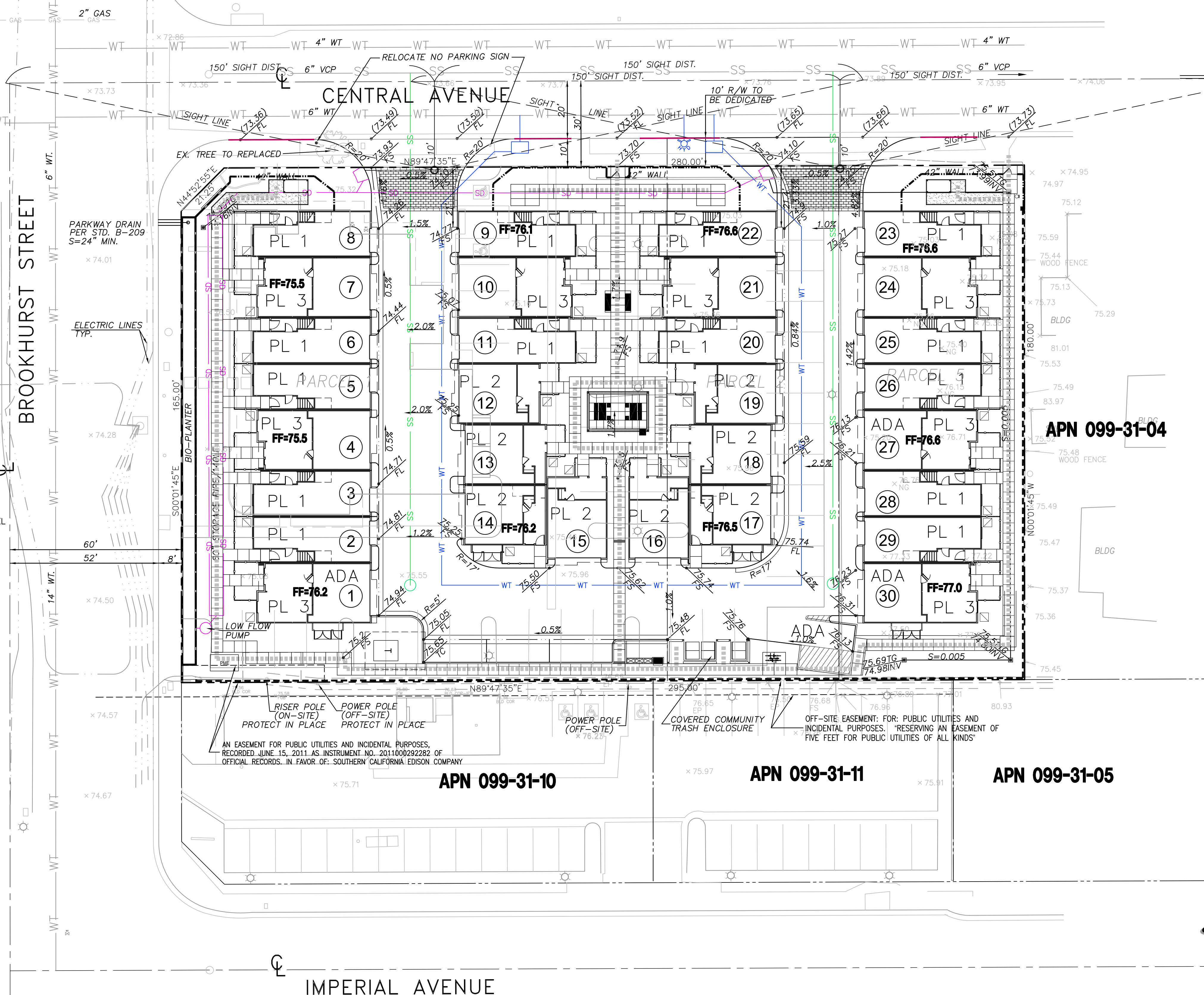
BEARINGS SHOWN HEREON ARE BASED UPON THE CENTERLINE OF CENTRAL AVENUE BEING N 89°47'35" E PER TRACT NO. 781, RECORDED IN BOOK 23, PAGE 27, RECORDS OF ORANGE COUNTY, CALIFORNIA.

## PROPERTY DESCRIPTION

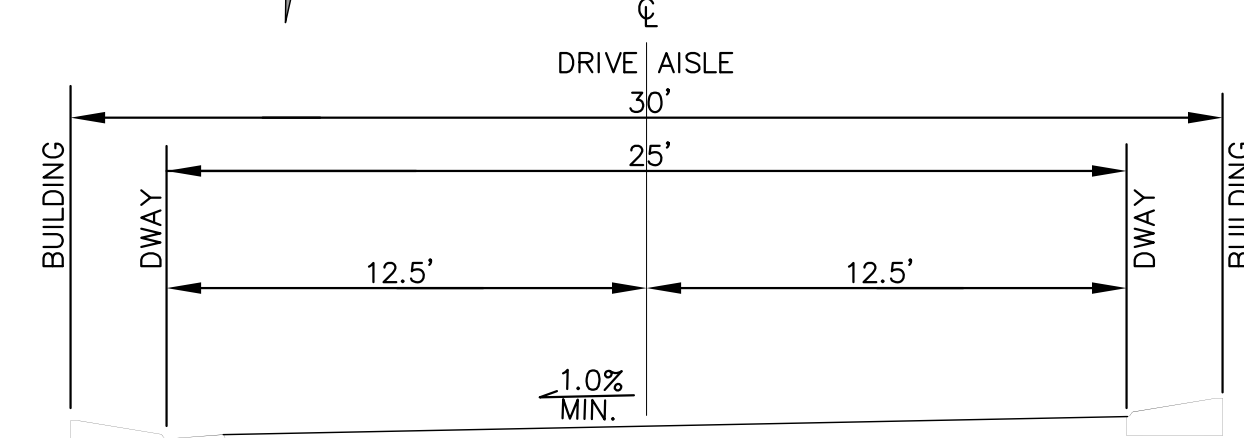
REAL PROPERTY IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
 (APN: 099-031-01) THE WEST 230 FEET OF THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LOS BOSQUES, AS PER MAP RECORDED IN BOOK 51, PAGE 12 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF SAID SECTION 5, DISTANT 1,110 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID QUARTER SECTION, 945 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION, 210 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE WEST 945 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 210 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

(APN: 099-031-02)  
 THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LOS BOSQUES, AS PER MAP RECORDED IN BOOK 51, PAGE 12 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO JENNE L. PORTER AND HUSBAND BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 234 OF OFFICIAL RECORDS, DISTANT WESTERLY 160 FEET FROM THE INTERSECTION OF SAID SOUTH LINE WITH THE CENTER LINE OF FLOWER STREET, AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 238 OF OFFICIAL RECORDS; THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID FLOWER STREET, 210 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE WEST ALONG SAID NORTH LINE 60 FEET TO THE NORTHWEST CORNER OF SAID TRACT OF LAND CONVEYED TO PORTER; THENCE SOUTH ALONG THE WEST LINE OF SAID TRACT, 210 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID TRACT CONVEYED TO PORTER; THENCE EAST ALONG THE SOUTH LINE OF SAID TRACT, 60 FEET TO THE POINT OF BEGINNING.

(APN: 099-031-08 AND 099-031-09)  
 PARCEL 1 AS SHOWN ON EXHIBIT "A" ATTACHED TO LOT LINE ADJUSTMENT NO. LLA-012-2019 RECORDED JANUARY 31, 2020 AS INSTRUMENT NO. 202000042971, OF OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTERLINE OF FLOWER STREET AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 238, OFFICIAL RECORDS, INTERSECTS THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO JENNE L. PORTER AND HUSBAND BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 234, OFFICIAL RECORDS; THENCE WEST ALONG THE SOUTH LINE SOUTH 89° 47' 35" WEST A DISTANCE OF 95 FEET TO THE TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING WEST ALONG SAID SOUTH LINE SOUTH 89° 47' 35" WEST A DISTANCE OF 95 FEET; THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID FLOWER STREET NORTH 00° 01' 17" WEST A DISTANCE OF 209.74 FEET, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE EAST ALONG NORTH LINE NORTH 89°47'35" EAST A DISTANCE OF 65 FEET TO POINT 95 FEET OF THE INTERSECTION OF SAID NORTH LINE WITH THE SAID CENTER LINE OF FLOWER STREET, THENCE SOUTH 00° 01' 17" EAST A DISTANCE OF 209.74 FEET, TO THE TRUE POINT OF BEGINNING.



VICINITY MAP  
 NOT TO SCALE



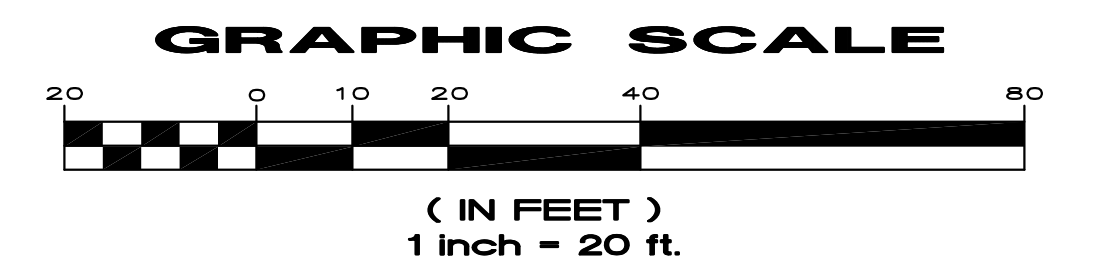
TYPICAL INTERIOR STREET SECTION  
 NO SCALE

## LEGEND

- PROP. LOT LINE
- BOUNDARY LINE
- PROP. CURB
- EX. CURB
- PROPOSED STORM DRAIN
- PROPOSED SEWER
- EXISTING SEWER
- PROPOSED WATER
- EXISTING WATER
- ELECTRIC LINES
- STREET LIGHT
- FIRE HYDRANT
- ADA PATH
- ADA ACCESSIBLE UNIT
- RED CURB

## GENERAL NOTES

- EXISTING LAND USE: COMMERCIAL
- PROPOSED LAND USE: RESIDENTIAL - MDR
- EXISTING ZONING: C1/R2 - NEIGHBORHOOD COMMERCIAL
- PROPOSED ZONING: R3 - MULTIPLE-FAMILY RESIDENTIAL
- WATER SERVICE PROVIDED BY: GARDEN GROVE WATER DISTRICT  
 13802 Newhope Street, Garden Grove, CA 92843  
 (714) 741-5395
- ELECTRIC SERVICE PROVIDED BY: SOUTHERN CALIFORNIA EDISON COMPANY.  
 P.O. Box 800, Rosemead, CA 91770  
 (800) 655-4555
- SEWER SERVICE PROVIDED BY: CITY OF GARDEN GROVE  
 13802 Newhope Street, Garden Grove, CA 92843  
 (714) 741-5395
- NATURAL GAS SERVICE PROVIDED BY: THE GAS COMPANY  
 P.O. Box 3150, San Dimas, CA 91773  
 (800) 427-2200
- AT&T - (800) 288-2020
- CHARTER COMMUNICATIONS
- EMERGENCY ACCESS SHALL BE GRANTED OVER INTERIOR STREET
- CURRENT A.P.N. # 099-031-01, 02, 08, 09
- CURRENT PROPERTY ADDRESS: 13252 Brookhurst St., Garden Grove, CA 92844
- PROJECT AREA = 52,987 SF / ±1.22 AC.



## STATEMENT OF OWNERSHIP

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION AND THAT THE OWNERS OF RECORD HAVE KNOWLEDGE OF AND CONSENTS TO THE FILING OF THIS MAP.

FRED CORNWELL RCE 45591  
 DATE Jun 01 2023



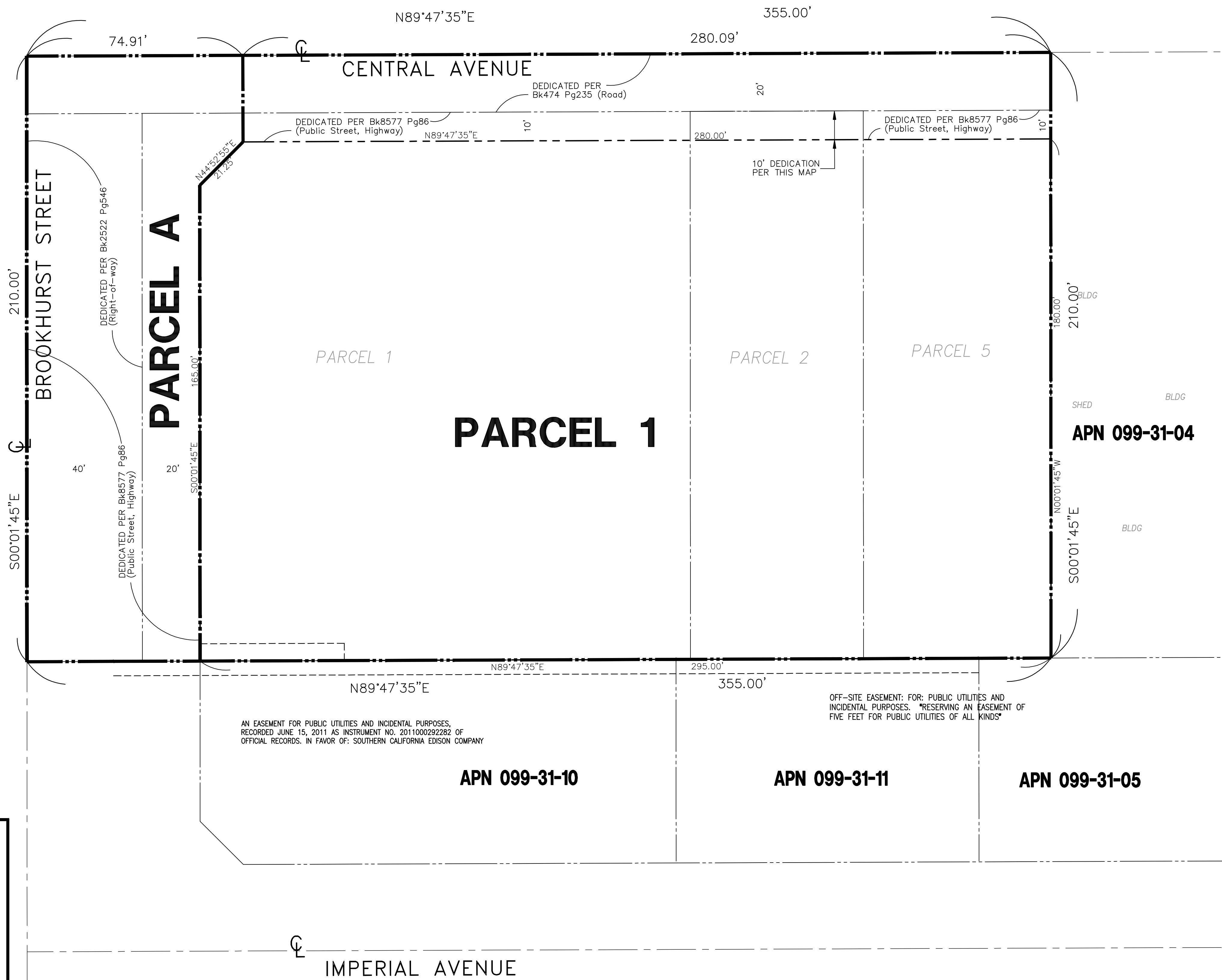
Jun 01 2023
JOB NO. 491-19
SHEET NO. 1
OF 2 SHTS.

PREPARED BY:	OWNER:	ARCHITECT:	ADDRESS:
CA ENGINEERING, INC. Planning · Engineering · Surveying 13821 NEWPORT AVE., STE 110 TUSTIN, CA 92780 949-724-9480 949-724-9484 FAX	MELIA HOMES INC. 8951 Research Dr., Suite 100 Irvine, CA 92618 Contact: Mr. Chad Brown (949) 759-4367	SUMMA ARCHITECTURE 5256 S. MISSION ROAD STE. 404 BONSALL, CA. 92003 760.724.1198	13252 BROOKHURST ST. GARDEN GROVE, CA 92844 A.P.N. 099-031-01, -02, -08, -09

REVISIONS	BY	DATE

# TENTATIVE TRACT MAP NO. 19273

FOR PLANNED CONDOMINIUM DEVELOPMENT PURPOSES  
BOUNDARY INFORMATION



### PARCEL TABULATION

PARCEL	AREA	USE
1	1.41 AC	RESIDENTIAL
A	0.30 AC	STREET*

\* STREET SHALL BE DEDICATED IN FEE TO THE CITY OF GARDEN GROVE

### LEGEND

PROP. LOT LINE  
PROJECT PROP. LOT LINE  
BOUNDARY LINE PER TITLE REPORT

### BASIS OF BEARING

BEARINGS SHOWN HEREON ARE BASED UPON THE CENTERLINE OF CENTRAL AVENUE BEING N 89°47'35" E PER TRACT NO. 781, RECORDED IN BOOK 23, PAGE 27, RECORDS OF ORANGE COUNTY, CALIFORNIA.

### PROPERTY DESCRIPTION

REAL PROPERTY IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
(APN: 099-031-01) THE WEST 230 FEET OF THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, AS PER MAP RECORDED IN BOOK 51, PAGE 12 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF SAID SECTION 5, DISTANT 1,110 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID QUARTER SECTION, 945 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION, 210 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE WEST 945 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 210 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

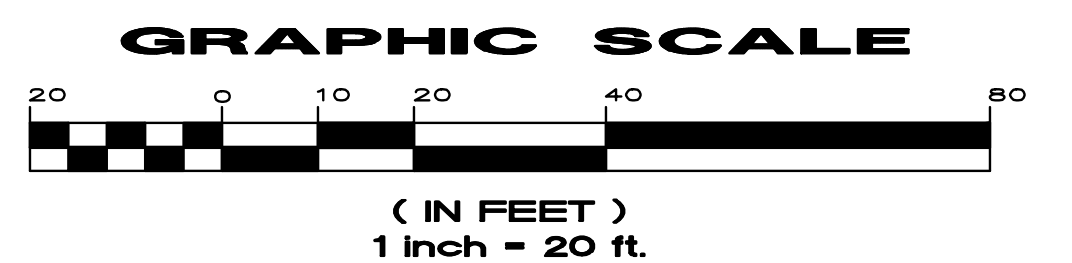
(APN: 099-031-02)  
THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, AS PER MAP RECORDED IN BOOK 51, PAGE 12 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO JENNE L. PORTER AND HUSBAND BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 234 OF OFFICIAL RECORDS, DISTANT WESTERLY 160 FEET FROM THE INTERSECTION OF SAID SOUTH LINE WITH THE CENTER LINE OF FLOWER STREET, AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 238 OF OFFICIAL RECORDS; THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID FLOWER STREET, 210 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE WEST ALONG SAID NORTH LINE 60 FEET TO THE NORTHWEST CORNER OF SAID TRACT OF LAND CONVEYED TO PORTER; THENCE SOUTH ALONG THE WEST LINE OF SAID TRACT, 210 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID TRACT CONVEYED TO PORTER; THENCE EAST ALONG THE SOUTH LINE OF SAID PORTER TRACT, 60 FEET TO THE POINT OF BEGINNING.

(APN: 099-031-08 AND 099-031-09)  
PARCEL 1 AS SHOWN ON EXHIBIT "A" ATTACHED TO LOT LINE ADJUSTMENT NO. LLA-012-2019 RECORDED JANUARY 31, 2020 AS INSTRUMENT NO. 2020000042971, OF OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA, FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE CENTERLINE OF FLOWER STREET AS CONVEYED TO THE COUNTY OF ORANGE BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 238, OFFICIAL RECORDS, INTERSECTS THE SOUTH LINE OF THE TRACT OF LAND CONVEYED TO JENNE L. PORTER AND HUSBAND BY DEED RECORDED NOVEMBER 24, 1941 IN BOOK 1120, PAGE 234, OFFICIAL RECORDS; THEN WEST ALONG THE SOUTH LINE SOUTH 89° 47' 35" WEST A DISTANCE OF 95 FEET TO THE TRUE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING WEST ALONG SAID SOUTH LINE SOUTH 89° 47' 35" WEST A DISTANCE OF 65 FEET; THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID FLOWER STREET NORTH 00° 01' 17" WEST A DISTANCE OF 209.74 FEET, TO A POINT IN THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE EAST ALONG NORTH LINE NORTH 89°47'35" EAST A DISTANCE OF 65 FEET TO POINT 95 FEET OF THE INTERSECTION OF SAID NORTH LINE WITH THE SAID CENTER LINE OF FLOWER STREET; THENCE SOUTH 00° 01' 17" EAST A DISTANCE OF 209.74 FEET, TO THE TRUE POINT OF BEGINNING.

REVISIONS

AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED JUNE 15, 2011 AS INSTRUMENT NO. 2011000292282 OF OFFICIAL RECORDS, IN FAVOR OF: SOUTHERN CALIFORNIA EDISON COMPANY

OFF-SITE EASEMENT: FOR: PUBLIC UTILITIES AND INCIDENTAL PURPOSES. \*RESERVING AN EASEMENT OF FIVE FEET FOR PUBLIC UTILITIES OF ALL KINDS\*



### STATEMENT OF OWNERSHIP

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*Fred Cornwell*  
FRED CORNWELL RCE 45591  
DATE



May 31 2023  
JOB NO. 491-19  
SHEET NO. 2  
OF 2 SHTS.

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(949) 759-4367

### ARCHITECT:

SUMMA ARCHITECTURE  
5256 S. MISSION ROAD STE. 404  
BONSALL, CA. 92003  
760.724.1198

### ADDRESS:

13252 BROOKHURST ST.  
Garden Grove, CA 92844  
A.P.N. 099-031-01, -02, -08, -09

NO.	BY	DATE

# **BROOKHURST AND CENTRAL TOWNHOME PROJECT**

## **DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

### **Lead Agency:**

**City of Garden Grove**  
Community and Economic Development Department  
11222 Acacia Parkway  
Garden Grove, CA 92840

### **Project Contact:**

Huong Ly, Associate Planner  
huongl@ggcity.org  
714-741-5302

### **CEQA Consultant:**



**RE Consulting**  
renee@renvconsulting.com

November 2023



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## MITIGATED NEGATIVE DECLARATION

**Title of Project (including any commonly used name for the project):** Brookhurst and Central Townhome Project (herein referred to as the “proposed project”)

**Brief Description of Project:** The proposed pProject involves developing a 1.22-acre site with 30 residential townhomes within 3-story buildings with a maximum height of 35 feet. The proposed townhomes would be for-sale townhomes, with 10 percent of the units being restricted to moderate income buyers. The project includes a total of 64 parking spaces in the form of a two-car garage for each townhome and four open parking spaces, a 4,322 square foot central active open space area, and 9,578 square feet open space landscape area. The existing site improvements will be demolished to facilitate the proposed development.

The project includes a General Plan Amendment to change the land use designation of the site from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR) that allows between 21.1 to 32 dwelling units per acre; a zoning designation amendment to change the zoning of the site from Neighborhood Commercial (C-1) and Limited Multiple Residential Zone (R-2) to Multiple-Family Residential (R-3) that allows up to 32 dwelling units per acre; and a Tentative Tract Map (TTM) for the sale of the townhome units and approval of a Site Plan.

**Project Location (see Figures 1 through 3):** The project site is located at 13252 Brookhurst Street and 10052 Central Avenue, in the southcentral portion of the City of Garden Grove. The site is approximately 0.27 miles north of State Route 22 (SR-22). The project is located on the southeast corner of the intersection of Brookhurst Street and Central Avenue, both of which provide access to the site. The project site is identified as Assessor Parcel Numbers (APNs): 099-031-01, 099-031-02, 099-331-08, and 099-031-09; and is located within the U.S. Geologic Survey (USGS) Anaheim 7.5 Minute Topographic Quadrangle, and within Section 5, Township 5 South, Range 10 West.

**Name of the Project Proponent:** Melia Homes

**Cortese List:** The project does not involve a site located on the Cortese list (per Government Code Section 65962.5(f))

**Finding:** Pursuant to the California Environmental Quality Act, the City of Garden Grove has determined that the proposed project will not have a significant effect on the environment with implementation of mitigation measures related to archaeological resources, paleontological resources, noise, and tribal cultural resources. The attached initial study documents the reasons supporting this finding.

**Mitigation Measures:** Refer to Section 4.3, Environmental Checklist Questions: 5.b) archaeological resources, 7.f) paleontological resources, 13.a and 13.b) noise, and 18.b) tribal cultural resources.

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**Acronym List**

- ADA Americans with Disabilities Act
- ADT Average Daily Trips
- AQMP Air Quality Management Plan
- AB Assembly Bill
- AFY Acre-Feet Yearly
- APN Assessor Parcel Number
- BMPs Best Management Practices
- CAA Clean Air Act
- CARB California Air Resources Board
- CBC California Building Code
- CCR California Code of Regulations
- CDFW California Department of Fish and Wildlife
- CEQA California Environmental Quality Act
- CFR Code of Federal Regulations
- City City of Garden Grove
- CNEL Community Noise Equivalent Level
- CNPS California Native Plant Society
- CMU Concrete Masonry Unit
- CO Carbon Monoxide
- CY Cubic Yards
- DAMP Drainage Area Management Plan
- dba A-weighted decibel
- EIR Environmental Impact Report
- EPA Environmental Protection Agency
- FAR Floor Area Ratio
- FEMA Federal Emergency Management Agency
- FIRM Flood Insurance Rate Maps
- FTA Federal Transit Administration
- GGMC Garden Grove Municipal Code
- GGUSD Garden Grove Unified School District
- GPCD Gallons per day per capita
- GHG Greenhouse Gas
- HVAC Heating, Ventilation and Air Conditioning

IS/MND	Initial Study/ Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
kBTU	thousand British thermal units
kWh	kilowatt-hour
LCFS	Low Carbon Fuel Standard
LID	Low Impact Development
LOS	Level of Service
LST	Local Significance Thresholds
MBTA	Migratory Bird Treaty Act
MG	Million Gallons
mgd	million gallons per day
MLD	Most Likely Descendant
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
MTCO <sub>2e</sub>	metric tons carbon dioxide equivalent
NPDES	National Pollutant Discharge Elimination System
NAHC	Native American Heritage Commission
NO <sub>x</sub>	Nitrous Oxides
OCSD	Orange County Sanitation District
OCFA	Orange County Fire Authority
OCTA	Orange County Transportation Authority
OCWD	Orange County Water District
OPR	Governor's Office of Planning and Research
PM	Particulate Matter
PPV	peak particle velocity
PRC	Public Resources Code
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SLF	Sacred Lands File
SO <sub>x</sub>	Oxides of Sulfur
SR	State Route
SRA	Source Receptor Area
SWPPP	Storm Water Pollution Prevention Plan
TAC	Toxic Air Contaminant
TAZ	Traffic Analysis Zone
VdB	velocity in decibels
VMT	Vehicle Miles Traveled
TIA	Traffic Impact Analysis
TTM	Tentative Tract Map
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geologic Survey
UWMP	Urban Water Management Plan
WDRs	Waste Discharge Requirements
WQMP	Water Quality Management Plan

# 1 INTRODUCTION

## 1.1 PURPOSE OF THE INITIAL STUDY

This Initial Study has been prepared in accordance with the following:

- California Environmental Quality Act (CEQA) of 1970 (Public Resources Code Sections 21000 et seq.)
- California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines, Sections 15000 et seq.).

Pursuant to CEQA, this Initial Study has been prepared to analyze the potential for significant impacts on the environment resulting from implementation of the proposed redevelopment of the project site with 30 residential townhomes. As required by CEQA Guidelines Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the City of Garden Grove (City), in consultation with other jurisdictional agencies, to determine if a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) is required for the project.

This Initial Study informs City decision-makers, affected agencies, and the public of potentially significant environmental impacts associated with the implementation of the project. A “significant effect” or “significant impact” on the environment means “*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.*” (CEQA Guidelines Section 15382). Given the project's scope and level of detail, combined with technical analyses and current information about the site and environs, the City's intent is to adhere to the following CEQA principles:

- Provide meaningful early evaluation of site planning constraints, service and infrastructure requirements, and other local and regional environmental considerations. (Public Resources Code Section 21003.1).
- Encourage the applicant to incorporate environmental considerations into project conceptualization, design, and planning at the earliest feasible time. (CEQA Guidelines Section 15004[b][3]).
- Specify mitigation measures for reasonably foreseeable significant environmental effects and commit the City and applicant to future measures containing performance standards to ensure their adequacy when detailed development plans and applications are submitted. (CEQA Guidelines Section 15126.4).

### **Existing Regulations that Reduce Potential Impacts**

Throughout the impact analysis in this Initial Study, reference is made to requirements that are applied to all development on the basis of federal, state, or local law, which effectively reduce the potential for environmental impacts to occur. Where applicable, these existing regulations are listed to show their effect in reducing potential environmental impacts. Where the application of these measures does not reduce an impact to below a level of significance, a project-specific mitigation measure is introduced.

## 1.2 DOCUMENT ORGANIZATION

This Initial Study includes the following sections:

### **Section 1.0 Introduction**

Provides information about CEQA and its requirements for environmental review and explains that an Initial Study was prepared by the City to evaluate the project's potential to impact the physical environment, and to determine if mitigation is required to reduce potential impacts to a less than significant level.



**Section 2.0 Project Setting**

Provides information about the project's location, a description of existing site uses, and identifies the existing General Plan and zoning designations.

**Section 3.0 Project Description**

Includes a description of the project's physical features, along with construction and operational activities.

**Section 4.0 Environmental Checklist**

Includes the Environmental Checklist and evaluates the project's potential to result in significant adverse effects to the physical environment and identifies if mitigation is required to reduce potential impacts to a less than significant level.

**Section 5.0 Document Preparers**

Includes a list of persons that prepared this IS/MND.

## 2 PROJECT SETTING

### 2.1 PROJECT LOCATION

The project site is located at 13252 Brookhurst Street and 10052 Central Avenue, in the southcentral portion of the City of Garden Grove, as shown on Figure 1, *Regional Location*. The site is approximately 0.27 miles north of State Route 22 (SR-22). The project is located on the southeast corner of the intersection of Brookhurst Street and Central Avenue, both of which provide access to the site, as shown in Figure 2, *Local Vicinity*.

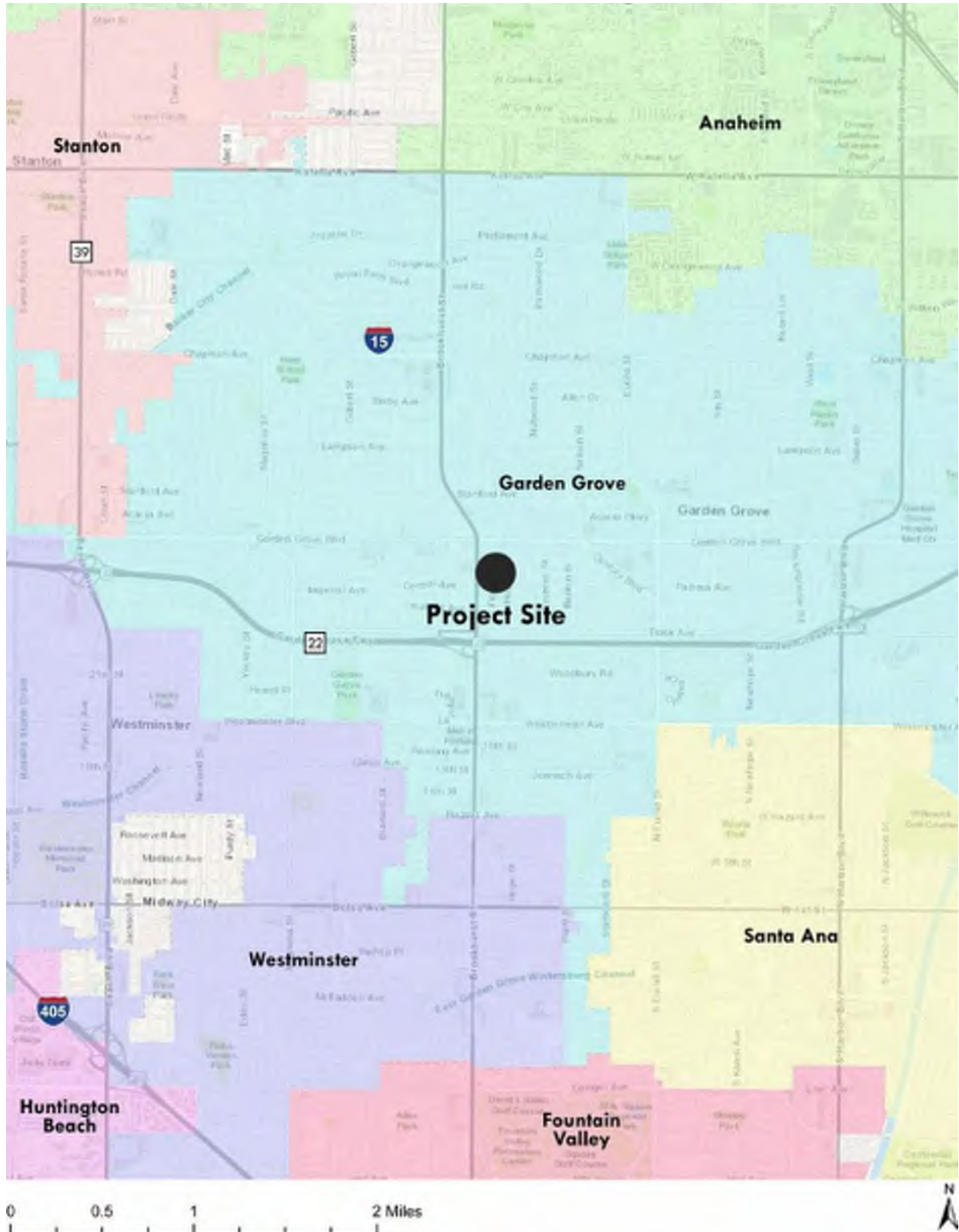
The project site is identified as Assessor Parcel Numbers (APNs): 099-031-01, 099-031-02, 099-331-08, and 099-031-09; and is located within the U.S. Geologic Survey (USGS) Anaheim 7.5 Minute Series Topographic Quadrangle, and within Section 5, Township 5 South, Range 10 West.

### 2.2 EXISTING PROJECT SITE LAND USES

The 1.22-acre project site consists of two (2) differently zoned properties: a Neighborhood Commercial (C-1) zoned property located at 13252 Brookhurst Street (0.70-acre) that was developed with a vacant restaurant structure, and a Limited Multiple Residential Zone (R-2) zoned property located at 10052 Central Avenue (0.52-acre) that is vacant and undeveloped, as shown in Figure 3, *Aerial View*. The vacant restaurant structure was demolished in June/July 2023 due to structural hazards. The building pad remains. Because removal of the vacant restaurant structure occurred after submittal of the application for the proposed Project, and to provide a conservative analysis, the discussion herein describes the previous vacant restaurant building and includes it within the analysis.

The commercially zoned property consists of two (2) parcels 099-031-01 and 099-031-02 that was improved with a 6,367 square foot single-story restaurant building and surface parking lot that was previously operated by Marie Callender's. The restaurant building was severely damaged in a fire incident in 2021 to the degree that the structure was too dangerous to be occupied and was red tagged by the City. The building was vacant and unoccupied.

# Regional Location



Brookhurst and Central Townhome Project  
City of Garden Grove

Figure 1

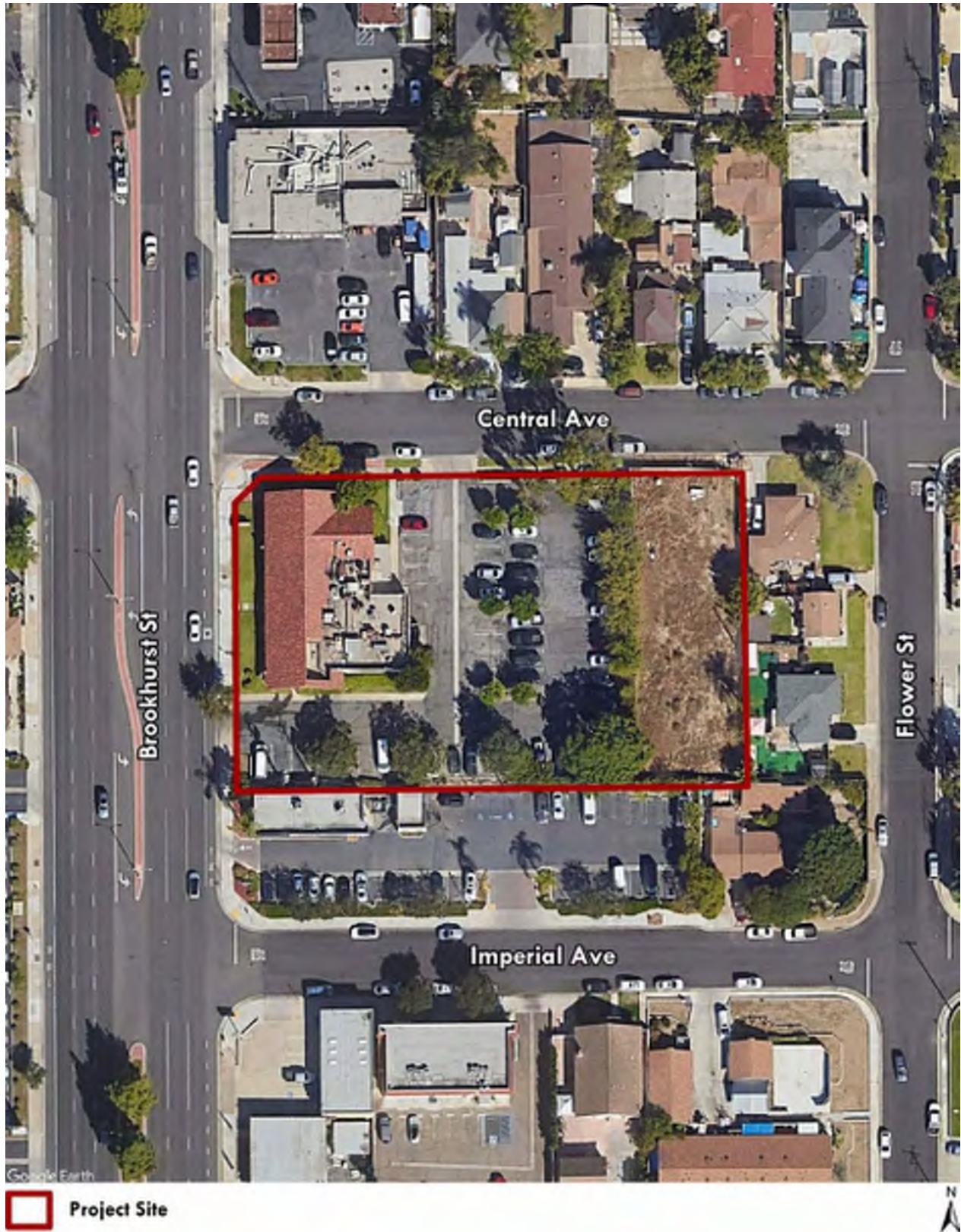
# Local Vicinity



Brookhurst and Central Townhome Project  
City of Garden Grove

Figure 2

# Aerial View



Brookhurst and Central Townhome Project  
City of Garden Grove

Figure 3

The restaurant building was a brick and stucco structure with storefront type windows and awnings toward Brookhurst Street. The building had clay tile roof, restaurant signage on the building and a monument sign along Brookhurst. The site is landscaped with lawn and ornamental shrubs in front of the building along Brookhurst and ornamental trees in the parking lot behind the restaurant building. In addition, a line of ornamental trees and shrubs delineates the boundary between the restaurant parcel and the undeveloped project site parcel, which is surrounded by fencing and contains partial ground cover of grass, weeds, and shrubs. Exterior lighting on the site is limited to security lighting around the restaurant building and parking lot area and the street lighting along Brookhurst Street. Vehicular access is provided by two driveways, one along Brookhurst Street and one along Central Avenue; both of which provide direct access to the restaurant parking lot, as shown in Figure 4, *Views of the Project Site*.

The residentially zoned undeveloped portion of the site is located at 10052 Central Avenue and consists of two (2) parcels 099-331-08 and 099-031-09. The lot was previously improved with a single-family residential unit with a detached garage. In 2018, a demolition permit was issued by the City's Building and Safety Division, and the existing structures were demolished shortly thereafter. Since the demolition, the lot remains vacant and unimproved, as shown in Figure 5. The lot is directly accessible from Central Avenue.

**Existing General Plan Land Use Designations.** The project site has General Plan Land Use designations of Light Commercial (LC) (099-031-01, 099-031-02) and Low Medium Density Residential (LMR) (099-331-08, 099-031-09), as shown in Figure 6, *Existing General Plan Land Use Designations*. The General Plan states that the LC land use designation is intended to allow a range of commercial activities that serve local residential neighborhoods and the larger community and allows a 0.55 Floor Area Ratio (FAR). The General Plan states that the LC designation includes a variety of retail services such as markets, drug stores, retail shops, financial institutions, service establishments, and restaurants. Commercial uses are required to be compatible with the surrounding area, and in particular, with any abutting residential uses.

The General Plan states that the LMR land use designation is intended for the development of single-family homes, accessory dwelling units, duplexes and triplexes, condominiums, and small lot subdivisions. The General Plan also states that the LMR land use designation is a transition between the detached single-family areas and the higher density areas, and that the LMR designation provides for a residential density of 11.1 through 21 dwelling units per acre.

**Existing Zoning Designations.** The site is zoned Neighborhood Commercial (C-1) for APNs: 099-031-01 and 099-031-02, and zoned Limited Multiple Residential Zone (R-2) for APNs: 099-331-08, 099-031-09, as shown in Figure 7, *Existing Zoning Designations*. Section 9.16.020.020 of the Municipal Code states that the C-1 zone is intended to provide for business at the neighborhood level in small scale convenience shopping facilities. In addition, Section 9.12.020.020 of the Municipal Code states that the R-2 zone is intended to provide for multiple attached or detached residential dwellings, and the zone is intended to provide a transition between lower density, single-family detached residences, and higher-density residential or non-residential uses.

## Views of the Project Site



Views of the project site from Brookhurst Street.



View of the project site from Central Avenue at Brookhurst Street.

## Views of the Project Site



View of the project site from Central Avenue showing driveway access, the rear of the existing restaurant building, and the parking lot.



View of the undeveloped portion of the project site from Central Avenue.

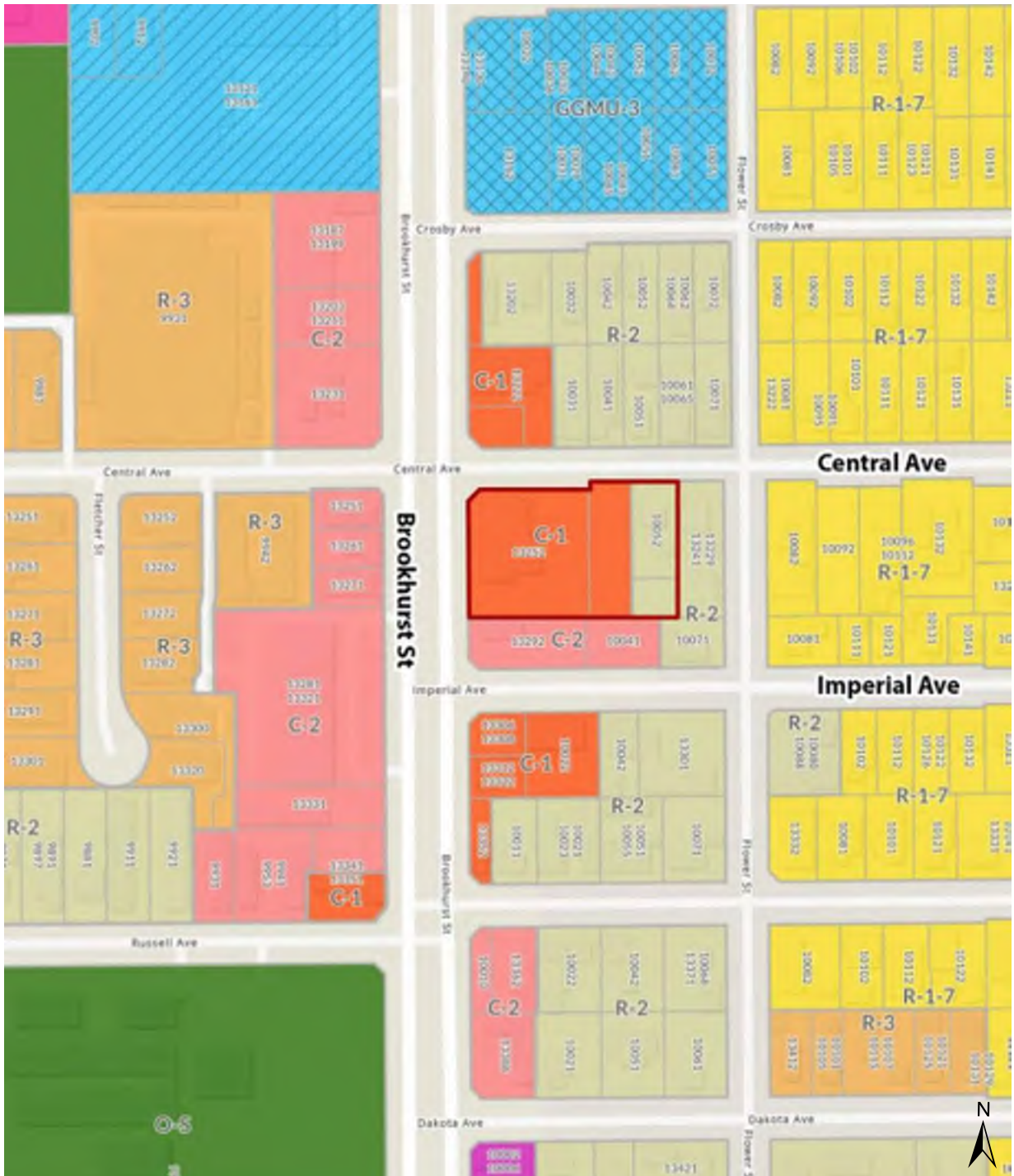
# Existing General Plan Land Use Designations



- Project Site
- LC - Light Commercial
- LMR - Low Medium Density Residential
- MDR - Medium Density Residential



# Existing Zoning Designations



- Project Site
- C-1 - Neighborhood Commercial
- R-2 - Limited Multiple Residential
- R-3 - Multiple-Family Residential

## 2.3 SURROUNDING LAND USES

The project site is located within a developed and urban area and is adjacent to roadways, residential, and commercial uses as described below:

- **North:** Central Avenue is adjacent to the north of the site followed by R-2 (Limited Multiple Residential) zoned properties improved with single-family residences, and a C-1 (Neighborhood Commercial) zoned property improved with a commercial building.
- **East:** R-2 (Multiple Family Residential) zoned property improved with a multi-family residential structure is located east of the site followed by Flower Street.
- **South:** Enterprise-Rent-A-Car commercial one story building and associated parking lot on a Community Commercial (C-2) zoned parcel is located adjacent to the south of the site, followed by Imperial Avenue.
- **West:** Brookhurst Street is adjacent to the west of the site followed by C-2 zoned properties improved with retail commercial uses, followed by two story residences.

## 3 PROJECT DESCRIPTION

### 3.1 PROJECT FEATURES

The project would redevelop the 1.22-acre project site to provide 30 residential townhomes, as shown in Figure 8, *Conceptual Site Plan*. The residences would be within 3-story buildings that would have a maximum height of 35 feet. The project would result in a density of 24.6 dwelling units per acre. The project proposes 3 different floor plans that range in size from 1,302 square foot 2-bedroom units to 1,928 square foot 4-bedroom units, as shown in Table 1. All of the residences would include a balcony and a ground level fenced private patio.

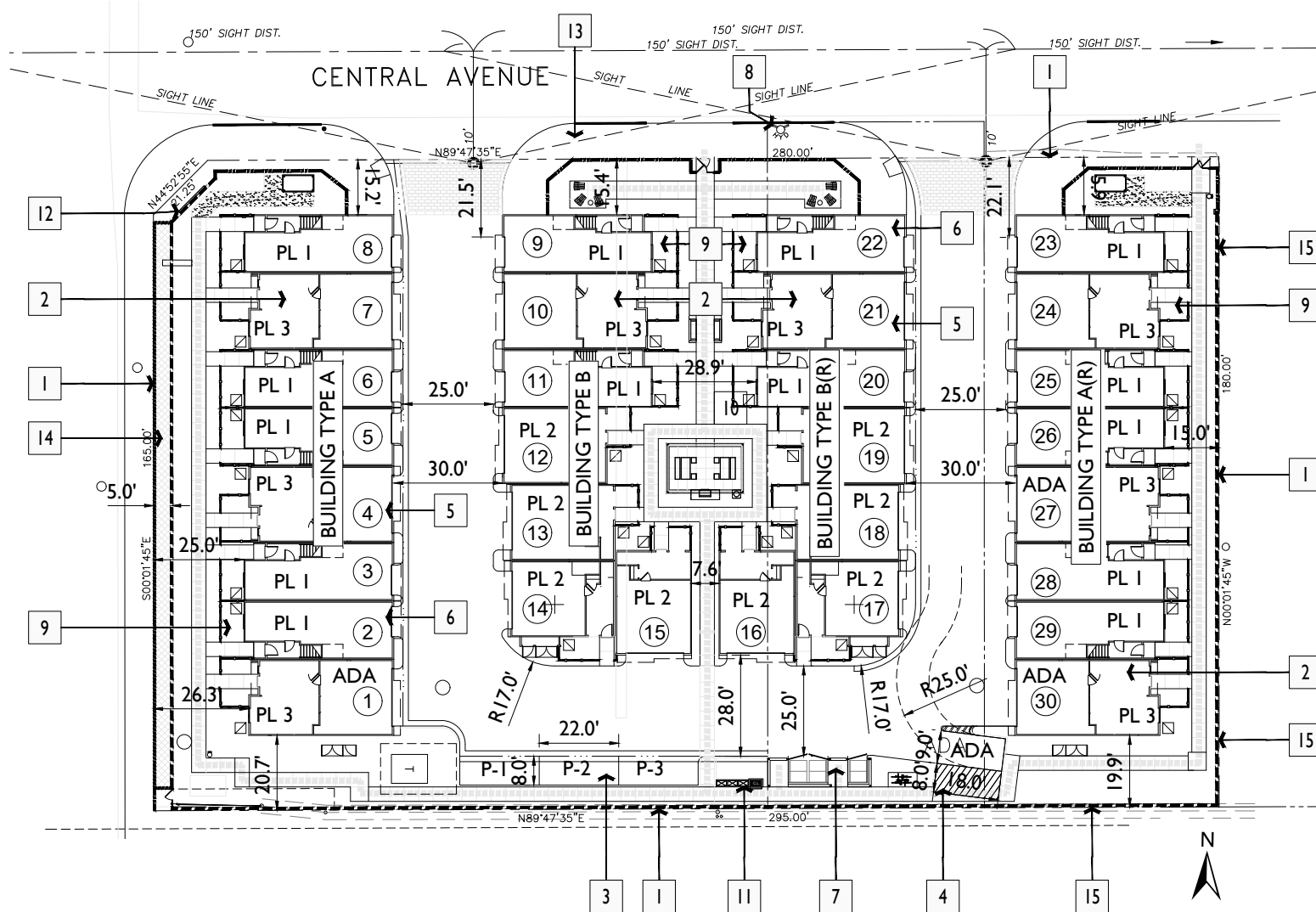
**Table 1: Residential Unit Summary**

Unit Type	Number of Units	Number of Stories	Number of Bedrooms	Number of Bathrooms	Square Footage
Plan 1	14	3	2	2.5	1,302
Plan 2	8	3	2	2.5	1,334
Plan 3	8	3	4	3.5	1,928

Each of the townhomes would have a two-car garage, and 4 additional open parking spaces would be provided along the southerly property line, for a total of 64 onsite parking spaces. The proposed townhomes would be for-sale townhomes, with 10 percent (10%) of the proposed units being offered and restricted to moderate income buyers, as defined in Section 50052.5 of the California Health and Safety Code.

The townhome structures would be setback a minimum of 25-feet from the Brookhurst Street right-of-way, 15 feet from Central Avenue, 19 feet from interior southerly property line, and 15 feet from the easterly property line. The townhomes would have a modern style (shown in Figures 9 through 11) that would utilize angled and multi-level rooflines, stone veneer, horizontal siding, decorative trellis and railings, finished stuccos, and other decorative architectural features.

# Conceptual Site Plan



## KEYNOTES

- |   |  |    |   |
|---|--|----|---|
| 1 | PROPERTY LINE  | 8  | NEW PUBLIC FIRE HYDRANT                 |
| 2 | 3-STORY ROW TOWNHOME   | 9  | PRIVATE PATIO                           |
| 3 | PARALLEL PARKING STALL - 8' X 22' (TYP.)   | 10 | COMMON OPEN SPACE                       |
| 4 | ACCESSIBLE PARKING STALL - 9' X 18' (TYP.)<br>VAN W/ 8' WIDE STRIPING (PASSENGER SIDE) | 11 | COMMUNITY MAILBOX LOCATION              |
| 5 | STANDARD 2-CAR GARAGE (20' X 20' MIN.)   | 12 | PROJECT MONUMENT SIGN WALL              |
| 6 | TANDEM 2-CAR GARAGE (10' X 40' MIN.)   | 13 | FOR EXISTING RIGHT OF WAY SEE TTM 19273 |
| 7 | COVERED COMMUNITY TRASH ENCLOSURE  | 14 | WATER RETENTION - BIO PLANTER           |
|   |  | 15 | PRIVACY MEASURE - 12' MIN. HIGH TREES   |

# Conceptual Building Type A Elevations



## MATERIAL SCHEDULE

- |                                       |   |
|---------------------------------------|---|
| 1. ROOF - COMPOSITION ASPHALT ROOFING | 11. EXTERIOR LIGHT FIXTURE                    |
| 2. FASCIA - RESAWN WOOD               | 12. SECTIONAL GARAGE DOOR W/ TRIM WHERE SHOWN |
| 3. WALL - EXTERIOR 1620 FINISH STUCCO | 13. UTILITY CLOSET WITH METAL DOORS           |
| 4. WALL - HORIZONTAL SIDING           | 14. STUCCO SOFFIT                             |
| 5. WALL - STONE VENEER                |   |
| 6. DECORATIVE METAL GUARDRAIL         |   |
| 7. VINYL WINDOW                       |   |
| 8. DECORATIVE RESAWN WOOD TRELLIS     |   |
| 9. DECORATIVE STUCCO O/ E.P.S. TRIM   |   |
| 10. STUCCO CONTROL JOINT              |   |

# Conceptual Building Type B Elevations



## MATERIAL SCHEDULE

- |                                       |   |
|---------------------------------------|---|
| 1. ROOF - COMPOSITION ASPHALT ROOFING | 11. EXTERIOR LIGHT FIXTURE                    |
| 2. FASCIA - RESAWN WOOD               | 12. SECTIONAL GARAGE DOOR W/ TRIM WHERE SHOWN |
| 3. WALL - EXTERIOR 1620 FINISH STUCCO | 13. UTILITY CLOSET WITH METAL DOORS           |
| 4. WALL - HORIZONTAL SIDING           | 14. STUCCO SOFFIT                             |
| 5. WALL - STONE VENEER                |   |
| 6. DECORATIVE METAL GUARDRAIL         |   |
| 7. VINYL WINDOW                       |   |
| 8. DECORATIVE RESAWN WOOD TRELLIS     |   |
| 9. DECORATIVE STUCCO O/ E.P.S. TRIM   |   |
| 10. STUCCO CONTROL JOINT              |   |

# Conceptual Massing and Perspectives



CENTRAL AVE. PERSPECTIVE



BROOKHURST STREET PERSPECTIVE



INTERIOR ALLEY PERSPECTIVE



INTERIOR COURTYARD PERSPECTIVE



REAR PERSPECTIVE



BROOKHURST STREET PERSPECTIVE

The project includes a 4,322 square foot central active open space recreation area with shade structures, BBQs and Americans with Disabilities Act (ADA) accessible picnic tables, raised herb garden areas. Also, approximately 9,578 square feet of open space landscape areas would be provided, including a paseo with bench seating and shade trees that would connect the central open space area to residences. The project landscape would include new ornamental trees, shrubs, and ground covers, as shown in Figure 12, *Conceptual Landscape Plan*. New exterior lighting onsite would be provided to accent the landscaping, light project signage, light walkways, light driveways, and for security. The new lighting would be focused on the project site, shielded from offsite areas, and would be compliant with the City's lighting regulations (GGMC Section 9.12.040.210).

The project would be accessed from 2 driveways along Central Avenue. Each of the proposed residences would be accessed from the 25-foot-wide driveway that would circle the site. The project would install new perimeter walls that would consist of a 5-foot-wide 42-inch-high raised bioretention planter and a 6-foot-high wall along the Brookhurst Avenue, a 42-inch-high wall along Central Avenue, and 6-foot-high walls along the east and south site boundaries, as shown in Figure 13. All of the perimeter walls would consist of concrete masonry unit (CMU) with a two-inch high precision cap in Borrego color to match the proposed architecture of the residential buildings and onsite amenities.

The project would install new infrastructure that would connect to the existing water, sewer, and drainage infrastructure in the Brookhurst Street and Central Avenue right-of-ways. All storm water runoff from the site would be conveyed to a 60-inch underground detention pipe that would be installed onsite as part of the project, and then pumped into a 5-foot-wide (664 square foot) raised bioretention planter to be constructed by the project adjacent to Brookhurst Street. The proposed bioretention planter would provide infiltration and direct drainage to a proposed parkway culvert adjacent to Brookhurst Street that would convey flows to the City's existing storm drain system.

### 3.2 PROJECT CONSTRUCTION

Construction activities for the project would occur over 12-18 months in the following stages: (1) demolition and removal of existing structures/asphalt/pavement; (2) site preparation; which includes clearing any remaining infrastructure, utilities, and trenching for the new utilities/services; (3) grading and excavation; (4) building construction; and (5) landscape installation, paving, and application of architectural coatings. The City's construction permitting limits construction activities to the hours between 7:00 a.m. to 8:00 p.m. Monday through Saturday; in addition to the noise requirements of GGMC Chapter 8.47.

**Table 2: Construction Schedule**

<b>Activity</b>	<b>Working Days</b>
Demolition	20
Site Preparation	2
Grading	4
Building Construction	200
Paving	10
Architectural Coating	10

The upper five feet of soil or three feet below the buildings' footing bases would be removed and re-compacted to provide a dense fill mat for structural support. Thus, over excavation is anticipated to extend to a depth of approximately 8 feet below the existing ground surface. The excavated soils would be re-compacted pursuant

# Conceptual Landscape Plan

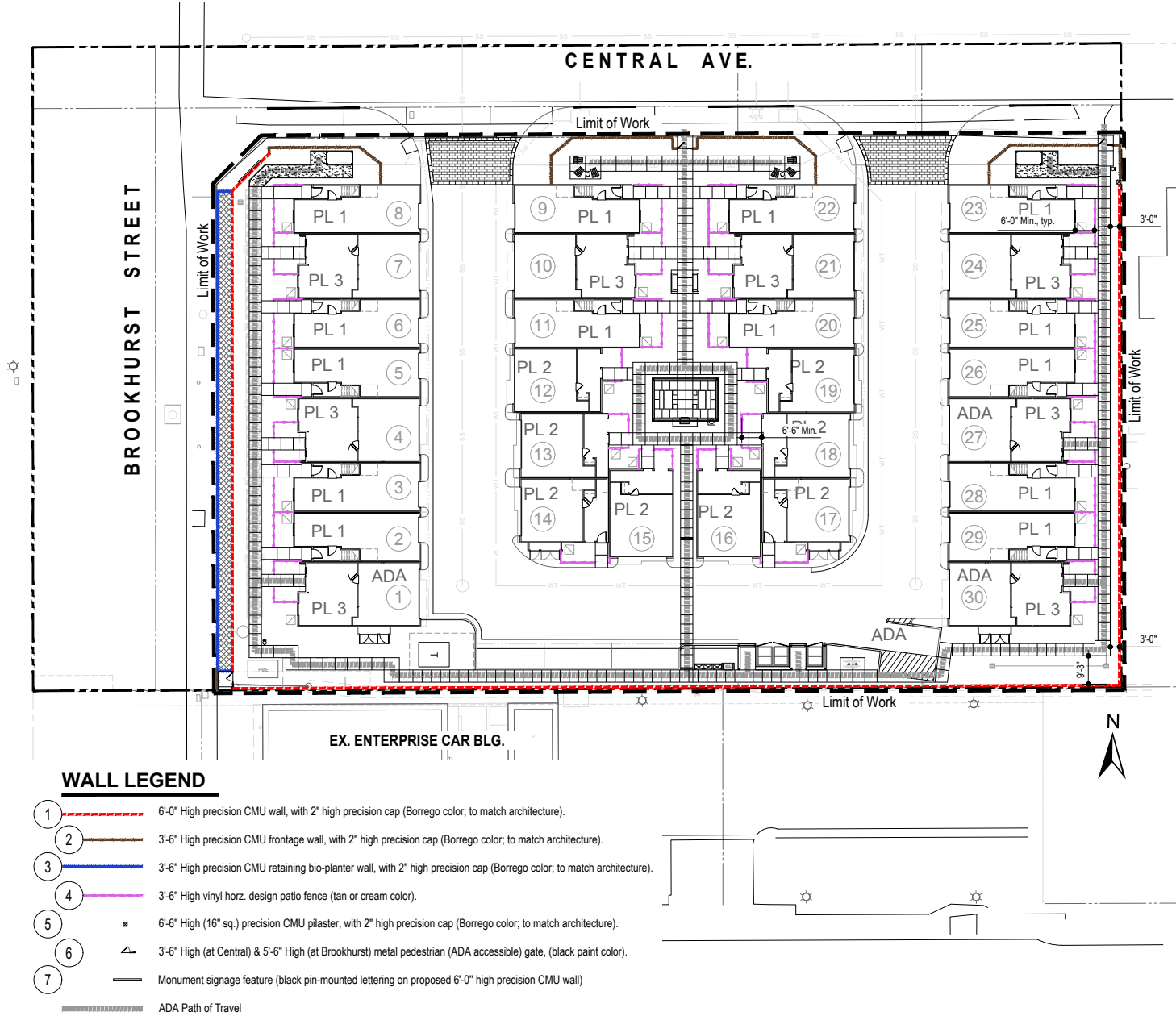


## LEGEND

1. Central community gathering area with large wood shade structure, BBQ counter, and ADA picnic table seating.
2. 4x8' Raised herb garden area with decomposed granite paving (self-watered by residents).
3. Paseo with bench seating and shade trees.
4. Passive open space area / reading nook with adirondack seating.
5. Three community cluster mailboxes, per USPS review and approval.
6. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
7. Enhanced stamped paving at main project entryways.
8. Proposed tree, per Planting Plan.
9. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
10. Accessible parking stall and striping, per Civil plans.
11. Guest parking stall.
12. Natural colored concrete driveway, with light broom finish and tooled joints.
13. Proposed entry Project monument.
14. Proposed AC units, per Architecture plans.
15. Common area landscape, builder installed and HOA maintained.
16. Community dog bag station (black in color), for pet owners.
17. Property line.
18. Public street R.O.W.
19. Proposed public street sidewalk, per Civil plans.
20. Transformer to be screened with landscape, quantity and final locations to be determined.
21. Short term bike parking (1 bike racks to accommodate 2 bike stalls).
22. Amazon Parcel Locker.
23. Community trash enclosure. See Sheet L-5 (Trash Circulation & Hauler Route Plan).
24. Proposed bio-filtration planter area, per Civil Engineer's plans.
25. Private patio area; homeowner installed and maintained.
26. SCE PME structure by others.



# Wall and Fence Plan



to California Building Code (CBC) requirements. Approximately 12,928 cubic yards (cy) of cut and 15,020 cy of fill material would be required for project grading. The earthwork would balance onsite using spoils from utility infrastructure trenching, and no import or export of soils would be required.

### 3.3 GENERAL PLAN LAND USE AND ZONING

The project includes a General Plan Amendment to change the land use designation of the site from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR), as shown in Figure 14, *Proposed General Plan Land Use Designation*. The MDR land use allows a residential density range from 21.1 to 32 dwelling units per acre. The General Plan states that the MDR designation is intended to create, maintain, and enhance residential areas characterized by mostly traditional multi-family apartments, condominiums, townhomes, and single-family small-lot subdivisions.

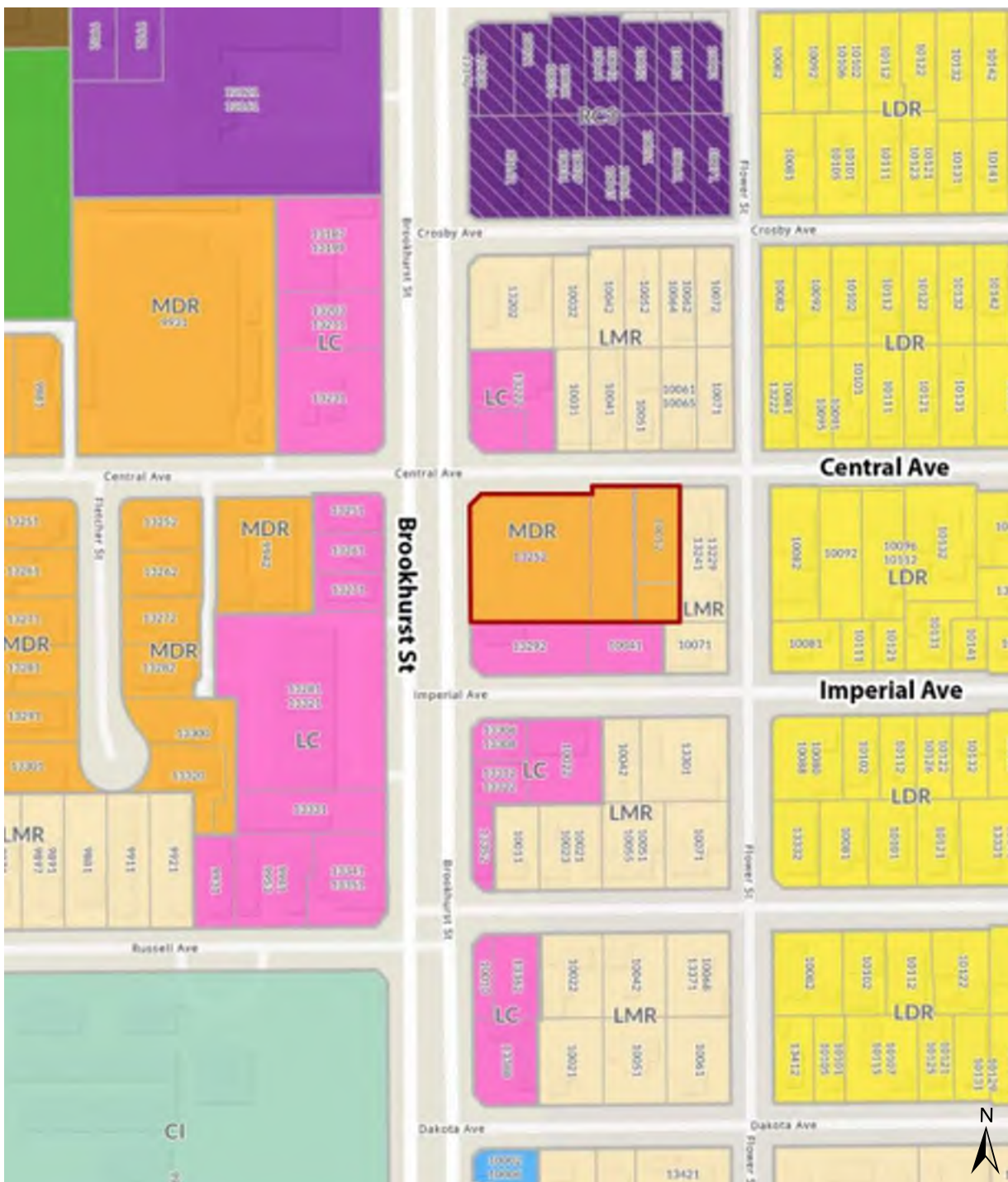
The project also includes a zoning designation amendment to change the zoning of the site from Neighborhood Commercial (C-1) and Limited Multiple Residential Zone (R-2) to Multiple-Family Residential (R-3) (Figure 15, *Proposed Zoning Designation*) that allows up to 32 dwelling units per acre. In addition, the project includes a land subdivision through a Tentative Tract Map (TTM-19273) to subdivide the project site for sale purposes for the proposed 30 townhomes.

### 3.4 DISCRETIONARY APPROVALS

The following discretionary approvals from the City, as Lead Agency, are anticipated to be necessary for implementation of the project:

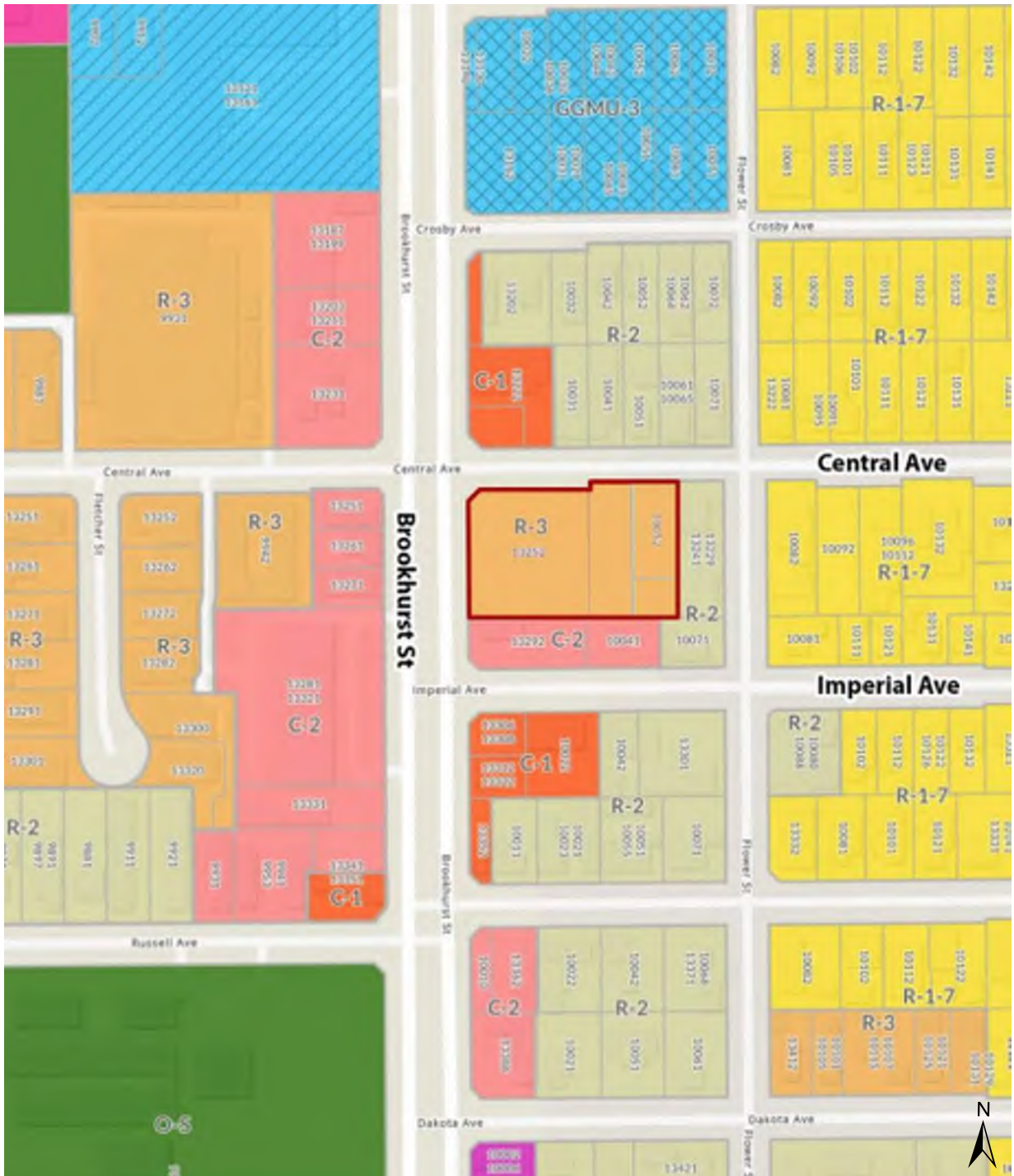
- Adoption of a Mitigated Negative Declaration (MND) and associated Mitigation Monitoring and Reporting Program (MMRP)
- Approval of a General Plan Amendment to change the land use designation of the site from LC and LMR to MDR
- Approval of an Amendment to the zoning of the site from C-1 and R-2 to R-3
- Approval of a Tentative Tract Map (TTM-19273); and
- Approval of a Site Plan

# Proposed General Plan Land Use Designation



- Project Site
- LC - Light Commercial
- LMR - Low Medium Density Residential
- MDR - Medium Density Residential

# Proposed Zoning Designation



- Project Site
- C-1 - Neighborhood Commercial
- R-2 - Limited Multiple Residential
- R-3 - Multiple-Family Residential

## 4 ENVIRONMENTAL CHECKLIST FORM

This section includes the completed environmental checklist form that is used to assist in evaluating the potential environmental impacts of the project. The checklist form identifies potential project effects as follows: 1) Potentially Significant Impact; 2) Less Than Significant with Mitigation Incorporated; 3) Less Than Significant Impact; and, 4) No Impact. Substantiation and clarification for each checklist response is provided in Section 5 (Environmental Evaluation). Included in the discussion for each topic are standard condition/regulations and mitigation measures, if necessary, that are recommended for implementation as part of the project.

### 4.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (X) would be potentially affected by this project, involving at least one impact that is a "Less Than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

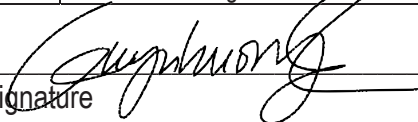
#### Environmental Factors Potentially Affected

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forest Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input checked="" type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input checked="" type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

### 4.2 DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 Signature

11/03/2023

Date

Huong Ly, Associate Planner  
 Printed Name

## EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(d). In this case, a brief discussion should identify the following:
  - (a) Earlier Analysis Used. Identify and state where they are available for review.
  - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify:
  - (a) the significance criteria or threshold used to evaluate each question; and
  - (b) the mitigation measure identified, if any, to reduce the impact to less than significant.

### 4.3 ENVIRONMENTAL CHECKLIST QUESTIONS

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Have a substantial adverse effect on a scenic vista?**

**No Impact.** Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in 2 ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the view corridors or “vista” of the scenic resource. Important factors in determining whether a proposed project would block scenic vistas include the project’s proposed height, mass, and location relative to surrounding land uses and travel corridors.

The City’s General Plan does not identify any scenic vistas within the City and the project site and surrounding areas are urbanized, have generally flat topography, and do not contain any sensitive scenic vistas. As described in Section 2.3, *Surrounding Land Uses*, the project site is located within a completely urban and developed area. Specifically, an Enterprise-Rent-A-Car commercial one story building and associated parking lot is located adjacent to the south of the site, followed by Imperial Avenue. Brookhurst Street is adjacent to the west of the site followed by retail commercial uses and both single-family and multi-family residences. Central Avenue is adjacent to the north of the site followed by single-family residences; and single-family residences are located to the east of the site. There are also no public parks located on, or adjacent to, the project site. Due to the limited topography and developed land uses in the project area, views are limited to roadway corridors, which generally shows parked cars, sidewalks, landscaping surrounding commercial and residential land uses, and utility poles with powerlines.



The proposed 3-story townhomes would be 35 feet in height and would be set back 25 feet from the Brookhurst Street right-of-way, and 15 feet from the Central Avenue right-of-way. Although the 3-story buildings would be one story higher than nearby two-story residences and commercial structures, views along the road corridors would continue to be of parked cars, urban landscaped development, and residential and commercial surrounding land uses. The proposed buildings would not project into the street corridor, and corridor views would not be hindered. Although the buildings would be higher than the existing onsite building, and one story taller than some of the nearby buildings, there are no scenic vistas that would be blocked by the proposed structures. As there are no identified scenic vistas within the vicinity of the site and views of the development around the project site would remain the same, the project would not result in an adverse effect on a scenic vista. No mitigation measures are required.

**b) Substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**No Impact.** The California Department of Transportation's (Caltrans) Landscape Architecture Program administers the Scenic Highway Program contained in the Streets and Highways Code, Sections 260–263. State Highways are classified as either Officially Listed or Eligible. There are no officially designated state scenic highways in the City of Garden Grove or in vicinity of the project (Caltrans 2023). The closest State-designated scenic highway is a portion of State Route 91 (SR-91), which is located approximately 13 miles from the project site. Therefore, the proposed project does not have the potential to damage resources within a State-designated scenic highway. No mitigation measures are required.

**c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

**Less than Significant Impact.** The project site is surrounded by developed areas that consist of roadways, commercial and residential development that includes one and two-story buildings. As shown on Figure 3, the project site contains a vacant, fire damaged 6,367 square foot single-story restaurant building, surface parking lot, and an undeveloped lot. The existing restaurant building is a brick and stucco building with storefront type windows and awnings toward Brookhurst Street. The building has a clay tile roof, restaurant signage on the building and a monument sign along Brookhurst. The site is landscaped with lawn and ornamental shrubs in front of the building along Brookhurst and ornamental trees in the parking lot behind the restaurant building. In addition, a line of ornamental trees and shrubs delineates the boundary between the restaurant parcel and the undeveloped project site parcel, which is surrounded by fencing and contains partial ground cover of grass, weeds, and shrubs. There are no significant visual features or scenic resources within the project site or surrounding area.

**Construction**

Construction of the project could impact the visual quality of the project area with construction activities and equipment, but this would be temporary (12-18 months). During construction, the appearance of the project site would be altered by the removal of existing structure, equipment, paving, and landscaping. Construction activities (i.e. site preparation, grading, and the staging of construction equipment and materials) would be publicly visible to pedestrians and motorists along Brookhurst Street and Central Avenue. However, the site is bound on the south side by the Enterprise-Rent-a-Car building and the east side by fencing between the site

and adjacent residential properties. In addition, construction-related activities, materials, waste, and staging would be obscured from public view to the extent possible by installing temporary construction fencing along the Brookhurst Street and Central Avenue frontages of the project site. Given the temporary nature of construction activities and the use of construction fencing to reduce potential impacts, visual impacts resulting from construction activities would be less than significant. No mitigation measures are required.

### **Operation**

The project would alter the existing views of the site by redeveloping it to provide 3-story townhomes, driveways, landscaping and open space areas. As described in the Project Description and shown in Figures 5 and 6, the residential structures would have a modern contemporary style. This style includes utilizing angled and multi-level rooflines, stone veneer, horizontal siding, decorative trellis and railings, finished stuccos, and other decorative architectural features. The project would provide a consistent landscaping theme throughout the site that includes ornamental trees, shrubs, and ground covers.

Although the 3-story townhomes would be taller than the adjacent one and 2-story residences and commercial buildings, the project's structures would have varying roof heights, slanted roofs, building and window recesses and projections, and other architectural features that would reduce the visual scale of the proposed structures. Additionally, the proposed structures would be set back 25 feet from the Brookhurst Street right-of-way, and 15 feet from the Central Avenue right-of-way. The Brookhurst Street frontage of the site would have a 5-foot-wide raised bioretention planter and a 6-foot-high wall along Brookhurst Avenue, and a 42-inch-high wall would be located along Central Avenue. The setbacks, landscaping, and perimeter walls would provide a visual buffer between the streets and the 3-story townhomes. Given the existing visual character of the project site and the proposed decorative architecture, development of the project would alter, but not degrade the existing visual character or quality of the project site and its surroundings.

**General Plan.** The project site currently has a General Plan land use designations of Light Commercial (LC) (099-031-01, 099-031-02) and Low Medium Density Residential (LMR) (099-331-08, 099-031-09), as shown in Figure 6. The General Plan describes that the LC land use is intended to allow a range of commercial activities and allows a 0.55 FAR, and that the LMR land use designation is intended for the development of residential uses at a density of 11.1 to 21 dwelling units per acre.

The proposed project includes a General Plan Amendment to change the land use designation of the site to Medium Density Residential (MDR) that allows a residential density between 18.1 and 32 dwelling units per acre. Consistent with the proposed MDR designation, the project would develop the 1.22-acre project site with 30 residential townhomes, which would result in a density of 24.6 dwelling units per acre and be within the allowable MDR residential density. Therefore, the project would be consistent with the density allowable under the proposed General Plan land use designations, and no conflict would occur.

**Zoning.** The site is zoned Neighborhood Commercial (C-1) for APNs: 099-031-01 and 099-031-02, and zoned Limited Multiple Residential Zone (R2) for APNs: 099-331-08, 099-031-09), as shown in Figure 7. Section 9.16.020.020 of the Municipal Code describes that the C-1 zone is intended to provide for business at the neighborhood level in small scale convenience shopping facilities. In addition, Section 9.12.020.020 of the Municipal Code describes that the R-2 zone is intended to provide for multiple attached or detached residential dwellings.

The proposed project includes a zoning designation amendment to change the zoning of the site to R-3 (Multiple-Family Residential) that allows up to 32 dwelling units per acre. The project would redevelop the

unutilized vacant commercial site and adjacent undeveloped lot to provide new residences. As shown in Table AES-1, the proposed project would meet the R-3 zoning standards. The project's structures would have varying roof heights, slanted roofs with decorative tile, building and window recesses and projections, and other architectural features that would reduce the visual scale of the proposed 3-story structures. Therefore, the proposed project would result in a less than significant impact related to scenic quality.

**Table AES-1: Development Standards for the Multiple-Family Residential Zone**

<b>Standard</b>	<b>R-3 Zone Standard</b>	<b>Proposed Project</b>
Minimum Lot Area	7,200 square feet	52,987 square feet
Minimum Lot Width	60 feet	180 feet
Maximum Density	32.0 units/acre	24.6 units/acre
Front Setback	20 feet to 1st and 2nd floor; 25 feet to 3rd floor	25 feet
Street Side Setback	10 feet to 1st and 2nd floor; 15 feet to 3rd floor	15 feet
Maximum Height	35 feet	35 feet
Maximum Stories	3 stories	3 stories
Maximum Lot coverage	50 percent	38.9 percent
Minimum Active Recreation Area	2,500 square feet for a net lot area between 50,000 to 69,999 square feet	4,322 square feet

Overall, the proposed project would be consistent with development standards required by the MDR General Plan land use designation and R-3 zoning standards and would not conflict with applicable regulation related to scenic quality. Hence, the proposed project would not degrade the visual character of the project site and surrounding area; and impacts would be less than significant. No mitigation measures are required.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**Less than Significant Impact.** The project site is located within a developed urban area. Existing sources of light in the vicinity of the project site includes: street lights, parking lot lighting, building illumination, security lighting, landscape lighting, and lighting from building interiors that pass-through windows. The exterior lighting on the project site includes exterior building mounted lighting and lighting at building entrances.

**Construction**

Although construction activities would occur primarily during daylight hours, construction activities could extend into the evening hours, as permitted by the City's Municipal Code Chapter 8.47, Noise Control. Any construction-related illumination would be used for safety and security purposes and would be shielded and directed toward work activity areas and to prevent light encroachment into adjacent residential areas. In addition, construction may include nighttime security lighting; however, this would be similar to the existing security lighting on adjacent uses and streetlights. Furthermore, the construction-related lighting would be temporary (12-18 months). Therefore, construction of the project would not create a new source of substantial light that would adversely affect day or nighttime views in the area, and light impacts associated with construction would be less than significant. No mitigation measures are required.

## **Operation**

The project would include the provision of nighttime lighting for security purposes around all of the residential buildings parking areas, and open space recreation areas. Implementation of the project could contribute additional sources to the overall ambient nighttime lighting conditions. However, the project is located within an urban area that includes various sources of nighttime lighting and all outdoor lighting would be hooded or appropriately angled away from adjacent land uses and would comply with GGMC Section 9.12.040.210 that provides specifications for directing lighting away from adjacent uses and intensity of security lighting. Because the project area is within an already developed area with various sources of existing nighttime lighting, and the project would be required to comply with the City's lighting regulations that would be verified by the City's Building and Safety Division during the permitting process, the lighting increase that would be generated by the project would not adversely affect day or nighttime views in the area. Overall, lighting impacts would be less than significant. No mitigation measures are required.

Reflective light (glare) can be caused by sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials. Generally, darker or mirrored glass would have a higher visible light reflectance than clear glass. Buildings constructed of highly reflective materials from which the sun reflects at a low angle can cause adverse glare. However, the project would not use highly reflective surfaces, or glass sided buildings. Although the residential buildings would contain windows, portions of the windows would be covered by black metal awnings and railings that do not produce glare, and the windows would be separated by stucco, which would limit the potential for glare. As described previously, onsite lighting would be angled down and shielded, which would avoid the potential of onsite lighting to generate glare. In addition, the majority of vehicle parking would be located within garages and areas adjacent to the buildings. The project would not contain large surface parking lots that could generate glare from numerous windshields aligned in one area. Therefore, the project would not generate substantial sources of glare, and impacts would be less than significant. No mitigation measures are required.

## **Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to aesthetics.

**Lighting:** Project plans and specifications shall implement compliance with GGMC Sections 9.12.040.210, which states that lights provided to illuminate any parking facility or paved area shall be designed with automatic timers (photovoltaic cells), shall be maintained, and shall be directed, positioned, or shielded to avoid shining into windows of immediately adjacent residences.

## **Mitigation Measures**

No mitigation measures related to aesthetics are required.

## **References**

California Scenic Highway Mapping System (Caltrans, 2023). Accessed at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code. Accessed at:  
[https://library.qcode.us/lib/garden\\_grove\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/garden_grove_ca/pub/municipal_code)

<p><b>Potentially Significant Impact</b></p>	<p><b>Less Than Significant with Mitigation Incorporated</b></p>	<p><b>Less Than Significant Impact</b></p>	<p><b>No Impact</b></p>
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**2. AGRICULTURE AND FORESTRY**

**RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**No Impact.** The project site is largely developed for urban uses and located in an area that is developed for urban residential and commercial uses. The project site and vicinity is void of agricultural uses. The California Department of Conservation Important Farmland mapping identifies the project site as Urban and Built-Up land (CDC 2023). No areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the project or converted to a non-agricultural use. Thus, no impact would occur, and no mitigation measures are required.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** As described in the previous response, the project area is void of any agricultural uses. The project site is zoned for commercial and residential uses and is surrounded by areas zoned for commercial and residential uses. No agricultural zoning is located in the vicinity of the project area and no parcels within the project vicinity have Williamson Act contracts (DLRP 2023). Therefore, implementation of the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Thus, no impact would occur, and no mitigation measures are required.

**c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

**No Impact.** The project site is generally developed for urban uses and located in an area that is developed for urban uses. The project site and vicinity is void of forest land or timberland. In addition, the project site is zoned for commercial and residential uses and surrounded by areas zoned for commercial and residential uses. Therefore, the project would not conflict with existing forest land, timberland, or zoning for forest or timberland uses. Thus, no impact would occur, and no mitigation measures are required.

**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** As described in the previous response, the project area is void of any forest land or land zoned for forest uses. Thus, the project would not result in the loss of forest land or conversion of forest land to non-forest uses. No impact would occur, and no mitigation measures are required.

**e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?**

**No Impact.** As described in the previous responses, the project area does not include and is not near any farmland or forest land or land zoned for either farm or forest uses. No other changes to the existing environment would occur from implementation of the project that could result in conversion of farmland to nonagricultural use or forest land to non-forest use. Thus, no impact would occur, and no mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

There are no existing regulations related to agriculture and forestry that would reduce impacts and are applicable to the project.

### **Mitigation Measures**

No mitigation measures related to agriculture and forestry are required.

### **References**

California Department of Conservation Important Farmland Finder (DCD 2023). Accessed at:  
<https://maps.conservation.ca.gov/dlrp/ciff/>

California Department of Conservation Division of Land Resource Protection Williamson Act Maps (DLRP 2023). Accessed at:  
<https://gis.conservation.ca.gov/portal/home/webmap/viewer.html?useExisting=1&layers=81496a0daba7465b89d90bfed53c2252>



	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>3. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on the Air Quality, Energy, and Greenhouse Gas Impact Analysis prepared by EPD Solutions, Inc., which is included as Appendix A and the Level of Service (LOS) Screening Analysis, which is included as Appendix B.

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

**Less than Significant Impact.** The City is located in the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD) is responsible for regulating and controlling emissions within the basin. The SCAQMD and Southern California Association of Governments (SCAG) are responsible for preparing the Air Quality Management Plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin. In preparation of the AQMP, SCAQMD and SCAG uses regional growth projections to forecast, inventory, and allocate regional emissions from land use and development-related sources. The most recently adopted AQMP is the 2022 AQMP that was adopted by the SCAQMD Governing Board on December 2, 2022, and includes scientific and technological data, planning assumptions, and updated emission inventory methodologies.

As described in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD’s CEQA Air Quality Handbook (1993), for purposes of analyzing consistency with the AQMP, projects that are consistent with the regional population, housing, and employment forecasts identified by SCAG are considered to be consistent with the AQMP growth projections, since the forecast assumptions by SCAG forms the basis of the land use and transportation control portions of the AQMP. Additionally, because SCAG’s regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use

designated in a general plan would also be consistent with the SCAG’s regional forecast projections, and thus also with the AQMP growth projections.

The proposed project would construct and operate 30 residential townhomes on the project site under the proposed General Plan Land Use designation of Medium Density Residential (MDR). The MDR designation allows a density of up to 32 dwelling units per acre. The project would result in 24.6 residential units per acre. As detailed below in Section 14, *Population and Housing*, the proposed 30 residences would result in approximately 106 residents at full capacity that would equate to a 0.06 percent (0.06%) increase in both the City’s population and number of housing units in the City; and would be 0.7 percent (0.7%) of the SCAG projected increase in residents within the City by year 2045. As a result, the project would not exceed SCAG’s growth projections, and therefore, is consistent with the AQMP.

In addition, as described in Response b) below, emissions generated by construction and operation of the project would not exceed thresholds, as described in the analysis below, which are based on the AQMP and are designed to bring the Basin into attainment for the criteria pollutants for which it is in nonattainment. Therefore, because the project does not exceed any of the emissions thresholds, it would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation and would not conflict with SCAQMD’s goal of bringing the Basin into attainment for all criteria pollutants. As such, it is consistent with the AQMP, and impacts related to conflict with the AQMP from the project would be less than significant. No mitigation measures are required.

**b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

**Less than Significant Impact.** The SCAB has a non-attainment status for federal ozone standards, federal carbon monoxide standards, and state and federal particulate matter standards. Any development in the SCAB, including the proposed project, could cumulatively contribute to these pollutant violations. The methodologies from the SCAQMD CEQA Air Quality Handbook are used in evaluating project impacts. SCAQMD has established daily mass thresholds for regional pollutant emissions, which are listed in Table AQ-1. The SCAQMD’s CEQA Air Quality Handbook methodology describes that any project that results in daily emissions that exceed any of these thresholds would have both an individually (project-level) and cumulatively significant air quality impact. If estimated emissions are less than the thresholds or reduced to below the thresholds with implementation of mitigation, impacts would be considered less than significant.

**Table AQ-1: SCAQMD Regional Daily Emissions Thresholds<sup>1</sup>**

<b>Pollutant</b>	<b>Construction (lbs/day)</b>	<b>Operations (lbs/day)</b>
NOx	100	55
VOC	75	55
PM <sub>10</sub>	150	150
PM <sub>2.5</sub>	55	55
SOx	150	150
CO	550	550
Lead	3	3

<sup>1</sup> Regional thresholds are from the SCAQMD Air Quality Significance Thresholds, March 2015.

**Construction**

The proposed project would redevelop the project site with 30 new townhome residences within a 12-18 month construction period. To provide a conservative analysis of impacts a 12-month construction process was modeled by CalEEMod to condense the emissions and provide the maximum potential daily construction emissions.

Construction activities associated with the proposed project would generate pollutant emissions from the following: (1) demolition and removal of the existing onsite improvements and hauling demolition debris offsite; (2) preparation of the project site; (3) grading and excavation; (4) construction workers traveling to and from project site; (5) delivery and hauling of construction supplies to, and debris from, the project site; (6) fuel combustion by onsite construction equipment; (7) building construction; application of architectural coatings; and paving. The volume of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring.

It is mandatory for all construction projects to comply with several SCAQMD Rules, including Rule 403 for controlling fugitive dust, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from construction activities. Rule 403 requirements include, but are not limited to: applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12-inches, and maintaining effective cover over exposed areas. In addition, implementation of SCAQMD Rule 1113 that governs the VOC content in architectural coating, paint, thinners, and solvents, would further reduce construction emissions of VOC from the project.

As shown in Table AQ-2, CalEEMod results indicate that construction emissions generated by the proposed project would not exceed SCAQMD regional thresholds. Therefore, emissions from construction activities would be less than significant, and no mitigation is required.

**Table AQ-2: Maximum Construction Emissions Summary**

Construction Activity	Maximum Daily Regional Emissions (pounds/day)					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>2024</b>						
Demolition	1.7	16.0	16.9	0.0	1.2	0.7
Site Prep	1.8	16.7	15.0	0.0	2.9	1.7
Grading	2.1	19.5	17.7	0.0	3.3	1.9
Building Construction	2.1	19.5	17.7	0.0	3.3	1.9
Maximum Daily Emissions	2.1	19.5	17.7	0.0	3.3	1.9
<b>2025</b>						
Building Construction	1.3	10.5	12.7	0.0	0.7	0.4
Paving	0.6	5.3	7.8	0.0	0.4	0.3
Architectural Coating	27.9	1.2	1.5	0.0	0.0	0.0
Maximum Daily Emissions	27.9	10.5	12.7	0.0	0.7	0.4
<b>Maximum Daily Emission 2024-2025</b>	27.9	19.5	17.7	0.0	3.3	1.9
SCAQMD Significance Thresholds	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

## Operation

As described previously, the proposed project would redevelop the project site with 30 new residential townhomes. The CalEEMod modeling prepared for the project does not include the reduction in emissions that would occur from future non-operation of the existing restaurant building, which provides a conservative analysis of potential impacts.

Operation of the proposed 30 residential townhomes would result in long-term regional emissions of criteria air pollutants and ozone precursors associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products. Also, vehicular emissions would generate a substantial portion of the operational emissions from the project. Operational emissions associated with the proposed project were modeled using CalEEMod and are presented in Table AQ-3.

**Table AQ-3: Summary of Peak Operational Emissions**

Operational Activity	Maximum Daily Regional Emissions (pounds/day)					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	0.8	0.6	6.0	0.0	1.3	0.3
Energy	1.2	0.0	1.7	0.0	0.0	0.0
Mobile	0.0	0.2	0.1	0.0	0.0	0.0
<b>Total Project Operational Emissions</b>	<b>2.0</b>	<b>0.8</b>	<b>7.8</b>	<b>0.0</b>	<b>1.4</b>	<b>0.4</b>
SCAQMD Significance Thresholds	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

As shown, the proposed project would result in long-term regional emissions of the criteria pollutants that would be below the SCAQMD's applicable thresholds. Therefore, operation of the project would not result in a cumulatively considerable net increase of any criteria pollutant impacts, and operational impacts would be less than significant. No mitigation measures are required.

In addition, the LOS Screening Analysis (Appendix B) prepared for the project shows that operation of the 30 townhomes would reduce vehicular trips by 402 daily trips in comparison to operation of the restaurant building on the site. Therefore, the project would result in reduced vehicular air quality emissions as compared to the existing land use; and would not result in an exceedance of the emissions thresholds. Therefore, the project's operational emissions would be less than significant. No mitigation measures are required.

### c) Expose sensitive receptors to substantial pollutant concentrations?

**Less than Significant Impact.** The SCAQMD's *Final Localized Significance Threshold Methodology* (SCAQMD 2008) recommends the evaluation of localized NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> construction-related impacts to sensitive receptors in the immediate vicinity of the project site. Sensitive receptors can include residences, schools, playgrounds, childcare centers, athletic facilities. Such an evaluation is referred to as a localized significance threshold (LST) analysis. According to the SCAQMD's *Final Localized Significance Threshold Methodology*, "offsite mobile emissions from the project should not be included in the emissions compared to the LSTs" (SCAQMD 2008). SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards, and thus would not cause or contribute to localized air

quality impacts. LSTs are developed based on the ambient concentrations of NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> pollutants for each of the 38 source receptor areas (SRAs) in the SCAB. The project site is located in SRA 17, Central Orange County.

**Construction**

The localized thresholds from the mass rate look-up tables in SCAQMD’s Final Localized Significance Threshold Methodology document, were developed for use on projects that are less than or equal to 5-acres in size or have a disturbance of less than or equal to 5 acres daily. As the project site is 1.22-acres, the SCAQMD criteria for LSTs is to assume that the proposed project would disturb a maximum of 1 acre per day.

Table AQ-4 identifies the localized impacts at the nearest receptor location in the vicinity of the project, which is a residence located approximately 6.5 feet from the project site boundary. Therefore, the closest SCAQMD threshold distance of 25 meters was applied (25 meters is the shortest distance from source to receptor contained in the SCAQMD emission lookup tables). As shown, project construction-source emissions would not exceed the applicable SCAQMD LSTs for emissions of any criteria pollutant. Thus, implementation of the project would not result in a localized air quality impact, and no mitigation is required.

**Table AQ-4: Maximum Daily Localized Construction Emissions (lbs/day)**

Construction Activity	Maximum Daily Regional Emissions (pounds/day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>2024</b>				
Demolition	15.6	16.0	1.0	0.7
Site Prep	16.6	14.6	2.8	1.7
Grading	19.5	17.1	3.2	1.9
Building Construction	19.5	17.1	0.0	3.2
Maximum Daily Emissions	19.5	17.1	3.2	3.2
<b>2025</b>				
Building Construction	10.3	11.6	0.0	0.4
Paving	5.2	7.2	0.0	0.2
Architectural Coating	1.2	1.5	0.0	0.0
Maximum Daily Emissions	10.3	11.6	0.0	0.4
<b>Maximum Daily Emission 2024-2025</b>	<b>19.5</b>	<b>17.1</b>	<b>3.2</b>	<b>3.2</b>
SCAQMD Significance Thresholds	<b>203.3</b>	<b>1552.3</b>	<b>9.3</b>	<b>6.3</b>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

Additionally, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD’s standard construction practices (Rules 402 and 403). Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations during construction, and impacts would be less than significant. No mitigation measures are required.

## Operation

According to the SCAQMD LST methodology, LSTs apply to project stationary mobile sources. Projects that involve mobile sources that spend long periods queuing and idling at a site, such as transfer facilities or warehousing and distribution buildings, have the potential to exceed the operational localized significance thresholds. The proposed project would operate 30 townhome units, which do not involve vehicles idling or queueing for long periods. Therefore, due to the lack of significant stationary source emissions, impacts related to operational localized significance thresholds would be less than significant, and no impacts are required.

**CO Hotspots.** A CO hot spot is a localized concentration of CO that is generated by vehicular traffic at an intersection that is above the state or national 1-hour or 8-hour CO ambient air standards. As described previously, the LOS Screening Analysis (Appendix B) prepared for the project details that operation of the 30 townhomes would reduce vehicular trips by 402 daily trips in comparison to operation of the restaurant building on the site. Therefore, the project would result in reduced vehicular air quality emissions than the existing land use and would not generate an impact related to CO concentrations that could result in a hotspot. Thus, impacts would be less than significant. No mitigation measures are required.

### d) Result in other emissions (such as those leading to odors) affecting a substantial number of people?

**No Impact.** The proposed project would not emit other emissions, such as those generating objectionable odors, that would affect a substantial number of people. The threshold for odor is identified by SCAQMD Rule 402, Nuisance, which states:

*A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.*

The type of facilities that are considered to result in other emissions, such as objectionable odors, include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities.

The proposed project would implement residential development that does not involve the types of uses that would emit objectionable odors affecting a substantial number of people. In addition, odors generated by the project are required to be in compliance with SCAQMD Rule 402, which would prevent nuisance odors.

During construction, emissions from construction equipment, architectural coatings, and paving activities may generate odors. However, these odors would be temporary, intermittent in nature, and would not affect a substantial number of people. The noxious odors would be confined to the immediate vicinity of the construction equipment. Also, the short-term construction-related odors would cease upon the drying or hardening of the odor-producing materials. Therefore, impacts associated with other emissions, such as odors, would not adversely affect a substantial number of people. No mitigation is required.

## **Existing Regulations that Reduce Potential Impacts**

The following existing regulations would reduce potential impacts related to air quality.

**SCAQMD Rule 402 – Nuisance:** The project plans and specifications shall implement compliance with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

**SCAQMD Rule 403 – Fugitive Dust:** The project plans and specifications shall implement compliance with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.

**SCAQMD Rule 1113 – Architectural Coatings:** The project plans and specifications shall implement compliance with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.

## **Mitigation Measures**

No mitigation measures related to air quality are required.

## **References**

AQMD Attainment Status for South Coast Air Basin. Accessed at: <http://www.aqmd.gov/home/air-quality/clean-air-plans>

AQMD Rule 402. Nuisance. Accessed at: [www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf](http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf)

Air Quality, Energy, and Greenhouse Gas Impact Analysis, prepared by EPD Solutions, Inc., Appendix A

Level of Service (LOS) Screening Analysis, prepared by EPD Solutions, Inc., Appendix B.

South Coast AQMD Final 2022 AQMP. Accessed at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>

South Coast Air Quality Management District Final Localized Significance Threshold Methodology (SCAQMD 2008). Accessed: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**4. BIOLOGICAL RESOURCES:** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**No Impact.** The City’s General Plan Conservation Element describes (on page 10-3) that biological resources are almost nonexistent in the City due to the urban nature of the City and surrounding areas. Consistent with this, the project site is developed with an existing building that is surrounded by paved surfaces and small areas

of ornamental landscaping that includes grass lawn, trees, and shrubs. The undeveloped portion of the site is surrounded by fencing and contains partial ground cover of grass, weeds, and scattered shrubs.

The project site is located within an urbanized area that is surrounded by buildings, fencing, and roadways. No endangered, rare, threatened, or special status plant species (or associated habitats) or wildlife species designated by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or California Native Plant Society (CNPS) are known to occur on the site.

The project would redevelop the project site and provide new landscaping that would include a variety of ornamental trees, shrubs, and groundcover. As no sensitive species or habitats are located within the site or surrounding urban and developed areas, implementation of the project would not result in an adverse effect, either directly or through habitat modifications, on any sensitive species, and significant impacts would not occur. No mitigation measures are required.

**b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?**

**No Impact.** Riparian habitats occur along the banks of rivers, streams, or wetland areas. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies or are known to provide habitat for sensitive animal or plant species. As described in the previous response, the project site is within an urban area, largely developed, and does not contain any sensitive natural habitats, including riparian habitat or sensitive natural community. Additionally, the project site is bound by developed areas that include buildings, pavement, roadways, fencing, and interspersed areas of ornamental landscaping that do not contain sensitive natural habitat areas. No riparian habitat or other sensitive natural communities occur adjacent to the project site. Additionally, the project site and adjacent areas are not included in any local or regional plans, policies, and regulations that identify riparian habitat or other sensitive natural community. Thus, no impacts related to riparian habitat or other sensitive natural communities identified in local or regional plans would result from project implementation, and no mitigation would be required.

**c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No Impact.** Wetlands are defined under the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include areas such as swamps, marshes, and bogs. The project site and adjacent areas are located within a developed urban area and do not contain natural wetlands. Therefore, the project would not result in impacts to wetlands. No mitigation measures are required.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less than Significant Impact.** Wildlife corridors are areas where wildlife movement is concentrated due to natural or anthropogenic constraints and corridors provide access to resources such as food, water, and

shelter. Animals use these corridors to move between different habitats, provide avenues for wildlife dispersal, migration, and contact between other populations. The project site is not located within a designated wildlife corridor or linkage. The project site is within a developed area and does not provide function for wildlife movement. The site is surrounded by roadways on two sides and residential and commercial development on the other two sides. Also, much of the site is fenced, and there are no rivers, creeks, or open drainages near the site that could function as a wildlife corridor. Thus, implementation of the project would not result in impacts related to wildlife movement or wildlife corridors.

The project site contains scattered ornamental trees that could be used for nesting by common bird species that are protected by the federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503.5, 3511, and 3515 during the avian nesting and breeding season. The provisions of the MBTA prohibit disturbing or destroying active nests. All development in the City is required to comply with established laws and regulations regarding the protection of migratory or sensitive wildlife (e.g., migratory bird treaty act) that would be implemented through the City's development permitting process. Therefore, no significant impacts to wildlife nursery sites would occur from implementation of the proposed project, and no mitigation measures are required.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No Impact.** There are no local biological related policies or ordinances, such as a tree preservation policy or ordinance that is applicable to the project. Trees in the public right-of-way in the City are protected under Chapter 11.32 of the GGMC, which regulates the planting, maintenance, and removal of trees in public locations in the City. The project site contains scattered ornamental trees that are on private property and not subject to the City ordinance. Any street trees that would be planted, moved, or replaced within the Brookhurst Street or Central Avenue right-of-way as part of the project would comply with the removal, moving, and planting regulations included Chapter 11.32 of the GGMC that would be verified through the City's development permitting process. Therefore, implementation of the project would not conflict with local policies or ordinances protecting trees and no impact would occur. No mitigation measures are required.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** The project site is within a developed and urban area. The project site does not contain any natural lands that are subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, implementation of the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact would occur, and no mitigation measures are required.

**Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to biological resources.

**Migratory Bird Treaty Act and California Fish and Game Code Sections 3503.5, 3511, and 3515:** Prior to issuance of grading or demolition permits that include vegetation and/or tree removal activities that will occur

within the active breeding season for birds (February 1 through September 15), the project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities.

The nesting survey shall include the project site and areas immediately adjacent to the site that could potentially be affected by project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet (ft) of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 ft for raptors and 300 ft for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

Prior to commencement of grading activities and issuance of any building permits, the City Community Development Director, or designee, shall verify that all project grading and construction plans are consistent with the requirements of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503.5, 3511, and 3515, as stated above, that pre-construction surveys have been completed (if needed) and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.

### **Mitigation Measure**

No mitigation measures related to biological resources are required.

### **References**

California Department of Fish and Wildlife. 2020. California Natural Diversity Database (CNDDDB), Whittier 7.5-minute Quadrangle. Accessed at: <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Focused General Plan Update and Zoning Amendments Draft Environmental Impact Report (SCH# 2021060714), 2021. Accessed: <https://ceqanet.opr.ca.gov/Project/2021060714>

City of Garden Grove Municipal Code. Accessed at: [https://library.qcode.us/lib/garden\\_grove\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/garden_grove_ca/pub/municipal_code)

United States Fish and Wildlife Service (USFWS). National Wetlands Inventory. Accessed: <https://www.fws.gov/wetlands/data/mapper.html>

U.S. Fish and Wildlife Service Migratory Bird Treaty Act. Accessed at: <https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**5. CULTURAL RESOURCES.** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

**No Impact.** The project site does not contain any historical resources. CEQA defines a historical resource as something that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources; (2) listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k); (3) identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by a project’s Lead Agency (PRC Section 21084.1 and CEQA Guidelines Section 15064.5[a]).

The California Register defines a “historical resource” as a resource that meets one or more of the following criteria: (1) associated with events that have made a significant contribution to the broad patterns or local or regional history of the cultural heritage of California or the United States; (2) associated with the lives of persons important to local, California, or national history; (3) embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values; or (4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

There are no documented historic resources on or within the vicinity of the project site. The project site is currently developed with a vacant 6,367 square foot single-story building that was developed as a Marie Callender’s restaurant in 1972, which is 50 years ago. The restaurant is closed. The building was damaged in a fire in 2021 and was red tagged by the City as it is too dangerous to occupy. The existing restaurant building is typical of those developed by the Marie Callender’s restaurant company and consists of a one-story brick and stucco building with a clay tile roof and storefront type windows and awnings on the building frontages toward Brookhurst Street and Central Avenue. Restaurant signage is located on the building and a monument sign is located on the frontage along Brookhurst Street. The south side and rear of the building are stucco with limited articulation.

Although the existing building was constructed 50 years ago, which is of historic era (50 years of age or greater), the building is a modern restaurant structure with modern signage and large HVAC and restaurant ventilation systems on the roof and modern surface parking lots and sidewalks are adjacent to the building. In addition, the building has been significantly damaged by a previous fire and is degraded. The project site is not listed in any register of resources and does not meet the CEQA criteria related to a historic resource.

The Marie Callender's restaurant company currently operates 27 restaurants in the United States, 14 of which are in Southern California. Thus, the previous Marie Callender's restaurant on the site was one of many the chain operated. It is not unique; and this restaurant building is not associated with events, persons, or architecture that would meet the California Register criteria of a historic resource. Therefore, impacts related to historic resources would not occur from demolition of the existing restaurant building.

The currently vacant portion of the site (10052 Central Avenue) was previously developed with a two-bedroom, one-bathroom single-family residence that was demolished in 2018 pursuant to a City approved demolition permit. The site has remained undeveloped since; thus, no historic resources exist within the eastern undeveloped portion of the site.

The adjacent Enterprise-Rent-a-Car building is a 1,200 square foot modern structure that was developed in 1997, and the commercial structures that are across Central Avenue from the site are also modern retail commercial storefront buildings with associated surface parking lots. The single-family residences adjacent to the east of the site are separated by fencing, are modernized structures with shingle roofs and windows with a variety of architectural styles, and do not consist of documented historic resources.

As the project site does not contain and is not adjacent to any historic resources, redevelopment of the site with new residential townhomes would not result in impacts to historic resources. Thus, no impacts would occur, and no mitigation is required.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less than Significant with Mitigation Incorporated.** The City's General Plan Conservation Element states 12 archaeological sites (Sites CA-ORA-1260H through -1270H and CA-ORA-1307) have been previously identified within the City. The prehistoric sites consisted of shellfish remains from food debris, stone tools and stone flakes from manufacturing stone tools; and the historic archaeological sites are primarily locations of historic trash in association with residences and commercial structures.

**Construction**

The project site has been disturbed by previous development activities. The Phase I Environmental Site Assessment (Phase I) prepared for the project site (Appendix C) describes that as early as 1930, the project site was developed with single-family residences and related infrastructure, which resulted in ground disturbance, as evidenced by four to seven feet of fill soils consisting of silty sand, poorly graded sand, and clayey silt that were identified in onsite borings conducted for the Geotechnical Evaluation (Appendix D). As a result of the previous onsite soils disturbance, there is reduced potential for the project to impact archaeological resources. However, over excavation is anticipated to extend to a depth of approximately 8 feet below the existing ground surface and could extend into previously undisturbed soils and undiscovered resources could exist in the previously excavated and compacted fill soils. In addition, it is possible that the onsite fill soils consist of native soils that were excavated and recompacted and could still contain archaeological resources.

Therefore, Mitigation Measure CUL-1 has been included to provide procedures to be followed in the unlikely event that potential archaeological resources are discovered during grading, excavation, or construction activities. Mitigation Measure CUL-1 requires that work in the vicinity of a find be halted until the find can be assessed for significance by a qualified archaeologist to determine the appropriate treatment and documentation of the discovery (California Code of Regulations [CCR], Title 14, Chapter 3, Section 15064.5(f)). Mitigation Measure CUL-1 would reduce potential impacts to undiscovered archaeological resources to a less than significant level.

### **Operation**

At the completion of project construction, the proposed residences would not result in further disturbance of native soils on the project site. Therefore, operation of the project would not result in a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines. No mitigation would be required.

### **c) Disturb any human remains, including those interred outside of formal cemeteries?**

**Less than Significant Impact.** The project site has been extensively disturbed, as described above, and has not been previously used as a cemetery. Thus, potential impacts related to human remains are less than significant. However, in the unanticipated event that human remains are found during project construction activities compliance with California Health and Safety Code Section 7050.5 will be required. As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site, the County Coroner's office shall be immediately notified and no further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will make a determination as to the Most Likely Descendent. Compliance with the existing California Health and Safety Code regulations will ensure impacts related to potential disturbance of human remains are less than significant. No mitigation would be required.

### **Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to cultural resources.

**Human Remains:** In the event that human remains are encountered on the project site, work within 50 feet of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. Prior to the issuance of grading permits, the City shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.

### **Mitigation Measures**

**Mitigation Measure CUL-1: Archaeological Resources.** Construction plans and specifications shall state that in the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find and the City shall be immediately notified. A qualified archaeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as

defined at 36 CFR Part 61, Appendix A shall flag the area in the field and shall evaluate the find to determine whether the find constitutes a “unique archaeological resource,” as defined in Section 21083.2(g) of the California Public Resources Code. If the find is considered a “unique archaeological resource” the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with the City. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred method of handling as to avoid any adverse impacts to the “unique archaeological resource.”. All recovered and salvaged resources shall undergo an identification process. The permanent preservation of the unique archaeological resource by an established accredited professional repository selected by the archaeologist, or repatriation of the recovered resources in cooperation with the designated most likely descendant shall occur as needed. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. If unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the developer/applicant’s expense. The archaeologist shall prepare a comprehensive report complete with methods and results that shall be submitted to the City of Garden Grove Building and Safety Division, the South Central Coastal Information Center, and the State Historic Preservation Office (SHPO), if required. Prior to commencement of grading activities, the City of Garden Grove Building and Safety Division shall verify that all project grading and construction plans include specific requirements regarding Public Resources Code Section 21083.2(g) and the treatment of archaeological resources as specified herein.

## **References**

California State Parks Office of Historic Preservation. California Register of Historical Resources.  
<https://ohp.parks.ca.gov/ListedResources/>

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

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National Park Service. National Register of Historic Places  
<https://www.nps.gov/subjects/nationalregister/database-research.htm>

Geotechnical Evaluation, prepared by Geotek (Geo 2022).

Phase I Environmental Site Assessment, prepared by Partner Engineering and Science, Inc, 2022 (Phase I 2022).

Reference for Business. Company Profile, Information, Business Description, History, Background Information on Marie Callender's Restaurant & Bakery, Inc. Accessed:  
<https://www.referenceforbusiness.com/history2/39/Marie-Callender-s-Restaurant-Bakery-Inc.html#ixzz84Sd0w4yV> Accessed at: <https://www.referenceforbusiness.com/history2/39/Marie-Callender-s-Restaurant-Bakery-Inc.html#ixzz84ScblKds>



	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>6. ENERGY.</b> Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the Air Quality, Energy, and Greenhouse Gas Impact Analysis, included as Appendix A.

**a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**Less Than Significant Impact.** As the project site is developed with a 6,367 square foot building that was previously used as a restaurant, and the vacant lot was previously developed with a single-family residence, the site is connected to the existing utility infrastructure, which includes electrical and natural gas services. The Southern California Gas Company provides natural gas to the project site and surrounding area. Additionally, Southern California Edison currently provides electricity services to the project site and surrounding area. The proposed project would install new onsite electrical and natural gas infrastructure that would connect to the existing offsite lines.

**Construction**

During construction of the proposed project, energy would be consumed in three general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, as well as delivery truck trips;
2. Electricity associated with providing temporary power for lighting and electric equipment; and
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Based on these uses of energy during construction activities, the proposed buildings and the associated infrastructure would not be expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California. Construction of the project would not involve any unusual or increased need for energy. In addition, the extent of construction activities that would occur is limited to a total of 12-18 months (as listed previously in Table 2, Construction Schedule), and the demand for construction-related electricity and fuels would be limited to that time frame.

Construction of the proposed project would remove the existing site improvements and landscaping and redevelop the site with 30 new townhome residences, recreation and open space areas, landscaping, and parking facilities. The project construction is estimated to use 20,729 gallons of fuel, as shown in Table E-1.

**Table E-1: Estimated Construction Equipment Fuel Consumption**

Activity	Equipment	Number	Hours per day	Horsepower	Load Factor	Days of Construction	Total Horsepower-hours	Fuel Rate (gal/hp-hr)	Fuel Use (gallons)
Demo	Tractors, Loaders, Backhoes	3	8	84	0.37	20	14,918	0.053125387	793
	Rubber Tired Dozers	1	8	367	0.4	20	23,488	0.047106529	1,106
	Concrete Industrial Saws	1	8	33	0.73	20	3,854	0.041774381	161
Site Preparation	Rubber Tired Dozers	3	8	367	0.4	2	7,046	0.047106529	332
	Graders	1	8	148	0.41	2	971	0.051576386	50
	Crawler Tractors	1	8	87	0.43	2	599	0.050471208	30
Grading	Graders	1	8	148	0.41	4	1,942	0.051576386	100
	Crawler Tractors	2	8	87	0.43	4	2,394	0.050471208	121
	Rubber Tired Dozers	1	8	367	0.4	4	4,698	0.047106529	221
Building Construction	Forklifts	1	8	82	0.2	200	26,240	0.05325705	1,397
	Generator Sets	1	8	14	0.74	200	16,576	0.06913631	1,146
	Cranes	1	8	367	0.29	200	170,288	0.05329334	9,075
	Welder	3	8	46	0.45	200	99,360	0.030255098	3,006
	Tractors, Loaders, Backhoes	1	8	84	0.37	200	49,728	0.053125387	2,642
Paving	Pavers	1	8	81	0.42	10	2,722	0.05152058	140
	Paving Equipment	1	8	89	0.36	10	2,563	0.051165117	131
	Rollers	1	8	36	0.38	10	1,094	0.052625962	58
	Tractors, Loaders, Backhoes	1	8	84	0.37	10	2,486	0.053125387	132
	Cement and Mortar Mixers	1	8	10	0.56	10	448	0.048807587	22
Architectural Coating	Air Compressors	1	6	78	0.48	10	2,246	0.029405487	66
<b>Total</b>									<b>20,729</b>

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

Table E-2 shows that construction workers would use approximately 3,298 gallons of fuel to travel to and from the project site, and haul trucks and vendor trucks would use approximately 1,459 gallons of diesel fuel.

**Table E-2: Estimated Construction Vehicle Trip Related Fuel Consumption**

Construction Source	Number	VMT	Fuel Rate	Gallons of Diesel Fuel	Gallons of Gasoline Fuel
Haul Trucks	58	4,640	5.99	775	0
Vendor Trucks	3	6,120	8.94	684	0
Worker Vehicles	70	90,391	27.41	0	3,298
<b>Total</b>				<b>1,459</b>	<b>3,298</b>

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

The combination of the construction equipment fuel listed in Tables E-1 and E-2 would result in a total of 22,188 gallons of diesel fuel and 3,298 gallons of gasoline fuel that would be used during construction of the proposed project, as shown in Table E-3.

**Table E-3: Total Construction Fuel Consumption**

Construction Source	Gallons of Diesel Fuel	Gallons of Gasoline Fuel
Construction Vehicles	1,459	3,298
Off-road Construction Equipment	20,729	0
<b>Total</b>	<b>22,188</b>	<b>3,298</b>

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

Construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment as part of the City’s construction permitting process to ensure that equipment would not use fuel inefficiently. In addition, CARB regulations and CCR Title 13, Motor Vehicles, section 2449(d)(3) limits idling times of construction vehicles to no more than 5 minutes, which avoids unnecessary and wasteful consumption of fuel due to idling of construction equipment. Because project construction activities would comply with these existing regulations, as ensured through the City’s permitting process, it would not use fuel in a wasteful, inefficient, and unnecessary manner. Thus, no impacts related to wasteful, inefficient, or unnecessary construction energy usage would occur, and no mitigation measures are required.

**Operation**

Once operational, the project would generate demand for electricity, natural gas, as well as gasoline for motor vehicle trips. Operational use of energy includes the heating, cooling, and lighting of the residences, water heating, operation of electrical systems and plug-in appliances, and outdoor lighting, and the transport of electricity, natural gas, and water to the residences where they would be consumed. This use of energy is typical for urban development, no additional energy infrastructure would be required to be built to operate the project, and no operational activities would occur that would result in extraordinary energy consumption. As detailed in Table E-4, operation of the proposed project is estimated to result in the annual use of approximately 21,195 gallons of fuel, approximately 137,765 kilowatt-hour (kWh) of electricity, and approximately 720,911 thousand British thermal units (kBtu) of natural gas.

**Table E-4: Estimated Annual Operational Energy Consumption**

<b>Mobile</b>	Annual Vehicle Miles Traveled: 580,877 Gallons of Fuel: 21,195
<b>Electricity</b>	137,765 kWh
<b>Natural Gas</b>	720,911 kBtu

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

The proposed project would be required to meet the current Title 24 energy efficiency standards, as included in GGMC Section 18.04.010. The City's administration of the Title 24 requirements includes review of design components and energy conservation measures during the permitting process, which ensures that all requirements are met. Typical Title 24 measures include insulation; use of energy-efficient heating, ventilation, and air conditioning (HVAC) equipment; solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; reclamation of heat rejection from refrigeration equipment to generate hot water; and incorporation of skylights, etc. In complying with the Title 24 standards, impacts to peak energy usage periods would be minimized, and impacts on statewide and regional energy needs would be reduced. Thus, operation of the project would not use large amounts of energy or fuel in a wasteful manner, and no operational energy impacts would occur. No mitigation measures are required.

**b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**No Impact.** The proposed project would be required to meet the CalGreen energy efficiency standards in effect during permitting of the project, which are included in the GGMC as Section 18.04.010. The City's administration of the requirements includes review of design components and energy conservation measures during the permitting process, which ensures that all requirements are met. In addition, the project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy, which would be included on the residential rooftops as required by the existing Title 24/Calgreen standards. As such, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would not occur. No mitigation measures are required.

**Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to energy.

**CalGreen Compliance:** The project plans and specifications shall implement compliance with the CalGreen Building Code as included in the City's Municipal Code Section 18.04.010 to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.

**Mitigation Measures**

No mitigation measures related to energy are required.

**References**

Air Quality, Energy, and Greenhouse Gas Impact Analysis (Appendix A), prepared by EPD Solutions, 2023.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**7. GEOLOGY AND SOILS.** Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The discussion below is based on the Geotechnical Evaluation, which is included as Appendix D.

**a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

**No Impact.** The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone. As described by the Geotechnical Evaluation prepared for the project (Appendix D), there are no known active faults traversing the site. The closest active fault is the Newport-Inglewood Rose Canyon Fault that is located 6.6 miles to the southwest. Thus, the project would not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault that is delineated on an Alquist-Priolo Earthquake Fault Zoning Map, and impacts would not occur. No mitigation measures are required.

**a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- ii. Strong seismic ground shaking?**

**Less than Significant Impact.** As with all of Southern California, the project site is subject to strong ground motion resulting from earthquakes on nearby faults. The principal seismic hazard that could affect the site is ground shaking resulting from an earthquake occurring along several major active or potentially active faults in southern California. As described in the previous response, the closest active fault is the Newport-Inglewood Rose Canyon Fault Zone that is approximately 6.6 miles to the southwest of the project site (Appendix D). Movement along this fault, or other regional faults could result in seismic ground shaking on the project site. The amount of motion expected at the project site can vary from none to forceful depending upon the distance to the fault and the magnitude of the earthquake. Greater movement can be expected at sites located closer to an earthquake epicenter.

However, structures built in the City are required to be built in compliance with the California Building Code ("CBC" [California Code of Regulations, Title 24, Part 2]), as included in the GGMC in Title 18 Building Codes and Regulations, which regulates all building and construction projects within the City and implements a minimum standard for building design and construction that includes specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. The Geotechnical Evaluation (Appendix D), which is required pursuant to CBC regulations, prepared for the project provides CBC seismic structural design criteria that are specific to the onsite soils and potential seismic ground shaking that includes: excavation, re-compaction, and foundation systems. Project compliance with the requirements outlined in the Geotechnical Evaluation shall be a condition for project approval. Because the project would be required to be constructed in compliance with the CBC and the GGMC, which would be verified through the City's plan check and permitting process, the project would result in a less than significant impact related to strong seismic ground shaking. No mitigation measures are required.

**a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- iii. Seismic-related ground failure, including liquefaction?**

**Less than Significant Impact.** Soil liquefaction is a phenomenon in which saturated, cohesionless soils layers,

located within approximately 50 feet of the ground surface, lose strength due to cyclic pore water pressure generation from seismic shaking or other large cyclic loading. During the loss of stress, the soil acquires “mobility” sufficient to permit both horizontal and vertical movements. Soil properties and soil conditions such as type, age, texture, color, and consistency, along with historical depths to ground water are used to identify, characterize, and correlate liquefaction susceptible soils.

Soils that are most susceptible to liquefaction are clean, loose, saturated, and uniformly graded fine-grained sands that lie below the groundwater table within approximately 50 feet below ground surface. Lateral spreading is a form of seismic ground failure due to liquefaction in a subsurface layer.

The onsite borings identified groundwater as high as 17 feet below the ground surface and a pore pressure dissipation test performed by the Geotechnical Evaluation suggests that depth to groundwater is about 14 feet. The Geotechnical Evaluation determined this to be consistent with the historic groundwater high of 10 to 20 feet below the ground surface. The Geotechnical Evaluation states that site soils consist of silty sand, poorly graded sand, and clayey silt.

The Geotechnical Evaluation included an analysis of the potential effects related to liquefaction, which identified that the presence of layers of loose sands and silty sands that are onsite that would be prone to liquefaction and onsite settlement of soils that could affect the proposed structures. In order to reduce the potential liquefaction related settlement, the Geotechnical Evaluation states that project construction should include removal and re-compaction of the upper 5 feet of the site soils or three feet below the footing base and utilization of post-tensioned slabs or equivalent foundation systems in compliance with the CBC, which would reduce the potential of liquefaction related settlement to a less than significant level. The project would be required to be constructed in compliance with the CBC, the GGMC, and the recommendations of the Geotechnical Evaluation, which would be verified through the City’s plan check and permitting process and shall be a condition of approval. Thus, the project would be required to implement re-compaction of soils and foundation systems in compliance with the CBC, and potential impacts related to liquefaction would be reduced to a less than significant level. No mitigation measures are required.

**a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**iv. Landslides?**

**No Impact.** Landslides and other slope failures are secondary seismic effects that are common during or soon after earthquakes. Areas that are most susceptible to earthquake induced landslides are steep slopes underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits. As described above, the project site is located in a seismically active region subject to strong ground shaking. However, the project site is located in a flat developed urban area that does not contain or is adjacent to large slopes, and the project would not generate large slopes. Furthermore, the Geotechnical Evaluation (Appendix D) prepared for the project site states that the project site is not at risk for earthquake induced landslides. As a result, implementation of the project would not expose people or structures to substantial adverse effects involving landslides, and impacts related to landslides would not occur. No mitigation measures are required.

**b) Result in soil erosion or the loss of topsoil?**

**Less than Significant Impact.** The project site is largely impervious, as it is generally covered by pavement or the existing building structure. However, the eastern portion of the site is undeveloped and surrounded by fencing, and small areas of landscaping exist within the parking area, along the site boundary, and adjacent to the existing restaurant building. During construction, the project would redevelop the site for townhome

residential uses, which would include areas of landscaping that would surround the proposed structures and be located along the site boundary, similar to the areas of landscaping that currently exist.

In addition, Section 6.40.050 of the GGMC states that all new development and significant reconstruction within the City, such as the project, shall be undertaken in accordance with the County Drainage Area Management Plan (DAMP). The DAMP requires that construction sites implement control practices that address erosion and sedimentation (DAMP Section 8.0). Additionally, the Statewide National Pollutant Discharge Elimination System (NPDES) Permit for General Construction Activity requires implementation of a Storm Water Pollution Prevention Plan (SWPPP), by a Qualified SWPPP Developer. The SWPPP is required to be consistent with the County DAMP, address site-specific conditions related to sources of sediment, and implement erosion control and sediment control BMPs to reduce or eliminate sediment during construction. Adherence to a City approved SWPPP, which would be verified prior to the issuance of a demolition or grading permit would ensure that potential erosion associated with construction activities would be minimized, and impacts would be less than significant.

After construction is completed, the project site would consist of new paved areas and landscaping, and would not include substantial areas of loose topsoil that could result in soil erosion or the loss of topsoil. Also, operation of the proposed project would be required to comply with the requirements of the County DAMP that requires a Water Quality Management Plan (WQMP) that includes Low Impact Development (LID) features and BMPs to limit the potential for erosion during storm water runoff. The project's WQMP would be reviewed and approved by the City prior to the issuance of a building permit to ensure it complies with the DAMP regulations, which would ensure that operation of the proposed project would not result in soil erosion or loss of topsoil. With implementation of existing regulations, impacts would be less than significant and no mitigation measures are required.

**c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less than Significant Impact.** As described above, the project site is flat, and does not contain nor is adjacent to any slope or hillside area. The project would not create slopes. Thus, on or offsite landslides would not occur from implementation of the project. Also, as previously described, potential effects related to liquefaction would be avoided by removal and re-compaction of the upper five feet of the site soils or three feet below the footing base, and utilization of post-tensioned slabs or equivalent foundation systems in compliance with the CBC. Impacts related to liquefaction would be less than significant.

Lateral spreading, a phenomenon associated with seismically induced soil liquefaction, is a display of lateral displacement of soils due to inertial motion and lack of lateral support during or post liquefaction. It is typically exemplified by the formation of vertical cracks on the surface of liquefied soils, and usually takes place on gently sloping ground or level ground with nearby free surface such as drainage or stream channel. As described previously, the Geotechnical Evaluation (Appendix D) states that onsite soils consist of layers of loose sands and silty sands, and that groundwater is 10 to 20 feet below the ground surface. As a result, the site could be subject to seismic related lateral spreading. Also, as described previously, the Geotechnical Evaluation states that project construction should include removal and re-compaction of the upper 5 feet of the site soils or three feet below the footing base and utilization of a post-tensioned slabs or equivalent foundation systems in compliance with the CBC. The City's development permitting process requires specific CBC compliant engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that project structures would withstand effects related



to ground movement, including lateral spreading. Thus, impacts would be less than significant with respect to lateral spreading, and no mitigation measures are required.

Soils collapse could occur if buildings or other improvements are built on low-strength foundation materials (including imported fill) or if improvements straddle the boundary between different types of subsurface materials (e.g., a boundary between native material and fill). Soils susceptible to seismically induced collapse typically include dry loose sands. As described previously, the Geotechnical Evaluation testing results indicate that removal and re-compaction of the upper five feet of the site soils or three feet below the footing base and utilization of a post-tensioned slabs or equivalent foundation systems in compliance with the CBC would stabilize soils and provide a solid building foundation. Thus, compliance with the CBC and the recommendations of the Geotechnical Evaluation, as endured through City development permitting, would reduce potential impacts to a less than significant level, and no mitigation measures are required.

**d) Be located on expansive soil, as defined in in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

**Less than Significant Impact.** Expansive soils contain certain types of clay minerals that shrink or swell as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experience, such as southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture. As described above, the project site soil consists of layers of silty sand, poorly graded sand, clay, and clayey silt, which were explained in the Geotechnical Evaluation (Appendix D) and determined to have a very low expansion potential.

In addition, as described in the previous response, the project would be required to be constructed in compliance with the CBC and the City's Municipal Code, that requires a site-specific geotechnical evaluation pursuant to specific engineering standards to provide the appropriate back fill, compaction of soils, and foundation design to ensure stable soils, which would be verified through the City's permitting process. Thus, impacts related to expansive soils would be less than significant. No mitigation measures are required.

**e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

**No Impact.** The project does not include construction of septic tanks or connections to septic systems or alternative wastewater disposal systems. The project site is currently connected to the City's sewer system, and the project would also connect to existing sewers and would not use septic tanks or alternative wastewater disposal systems. As a result, impacts related to septic tanks or alternative wastewater disposal systems would not occur from implementation of the project. No mitigation measures are required.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less than Significant with Mitigation Incorporated**

**Construction**

As explained in the Geotechnical Evaluation, soils beneath the project site consist of young alluvium, which have a low paleontological sensitivity rating due to their relatively recent age (Eisenbraut and Cooper 2002). The project involves grading and excavation to depths of approximately 5 feet below the ground surface or three feet below the footing base. Because the soils that would be excavated and recompacted as part of project construction have a low paleontological sensitivity rating, no resources are anticipated to be unearthed.

However, Mitigation Measure PAL-1 has been included to provide procedures to be followed in the unlikely event that potential paleontological resources are discovered during grading or excavation activities. Mitigation Measure PAL-1 requires that work shall cease within 50 feet of a find until a qualified paleontologist has evaluated the find in accordance with federal and state regulations. Mitigation Measure PAL-1 would reduce potential impacts to undiscovered archaeological resources to a less than significant level.

### **Operation**

At the completion of project construction, the proposed residential townhomes would not result in further disturbance of native soils on the project site. Therefore, operation of the project would not result in a substantial adverse change in the significance of a unique paleontological resource or site or unique geologic feature. No mitigation would be required.

### **Existing Regulations that Reduce Potential Impacts**

The following existing regulations would reduce potential impacts related to geology and soils.

**California Building Code:** The project plans and specifications shall implement compliance with the California Building Code as included in the City's Municipal Code Section 9.12.040.210 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the project are required to be incorporated into grading and building plans and specifications prior to issuance of grading and building permits.

**SWPPP:** Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) in accordance with the County Drainage Area Management Plan (DAMP). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other DAMP requirements to comply with the National Pollutant Discharge Elimination System (NPDES) regulations to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of Garden Grove staff or its designee to confirm compliance.

**Water Quality Management Plan:** Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Division. The WQMP shall identify all post-construction, site design, source control, and treatment control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. The WQMP shall comply with GGMC Section 6.40.050, the Orange County DAMP, and the Santa Ana Region, Regional Water Quality Control Board (RWQCB) requirements in effect at the time permitting.

### **Mitigation Measures**

**Mitigation Measure PAL-1: Paleontological Resources.** Construction plans and specifications shall state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (who meets the Society of Vertebrate Paleontology's (SVP, 2010) definition for qualified profession paleontologist) has evaluated the find. If a fossil is determined to be significant, the qualified paleontologist shall implement a paleontological salvage program to remove the resources from their location, following the guidelines of the SVP (2010). Any fossils encountered and recovered shall be prepared to the point of identification, catalogued,

and curated at a public, non-profit institution with a research interest in the material and with retrievable storage, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school.

If any fossil remains are discovered, the qualified paleontologist shall make a recommendation whether monitoring shall be required for the continuance of earth moving activities. Prior to commencement of grading activities, the City of Garden Grove Building and Safety Division, shall verify that all project grading and construction plans specify the requirements herein related to the unanticipated discovery of paleontological resources.

After completion of the salvage and curation of any resources, the qualified paleontologist shall prepare a report summarizing the results of the monitoring and salvage efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted to the City Director of the City Community Development Department, or designee, and the Natural History Museum of Los Angeles County.

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	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**8. GREENHOUSE GAS EMISSIONS.**

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the Air Quality, Energy, and Greenhouse Gas Impact Analysis prepared by EPD Solutions, Inc., which is included as Appendix A.

**GHG Thresholds**

Global climate change describes alterations in weather features (e.g., temperature, wind patterns, precipitation, and storms) that occur across the Earth as a whole. GCC is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough greenhouse gas (GHG) emissions on its own to influence global climate change significantly; hence, the issue of global climate change is, by definition, a cumulative environmental impact.

The principal GHGs of concern contributing to the greenhouse effect are CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). GHGs are produced by both direct and indirect emissions sources. Direct emissions include consumption of natural gas, heating and cooling of buildings, landscaping activities and other equipment used directly by land uses. Indirect emissions include the consumption of fossil fuels for vehicle trips, electricity generation, water usage, and solid waste disposal. The large majority of GHG emissions generated from commercial projects are related to vehicle trips.

The SCAQMD has proposed interim numeric GHG significance thresholds that are based on capture of approximately 90 percent (90%) of emissions from residential or commercial development, which is 3,000 metric tons carbon dioxide equivalent (MTCO<sub>2</sub>e) per year (SCAQMD 2008). In 2008 the SCAQMD used the Executive Order S-3-05 year 2050 goal from 2005 as the basis for the 3,000 metric ton threshold. Achieving the Executive Order’s objective would contribute to worldwide efforts to cap CO<sub>2</sub> concentrations at 450 ppm, thus stabilizing global climate. Therefore, for purposes of examining potential GHG impacts from implementation of the proposed project, the threshold of 3,000 MTCO<sub>2</sub>e is utilized herein to determine if GHG emissions from this project would be significant.

Also, SCAQMD methodology to calculate a project’s GHG construction emissions is to average them over 30-years and then add them to the project’s operational emissions to determine if the project would exceed the

3,000 metric ton threshold. This approach is widely used by cities in the South Coast Air Basin, including the City of Garden Grove.

**a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Less than Significant Impact**

**Construction**

During construction, temporary sources of GHG emissions include use of heavy-duty construction equipment onsite, use of construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. The combustion of fossil-based fuels creates GHGs such as CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O.

The proposed project would remove the existing improvements, pavement, infrastructure, and landscaping on the site and redevelop the site with 30 new townhome residences. As shown on Table GHG-1, the project has the potential to generate a total of approximately 9 MTCO<sub>2</sub>e per year from construction emissions amortized over 30 years per SCAQMD methodology.

**Table GHG-1: Construction Greenhouse Gas Emissions (metric tons per year)**

Activity	Annual GHG Emissions (MTCO <sub>2</sub> e)
2024	231
2025	43
Total Construction Emissions	274
Total Emissions Amortized Over 30 Years	9

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

**Operation**

Operation of the proposed 30 residential townhomes uses would result in GHG emissions from vehicle trips, electricity and natural gas consumption, water transport (the energy used to pump water), and solid waste generation. GHG emissions from electricity consumed by the residences would be generated offsite by fuel combustion at the electricity provider. GHG emissions from water transport are also indirect emissions resulting from the energy required to transport water from its source.

As shown in Table GHG-2, the proposed project would result in 274 MTCO<sub>2</sub>e operational emissions, plus 9 MTCO<sub>2</sub>e amortized construction emissions to result in a total of 283 MTCO<sub>2</sub>e, which is below the 3,000 MTCO<sub>2</sub>e threshold. The CalEEMod modeling prepared for the project does not include the reduction in emissions that would occur from future non-operation of the existing restaurant building, which provides a conservative analysis of potential impacts. As the gross increase in GHG emissions would not exceed the threshold, impacts would be less than significant, and no mitigation measures are required.

**Table GHG-2: Total Project Generated Greenhouse Gas Emissions**

Activity	Annual GHG Emissions (MTCO <sub>2e</sub> )
<b>Project Operational Emissions</b>	
Mobile	204
Area	1
Energy	60
Water	3
Waste	7
Refrigeration	0
<b>Total Project Operation Emissions</b>	<b>274</b>
Amortized Project Construction Emissions	9
<b>Total Net Emissions</b>	<b>283</b>
Significance Threshold	3,000
<b>Threshold Exceeded?</b>	<b>No</b>

Source: AQ, Energy, and GHG Impact Analysis, Appendix A.

A majority of GHG emissions generated from the project would be from vehicle trips. However, the LOS Screening Analysis (Appendix B) prepared for the project details that operation of the 30 townhomes would reduce vehicular trips by 402 daily trips in comparison to operation of the restaurant building on the site. Therefore, the project would result in reduced vehicular GHG emissions as compared to the existing land use. Overall, the project's GHG emissions would not exceed the SCAQMD threshold and would be less than significant. No mitigation measures are required.

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**No Impact.** The proposed project would redevelop the site with 30 residential townhomes that would comply with state programs that are designed to be energy efficient. The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As described in the previous response, the project would not exceed the GHG emissions threshold that is based on the Executive Order S-3-05 year 2050 goal, and would reduce GHG emissions in comparison to operation of the existing use. In addition, the project would comply with regulations imposed by the state and the SCAQMD that reduce GHG emissions, as described below:

- Global Warming Solutions Act of 2006 (AB 32) is applicable to the project because many of the GHG reduction measures outlined in AB 32 (e.g., low carbon fuel standard, advanced clean car standards, and cap-and-trade) have been adopted and implementation activities are ongoing. The advanced clean car standards are regulations for car manufacturers; and cap-and-trade refers to a policy tool where emissions from a certain region or sector (e.g., electricity generation, petroleum refining, cement production) are limited to a certain amount and emissions reductions can be traded ultimately providing flexibility on how the emitter can comply. The project would redevelop the project site for new residential townhomes that would not conflict with automobile fuel regulations, car standards, or cap-and-trade. The project would include solar infrastructure and electric vehicle plug in facilities as required by CalGreen/Title 24 regulations that are included in the GGMC as Section 18.04.010.

- Title 24 California Code of Regulations (Title 24) establishes energy efficiency requirements for new construction that address the energy efficiency of new (and altered) residences and related infrastructure, appliances, irrigation. Title 24 is included in the GGMC as Section 18.04.010, which would provide efficient energy and water consumption. The City's administration of the requirements includes review of the energy conservation measures during the permitting process, which ensures that all requirements are met.
- Title 17 California Code of Regulations (Low Carbon Fuel Standard [LCFS]) requires low carbon content of fuel sold in California. Because the LCFS applies to any transportation fuel that is sold or supplied in California, all vehicles trips generated by the project within the state would comply with LCFS.
- California Water Conservation in Landscaping Act of 2006 (AB 1881) provides requirements to ensure water efficient landscapes in new development and reduced water waste in existing landscapes. The project is required to comply with AB 1881 landscaping requirements (included in the GGMC in Section 9.12.040.085 and pursuant to the Title 24 regulations in GGMC Section 18.04.010), which would be verified by the City during the project permitting process.

Overall, implementation of the project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Thus, impacts would not occur, and no mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to greenhouse gases.

**CalGreen Compliance.** As listed previously in Section 6, *Energy*.

### **Mitigation Measures**

No mitigation measures related to greenhouse gas emissions are required.

### **References**

Air Quality, Energy, and Greenhouse Gas Impact Analysis (Appendix A), prepared by EPD Solutions, 2023.

Level of Service (LOS) Screening Analysis, prepared by EPD Solutions, Inc., Appendix B.

South Coast Air Quality Management District Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Thresholds (SCAQMD 2008). Accessed: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachmente.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**9. HAZARDS AND HAZARDOUS**

**MATERIALS.** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires ?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

The discussion below is based on the Phase I Environmental Site Assessment, which is included as Appendix C.

**a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less than Significant Impact.** A hazardous material is defined as any material that, due to its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human



health and safety or to the environment if released into the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and any material that regulatory agencies have a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment if released into the home, workplace, or environment. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment.

### **Construction**

The project's proposed construction activities would involve the transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking. In addition, hazardous materials would be needed for fueling and servicing construction equipment on the site. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and state requirements. These regulations include: the federal Occupational Safety and Health Act and Hazardous Materials Transportation Act; Title 8 of the California Code of Regulations (CalOSHA), and the state Unified Hazardous Waste and Hazardous Materials Management Regulatory Program. As a result, the routine transport, use or disposal of hazardous materials during construction activities of the project would be less than significant. No mitigation measures are required.

### **Operation**

Operation of the project would include residential uses, which would involve use of hazardous materials including solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. These types of materials are not acutely hazardous and would only be used and stored in limited quantities within the project area. The normal routine use of these hazardous materials products pursuant to existing regulations would not result in a significant hazard to people or the environment in the vicinity of the project. Therefore, the project would not result in a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste, and impacts would be less than significant. No mitigation measures are required.

### **b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less than Significant Impact.**

### **Construction**

**Accidental Releases.** While the routine use, storage, transport, and disposal of hazardous materials in accordance with applicable regulations during construction activities would not pose health risks or result in significant impacts; improper use, storage, transportation and disposal of hazardous materials and wastes could result in accidental spills or releases, posing health risks to workers, the public, and the environment. To avoid an impact related to an accidental release during construction, best management practices (BMPs) are implemented as part of a Stormwater Pollution Prevention Plan (SWPPP) as required by the National Pollution Discharge Elimination System General Construction Permit. Implementation of an SWPPP would minimize potential adverse effects to workers, the public, and the environment. Construction contract specifications would include strict onsite handling rules and BMPs that include, but are not limited to:

- Establishing a dedicated area for fuel storage and refueling and construction dewatering activities including secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;
- Avoiding overtopping construction equipment fuel tanks;

- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

**Asbestos-Containing Materials.** The use of asbestos-containing materials (a known carcinogen) and lead paint (a known toxin) was common in building construction prior to 1978 (the use of asbestos-containing materials in concrete products was common through the 1950s). Asbestos is a carcinogen and is categorized as a hazardous air pollutant by the federal Environmental Protection Agency (EPA). Federal asbestos requirements are found in the Code of Federal Regulations (CFR) Title 40, Part 61, Subpart M, and are enforced in the project area by the SCAQMD. SCAQMD Rule 1403 establishes survey requirements, notification, and work practice requirements to prevent asbestos emissions from emanating during building renovation and demolition activities.

Based on the age of the onsite structure, the Phase I determined that it is possible that asbestos-containing building materials are present. As a result, asbestos surveys and abatement would be required prior to demolition or renovation of the existing building pursuant to the existing SCAQMD, Cal/OSHA, and Section 19827.5 of the California Health and Safety Code requirements.

SCAQMD Rule 1403 requires notification of the SCAQMD prior to commencing any demolition or renovation activities that involve asbestos containing materials. Rule 1403 also sets forth specific procedures for the removal of asbestos and requires that an onsite representative trained in the requirements of Rule 1403 be present during the stripping, removing, handling, or disturbing of asbestos-containing materials. Mandatory compliance with the provisions of Rule 1403 would ensure that construction-related grading, clearing and demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with asbestos-containing materials. With compliance with AQMD Rule 1403, potential impacts related to asbestos being released into the environment would be less than significant. No mitigation measures are required.

**Lead Based Paint.** Based on the age of the onsite structure, it is possible that lead-based paint may be present. Pursuant to existing regulations, a lead-based paint survey shall be completed prior to any activities with the potential to disturb suspected lead based painted surfaces. The regulations specify actions to manage and control exposure to lead-based paint (per the Code of Federal Regulations Title 29, Section 1926.62 and California Code of Regulations Title 8 Section 1532.1) that cover the demolition, removal, cleanup, transportation, and disposal of lead-containing material. The regulations outline the permissible exposure limit, protective measures, monitoring and compliance to ensure the safety of construction workers exposed to lead-based materials. In addition, Cal/OSHA's Lead in Construction Standard requires the project to develop and implement a lead compliance plan when lead-based paint would be disturbed during construction. The plan must describe activities that could emit lead, methods for complying with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal/OSHA requires 24-hour notification if more than 100 square feet of lead-based paint would be disturbed. With compliance with the Cal/OSHA requirements, potential impacts related to lead-based paint being released into the environment would be less than significant. No mitigation measures are required.

## Operation

Operation of the project includes activities related to residential uses, which involve use of hazardous materials including solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. These types of materials are not acutely hazardous and would only be used and stored in limited quantities within the project area. The normal routine use of these hazardous materials products pursuant to existing regulations would not result in a significant hazard to people or the environment in the vicinity of the project. Therefore, the project would not result in a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste, and impacts would be less than significant. No mitigation measures are required.

### **c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less than Significant Impact.** The closest existing school to the project site is the Sunnyside Elementary School, which is located approximately 600 feet southwest of the project site at 9972 Russell Avenue. As described in response a), construction and operation of the project would involve the use, storage, and disposal of small amounts of hazardous materials on the project site. These hazardous materials would be limited and used and disposed of in compliance with federal, state, and local regulations, which would reduce the potential for accidental release into the environment near the school. In addition, the proposed residential uses would not involve the use or handling of acutely hazardous materials.

Also, the emissions that would be generated from construction and operation of the project were evaluated in the air quality analysis presented in Section 3, and the emissions generated from the project would not cause or contribute to an exceedance of the federal or state air quality standards. Thus, the project would not emit hazardous or handle acutely hazardous materials, substances, or waste near the school, and impacts would be less than significant. No mitigation measures are required.

### **d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**No Impact.** The Phase I Environmental Site Assessment did not identify the project site or any properties in the nearby area as included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Phase I 2018). In addition, a search of the California Department of Toxic Substances Control EnviroStor database did not identify the project site or any area within the project vicinity as a hazardous materials site. Thus, impacts related to hazards from being located on or adjacent to a hazardous materials site would not occur from implementation of the project. No mitigation measures are required.

### **e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

**No Impact.** The project site is not located within an airport land use plan or within 2 miles of an airport. The closest air facility to the project is the Los Alamitos Joint Forces Training Base, located approximately 5.15 miles northwest of the project site. The closest public airport to the project site is John Wayne Airport, which is located over 7 miles to the southeast of the project site. In addition, the Fullerton Municipal Airport is located approximately 8 miles to the north of the site. Therefore, the project would not result in a safety hazard for

people residing or working in the project area, and no impacts would occur. No mitigation measures are required.

**f) Impair implementation of an adopted emergency response plan or emergency evacuation plan?**

**Less than Significant Impact.** The project would not physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Construction**

The proposed construction activities, including equipment and supply staging and storage, would occur within the project site, and would not restrict access of emergency vehicles to the project site or adjacent areas. The installation of new driveways and connections to existing infrastructure systems that would be implemented during construction of the proposed project would not require closure of Brookhurst Street or Central Avenue. Any temporary lane closures needed for utility connections or driveway access construction would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014), as incorporated into a Traffic Management Plan for the project that the City requires for receipt of construction permits. The Traffic Management Plan would include designated haul routes, temporary traffic control devices, travel time restrictions, and other elements determined through the construction review and permitting process by the City's Public Works Division that would ensure that substantial traffic queuing along Brookhurst Street would not occur, and that all construction equipment would be staged on site. Thus, implementation of the project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access or evacuation impacts to a less than significant level. No mitigation measures are required.

**Operation**

Direct access to the project site would be provided from driveways along Brookhurst Street and Central Avenue. The project driveways and internal access would be required through the City's permitting procedures to meet the City's design standards to ensure adequate emergency access and evacuation. The project is also required to provide fire suppression facilities (e.g., hydrants and sprinklers) that would be reviewed and approved by the City for compliance with GGMC standards that include the California Fire Code, which is adopted by reference in GGMC Chapter 18.04 and as amended in GGMC Chapter 18.16. As such, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant. No mitigation measures are required.

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**No Impact.** The project site is within an urbanized residential area of the City of Garden Grove. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas. According to the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. As a result, the proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. No mitigation measures are required.

**Existing Regulations that Reduce Potential Impacts**

The following existing regulations would reduce potential impacts related to hazards and hazardous materials.

**SWPPP.** As listed below in Section 10, *Hydrology and Water Quality*.

**Asbestos Containing Materials:** Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Division that an asbestos survey has been conducted pursuant to SCAQMD Rule 1403. If asbestos is found, the project applicant shall follow all procedural requirements and regulations of SCAQMD Rule 1403. Rule 1403 regulations require that the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.

**Lead Based Paint:** Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Division that a lead-based paint survey has been conducted. If lead-based paint is found, the project applicant shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint. Cal-OSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1 provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.

### **Mitigation Measures**

No mitigation measures related to hazards and hazardous materials are required.

### **References**

California Department of Forestry and Fire Protection (CAL FIRE). 2023. Fire Hazard Severity Zone Map. Accessed:  
<https://forestwatch.maps.arcgis.com/apps/Style/index.html?appid=5e96315793d445419b6c96f89ce5d153>

California Department of Toxic Substances Control EnviroStor database. Accessed:  
<https://www.envirostor.dtsc.ca.gov/public/>

Phase I Environmental Site Assessment, prepared by Partner Engineering and Science, Inc, 2022 (Phase I 2022).

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**10. HYDROLOGY AND WATER**

**QUALITY.** Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on the Preliminary Hydrology Report and the Preliminary Water Quality Management Plan, which are included as Appendix E and F.

**a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

## Less than Significant Impact

### Construction

Implementation of the proposed project includes demolition of the existing building, pavement, and infrastructure, site preparation, construction of new buildings, and infrastructure improvements. Demolition of existing structures, grading, stockpiling of materials, excavation, construction of new structures, and landscaping activities would expose and loosen sediment and building materials, which would have the potential to mix with stormwater and urban runoff and degrade surface and receiving water quality.

Additionally, construction generally requires the use of heavy equipment and construction-related materials and chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. In the absence of proper controls, these potentially harmful materials could be accidentally spilled or improperly disposed of during construction activities and could wash into and pollute surface waters or groundwater, resulting in a significant impact to water quality. However, Section 6.40.050 of the GGMC states that all new development and significant redevelopment within the City shall be undertaken in accordance with the County Drainage Area Management Plan (DAMP), including any conditions and requirements established related to the reduction or elimination of pollutants in storm water runoff from the project site, which are verified prior to the issuance of a grading permit and/or building permit by the City.

The DAMP requires construction sites to implement BMPs that address control of construction related pollutants discharges, including erosion/sediment control, onsite hazardous materials, and waste management (DAMP Section 8.0). Additionally, the Statewide NPDES Permit for General Construction Activity requires implementation of a SWPPP, by a Qualified SWPPP Developer. The SWPPP is required to be consistent with the County DAMP; address site-specific conditions related to construction; identify the sources of sediment and other pollutants that may affect the quality of storm water discharges during construction; and implement erosion control and sediment control BMPs to reduce or eliminate sediment, pollutants adhering to sediment, and other non-sediment pollutants in water discharges during construction. Typical erosion control methods that are designed to minimize potential pollutants entering stormwater during construction include:

- Perimeter gravel bags or silt fences to prevent offsite transport of sediment;
- Storm drain inlet protection (filter fabric gravel bags and straw wattles), with gravel bag check dams within paved roadways;
- Regular sprinkling of exposed soils to control dust during construction and soil binders for forecasted wind storms;
- Specifications for construction waste handling and disposal;
- Contained equipment wash-out and vehicle maintenance areas;
- Erosion control measures including soil binders, hydro mulch, geotextiles, and hydro seeding of disturbed areas ahead of forecasted storms;
- Construction of stabilized construction entry/exits to prevent trucks from tracking sediment on City roadways;
- Construction timing to minimize soil exposure to storm events; and
- Training of subcontractors on general site housekeeping.

Adherence to a City approved SWPPP, which would be verified prior to the issuance of a demolition and/or grading permit would ensure that potential water quality degradation associated with construction activities would be minimized, and impacts would be less than significant. No mitigation measures are required.

**Operation**

The proposed project includes operation of new residential uses. Potential pollutants associated with the proposed uses include various chemicals from cleaners, nutrients from fertilizer, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. If these pollutants discharge into surface waters, it could result in degradation of water quality.

However, operation of the proposed project would be required to comply with the requirements of the County DAMP and would be required to implement a Water Quality Management Plan (WQMP) that includes Low Impact Development (LID) features and BMPs to limit the potential for pollutants to enter surface water, such as storm water runoff. The Preliminary WQMP has been completed and is included as Appendix F. The purpose of a WQMP is to reduce discharge of pollutants by reducing or eliminating sources of pollutants, capture pollutants, and manage site runoff volumes and flow rates through application of appropriate LID features and BMPs. The WQMP is required to include implementation of non-structural, structural, source control and treatment control BMPs that have been designed to protect water quality. As described in the project description, the project would install drainage features to convey runoff to a raised bioretention planter that would be installed on the site, which has been designed to capture, infiltrate, and treat flows from the 85th percentile storm as required by the DAMP. The additional types of BMPs that would be implemented as part of the project WQMP are listed in Table WQ-1.

**Table WQ-1: Types of BMPs Incorporated into the Project WQMP**

Type of BMP	Description of BMPs
LID Site Design	<u>Optimize the site layout:</u> The site has been designed so that runoff from impervious surfaces would flow to either landscaped areas or an underground infiltration tank for treatment by infiltration.
	<u>Use pervious surfaces:</u> Landscaping is incorporated into the project design to increase the amount of pervious area and onsite retention of stormflows.
Source Control	<u>Storm Drain Stenciling:</u> All inlets/catch basins would be stenciled with the words “Only Rain Down the Storm Drain,” or equivalent message.
	<u>Design and construct trash and waste storage areas to reduce pollution introduction.</u>
	<u>Need for future indoor &amp; structural pest control:</u> The buildings would be designed to avoid openings that would encourage entry of pests.
	<u>Landscape/outdoor pesticide use:</u> Landscape plans would accomplish all of the following: <ul style="list-style-type: none"> <li>• Design landscaping to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize the use of fertilizers and pesticides that can contribute to storm water pollution.</li> <li>• Consider using pest-resistant plants, especially adjacent to hardscape.</li> <li>• To ensure successful establishment, select plants appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency, and plant interactions.</li> </ul>
	<u>Roofing, gutters, and trim:</u> The architectural design would avoid roofing, gutters, and trim made of copper or other unprotected metals that may leach into runoff.
Treatment Control	<u>Biofiltration Systems:</u> The underground infiltration tank system proposed for the project would detain runoff, filter it prior to discharge.



As described previously, a WQMP is required to be approved prior to the issuance of a building or grading permit. The project's WQMP would be reviewed and approved by the City to ensure it complies with the DAMP regulations. In addition, the City's permitting process would ensure that all LID features in the WQMP would be implemented with the project. Overall, implementation of the WQMP pursuant to the existing regulations would ensure that operation of the proposed project would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality; and impacts would be less than significant. No mitigation measures are required.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Less than Significant Impact.** The project site is largely (61.8%) impervious, as it is generally covered by the existing pavement or building structure, except for the undeveloped eastern portion of the site. In the existing condition, storm flows drain across the site to the north toward Central Avenue and Brookhurst Street. Although a portion of the site is undeveloped, the project site does not currently provide for groundwater recharge.

The project would redevelop the site with residential uses which would increase the impervious areas onsite because the currently undeveloped portion of the site would be developed. After project development, the site would contain 80 percent (80%) impervious areas, which would be an increase of 18.2 percent (18.2%) of onsite impervious areas. However, unlike the existing conditions, stormwater would be conveyed to a 5-foot-wide raised bioretention planter located adjacent to Brookhurst Street that has been designed to treat and infiltrate flows. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

In addition, groundwater within the project region is managed by the Orange County Water District (OCWD). To ensure the Basin is not overdrawn, OCWD monitors water levels and recharges the Basin with local and imported water. Continued management of the groundwater basin by OCWD ensures that substantial depletion of groundwater supplies would not occur. Thus, impacts related to the groundwater recharge would not occur. No mitigation measures are required. The evaluation of water supplies needed for the project is provided in Section 19, *Utilities and Service Systems*.

**ci) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?**

**Less than Significant Impact.** The project site does not include a stream, river, creek, or other water body.

**Construction**

Construction of the proposed project would require demolition of the existing building foundation and floor slabs and pavement, and excavation and grading activities that would expose and loosen building materials and sediment, which has the potential to mix with storm water runoff and result in erosion or siltation offsite. However, the project site does not include any slopes, which reduces the erosion potential.

The NPDES Construction General Permit and Orange County DAMP require preparation and implementation of a SWPPP by a Qualified SWPPP Developer for the proposed construction activities.

The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities.

In addition, a Qualified SWPPP Practitioner (QSP) is required to ensure compliance with the SWPPP through regular monitoring and visual inspections during construction activities. The SWPPP would be amended and BMPs revised, as determined necessary through field inspections, in order to protect against substantial soil erosion, the loss of topsoil, or alteration of the drainage pattern. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP would prevent construction-related impacts related to potential alteration of a drainage pattern or erosion from development activities. With implementation of the existing construction regulations that would be verified by the City during the permitting approval process, impacts related to alteration of an existing drainage pattern during construction that could result in substantial erosion, siltation, and increases in stormwater runoff would be less than significant. No mitigation measures are required.

### Operation

The Preliminary WQMP details that the project site currently consists of 61.8 percent (61.8%) impervious surfaces and 38.2 percent (38.2%) pervious surfaces. After completion of project construction, the site would be 80.0 percent (80.0%) impervious and 20.0 percent (20.0%) pervious (Appendix F), which is a reduction of 18.2 percent (18.2%) pervious surface area. The impervious areas would not be subject to erosion and the pervious areas would be landscaped with groundcovers that would inhibit erosion.

The proposed project would maintain the existing drainage pattern. In the existing condition, storm flows drain across the site to the north toward Central Avenue and Brookhurst Street. With implementation of the project, stormwater runoff would be conveyed to landscape areas and to a 60-inch underground detention pipe and then pumped into a five-foot-wide (664 square foot) raised bioretention planter located adjacent to Brookhurst Street that would provide infiltration and drainage to a parkway culvert adjacent to Brookhurst Street that would convey flows to the City's existing storm drain system. As shown in Table WQ-2, the project runoff conditions for a 100-year storm would decrease by 1.92 cfs from predevelopment conditions with the proposed drainage system, which would reduce the potential of onsite soils being eroded compared to the existing condition.

**Table WQ-2: 100-Year Storm Water Flow Comparison**

	<b>Pervious Area</b>	<b>Impervious Area</b>	<b>100-Year Flow (cfs)</b>	<b>Flow Reduction (cfs)</b>
Existing Condition	20,230 SF	32,757	7.16	1.92
Proposed Condition	10,597 SF	42,390	5.24	

Source: Preliminary Hydrology Report, Appendix E and Preliminary WQMP, Appendix F  
 SF= square feet  
 cfs = cubic feet per second

Additionally, the DAMP requires new development projects to prepare a WQMP including BMPs to reduce the potential of erosion and/or sedimentation through site design and structural treatment control BMPs. The Preliminary WQMP has been completed and is included as Appendix F. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the City to ensure that the site-specific design limits the potential for erosion and siltation. Overall, the proposed drainage system and adherence to the existing regulations would ensure that project

impacts related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant. No mitigation measures are required.

- cii) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

**Less than Significant Impact.** The project site does not include, and is not adjacent to, a stream or river. Implementation of the project would not alter the course of a stream or river.

### **Construction**

Construction of the proposed project would require demolition of the existing building, including foundation, floor slabs, and utilities systems, and would require excavation and grading activities. These activities could temporarily alter the existing drainage pattern of the site and change runoff flow rates. However, as described previously, implementation of the project requires a SWPPP that would address site specific drainage issues related to construction of the project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern (including those of a stream or river) during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP as verified by the City through the construction permitting process would prevent construction-related flooding impacts from potential alteration of a drainage pattern, stream, or river on or offsite from development activities. Therefore, construction impacts would be less than significant. No mitigation measures are required.

### **Operation**

As described previously, the proposed project would result in an 18.2 percent (18.2%) increase of impervious surfaces. However, the project would maintain the existing drainage pattern and convey runoff to landscape areas and to a 60-inch underground detention pipe and then pumped into a five-foot-wide (664 square foot) raised bioretention planter located adjacent to Brookhurst Street that would provide infiltration and drainage to a parkway culvert adjacent to Brookhurst Street that would convey flows to the City's existing storm drain system. This proposed drainage has been designed to capture, infiltrate, and treat flows pursuant to the DAMP requirements. As shown in Table WQ-2, the project runoff conditions for a 100-year storm would decrease by 1.92 cfs from predevelopment conditions with the proposed drainage system. As part of the permitting approval process, the proposed drainage design and engineering plans would be reviewed by the City to ensure that these design flows would be accommodated. Overall, the proposed drainage system and adherence to the existing DAMP regulations would ensure that project impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant. No mitigation measures are required.

- ciii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less than Significant Impact.** As described previously, the project site does not include, and is not adjacent to, a stream or river. Implementation of the project would not alter the course of a stream or river.

### **Construction**

As described in the previous response, construction of the proposed project would require demolition and excavation activities that could temporarily alter the existing drainage pattern of the site and could result in

increased runoff and polluted runoff if drainage is not properly controlled. However, implementation of the project requires a SWPPP that would address site specific pollutant and drainage issues related to construction of the project and include BMPs to eliminate the potential of polluted runoff and increased runoff during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the Construction General Permit and a SWPPP prepared by a QSD and implemented by a QSP as verified by the City through the construction permitting process would prevent construction-related impacts related to increases in run-off and pollution from development activities. Therefore, impacts would be less than significant. No mitigation measures are required.

### **Operation**

As described previously, the project site is largely (61.8%) impervious and redevelopment of the site would increase impervious areas by 18.2 percent (18.2%). However, storm flows would drain to landscape areas and to a 60-inch underground detention pipe and a 5-foot-wide raised bioretention planter that have been designed to accommodate the project and would provide stormwater filtration, as required by the DAMP. As shown in Table WQ-2, the project runoff conditions for a 100-year storm would decrease by 1.92 cfs from predevelopment conditions with the proposed drainage system. Therefore, redevelopment of the project site would not result in an increase in runoff that would exceed the capacity of the existing City storm drain system or provide substantial additional sources of polluted runoff. No mitigation measures are required.

- civ) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would impede or redirect flood flows??**

**Less than Significant Impact.** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06059C0139, the project site is not within a flood zone. As detailed in the previous responses, storm flows would drain to landscape areas and to a 60-inch underground detention pipe and a 5-foot-wide raised bioretention planter that have been designed to accommodate the project per the 85<sup>th</sup> percentile storm water flows as required by the DAMP. As shown in Table WQ-2, the project runoff conditions for a 100-year storm would decrease by 1.92 cfs from predevelopment conditions with the proposed drainage system. Therefore, the project would not result in impeding or redirecting flood flows by the addition of the impervious surfaces. As detailed previously, the City's permitting process would ensure that the drainage system specifications adhere to the DAMP regulations, and compliance with existing regulations would ensure that impacts would be less than significant. No mitigation measures are required.

### **d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**No Impact.** A 100-year flood hazard area is an area in which a flood event has a 1 percent (1%) probability of occurring in any given year. The FEMA FIRM for the project site and vicinity (FEMA FIRM number 06059C0139) shows that the site is within a 0.2 percent (0.2%) annual chance of flood hazard and is identified as "Zone X". Therefore, the site is not within a 100-year flood zone. In addition, the project site does not contain any bodies of water and is not located in the vicinity of any bodies of water that could result in flooding on the project site. Thus, the project site is not located within a 100-year flood hazard area as mapped by FEMA, and impacts related to flooding would not occur. No mitigation measures are required.

Tsunamis are generated ocean wave trains generally caused by tectonic displacement of the sea floor associated with shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic islands. The proposed project is approximately 6 miles from the ocean shoreline. Based on the distance of the project site to the Pacific Ocean, the project site is not at risk of inundation from tsunamis. Therefore, the proposed project would not risk release of pollutants from inundation from a tsunami. No impact would occur, and no mitigation is required.

Seiching is a phenomenon that occurs when seismic ground shaking induces standing waves (seiches) inside water retention facilities (e.g., reservoirs and lakes). Such waves can cause retention structures to fail and flood downstream properties. The project site is not located adjacent to any water retention facilities. For this reason, the project site is not at risk of inundation from seiche waves. Therefore, the proposed project would not risk the release of pollutants from inundation from seiche. No impact would occur, and no mitigation is required.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less Than Significant Impact.** As described previously, use of BMPs during construction implemented as part of a SWPPP as required by the NPDES Construction General Permit, would serve to ensure that project impacts related to construction activities resulting in a degradation of water quality would be less than significant. Thus, construction of the project would not conflict or obstruct implementation of a water quality control plan.

Also, as described previously, new development projects are required to implement a WQMP that would comply with the Orange County DAMP. The WQMP and applicable BMPs are verified as part of the City's permitting approval process, and construction plans would be required to demonstrate compliance with these regulations. Therefore, operation of the proposed project would not conflict with or obstruct a water quality control plan.

In addition, as detailed previously, groundwater within the project region is managed by OCWD. To ensure the Basin is not overdrawn, OCWD monitors water levels and recharges the Basin with local and imported water. Continued management of the groundwater basin by OCWD ensures that substantial depletion of groundwater supplies would not occur. Thus, impacts related to water quality control plan or sustainable groundwater management plan would be less than significant. No mitigation measures are required.

**Existing Regulations that Reduce Potential Impacts**

The following existing regulations would reduce potential impacts related to hydrology and water quality.

**Stormwater Pollution Prevention Plan:** Prior to grading permit issuance, the project developer shall have a SWPPP prepared by a QSD (Qualified SWPPP Developer) pursuant to the Orange County DAMP. The SWPPP shall incorporate all necessary BMPs and other DAMP requirements to comply with NPDES regulations to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City staff, or designee to confirm compliance.

**Water Quality Management Plan:** Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Division. The WQMP shall identify all post-construction, site design, source control, and treatment

control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. The WQMP shall comply with GGMC Section 6.40.050, the Orange County DAMP, and the Santa Ana Region, Regional Water Quality Control Board (RWQCB) requirements in effect at the time permitting.

### **Mitigation Measures**

No mitigation measures related to hydrology and water quality are required.

### **References**

California Department of Water Resources Inundation Maps. Accessed:  
<https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams/Inundation-Maps>

City of Garden Grove Municipal Code. Accessed at:  
[https://library.qcode.us/lib/garden\\_grove\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/garden_grove_ca/pub/municipal_code)

Federal Emergency Management Agency Flood Maps. Accessed: <https://msc.fema.gov/portal>

Orange County Water District Groundwater Management. Accessed: <https://www.ocwd.com/what-we-do/groundwater-management/>

Preliminary Hydrology Report, 2023. Prepared by CA Engineering, Inc.

Preliminary Water Quality Management Plan, 2023. Prepared by CA Engineering, Inc.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**11. LAND USE AND PLANNING.** Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Physically divide an established community?**

**No Impact.** The project site is currently developed with a vacant and fire damaged restaurant building. The undeveloped portion of the site is currently fenced, but was previously developed with a two-bedroom, one-bathroom single-family residence that was demolished in 2018. The project site is part of the established community and is located within an urban area and is adjacent to roadways, residential, and commercial uses. Direct access to the site is provided by driveways along Brookhurst Street and Central Avenue, which bounds the west and north sides of the project site. Retail commercial uses and both single-family and multi-family residences are located to the west beyond Brookhurst Street, and single-family residences are located to the north of the site beyond Central Avenue. Single-family residences are adjacent to the east of the site followed by Flower Street, and the Enterprise-Rent-A-Car commercial use is located adjacent to the south of the site, followed by Imperial Avenue.

The proposed project would redevelop the site to provide 30 residential townhomes with open space, landscaping and parking. The new residences would be accessed by a driveway along Brookhurst Street and a driveway along Central Avenue, which is consistent with the existing site access. The proposed townhomes would be consistent with the existing residential uses and the neighborhood commercial uses surrounding the site. Therefore, the change of the project site from a vacant and damaged restaurant building and fenced undeveloped lot to new residential townhomes with open space and landscaping would not physically divide an established community. In addition, the project would not change roadways or install any infrastructure that would result in a physical division. Thus, the proposed project would not result in impacts related to physical division of an established community. No mitigation measures are required.

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less Than Significant Impact.** As detailed in Section 4.0, *Biological Resources*, trees in the public right-of-way in the City are protected under Chapter 11.32 of the GGMC, which regulates the planting, maintenance, and removal of trees in public locations in the City. The project site contains scattered ornamental trees that are on private property and not subject to the City ordinance. Any street trees that would be planted, moved, or replaced within either the Brookhurst Street or Central Avenue right-of-way as part of the project would comply with the removal, moving, and planting regulations included Chapter 11.32 of the GGMC that would be

implemented and verified through the City's development permitting process. Therefore, no conflict with regulations related to trees would occur.

### **General Plan**

The project site currently has a General Plan land use designations of Light Commercial (LC) and Low Medium Density Residential (LMR), as shown previously in Figure 6. The General Plan describes that the LC land use is intended to allow a range of commercial activities and allows a maximum FAR of 0.55, and that the LMR land use designation is intended for the development of residential uses at a density of 11.1 through 21 dwelling units per acre.

The proposed project includes a General Plan Amendment to change the land use designation of the site to Medium Density Residential (MDR) that allows a residential density between 18.1 and 32 dwelling units per acre. Consistent with the proposed MDR designation, the project would develop the 1.22-acre project site with 30 residential townhomes, which would result in a density of 24.6 dwelling units per acre and be within the allowable MDR residential density. The project would be consistent with the density allowable under the proposed General Plan land use designations. The proposed land use designation change and development of residential townhomes on the site pursuant to the MDR General Plan land use designation would not result in conflict with any regulation adopted for the purpose of avoiding or mitigating an environmental effect. No mitigation measures are required.

### **Zoning**

The site is zoned Neighborhood Commercial (C-1) and zoned Limited Multiple Residential Zone (R-2), as shown previously in Figure 5. Section 9.16.020.020 of the Municipal Code describes that the C-1 zone is intended to provide for business at the neighborhood level in small scale convenience shopping facilities. In addition, Section 9.12.020.020 of the Municipal Code describes that the R-2 zone is intended to provide for multiple attached or detached residential dwellings as a transition between lower density, single-family detached residences, and higher-density residential or non-residential uses.

The proposed project includes a zoning designation amendment to change the zoning of the site to R-3 (Multiple-Family Residential) that allows up to 32 dwelling units per acre. The Project would redevelop the unutilized vacant commercial site and adjacent undeveloped lot to provide new townhomes pursuant to the R-3 zoning standards. The site is located within a mixed-use neighborhood characterized by commercial plazas and multi-story residential buildings. Uses within the one-mile radius from the site consist of both commercial and high-density residential developments including the Brookhurst Triangle (48 units/acre), Michael Dao Mixed Use Building (28 units/acre), and the Garden Brook Senior Housing (78 units/acre). In addition, surrounding zoning districts from the project site include R-3, which allows up to 32 units per acre, GGMU-1, which allows 60 units per acre, and GGMU-3, which allows 48 units per acre. Considering the site is surrounded by zoning districts and new developments with a much higher density, the construction of 30 residential units (27 units/acre) at this location would create a transition from higher to lower density neighborhood located to the west of the subject site. Thus, the proposed zoning designation amendment and development of townhomes on the site pursuant to the R-3 zoning designation would not result in conflict with any regulation adopted for the purpose of avoiding or mitigating an environmental effect. No mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

There are no existing regulations related to land use and planning that are applicable to the project.



**Mitigation Measures**

No mitigation measures related to land use and planning are required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**12. MINERAL RESOURCES.** Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

**No Impact.** In 1975, the California Legislature enacted the Surface Mining and Reclamation Act which, among other things, provided guidelines for the classification and designation of mineral lands. Areas are classified based on geologic factors without regard to existing land use and land ownership. The areas are categorized into 4 Mineral Resource Zones (MRZ):

- MRZ-1:** An area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2:** An area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- MRZ-3:** An area containing mineral deposits, the significance of which cannot be evaluated.
- MRZ-4:** An area where available information is inadequate for assignment to any other MRZ zone.

The mapping by the California Geological Survey indicates that the project site is located within an area designated as MRZ-3, which is an area where the significance of mineral deposits is not evaluated. In addition, the project site is not designated/zoned for the extraction of mineral deposits and no active mining operations exist in the City.

The project site has no history of mining. In addition, the site is located within a residential and commercial retail area that does not include mining. Therefore, implementation of the project would not cause the loss of availability of mineral resources valuable to the region or state, and no impact would occur. No mitigation measures are required.

**b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on the general plan, specific plan or other land use plan?**

**No Impact.** The project site and the surrounding vicinity are highly urbanized, and they are not in or near a mining site identified by the City’s General Plan. The site currently has General Plan land use and zoning designations for residential and commercial uses. No mineral extraction activities occur on or near the project

site, and it is not located within an area known to contain locally important mineral resources. Therefore, the project would not result in the loss of availability of a locally important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan as a result of project implementation. No impacts would occur. No mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

There are no existing regulations related to mineral resources that are applicable to the project.

### **Mitigation Measures**

No mitigation measures related to mineral resources are required.

### **References**

California Department of Conservation Mineral Land Classification Map Anaheim Quadrangle. Accessed: <https://maps.conservation.ca.gov/mineralresources/>

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Focused General Plan Update and Zoning Amendments Draft Environmental Impact Report (SCH# 2021060714), 2021. Accessed: <https://ceqanet.opr.ca.gov/Project/2021060714>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**13. NOISE.** Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The discussion below is based on the Noise Impact Analysis prepared by Vista Environmental, 2023, which is included as Appendix G.

**State Law**

An interior CNEL of 45 dB is mandated by the State of California Noise Insulation Standards (CCR, Title 24, Part 6, Section T25-28) for residential dwellings and hotel and motel rooms. Conventional construction practices, with closed windows and fresh air supply systems or air conditioning normally suffice.

**City of Garden Grove General Plan Noise Element**

The City’s General Plan Noise Element includes a compatibility matrix (Table 7-1) to determine if new land uses are compatible with the existing noise environment. The table identifies noise environments that are less than 60 dBA CNEL to be normally compatible with low density and single-family residential uses; and noise environments that are less than 70 dBA CNEL to be normally compatible with commercial retail/restaurant development, such as the proposed project.

**Garden Grove Municipal Code**

GGMC Section 8.47.040 outlines the City’s exterior noise limits as it relates to stationary noise sources. The residential limits are listed below:

- Residential Uses: 55 dBA between 7:00 a.m. and 10:00 p.m.  
50 dBA between 10:00 p.m. and 7:00 a.m.

GGMC Section 8.47.050(C) states that the following criteria be used whenever the ambient noise level exceeds the City’s standards:

- The noise standard for a cumulative period of more than 30 minutes in any hour;

2. The noise standard plus five dB(A) for a cumulative period of more than 15 minutes in any hour;
3. The noise standard plus 10 dB(A) for a cumulative period of more than five minutes in any hour;
4. The noise standard plus 15 dB(A) for a cumulative period of more than one minute in any hour; or
5. The noise standard plus 20 dB(A) for any period of time.

GGMC Section 8.47.060(d) Construction of Buildings and Projects, states that it is unlawful for any person within a residential area, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hour of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a person of normal sensitiveness, as determined utilizing the criteria established in GGMC Section 8.47.050(b), is caused discomfort or annoyance unless such operations are of an emergency nature.

### **Federal Transit Administration**

The FTA *Transit Noise and Vibration Impact Assessment* (2018) provides construction noise criteria to determine if the project would create a substantial temporary noise increase to the nearby sensitive receptors. The criteria provide a residential threshold of 90 dBA Leq during the daytime and 80 dBA Leq during the nighttime.

The FTA *Transit Noise and Vibration Impact Assessment* also provides thresholds for increases in ambient noise from vehicular traffic based on increases to ambient noise. An impact would occur if existing noise levels at noise-sensitive land uses (e.g. residential, etc.) are less than 60 dBA Ldn and the project creates an increase of 3 dBA or greater project-related noise level increase; or if existing noise levels range from 60 to 65 dBA Ldn and the project creates 2 dBA or greater noise level increase. Noise level increase of 1 dBA or less would not result in an impact.

### **Caltrans Transportation and Construction Vibration Guidance Manual**

California Department of Transportation's (Caltrans) Transportation and Construction Vibration Guidance Manual guidelines are used as a screening tool for assessing the potential for adverse vibration effects related to structural damage and human perception. The guidance manual provides thresholds for continuous (construction-related) and transient (transportation-related) sources of vibration, which found that the human response becomes distinctly perceptible at 0.25 inch per second PPV for transient sources at 0.04 inch per second PPV for continuous sources; and that the threshold for building damage to older residential structures and other older buildings of 0.5 inch per second PPV.

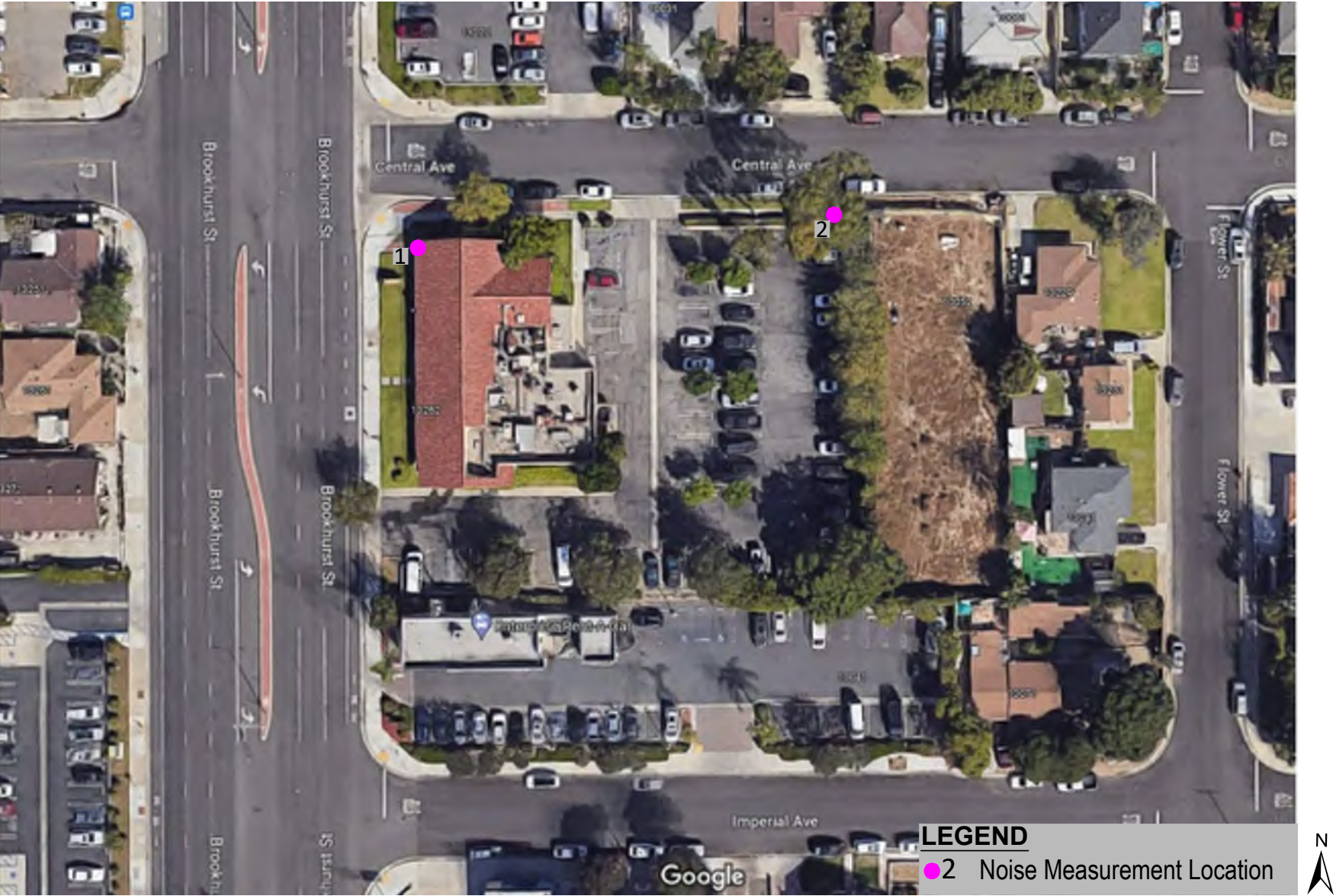
### **Sensitive Receptors**

The nearest sensitive receptors to the project site are single-family residences located approximately 5 feet east of the project site, there is also a single-family residence located approximately 15 feet south of the project site, and single-family residences as near as 70 feet north of the project site. The nearest school is Sunnyside Elementary School that is located approximately 600 feet southwest of the project site.

### **Existing Ambient Noise Levels**

To identify the existing ambient noise levels in the project area, noise level measurements were taken on the project site on May 9, 2023 for a 24-hour period. Figure 16 shows the location of the noise measurements. As shown on Table N-1, noise levels in the project area range from 46.4 to 74.2 Community Noise Equivalent Level (CNEL).

# Noise Measurement Locations



Brookhurst and Central Townhome Project  
City of Garden Grove

Figure 16

**Table N-1: 24-Hour Ambient Noise Level Measurements**

Site No.	Noise Measurement Location	Average (dBA L <sub>eq</sub> )	Maximum (dBA L <sub>max</sub> )	(dBA L <sub>eq</sub> 1-hour/Time)		Average (dBA CNEL)
				Minimum	Maximum	
1	Northwest corner of the existing structure on the project site, approximately 80 feet east of the Brookhurst Street centerline and 40 feet south of the Central Avenue centerline.	70.9	98.0	61.7 2:44 a.m.	74.2 4:11 p.m.	75.3
2	Northwest corner of the fence that is located around vacant lot on east side of project site, approximately 30 feet south of the Central Avenue centerline.	56.6	75.0	46.4 2:44 a.m.	60.5 7:21 p.m.	61.3

Source: Noise Impact Analysis, Appendix G.

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

### Less than Significant with Mitigation Incorporated

#### Construction

Noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high noise levels. Construction is expected to occur in the following stages: demolition, site preparation, grading, building construction, architectural coating, paving. Noise levels generated by heavy construction equipment can range from approximately 77 dBA to 90 dBA when measured at 50 feet, as shown on Table N-2.

**Table N-2: Construction Reference Noise Levels**

Equipment	Number of Equipment	Acoustical Use Factor <sup>1</sup> (percent)	Spec 721.560 L <sub>max</sub> at 50 feet <sup>2</sup> (dBA, slow <sup>3</sup> )	Actual Measured L <sub>max</sub> at 50 feet <sup>4</sup> (dBA, slow <sup>3</sup> )
<b>Demolition</b>				
Concrete/Industrial Saw	1	20	90	90
Rubber Tired Dozer	1	40	85	82
Backhoe	1	40	80	78
Front End Loader	1	40	80	79
Tractor	1	40	84	N/A
<b>Site Preparation</b>				
Grader	1	40	85	83
Rubber Tired Dozer	1	40	85	82
Tractor	1	40	84	N/A
<b>Grading</b>				
Grader	1	40	85	83
Rubber Tired Dozer	1	40	85	82
Tractor	2	40	84	N/A

<b>Equipment</b>	<b>Number of Equipment</b>	<b>Acoustical Use Factor<sup>1</sup> (percent)</b>	<b>Spec 721.560 Lmax at 50 feet<sup>2</sup> (dBA, slow<sup>3</sup>)</b>	<b>Actual Measured Lmax at 50 feet<sup>4</sup> (dBA, slow<sup>3</sup>)</b>
<b>Building Construction</b>				
Crane	1	16	85	81
Forklift (Gradall)	1	40	85	83
Generator	1	50	82	81
Tractor	1	40	84	N/A
Welder	3	40	73	74
<b>Paving</b>				
Cement and Mortar Mixer	1	40	85	79
Paver	1	50	85	77
Paving Equipment	1	50	85	77
Rollers	1	20	85	80
Tractor	1	40	84	N/A
<b>Architectural Coating</b>				
Air Compressor	1	40	80	78

Source: Noise Impact Analysis, Appendix G.

Notes:

<sup>1</sup> Acoustical use factor is the percentage of time each piece of equipment is operational during a typical workday.

<sup>2</sup> Spec 721.560 is the equipment noise level utilized by the RCNM program.

<sup>3</sup> The "slow" response averages sound levels over 1-second increments. A "fast" response averages sound levels over 0.125-second increments.

<sup>4</sup> Actual Measured is the average noise level measured of each piece of equipment during the Central Artery/Tunnel project in Boston, Massachusetts primarily during the 1990s.

Per GGMC Section 8.47.060(d), construction activities are limited to occur between the hours of 7:00 a.m. and 10:00 p.m., within 500 feet of a residential area. The proposed project's construction activities would occur pursuant to these regulations, as ensured through the permitting process.

The construction noise from the proposed project would occur over a 12-18-month period and would be temporary in nature as the operation of each piece of construction equipment would not be constant throughout the construction day, and equipment would be turned off when not in use. During operation of construction equipment, power levels vary between one or two minutes of full power operation followed by three or four minutes at lower power settings which results in a range of noise levels.

For each phase of construction, all construction equipment was analyzed based on being placed in the middle of the project site, per the FTA Manual for a General Assessment, and is based on the rationale that mobile equipment would likely move around the entire project site in a typical workday. As such, the middle of project site would provide the acoustical average noise level created over a typical workday. However, to provide a conservative analysis, all equipment for each phase of construction was analyzed as if operating simultaneously, instead of just the two noisiest pieces of equipment as recommended by the FTA Manual.

As shown on Table N-3, construction noise at the closest residences would range from 76 to 79 dBA Leq, which would not exceed the 90 dBA Leq threshold during the daytime for residential uses. Typically, the analyzed phases of construction would occur sequentially; however, it should be noted that due to the logarithmic properties of addition of two distinct noise sources, the most that the noise may be increased if two construction phases occurred concurrently would be an additional 3 dB above the higher construction phase noise. As such, the worst-case noise level that may occur with two construction phases occurring simultaneously would be 82



dBA Leq at the residence to the south, which would not exceed the FTA construction noise standard of 90 dBA. Therefore, construction noise impacts would be less than significant, and no mitigation measures are required.

**Table N-3: Project Construction Noise Levels at Sensitive Receivers**

Construction Phase	Construction Noise Level (dBA Leq) at:		
	Closest Residence to the East <sup>1</sup>	Closest Residence to the South <sup>2</sup>	Closest Residence to the North
Demolition	76	79	76
Site Preparation	75	78	74
Grading	76	79	76
Building Construction	76	79	76
Paving	73	76	73
Painting	64	67	63
<b>FTA Construction Noise Threshold</b>	<b>90</b>	<b>90</b>	<b>90</b>
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Noise Impact Analysis, Appendix G.

<sup>1</sup> The homes to the east are located as near as 153 feet from the center of the project site.

<sup>2</sup> The homes to the south are located as near as 108 feet from the center of the project site.

<sup>3</sup> The home to the north are located as near as 163 feet from the center of the project site.

Source: RCNM, Federal Highway Administration, 2006

## Operation

**Traffic Noise.** As described in Section 17, *Transportation*, Table T-1, operation of the proposed project would generate 216 daily vehicle trips. According to the *City of Garden Grove Focused General Plan Update and Zoning Amendments Draft EIR*, Brookhurst Street in the vicinity of the project site had 52,057 daily trips in the year 2020, which included operation of the existing restaurant building on the site. The additional 216 daily vehicle trips in addition to the 2020 vehicle trips project would contribute up to 0.4 percent (0.4%) of the daily trips on Brookhurst Street. In order for project-generated vehicular traffic to increase the noise level on any of the nearby roadways by 3 dB<sup>2</sup>, the ADT would have to double, or by 1.5 dB, the ADT would have to increase by 50 percent (50%). As such, the proposed project's roadway noise impacts would be negligible and would not result in a quantitative increase in roadway noise levels.

In addition, as detailed in Table T-2 (in Section 17, *Transportation*), the proposed project would result in 402 fewer daily trips than the operation of the 6,367 square foot restaurant. Thus, vehicular noise from the proposed project would be less than what was generated by the existing use. Therefore, operational roadway noise impacts to the nearby sensitive receptors would be less than significant, and no mitigation measures are required.

**Onsite Noise.** The Noise Impact Study modeled the onsite noise that would be generated by operation of the project, including noise from use of the proposed open space and recreation areas, vehicle parking and loading areas, and air conditioning units.

<sup>2</sup> In a normal noise environment, it is generally accepted that the average healthy ear can barely perceive a noise level change of 3 dBA. A 3 dB increase is typically referred to as the threshold of perception (Caltrans, 2013).

The proposed open space recreation area would be located in the central portion of the project site and would be surrounded by the proposed residences. As such, noise created from the central open space area would be shielded by the proposed residential structures and the proposed CMU walls that are proposed along the west, south, and east boundaries of the site where the adjacent and nearby residences are located. Therefore, operation of the open space recreation areas would not result in noise impacts to existing offsite sensitive receptors, and no mitigation measures are required.

A majority of the vehicular parking would be located within two-car garages that would be part of each residential townhome. In addition, four (4) additional open parking spaces would be provided along the southerly property line. Parking lots generate noise from vehicle engines, car doors being slammed, people talking, and various similar activities that average approximately 52.1 dBA at 5 feet. However, the proposed parking is located within garages and is adjacent to the southerly 6-foot-high CMU wall that would shield noise. From these locations, the parking lot noise at the closest residence would be 32.0 dBA, which would not exceed the City's daytime residential noise standard of 50 dBA or nighttime residential noise standard of 50 dBA. Therefore, the proposed parking areas would not result in noise impacts to existing offsite sensitive receptors, and no mitigation measures are required.

The typical residential air conditioning systems (such as the 2.5 ton Carrier Model No: CA15NA03-0-A and a 3 ton Carrier Model No: CA15NA036-0-A) produce noise levels between 73 dBA and 75 dBA at one meter. Noise modeling was conducted including the noise reduction provided by the proposed 6-foot-high CMU wall to determine the noise from air conditioning units at the closest residences. As shown in Table N-4, the air conditioning noise levels at the residences adjacent to the east of the site could reach 50.4 dBA Leq with use of the larger (3 ton) air conditioning unit. This would exceed the City's nighttime residential noise standard of 50 dBA.

**Table N-4: Unmitigated Project Operational Noise Levels at Nearby Residences**

Noise Source	Operational Noise Levels (dBA Leq) at:		
	Residences to the East	Residences to the South	Residences to the North
Air Conditioning Compressor Units <sup>1</sup>	50.4	48.1	36.9
Parking Lot <sup>2</sup>	21.8	32.0	18.3
Combined Noise Level	50.4	48.2	37.0
City Noise Standard <sup>3</sup> (Day/Night)	55/50	55/50	55/50
Exceed Standard (Day/Night)?	No/Yes	No/No	No/No

Source: Noise Impact Analysis, Appendix G.

Notes:

<sup>1</sup> Air conditioning based on a 3 ton compressor unit (Carrier Model CA15NA036-0-A) that produces a noise level of 75 dBA at 1 meter.

<sup>2</sup> Parking lot is based on a reference noise measurement of 52.1 dBA at 5 feet.

<sup>3</sup> From Section 8.47.040 of the City's Municipal Code.

Thus, Mitigation Measure NOI-1 is included to require installation of air conditioning unit that does not exceed a manufacturer sound rating of 74 dBA or installation of a manufacturer developed sound blanket for air conditioning units with manufacturer sound ratings above 74 dBA for the residential units located on the east side of the project site (identified as townhomes 23 to 30 on Figure 8, *Conceptual Site Plan*), which would

ensure that offsite nighttime noise from onsite air conditioning units would not exceed the City's noise standards. With the Carrier Sound Blanket installed, the 2.5 ton model produces a noise level of 72 dBA and the 3 ton model produces a noise level of 73 dBA at one meter. As shown in Table N-5, with implementation of Mitigation Measure NOI-1, the maximum noise level would be reduced to 49.4 dBA, which is within the City's residential daytime noise standard of 55 dBA and the nighttime noise standard of 50 dBA. Therefore, impacts would be less than significant with incorporation of mitigation.

**Table N-5: Mitigated Project Operational Noise Levels at Nearby Residences**

Noise Source	Operational Noise Levels (dBA Leq) at:		
	Residences to the East	Residences to the South	Residences to the North
Air Conditioning Compressor Units <sup>1</sup>	49.4	48.1	36.9
Parking Lot <sup>2</sup>	21.8	32.0	18.3
Combined Noise Level	49.4	48.2	37.0
City Noise Standard <sup>3</sup> (Day/Night)	55/50	55/50	55/50
Exceed Standard (Day/Night)?	No/No	No/No	No/No

Source: Noise Impact Analysis, Appendix G.

Notes:

<sup>1</sup> Air conditioning for homes to east based on implementation of Mitigation Measure NOI-1 that limits the condenser units on the east side of project site to 74 dBA at 1 meter.

<sup>2</sup> Parking lot is based on a reference noise measurement of 52.1 dBA at 5 feet.

<sup>3</sup> From Section 8.47.040 of the City's Municipal Code.

## b) Generation of excessive groundborne vibration or groundborne noise levels?

### Less than Significant with Mitigation Incorporated

#### Construction

Construction activities associated with the proposed project would require the operation of off-road equipment and trucks that are known sources of vibration. Construction activity can result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance.

Since neither the Municipal Code nor the General Plan provide a quantifiable vibration threshold, guidance from the *Transportation and Construction Vibration Guidance Manual*, prepared by Caltrans in 2013, has been utilized for this analysis, which is consistent with the thresholds utilized in the City's recent Focused General Plan Update and Zoning Amendments EIR. This Caltrans guidance provides thresholds for both building damage, where transient vibration sources may start to create damage to buildings at 0.5 inch per second peak particle velocity (PPV) and from human response, where transient vibration sources become distinctly perceptible at 0.24 inch per second PPV. Table N-6 shows the vibration levels shown in vibration velocity in decibels (VdB) that are produced from some common construction equipment that would be utilized during construction of the proposed project.

**Table N-6: Vibration Source Levels for Construction Equipment**

<b>Equipment</b>	<b>Peak Particle Velocity (inches/second)</b>	<b>Approximate Vibration Level (L<sub>v</sub>) at 25 feet</b>
Clam shovel drop (slurry wall)	0.202	94
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Noise Impact Analysis, Appendix G.

The primary source of vibration during construction would be from the operation of a bulldozer. Table N-6 shows that a large bulldozer would create a vibration level of 0.089 inch per second PPV at 25 feet. Based on typical propagation rates, the vibration level at the closest offsite residence (5 feet to the east) would be 0.52 inch per second PPV, which exceeds both the 0.5 inch per second PPV threshold for damage to structures and the human annoyance threshold of 0.24 inch per second PPV. This would be considered a potentially significant impact.

As detailed in Table N-2, large bulldozers and similar vibration sources of equipment would be used during the demolition, site preparation, and grading phases of construction for the project. These phases of construction would consist of a limited and temporary period of time. As provided in Table 2, *Construction Schedule*, the demolition, site preparation, and grading activities would occur over a total of 26 working days. In addition, these levels of vibration would be highest at the closest sensitive receptors and would diminish with distance.

Mitigation Measure NOI-2 is included, which would restrict the use of a large dozer within 10 feet of the east property line that would be 15 feet from the residences to the east. For all grading activities that occur within 10 feet of the east property line, a small dozer or other type of equipment that is less than 150 horsepower shall be used. Table N-6 shows that a small bulldozer (defined as less than 150 horsepower) would create a vibration level of 0.003 inch-per-second PPV at 25 feet.

Based on typical propagation rates, the vibration level at the nearest residence from a small bulldozer operating at the property line would be 0.02 inch per second PPV and from a large bulldozer operating at 15 feet from the nearest residence (a 10-foot setback from the property line) would create a vibration level of 0.16 inch per second PPV. Both of these vibration levels would be below the structure damage threshold of 0.5 inch per second PPV threshold and the human annoyance threshold of 0.24 inch per second PPV. Therefore, with implementation of Mitigation Measure NOI-2, construction-related vibration impacts would be less than significant.

### **Operation**

Operation of the proposed residential uses would include heavy trucks for residents moving in and out of the units and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, as shown on Table N-6, vibration levels from loaded trucks generate 0.076 inch per second PPV. Truck movements on site would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receptors would be less than 0.076 inch per

second PPV, which is less than the structure damage threshold of 0.5 inch per second PPV threshold and the human annoyance threshold of 0.24 inch per second PPV. Therefore, operational vibration impacts would be less than significant. No mitigation measures are required.

**c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** The project site is not located within an airport land use plan or within 2 miles of an airport. The closest air facility is the Los Alamitos Joint Forces Training Base, located approximately 5.15 miles northwest of the project site. The closest public airport to the project site is John Wayne Airport, which is located over 7 miles to the southeast of the project site. In addition, the Fullerton Municipal Airport is located approximately 8 miles to the north of the site. Therefore, the project would not result in excessive noise levels related to airports, and no impacts would occur. No mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to noise.

**Construction Noise:** Project construction plans and specifications shall detail that construction activities shall occur in compliance with Municipal Code Section 8.47.060(d), which states that it shall be unlawful for any person within a residential area, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a person of normal sensitiveness, as determined utilizing the criteria established in Section 8.47.050(B), is caused discomfort or annoyance unless such operations are of an emergency nature.

### **Mitigation Measures**

**Mitigation Measure NOI-1: Air Conditioner Units.** The project plans, mechanical specifications, and occupancy permits shall require that the air conditioning condenser units for the proposed townhomes Nos: 23 to 30, which are located on the east side of the project site, shall not exceed a manufacturer sound rating of 74 dBA at one meter; or shall include installation of a manufacturer developed sound blanket for air conditioning units with manufacturer sound ratings above 74 dBA at one meter. Installation of sound blanket kits on the air conditioning condenser units shall provide a noise reduction to achieve 74 dBA at one meter.

**Mitigation Measure NOI-2: Construction Equipment.** The project's grading and construction plans and permitting specifications shall include the following requirements:

- Operation of all large bulldozers that are powered by a greater than 150 horsepower engine are restricted from operating within 10 feet of the eastern property line of the project site. The project construction plans and permitting specifications shall require the use of a small bulldozer (i.e., D1, D2, or D3 dozers) or other type of equipment that is less than 150 horsepower to perform all grading activities that are located within 10 feet of the eastern property line of the project site.

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receiver nearest the project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site during all construction.

## **References**

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Focused General Plan Update and Zoning Amendments Draft Environmental Impact Report (SCH# 2021060714), 2021. Accessed: <https://ceqanet.opr.ca.gov/Project/2021060714>

City of Garden Grove Municipal Code. Accessed at: [https://library.qcode.us/lib/garden\\_grove\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/garden_grove_ca/pub/municipal_code)

Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual, September 2018. Accessed: [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123\\_0.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf)

Noise Impact Analysis prepared by Vista Environmental, 2023 (Appendix G)

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**14. POPULATION AND HOUSING.** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**a) Induce substantial unplanned population growth in an area, either directly or indirectly?**

**Less than Significant Impact.** The project site is currently developed with a vacant restaurant building that is damaged and has been red tagged by the City, and the undeveloped portion of the site was previously used for a single-family residence that was demolished in 2018.

The California Department of Finance data from January 2023 states that there are 171,183 residents and 49,203 housing units within the City. Of these housing units, 97.4 percent (97.4%) of them were occupied. The different types of housing units in the City consist of 57.3 percent (57.3%) single-family residences, 8.7 percent (8.7%) were single-family attached residences, 8.7 percent (8.7%) were residences within buildings containing between 2 and 4 units, 22.2 percent (22%) were in buildings containing 5 or more units, and 3.2 percent (3.2%) consist of mobile homes. The average household size within the City is 3.53 persons per household. The Southern California Association of Governments (SCAG) Connect SoCal demographics and growth forecasts from 2020 project that the City’s population will grow to 185,800 by the year 2045. This is an increase of 14,317 residents (8.4%) over the 2023 population.

**Construction**

Construction of the project would provide short-term jobs over an approximately 12 to 18-month period. Many of the construction jobs would be temporary and would be specific to the project. This workforce would include a variety of craftspeople, such as cement finishers, iron workers, welders, carpenters, electricians, painters, and laborers. It is anticipated that the project-related construction labor force would already be located in the project vicinity, travel from one construction project to another as needed, and workers would not be expected to relocate their places of residence as a consequence of working on the project. Therefore, the project would not be expected to induce substantial population growth or demand for housing through increased construction employment. No mitigation measures are required.

**Operation**

The project would redevelop the site with 30 residential townhomes. Based on the existing average household size of 3.53 persons per household, the 30 residences that would be developed on the project site would result in approximately 106 residents at full capacity. Assuming all residents on the Project site are new to Garden

Grove, this would equate to an increase of 0.06 percent (0.06%) of the City's existing population and would be 0.7 percent (0.7%) of the SCAG projected increase in residents within the City by year 2045. In addition, the 30 townhomes would result in a 0.06 percent (0.06%) increase in the number of housing units within the City. This is not considered a substantial increase due to the limited number of residents and residential units that would result from the project, which is located within an urban area.

In addition, indirect growth is related to the expansion of infrastructure, such as water, sewer, drainage, or street systems that would serve areas beyond the proposed development. The project would be served by the existing infrastructure that currently serves the site and that the new townhomes would connect to. Therefore, the project would not result in inducement of substantial population growth, either directly or indirectly, and impacts would be less than significant. No mitigation measures are required.

**b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The project site is currently developed with a vacant building that was previously used as a restaurant. No housing currently exists on the project site, and displacement of housing and people would not occur as a result of project implementation. Therefore, the proposed project would not result in an impact related to the displacement of housing or people, and no mitigation would be required.

**Existing Regulations that Reduce Potential Impacts**

There are no existing regulations related to population and housing that are applicable to the project.

**Mitigation Measures**

No mitigation measures related to population and housing are required.

**References**

State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2020-2023. Sacramento, California, January 2023. Accessed: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>

Southern California Association of Governments Connect SoCal (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy), 2020. Accessed: <https://scag.ca.gov/read-plan-adopted-final-connect-socal-2020>



<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**15. PUBLIC SERVICES.** Would the project:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for:**

**Fire protection?**

**Less than Significant Impact.** Fire protection and emergency medical services in the City has historically been provided by the Garden Grove Fire Department. However, in 2019, the Orange County Fire Authority (OCFA) took over fire suppression, emergency medical, rescue and fire prevention, and hazardous materials coordination services for the City of Garden Grove through a contract for services. There are seven City owned Fire Stations within the City. There are four City fire stations within two miles of the site, which are listed below in order of distance from the project site:

- Fire Station 80, located at 14162 Forsyth Lane, which is 0.9 mile from the project site.
- Fire Station 81, located at 11261 Acacia Parkway, which is 1.1 mile from the project site.
- Fire Station 82, located at 11805 Gilbert Street, which is 1.6 miles from the project site.
- Fire Station 86, located at 12232 West Street, which is 2.0 miles from the project site.

The proposed project would remove the vacant and damaged red tagged restaurant building and develop 30 new townhome residences on the site. The new townhomes would include new fire prevention infrastructure

pursuant to current code requirements. The City has adopted the California Fire Code (Title 24, Part 9 of the California Code of Regulations) in Section 18.16.04 of the City Municipal Code, which regulates new structures related to safety provisions, emergency planning, fire-resistant construction, fire protection systems, and appropriate emergency access throughout the site. The project's adherence to the existing fire code requirements would be verified as part of the City's regular permitting process.

As the site is within an area that is currently served by Fire Station 80 that is 0.9 mile from the site, and there are three other City fire stations within 2 miles of the site, OCFA would be able to continue to provide fire services to the project site and surrounding area from the existing fire stations. Additionally, the project would be constructed pursuant to existing California Fire Code regulations that would be verified during the City's permitting process. As the restaurant structure is aged, it is not consistent with current fire code standards. Therefore, the project would provide new construction onsite that would provide improved fire safety compared to the restaurant structure. Also, the proposed project would result in a limited number of residents on the site. The 106 residents at full capacity would be a maximum increase of 0.06% of the City's population. The new construction and limited increase in population within 2 miles of four fire stations would not result in the need for new or physically altered fire facilities that could cause significant environmental impacts. Therefore, the project would result in less than significant impacts related to fire protection services and no mitigation measures are required.

### **Police protection?**

**Less than Significant Impact.** The Garden Grove Police Department provides police services to the project area. The Police Department headquarters is located at City Hall, which is approximately 1.4 miles from the project site. In 2023, the City has 183 sworn officers and 70 non-sworn Police Department employees, which equates to 1.06 sworn officers per 1,000 residents. In addition, the City's 2024-25 Fiscal Year budget includes one more sworn officer and one more non-sworn Police Department employee.

As described previously, the project site contains a damaged red tagged building with a fenced area along Brookhurst Street and a fenced vacant area between the site parking lot and adjacent residences. The fenced areas and damaged building areas of the site are trespassed upon for activities that result in public safety concerns and the need for policing.

### **Construction**

Crime and safety issues during project construction may include: theft of building materials and construction equipment, malicious mischief, graffiti, and vandalism, which can result in the need for police services. However, the site would have security fencing during construction activities, and onsite materials would be either locked or kept in secure locations and would be limited based on the materials needed during each phase of construction, which would reduce these concerns during the 12-18 month construction period to a less than significant level. In addition, new construction activity on the project site would not allow the site to continue to be used for trespassing; and would therefore eliminate the existing security concern on the project site. No mitigation measures are required.

### **Operation**

Redevelopment of the project site would result in approximately 106 persons onsite, which would replace the restaurant employees and patrons. The 106 residents at full capacity would be a maximum increase of 0.06% of the City's population. Based on the City's existing ratio of 1.06 sworn officers per 1,000 residents, the 106 residents at full capacity would result in the need for 0.11 percent (0.11%) of a new officer, which is within the

City's anticipated need for one additional officer. During operation, the project is anticipated to generate a typical range of police service calls, such as vehicle break-ins, residential thefts and disturbances, and vandalism. Security concerns would be addressed by providing low-intensity security lighting. Also, pursuant to the City's existing permitting process, the Police Department would review the project's site plans to ensure that design measures are incorporated appropriately to provide a safe environment.

Due to the redevelopment nature of the project site that is 1.4 miles from the Police Department headquarters, within an area that is already served, the increase would not be significant when compared to the current demand levels. Due to the location of the Police Department headquarters in relation to the project site, within an area that is already served, law enforcement personnel are anticipated to be able to respond in a timely manner to emergency calls from the project site. In addition, the new townhomes on the project site would eliminate the existing trespassing security concern on the project site, and the related need for police services. Overall, the needs for law enforcement services from the proposed project would result in 0.11 percent of an officer that would not require construction or expansion of the Police Department facilities. Thus, the project would not result in the need for new or physically altered police protection facilities, and substantial adverse physical impacts associated with the provision of new or expanded facilities would be less than significant. No mitigation measures are required.

### Schools?

**Less than Significant Impact.** The project area is in the Garden Grove Unified School District (GGUSD), which serves a 28-square mile area with 65 schools. The Sunnyside Elementary School that is located across Brookhurst Street and 600 feet to the southwest of the project site would likely service the project site along with the following schools identified by the GGUSD website school locator:

- Sunnyside Elementary School, at 9972 Russell Avenue; 600 feet to the southwest of the site
- Mitchell Elementary School, at 13451 Taft Avenue; 1.0 mile east of the project site
- Jordan Intermediate, at 9821 Woodbury Road; 0.9 mile north of the project site
- Garden Grove High School, at 11271 Stanford Avenue; 2.0 miles north of the project site

Development of the project would generate a new student population on the project site, who would generally (unless homeschooled or attending a private school) attend one of the four (4) schools listed above. This would generate additional students to be served at local public schools. However, the need for additional school facilities is addressed through compliance with school impact fee assessment SB 50 (Chapter 407 of Statutes of 1998). SB 50 sets forth a state school facilities construction program, in which school districts (including GGUSD) collect fees at the time of issuance of building permits for development projects. The existing GGUSD development impact fee is \$4.79 per square foot for all new residential development. In addition, pursuant to Government Code Section 65995 payment of the school impact fees provides full and complete mitigation of school impacts. As a result, impacts related to school facilities from the increase in students related to the project would be less than significant with the Government Code required fee payments. Consistent with the requirement, the payment of school fees is listed below as an existing regulation that reduces potential impacts. No mitigation measures are required.

## Parks

**Less than Significant Impact.** The City currently maintains 13 parks and uses five (5) public schools as additional park facilities through joint-use agreements with the GGUSD, totaling 157.1 acres of parkland throughout the City. The General Plan Parks, Recreation, and Open Space Element requires the provision of 2 acres of parkland per 1,000 residents.

The project would develop 30 residential townhomes on the project site, which would result in a new resident population of approximately 106 persons that would utilize park and recreational facilities. As described in the project description, the project includes a 4,322 square foot central active open space recreation area with shade structures, BBQs and ADA picnic tables, and raised herb garden areas. Also, approximately 9,578 square feet of open space landscape areas would be provided, including a paseo with bench seating and shade trees that would connect the central open space area to residences. The new resident population would likely utilize the onsite open space and recreation areas; in addition to other existing nearby park facilities.

GGMC Sections 9.40.140 and 9.44.030 require that 2 acres of City parks per 1,000 persons existing within the City be dedicated to local parks. As described previously, the project is estimated to result in 106 new residents at full occupancy. This would create a City requirement for dedication of 0.212 acre (9,235 square feet) of parkland and/or payment of park fees pursuant Section 9.40.140 of the City's Municipal Code, which provides an in-lieu fee and parkland dedication requirements for development projects. Because the project would provide both onsite park and recreation facilities and payment of the in-lieu fee for park and recreation, impacts related to the expanded need for parks due to the project would be less than significant. No mitigation measures are required.

### Other public facilities?

**Less than Significant Impact.** Other public facilities include libraries. The County of Orange operates 3 public libraries in the City, which include:

- Garden Grove Main Library, located at 11200 Stanford Avenue, located 1.6 miles from the project site;
- Garden Grove/Chapman Library, located at 9182 Chapman Avenue, located 2.1 miles from the project site; and
- Garden Grove Tibor Rubin Library, located at 11962 Bailey Street, located 6.3 miles from the project site.

Library service needs are changing with increasing resources available online and the availability of high-speed internet services. Therefore, the 30 new townhomes on the project site do not necessarily have an incremental increased need for library resources/services or square footage of library space. The project would install internet infrastructure and a majority of the residential units would likely have internet service and a majority of residents are likely to have cell phone service with internet access, which provides access to many of the same resources provided by the library and would limit the increased need for library services and resources. Therefore, the project would result in less than significant impacts related to library services. No mitigation measures are required.

### Existing Regulations that Reduce Potential Impacts

The following existing regulations would reduce potential impacts related to public services.

**Schools Development Impact Fee:** The project will be required to pay applicable development fees levied by the Garden Grove Unified School District pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.407) to offset these impacts on school facilities resulting from new development.

**Park and Recreation Impact Fee:** The project will be required to pay applicable City development impact fees for park and recreational facilities pursuant to Municipal Code 9.44.030 In-Lieu Park Fees, which are imposed on each development project to offset the cost of providing increased park and recreation facilities.

### **Mitigation Measures**

No mitigation measures related to public services are required.

### **References**

California Department of Education. Accessed: <https://www.cde.ca.gov/ds/>

City of Garden Grove Biannual Budget 2023-25. Accessed: [https://ggcity.org/sites/default/files/fy-2023-25-proposed-biennial-budget\\_0.pdf](https://ggcity.org/sites/default/files/fy-2023-25-proposed-biennial-budget_0.pdf)

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code. Accessed at:  
[https://library.qcode.us/lib/garden\\_grove\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/garden_grove_ca/pub/municipal_code)

City of Garden Grove Website Parks and Facilities Page. Accessed: <https://ggcity.org/community-services/parks-and-facilities>

Garden Grove Police Department. Accessed: <https://ggcity.org/police>

Garden Grove Unified School District Accessed: <https://www.ggusd.us/>

Orange County Fire Authority Website. Accessed: <https://ocfa.org/>

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**16. RECREATION.**

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of the facility would be accelerated?**

**Less than Significant Impact.** The project would develop 30 townhome residences on the project site, which would result in a resident population of approximately 106 people that would utilize park and recreational facilities. As described in the project description, the project includes a 4,322 square foot central active open space recreation area with shade structures, BBQs and ADA picnic tables, and raised herb garden areas. Also, approximately 9,578 square feet of open space landscape areas would be provided, including a paseo with bench seating and shade trees that would connect the central open space area to residences. Based on the limited number of residents at full capacity of the project, the project is not anticipated to increase the use of existing parks and recreation facilities such that substantial physical deterioration of the facility would occur or be accelerated.

In addition, as described previously, the GGMC Section 9.40.140 requires payment of park fees prior to the issuance of a building permit. Thus, by payment of the required park fees, the project would provide funding to offset any increased usage at park and recreation facilities. Overall, the project would not result in substantial physical deterioration of park and recreation facilities, and impacts would be less than significant. No mitigation measures are required.

**b) Require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**Less than Significant Impact.** As described in the project description, the project includes a 4,322 square foot central active open space recreation area with shade structures, BBQs and ADA picnic tables, and raised herb garden areas. Also, approximately 9,578 square feet of open space landscape areas would be provided, including a paseo with bench seating and shade trees that would connect the central open space area to residences. The impacts of development of these recreational amenities are evaluated herein as part of the impacts of the project as a whole and are analyzed throughout the various sections of this document. For

example, activities such as excavation, grading, and construction, as required for the recreational components of this project, are analyzed in the Air Quality, Greenhouse Gas Emissions, Noise, and Transportation sections.

In addition, while the project would contribute park development fees pursuant to GGMC Section 9.40.140 to be used towards the future expansion or maintenance parks and recreational facilities, these fees are standard with every residential development, and the project would not require the construction or expansion of other recreational facilities that might have an adverse physical effect on the environment. As a result, impacts would be less than significant. No mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to recreation.

**Park and Recreation Impact Fee:** Listed previously in Section 15, *Public Services*.

### **Mitigation Measures**

No mitigation measures related to recreation are required.

### **References**

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code. Accessed at:  
[https://library.qcode.us/lib/garden\\_grove\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/garden_grove_ca/pub/municipal_code)

City of Garden Grove Website Parks and Facilities Page. Accessed: <https://ggcity.org/community-services/parks-and-facilities>

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>17. TRANSPORTATION.</b> Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on the LOS Screening Analysis (Appendix B) and the Vehicle Miles Traveled (VMT) Screening Analysis (Appendix H) prepared by EPD Solutions, Inc.

**Traffic Thresholds**

Senate Bill (SB) 743 was signed by Governor Brown in 2013 and required the Governor’s Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating Transportation impacts. SB 743 specified that the criteria should promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks and a diversity of land uses. The bill also specified that delay-based Level of Service (LOS) could no longer be considered an indicator of a significant impact on the environment.

**VMT Threshold.** CEQA Guidelines Section 15064.3 - Determining the Significance of Transportation Impacts, provides lead agencies with the discretion to choose the most appropriate methodology and thresholds for evaluating VMT. The City of Garden Grove Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment provides screening thresholds to identify projects that would have a less than significant impact on VMT, which include being within a Transit Priority Area, being within a low traffic analysis zone (TAZ) or being a local-serving project.

**a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less than Significant Impact**

**Construction**

Construction activities associated with the project would generate vehicular trips from construction workers traveling to and from the project site and delivery and hauling of construction supplies to, and debris and recyclable solid waste from, the project site. The CalEEMod modeling completed for the project (Appendix A)



details that the building construction phase would generate the most vehicular trips, with a total of 44 worker and 6 vendor trips per day. As detailed in Table 2, *Construction Schedule*, building construction would occur over 200 working days. Should all of the workers and vendors arrive and leave the site during the AM and PM peak hours, it would result in 25 trips per peak hour. The construction related trips would generally travel from SR-22 to Brookhurst Street to access the project site during the 12–18-month construction period.

As detailed below, operation of the existing restaurant building on the site resulted in 618 daily trips, with 80 during the p.m. peak hour. The 25 trips per day, even if all occurring within the p.m. peak hour during maximum construction activities would be much less than operation of the existing structure. Therefore, construction of the project would not result in an increase in traffic on roadway facilities, such that it could conflict with a program, plan, ordinance, or policy addressing the circulation system. Impacts would be less than significant. No mitigation measures are required.

**Operation**

**Roadway Facilities.** The proposed project would redevelop the project site with 30 new residential townhomes with onsite parking facilities. A project trip generation was prepared using trip rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (2021) for Single Family Attached Housing (ITE Land Use Code 215). As shown in Table T-1, operation of the proposed 30 residential townhomes is forecast to generate 216 daily vehicle trips, 14 a.m. and 17 p.m. peak hour vehicle trips. This is a limited number of trips that would not result in an increase in traffic on roadway facilities, such that it could conflict with a program, plan, ordinance, or policy addressing the circulation system.

**Table T-1: Project Trip Generation**

Land Use	Units	Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
<b>Trip Rates</b>								
Proposed Single Family Attached Housing <sup>1</sup>	DU	7.20	0.12	0.36	0.48	0.34	0.23	0.57
<b><u>Proposed Project Trip Generation</u></b>								
Single Family Dwelling Unit	30 DU	216	4	11	14	10	7	17

Source: Level of Service Screening Analysis, Appendix B.

TSF = Thousand Square Feet

DU = Dwelling Unit

<sup>1</sup> Trip rates from the Institute of Transportation Engineers, *Trip Generation*, 11th Edition, 2021. Land Use Code 215 - Single Family Attached Housing.

As detailed in the project description, the project site contains a damaged 6,367 square foot restaurant building that has been red tagged by the City. A comparison of the traffic generated by the 6,367 square foot restaurant and the proposed 30 residential townhomes has been included. As shown in Table T-2, the proposed project would result in 402 fewer daily trips, 5 more a.m. peak hour trips, and 63 fewer p.m. peak hour trips than the operation of a 6,367 square foot restaurant. Thus, the proposed change in use would not result in a roadway circulation related conflict with an applicable plan, ordinance or policy. No mitigation measures are required.

**Table T-2: Project Trip Generation Comparison**

Land Use	Units	Daily	AM Peak Hour			PM Peak Hour			
			In	Out	Total	In	Out	Total	
<b><u>Trip Rates</u></b>									
Existing Fast Casual Restaurant <sup>1</sup>	TSF	97.14	0.72	0.72	1.43	6.9	5.65	12.55	
Proposed Single Family Attached Housing <sup>2</sup>	DU	7.20	0.12	0.36	0.48	0.34	0.23	0.57	
<b><u>Existing Project Trip Generation</u></b>									
Fast Casual Restaurant	6.367 TSF	618	5	5	9	44	36	80	
<b><u>Proposed Project Trip Generation</u></b>									
Single Family Dwelling Unit	30 DU	216	4	11	14	10	7	17	
<b>Net Trip Generation</b>			<b>-402</b>	<b>-1</b>	<b>6</b>	<b>5</b>	<b>-34</b>	<b>-29</b>	<b>-63</b>

Source: Level of Service Screening Analysis, Appendix B.

TSF = Thousand Square Feet

DU = Dwelling Unit

<sup>1</sup> Trip rates from the Institute of Transportation Engineers, *Trip Generation, 11th Edition, 2021*. Land Use Code 930 - Fast Casual Restaurant

<sup>2</sup> Trip rates from the Institute of Transportation Engineers, *Trip Generation, 11th Edition, 2021*. Land Use Code 215 - Single Family Attached Housing.

**Pedestrian Facilities.** Sidewalks currently exist on both sides of Central Avenue and Brookhurst Street. The proposed project would provide for pedestrian circulation by constructing new onsite sidewalks and pathways that would circle the site, provide pedestrian access to the onsite recreation and open space areas, and connect to the existing offsite sidewalks along Central Avenue. The project would provide onsite pedestrian circulation to facilitate use of the existing offsite sidewalks; and therefore, impacts related to pedestrian facilities or a conflict with a program, plan, ordinance, or policy related to pedestrian facilities would not occur. No mitigation measures are required.

**Bicycle Facilities.** Bicycle lanes are located along both sides of Brookhurst Street. The project does not involve changes to the existing bicycle lanes and includes installation of a bicycle rack for community use to encourage bicycle transportation. As a result, the project would not result in impacts related to bicycle circulation, and no mitigation measures are required.

**Transit Service.** Transit service is provided along Brookhurst Street by Orange County Transportation Authority (OCTA) Bus Route 35 with service every 20 minutes during the peak hour. Transit service is also provided along Garden Grove Boulevard, which is 0.25 mile north of the project site. OCTA Bus Route 56 provides service every 30-40 minutes during the peak hour. The existing bus services would provide efficient transportation to and from the site for residents and visitors and has the potential to reduce vehicle miles traveled. In addition, because the project is located along existing bus routes and within an existing mixed-use corridor it would not result in the need to expand the existing transit service area. Overall, impacts related to transit services would not occur from implementation of the proposed project, and no mitigation measures are required.

**b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Less Than Significant Impact.** The City of Garden Grove Traffic Impact Analysis Guidelines for VMT provides screening thresholds to identify projects that would have a less than significant impact on VMT, which include meeting specific criteria within a Transit Priority Area, being within a low TAZ or being a local serving retail project. The project's consistency with these screening thresholds is detailed below.

**Transit Priority Area.** The City's VMT screening thresholds identify that projects in a Transit Priority Area, which are locations within 0.5 mile of an existing major transit stop (an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods) or an existing stop along a high-quality transit corridor would have a less than significant impact on VMT. However, the City guidelines state that the project may not meet the screening threshold if the following project or location specific criteria are not met:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate or high-income residential units.

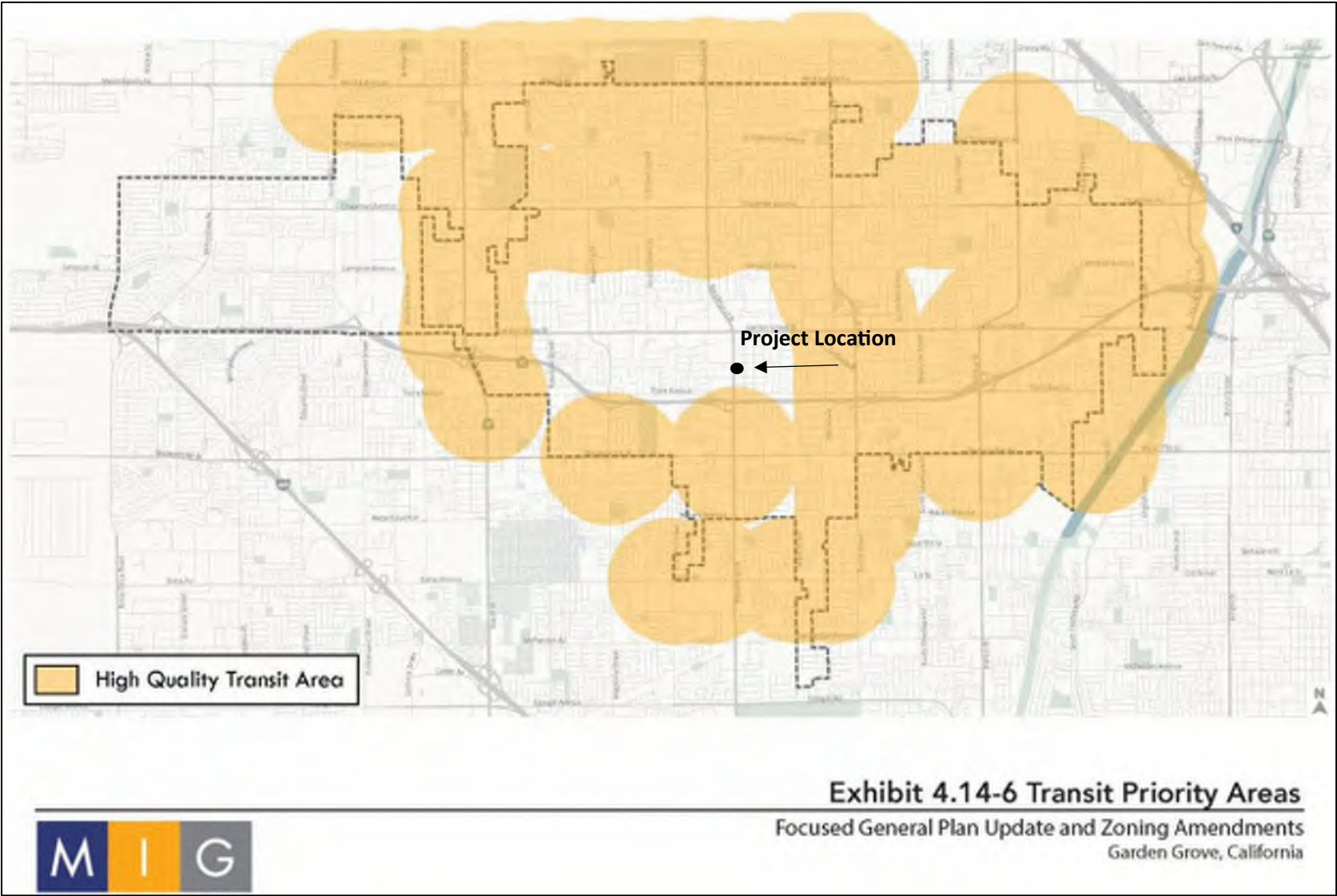
As shown in Figure 17, *Transit Priority Area*, the project site is not located in a Transit Priority Area. However, the proposed project does provide additional affordable residential units, is consistent with the Sustainable Communities Strategy, and does not include more parking than required. Therefore, the project meets some, but not all, of the Transit Priority Area screening criteria.

**Low VMT Traffic Analysis Zone.** The City's VMT screening thresholds identify that projects in a low VMT TAZ would have a less than significant impact on VMT. Per the City of Garden Grove Traffic Impact Analysis Guidelines for VMT and Level of Service Assessment, projects located in Zone 1 areas can be presumed not to have a significant VMT impact and can be screened from VMT analysis. As shown in Figure 18, *Low VMT Generating Traffic Analysis Zones*, the project site is located in Zone 1 that has been identified as having a VMT that is lower than the VMT threshold. Thus, the project meets the low TAZ screening criteria, and impacts would be less than significant. No mitigation measures are required.

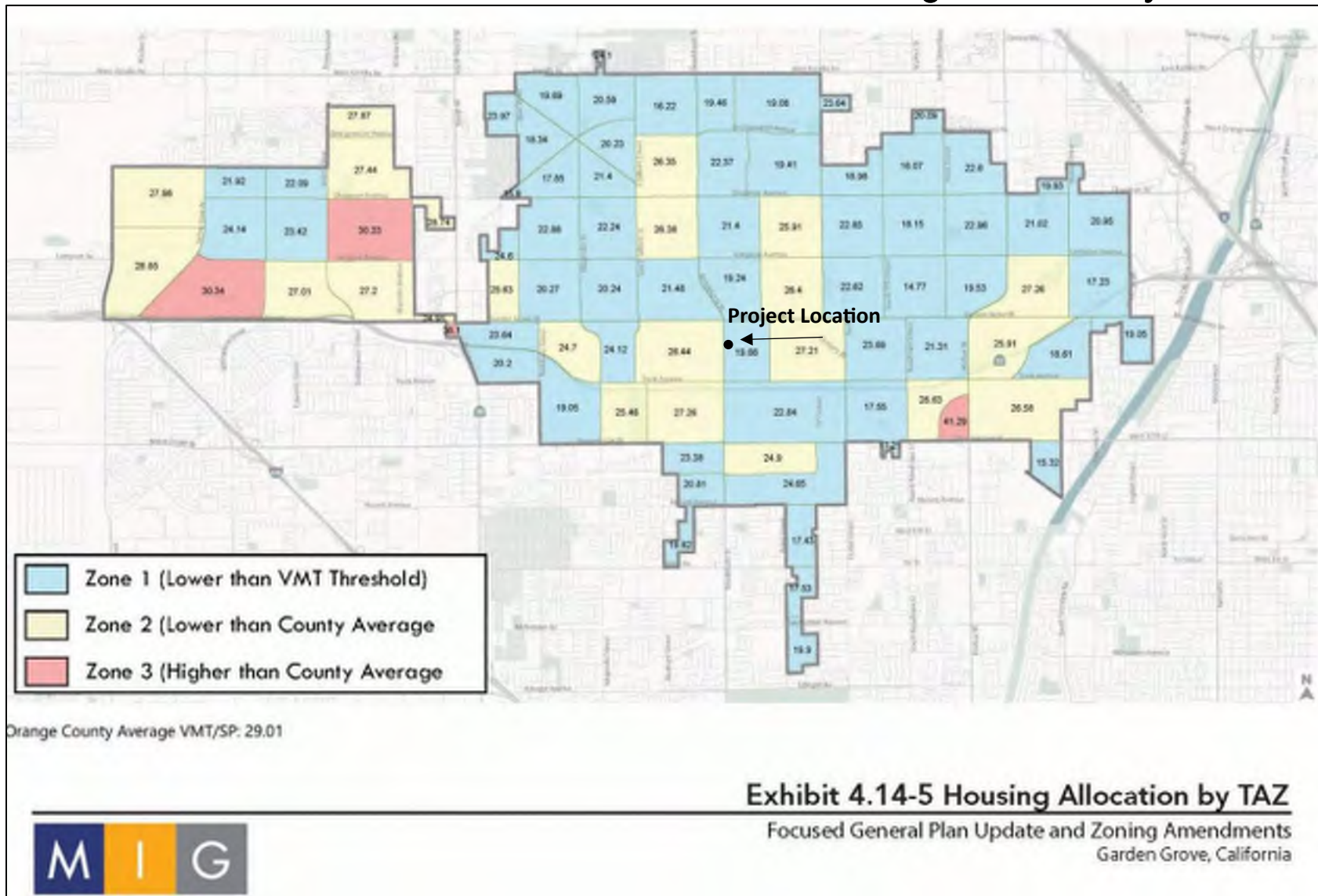
**Local Serving Projects.** The City's VMT screening thresholds identify that "local-serving retail development tends to shorten trips and reduce VMT". The screening thresholds specify that retail development includes stores smaller than 50,000 square feet, such as gas stations, banks, restaurants, and shopping centers. In addition, projects which would generate fewer than 110 average daily vehicle trips would not cause a substantial increase in the total citywide or regional VMT.

As shown in Table T-1, the project would generate 216 daily trips, which is more than 110 daily vehicle trips. However, as shown in Table T-2, this would be a net reduction of 402 daily trips compared to operation of a 6,367 square foot restaurant, under the existing use. The net reduction of 402 vehicular trips is less than 110

# Transit Priority Area Screening



# Low VMT Generating Traffic Analysis Zones



daily vehicle trips, which would meet the local serving projects screening criteria, and impacts would be less than significant. No mitigation measures are required.

Because the project is located within a low VMT TAZ it meets the City's VMT low TAZ screening criteria; and as the project would result in a net reduction of 402 daily trips compared to the restaurant uses on the site, it meets the local serving projects screening criteria. Therefore, the project would result in a less than significant impact on VMT and no mitigation is required.

**c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less Than Significant Impact.** The project includes development of new townhome residences, open space recreation, and circulation and parking. The project includes only residential uses and does not include any incompatible uses, such as farm equipment.

The proposed project area would be accessed from two driveways on Central Avenue. Onsite vehicular circulation would be provided by a drive isle that would be a minimum of 25-feet in width, as shown on Figure 8, *Conceptual Site Plan*. Pedestrian circulation would be provided by an onsite sidewalk that would link the proposed recreation and open space areas, the residences, and the existing offsite sidewalk along Central Avenue that connects to the sidewalk along Brookhurst Street.

The project would also not increase any hazards related to a design feature. The City's construction permitting process includes review of project plans to ensure that no potentially hazardous transportation design features would be introduced by the project. For example, the onsite circulation plan would be reviewed to ensure fire engine accessibility and turn around area is provided to the fire code standards. As a result, impacts related to vehicular circulation design features would be less than significant, and no mitigation measures are required.

**d) Result in inadequate emergency access?**

**Less than Significant Impact**

**Construction**

The proposed construction activities, including equipment and supply staging and storage, would occur within the project site, and would not restrict access of emergency vehicles to the project site or adjacent areas. The installation of new driveways and connections to existing infrastructure systems that would be implemented during construction of the proposed project would not require closure of Brookhurst Street or Central Avenue. Any temporary lane closures needed for utility connections or driveway access construction would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014), as incorporated into a Traffic Management Plan for the project that the City requires for receipt of construction permits. The Traffic Management Plan would include designated haul routes, temporary traffic control devices, travel time restrictions, and other elements determined through the construction review and permitting process by the City's Public Works Division that would ensure that substantial traffic queuing along Brookhurst Street or Central Avenue would not occur, and that all construction equipment would be staged on site. Thus, implementation of the project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access impacts to a less than significant level. No mitigation measures are required.

**Operation**

Operation of the project would also not result in inadequate emergency access. The project driveways and internal access would be required through the City's permitting procedures to meet the City's design standards and provides adequate turning space for passenger cars, fire trucks, and delivery trucks. The project is also required to provide fire suppression facilities (e.g., hydrants and sprinklers). The City would review the development plans as part of the permitting procedures to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), included in GGMC Chapter 18.04 and as amended in Chapter 18.16. As a result, impacts related to inadequate emergency access would not occur. No mitigation measures are required.

**Existing Regulations that Reduce Potential Impacts**

There are no existing regulations related to transportation that are applicable to the project.

**Mitigation Measures**

No mitigation measures related to transportation are required.

**References**

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Municipal Code. Accessed at:  
[https://library.qcode.us/lib/garden\\_grove\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/garden_grove_ca/pub/municipal_code)

Level of Service (LOS) Screening Analysis, prepared by EPD Solutions, Inc., Appendix B.

Vehicle Miles Traveled (VMT) Screening Analysis, prepared by EPD Solutions, Inc., Appendix H.

<p><b>Potentially Significant Impact</b></p>	<p><b>Less Than Significant with Mitigation Incorporated</b></p>	<p><b>Less Than Significant Impact</b></p>	<p><b>No Impact</b></p>
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**18. TRIBAL CULTURAL RESOURCES.**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- |  |                          |                                     |                          |                                     |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</p>   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**Assembly Bill 52 and Senate Bill 18**

Chapter 532, Statutes of 2014 (i.e., Assembly Bill [AB] 52), requires that Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include “[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical resources or included in a local register of historical resources.” AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a “tribal cultural resource.”

Per AB 52 (specifically PRC 21080.3.1), Native American consultation is required upon request by a California Native American tribe that has previously requested that the City provide it with notice of such projects. Also, Senate Bill (SB) 18 requires local governments to consult with California Native American Tribes before amending or adopting any general plan or specific plan or designating land as open space for the purpose of protecting traditional tribal cultural places or sacred sites. The proposed project includes a General Plan land use amendment and a zone change; thus, it is subject to the requirements of SB 18. Pursuant to the requirements of AB 52 and SB 18, the City sent informational letters about the project and requests for consultation to each tribe on the City’s list of tribes requesting consultation on July 25, 2023.



In addition, the NAHC was contacted on July 24, 2023, to request a Sacred Lands File (SLF) search and list of potential Native American contacts for consultation for the project. The NAHC responded on August 21, 2023 stating that the result of the SLF search was negative and provided a list of tribes with traditional lands or cultural places located within the County. The list included five tribes that are not on the City's list of tribes that request consultation (i.e. AB 52 consultation list). Pursuant to the requirements of SB 18, the City sent informational letters about the project and requests for consultation to the additional five tribes identified by the SLF search September 13, 2023.

On July 26, 2023, the Gabrieleno Band of Mission Indians – Kizh Nation responded and requested consultation regarding the project. The Kizh Nation representative stated that the Tribe has consulted on numerous projects within the City of Garden Grove, suggested that consultation with the City proceed via email, and stated that historical information and mitigation measures would be submitted. No other responses were received from other tribes.

The City Planning Services Division responded to the Gabrieleno Band of Mission Indians – Kizh Nation on July 27, 2023 providing concurrence to proceed with the email consultation process and requesting submittal of information related to existence of potential resources on or near the project site. The Tribe then emailed regional maps and confidential information regarding regional tribe activities. The information provided was evaluated, and it was determined that the project site location is not near any of the village locations, trade routes, or waterways shown in the maps or textual discussions provided by the Tribe. However, the general Los Angeles and Orange County region was identified as part of the Gabrieleno homeland. In response to the City's determination the Gabrieleno Band of Mission Indians – Kizh Nation requested a conference call with the City Planning Services Division, which occurred on August 24, 2023. During this call the Gabrieleno Band of Mission Indians – Kizh Nation Tribe representatives described that although the site is not near any of the known village locations, trade routes, or waterways, the entire City of Garden Grove is within the Tribe's traditional land area and that tribal cultural resources have been found within the region within previously developed sites, such as the project site.

Overall, the information and mapping provided by the Tribe does not provide substantial evidence that the proposed project may have a significant impact on tribal cultural resources, and the potential for resources is lower because the site is located more than two miles away from a water body and is not near a known trade route. However, due to regional historic activities by the Gabrielenos, measures related to avoid potentially impacting tribal cultural resources that may be inadvertently unearthed from native soils during the project's ground disturbing activities have been included. Mitigation Measure TCR-1 requires conducting a Native American Indian Sensitivity Training for construction personnel prior to the start of construction activities, and provides procedures to be followed in the event that potential tribal cultural resources are uncovered. With implementation of Mitigation Measure CUL-1 (as included previously in Section 5, *Cultural Resources*) and Mitigation Measure TCR-1, as listed below, potential impacts related to tribal cultural resources would be less than significant. Therefore, impacts would be less than significant with incorporation of mitigation.

**a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?**

**No Impact.** As described previously in Section 5, *Cultural Resources*, the project site does not contain any known historical resources. The project site was used for residential purposes since the 1930s, prior to its development for restaurant uses. The project site does not include cultural resources listed/eligible for listing in

the Register of Historical Resources, or in local registers. Therefore, the project would not result in impacts to historic resources that are listed or eligible for listing, and no mitigation is required.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

**Less than Significant with Mitigation Incorporated.** The project site is developed with a restaurant building and was previously developed with residences. As described previously in Section 5, *Cultural Resources*, and detailed by the Geotechnical Evaluation, the site has approximately 4 to 7 feet of fill material across the site. It is possible that the fill soils could be native soils that were excavated and recompacted. As a result of the previous onsite soils disturbance, there is reduced potential for the project to impact previously unknown tribal cultural resources. However, undiscovered resources could exist in the previously excavated and compacted fill soils, and project excavation is anticipated to extend to a depth of approximately 8 feet below the existing ground surface and could extend into previously undisturbed native soils.

Therefore, Mitigation Measure CUL-1, as listed previously in Section 5, *Cultural Resources*, has been included to provide procedures to be followed in the unlikely event that potential archaeological resources are discovered during grading, excavation, or construction activities. In addition, to avoid potential impacts to unknown buried tribal cultural resources that could be located in native fill or previously undisturbed native soils, Mitigation Measure TCR-1 has been included to provide for Native American resource sensitivity training and to prescribe activities should any inadvertent discoveries of tribal cultural resources be unearthed by project construction activities. Mitigation Measures CUL-1 and TCR-1 would reduce potential impacts to tribal cultural resources to a less than significant level.

Additionally, as described previously, California Health and Safety Code Section 7050.5 requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, with implementation of Mitigation Measures CUL-1 and TCR-1 and the existing regulations, impacts to tribal cultural resources would be less than significant.

### **Existing Regulations that Reduce Potential Impacts**

The following existing regulation would reduce potential impacts related to tribal cultural resources.

**Human Remains:** California Health and Safety Code Section 7050.5, detailed previously in Section 5, *Cultural Resources*.

### **Mitigation Measures**

**Mitigation Measure CUL-1:** Listed previously in Section 5, *Cultural Resources*.

**Mitigation Measure TCR-1: Native American Monitoring.** The project's grading and construction plans and specifications shall state that, prior to commencement of any ground disturbing activities, a Native American

monitor approved by the Gabrielino Band of Mission Indians – Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 (the “Tribe” or the “Consulting Tribe”) shall be retained for the proposed project. A copy of the executed contract shall be submitted to the City of Garden Grove Planning Services Division and Building and Safety Division prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribe shall be contracted to conduct a Native American Indian Sensitivity Training for construction personnel prior to the start of construction activities. The training session shall include a handout and shall focus on how to identify Native American resources encountered during earthmoving activities and the procedures to be followed if resources are discovered.

In the event that tribal cultural resources are inadvertently discovered during ground-disturbing activities, work shall be halted within 50 feet of the find until it can be evaluated by a qualified archaeologist in cooperation with a Tribal Monitor approved by the Consulting Tribe to determine if the potential resource meets the CEQA definition of historical (CEQA Guidelines 15064.5(a)) and/or unique resource (Public Resources Code Section 21083.2(g)), and/or a “nonunique archeological resource” that conforms with the criteria of Public Resources Code section 21074(a). (Public Resources Code section 21074(c), Public Resources Code section 21083.2(h)).

If the find is considered a “historical resource,” a “unique archaeological resource,” or a “nonunique archeological resource” that conforms with the criteria of Public Resources Code section 21074(a), the qualified archaeologist, in cooperation with a Native American monitor, shall pursue either preservation in place or recovery, salvage and treatment of the resource. Recovery, salvage, and treatment protocols shall be developed by the qualified archeologist in accordance with applicable provisions of Public Resources Code Section 21083.2 and CEQA Guidelines 15064.5 and 15126.4. If a resource, as defined above, is not Native American in origin, cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the project applicant’s expense. All recovered and salvaged resources shall be identified and permanently preserved in an established accredited professional repository. If the resources are Native American in origin, the Consulting Tribe shall retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. Prior to commencement of grading activities, the Director of the City Community and Economic Development Department, or designee, shall verify that all project grading and construction plans require the Native American Sensitivity Training and the treatment of resources as specified in this mitigation measure.

## **References**

California State Parks Office of Historic Preservation. California Register of Historical Resources.  
<https://ohp.parks.ca.gov/ListedResources/>

City of Garden Grove General Plan. Accessed at: <https://ggcity.org/planning/general-plan>

City of Garden Grove Focused General Plan Update and Zoning Amendments Draft Environmental Impact Report (SCH# 2021060714), 2021. Accessed: <https://ceqanet.opr.ca.gov/Project/2021060714>

National Park Service. National Register of Historic Places  
<https://www.nps.gov/subjects/nationalregister/database-research.htm>

Geotechnical Evaluation, prepared by Geotek (Geo 2022).

Phase I Environmental Site Assessment, prepared by Partner Engineering and Science, Inc, 2022 (Phase I 2022).

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**19. UTILITIES AND SERVICE SYSTEMS.**

Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**a) Require or result in the relocation or construction of new or expanded water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less than Significant Impact**

**Water Infrastructure.** The project site is developed and connected to the existing water infrastructure system. The existing water infrastructure adjacent to the project site includes 6-inch and 4-inch water lines in Central Avenue and a 14-inch water main in Brookhurst Street. The project would redevelop the project site and water lines that currently exist in Central Avenue would provide water supplies to the site. The project would install a new onsite water line that would loop through the project site conveying water supplies to each of the proposed townhomes. As described below in Response d), the project would result in a water demand increase of approximately 15,052 gallons per day. This demand would be accommodated by the existing water lines. Thus, the project would receive water supplies through the existing water line in the Central Avenue right-of-way, which would not require expansion to serve the project. Although construction of the onsite water lines would be required to support the new development, no extensions or expansions to the water pipelines supplying the

project site would be required. The necessary installation of the onsite water supply lines is included as part of the project and would not result in any physical environmental effects beyond those identified in other sections of this IS/MND. For example, construction emissions for excavation and installation of the water infrastructure is included in Section 3, *Air Quality* and Section 8, *Greenhouse Gas Emissions*. Therefore, the project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant. No mitigation measures are required.

**Wastewater Infrastructure.** The project site is developed and connected to the existing 6-inch sewer line in Central Avenue. The project would install onsite sewer lines that would connect to existing sewer lines within the Central Avenue right-of-way, which has adequate capacity to serve the new residential townhomes on the site. The construction activities related to installation of the onsite sewer infrastructure that would serve the proposed project, are included as part of the proposed project and would not result in any physical environmental effects beyond those identified throughout this IS/MND. For example, construction emissions for excavation and installation of the sewer infrastructure is included in Section 3, *Air Quality* and Section 8, *Greenhouse Gas Emissions*, and noise volumes from these activities are evaluated in Section 13, *Noise*.

In addition, as detailed below in Response C, the existing wastewater treatment plant that serves the project site has an additional capacity of 200 MGD, which would accommodate the wastewater flow from the project site. As the proposed project includes facilities to serve the proposed development and the wastewater treatment plant has capacity to serve the site, the proposed project would not result in the need for construction of other new wastewater facilities or expansions, the construction of which could cause significant environmental effects. Therefore, impacts would be less than significant, and no mitigation measures are required.

**b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**Less than Significant Impact.** The City's Urban Water Management Plan (UWMP) describes that the City relies on 50 percent (50%) groundwater from 13 wells in the Orange County groundwater basin and 50 percent (50%) imported water from the Metropolitan Water District of Southern California. The UWMP projects that by 2045, the population of the City would increase by 4.8 percent (4.8%) and the City's water supply portfolio will change to approximately 85 percent (85%) groundwater and 15 percent (15%) imported water, but that the City could purchase more imported water as needed. The City also operates 8 storage and distribution reservoirs at 5 sites with a combined capacity of 53 million gallons (MG). The storage volume is the equivalent of more than 2 days average use and is more than adequate for peaking demands and firefighting needs (UWMP 2020).

The 2020 UWMP describes that City's water use in 2020 was comprised of 64.8 percent (64.8%) residential, 24.5 percent (24.5%) commercial/industrial/institutional, 2.9 percent (2.9%) large landscape/irrigation, and 7.7 percent (7.7%) other uses; and that water demand is likely to increase 2.8 percent (2.8%) over the next 5 years. The 2020 UWMP shows that the City's water demand in 2020 was 21,979 acre-feet yearly (AFY) and is projected to increase to 22,792 AFY by 2045. This is an increase of 813 AFY and assumes continued operation of the vacant restaurant on the Project site.

The project would develop the site with 30 residential units, which would house approximately 106 residents, as described in Section 13, *Population and Housing*. The 106 new onsite residents would be 1.3 percent (1.3%) of the 2020 UWMP anticipated increase in population (Table 3-2). The project would result in a water demand

of approximately 15,052 gallons per day (16.9 AFY) using the 2020 baseline water use rate of 142 GPCD in the 2020 UWMP, which is a conservative assumption as the City used 93 GPCD in 2020. This represents 1.7 percent (1.7%) of the City's anticipated increase in water demand between 2020 and 2030, not including the reduction of water from removal of the restaurant (although currently vacant, the City's 2020 UWMP anticipates water demand from the existing commercial use of the site). Therefore, the City has sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry, and multiple dry years. In addition, the project would implement a number of water conservation measures as required by Cal/Green and Title 24 requirements, such as use of water efficient plumbing fixtures and irrigation systems, routing runoff to landscape areas, and provision of separate meters for each residence. Overall, impacts related to water resources would be less than significant. No mitigation measures are required.

**c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less than Significant Impact.** The vacant restaurant is connected to the existing sewer system and used to generate wastewater during operation. The proposed residential townhomes would generate new wastewater, which would be conveyed through existing sewer facilities to OCSD's wastewater treatment plant No. 1 in Fountain Valley that has a capacity of 320 million gallons per day (MGD). In 2022, the estimated average daily flow received at the wastewater treatment plant No. 1 was 120 MGD. Thus, the plant has an additional capacity of 200 MGD.

As detailed previously, the project site currently generates wastewater that is treated by the OCSD facilities. The project is anticipated to generate a water demand of 15,052 gallons per day, some of which would be used for landscaping and other uses and would not enter the sewer system. However, assuming the maximum water from the project becomes wastewater, the 15,052 gallons would be accommodated by the OCSD's excess capacity. Therefore, impacts related to the wastewater treatment system would be less than significant. No mitigation measures are required.

**d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals?**

**Less than Significant Impact.** In 2019, most of the solid waste from the City, which was disposed of in landfills, went to either the Olinda Alpha Sanitary Landfill or the Frank Bowerman Sanitary Landfill (Calrecycle 2023).

The Olinda Alpha Sanitary Landfill is permitted to accept 8,000 tons per day of solid waste and is permitted to operate through 2036. In March 2023 the maximum tonnage accepted was 6,639 tons, which is 1,361 tons less than the allowable tonnage. The Frank Bowerman Sanitary Landfill is permitted to accept 11,500 tons per day of solid waste and is permitted to operate through 2053. In May 2023, the landfill had a maximum tonnage of 8,180; thus, having an average daily additional capacity of 3,320 tons per day (Calrecycle SWIS 2023).

### **Construction**

Project construction would generate solid waste for landfill disposal in the form of demolition debris from the removal of the existing building, pavement, and infrastructure that would be removed from the site. Construction waste in the form of packaging, used construction materials, and remnant materials would also be generated by construction of the proposed project. Demolition activities would generate the most construction debris. Based on the CalEEMod User Guide Appendix C: Emission Calculation Details for CalEEMod generation factors, the project would generate approximately 295.88 tons of debris over a four-day hauling period. This

would result in an average of 73.97 tons of solid waste demolition debris per day for four days. However, the California Green Building Standards Code requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Thus, the demolition and construction solid waste that would be disposed of at the landfill would be approximately 35 percent of the waste generated. Therefore, demolition activities, which would generate the most solid waste would generate approximately 25.89 tons of solid waste per day for four days.

As described above, the Olinda Alpha Sanitary Landfill has an average daily additional capacity of 1,361 tons per day and the Frank Bowerman Sanitary Landfill has an average daily additional capacity of 3,320 tons per day (Calrecycle 2023), which is sufficient permitted capacity to accommodate the additional 25.89 tons of demolition waste per day for four days that would result from the project. Thus, construction impacts related to landfill capacity would be less than significant, and no mitigation measures are required.

### **Operation**

The CalEEMod solid waste generation rate for single-family residential land use is 0.41 tons per resident per year. Based on this, the 30 proposed townhomes and 106 new residents on the site would generate 43.46 tons per year, which equates to 0.84 tons of solid waste per week or 240 pounds per day. However, based on the current recycling requirements, which require diversion of 75 percent (75%) of solid waste away from landfills, the project would result in an increase of 420 pounds of solid waste per week (60 pounds per day) being disposed of in landfills. Thus, it is anticipated that the increase of solid waste landfill disposal from operation of the project would be approximately 420 pounds per week. As described above, the Olinda Alpha Sanitary Landfill has an average daily additional capacity of 1,361 tons per day and the Frank Bowerman Sanitary Landfill has an average daily additional capacity of 3,320 tons per day (Calrecycle 2023), which is sufficient permitted capacity to accommodate the additional solid waste disposal needs that would result from the project, and impacts related to landfill capacity would be less than significant. No mitigation measures are required.

### **e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**No Impact.** The proposed project would result in new development that would generate an increased amount of solid waste. All solid waste-generating activities within the City is subject to the requirements set forth in Section 5.408.1 of the California Green Building Standards Code and the City's Municipal Code Section 18.60.040 that requires demolition and construction activities to recycle or reuse a minimum of 75 percent (75%) of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent (75%) of operational solid waste. Implementation of the proposed project would be consistent with all state regulations, as ensured through the City's development project permitting process. Therefore, the proposed project would comply with all solid waste statutes and regulations; and impacts would not occur. No mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

The following existing regulations would reduce potential impacts related to utilities and service systems.

**Construction Waste.** The City's Municipal Code Section 18.60.040, Minimum Construction and Demolition Waste Diversion Requirements. Construction plans and specifications shall implement reuse, recycling, and/or diversion of the minimum percentage amount of designated recyclable and reusable materials as set forth by the CALGreen (Part 11 of Title 24, California Code of Regulations).



## **Mitigation Measures**

No mitigation measures related to utilities and service systems are required.

## **References**

CalEEMod User Guide Appendix C: Emission Calculation Details for CalEEMod Version 2022.1, April 2022. Accessed: [https://www.caleemod.com/documents/user-guide/04\\_Appendix%20C.pdf](https://www.caleemod.com/documents/user-guide/04_Appendix%20C.pdf)

CalRecycle Disposal Reporting System: Jurisdiction Tons by Facility (Calrecycle 2023). Accessed at: <https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility>

Calrecycle Solid Waste Information System (SWIS) Database (Calrecycle SWIS 2023). Accessed: <https://calrecycle.ca.gov/SWFacilities/>

City of Garden Grove 2020 Urban Water Management Plan. Accessed: <https://ggcity.org/sites/default/files/Garden%20Grove%202020%20UWMP%20FINAL-2021.06.29.pdf>

Orange County Sanitation Districts, Regional Sewer Service, Facts, and Key Statistics. Accessed: <http://www.ocsd.com/services/regional-sewer-service>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>20. WILDFIRES.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** The project site is developed and within an urbanized residential and commercial area of the City of Garden Grove. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas. According to the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. Also, as described previously, the proposed project area would be accessed from two driveway locations on Central Avenue. Permitting of the driveways and onsite circulation would provide adequate and safe circulation to, from, and through the project site that would provide appropriate emergency access and evacuation routes. Because the project is required to comply with the California Fire Code (included as GGMC Chapter 18.04 and as amended in GGMC Chapter 18.16), as verified by the City’s permitting process, potential impacts related to impairment of an emergency response or evacuation plan would not occur. No mitigation measures are required.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact.** The project site is largely developed and within an urbanized residential area of the City of Garden Grove. The project site is surrounded by developed and urban areas. The project site is not adjacent to any wildland areas, and as determined by the CAL FIRE Hazard Severity Zone map, the project site is not within a fire hazard zone. In addition, the project site is flat and within a flat area. The site is adjacent to two roadways, a stucco commercial building and existing residences. There are no factors on or adjacent to the project site that would exacerbate wildfire risks. Thus, no impacts related to other factors that would expose persons on site to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire would occur from the project. No mitigation measures are required.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact.** As described previously, the project site is largely developed and within a developed and urban area that is not within a wildfire hazard zone. The project does not include any infrastructure that would exacerbate fire risks. In addition, the project would provide internal circulation and fire suppression facilities (e.g., hydrants and sprinklers) that conform to the California Fire Code requirements, included in GGMC Chapter 18.04 and as amended in GGMC Chapter 18.16, as verified through the City's permitting process. Therefore, impacts related to infrastructure that could exacerbate fire risks would not occur with the proposed project. No mitigation measures are required.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No Impact.** As described previously, the project site is largely developed and within a developed and urban area that is not within a wildfire hazard zone. In addition, the project site is flat and surrounded by flat areas. There are no slope or hillsides that would become unstable. The project would install onsite drainage that would convey stormwater above the 85<sup>th</sup> percentile to the proposed bioretention planter and then to the existing storm drain that is adjacent to the site, which is consistent with the existing condition. Therefore, impacts related to flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would not occur from the proposed project. No mitigation measures are required.

### **Existing Regulations that Reduce Potential Impacts**

There are no existing regulations related to wildfire that are applicable to the project.

### **Mitigation Measures**

No mitigation measures related to wildfire are required.

### **References**

California Department of Forestry and Fire Protection (CAL FIRE). 2023. Fire Hazard Severity Zone Map. Accessed:  
<https://forestwatch.maps.arcgis.com/apps/Styler/index.html?appid=5e96315793d445419b6c96f89ce5d153>

**21. MANDATORY FINDINGS OF SIGNIFICANCE.**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Less than Significant with Mitigation Incorporated.** As described in Section 4, *Biological Resources*, the project site is developed, and no special status vegetation types or wildlife species are located on or adjacent to the project site. No potentially suitable habitat for special status plant or wildlife species is on or adjacent to the site. Additionally, the project site does not include riparian, wetland, grassland, woodland, or other natural areas. The project site contains scattered ornamental trees that could be used for nesting by common bird species that are protected by the federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503.5, 3511, and 3515 during the avian nesting and breeding season. The provisions of the MBTA prohibit disturbing or destroying active nests, which would be implemented through the City's development permitting process, and impacts would be less than significant.

Also, as described Section 5, *Cultural Resources*, and Section 18, *Tribal Cultural Resources*, the project site does not contain any historic resources, archaeological resources, or known tribal cultural resources. The site has been highly disturbed from past activities and contains 4 to 7 feet of fill materials. As a result, the potential for archaeological, tribal cultural, or paleontological resources on the site is low. However, Mitigation Measures CUL-1, TCR-1, and PAL-1 have been included to ensure that any inadvertent discovery of potential resources

during ground-disturbing activities would be less than significant. Thus, impacts would be less than significant with mitigation incorporated.

**b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

**Less than Significant with Mitigation Incorporated.** Cumulative impacts are defined as 2 or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. CEQA Guidelines, Section 15130 (a) and (b), states:

- (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The project site is largely developed and is located in an urban area. The project would redevelop the site for residential uses. The proposed residential townhomes are consistent with the surrounding residential and neighborhood commercial development near the project site. Much of the anticipated future development in the project area consists of redevelopment of single-family residences with duplexes and redevelopment of existing commercial areas with new restaurants or office/medical buildings.

The City has identified two development projects that are in the general vicinity of the project site that may have the potential to result in cumulative effects, as they would increase the density of existing uses in the project vicinity. These projects include the following:

1. Mixed-use: 9,786 square feet of retail space, 9,270 square feet of medical space, and 52 apartment units (10201 Garden Grove Boulevard)
2. Mixed-use: 674 dwelling units; 65,000 square feet of commercial space; 271,979 square feet of open space (10071 Garden Grove Boulevard and 12791 Brookhurst Street)

The cumulative projects involve redevelopment of parcels within the existing urban environment and are community type uses that include residences, retail/commercial space, medical facilities, and open space area. The cumulative projects are located Brookhurst Street and Garden Grove Boulevard, in the vicinity of the project site. As explained in Section 17, *Transportation*, the proposed project would result in a reduction of vehicular trips compared to the restaurant uses of the site, and it would not generate a cumulative transportation impact. Likewise, air quality emissions, greenhouse gas emissions, and traffic noise from the project would be less than that of the restaurant use on the site and would not exceed thresholds, and thus would be less than cumulatively considerable.

All of the other potential impacts related to implementation of the project would be less than significant or

reduced to a less than significant level with implementation of mitigation measures related to cultural resources, paleontological resources, noise, and tribal cultural resources. In addition, the cumulative effect of the project is limited, due to the small scale and redevelopment nature of the project on land that has been previously disturbed and because it can be accommodated by the existing roadway system, public services, and utilities systems. Thus, impacts to environmental resources or issue areas would not be cumulatively considerable; and cumulative impacts would be less than significant with mitigation incorporated.

**c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less than Significant with Mitigation Incorporated.** The project proposes redevelopment of the project site for residential townhome uses. As described previously, the project site is within an urban area and surrounded by residential and commercial land uses. The project would not consist of any use or any activities that would result in a substantial negative effect on persons in the vicinity. All resource topics associated with the proposed project have been analyzed in accordance with CEQA and the State CEQA Guidelines and were found to pose no impacts or less-than-significant impacts with implementation of mitigation measures related to cultural resources, paleontological resources, noise, and tribal cultural resources; and existing laws and regulations that are required by the City. Therefore, the proposed project would result in less than significant environmental effects on human beings directly and indirectly, with incorporation of mitigation.

## 5 DOCUMENT PREPARERS

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**TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM  
THE BROOKHURST AND CENTRAL TOWNHOME PROJECT**

Regulation / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>AESTHETICS</b>			
<p><b>Lighting.</b> Project plans and specifications shall implement compliance with GGMC Section 9.12.040.210, which states that lights provided to illuminate any parking facility or paved area shall be designed with automatic timers (photovoltaic cells), shall be maintained, and shall be directed, positioned, or shielded to avoid shining into windows of immediately adjacent residences.</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to issuance of Building and Occupancy Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<b>AIR QUALITY</b>			
<p><b>SCAQMD Rule 402 – Nuisance.</b> The project plans and specifications shall implement compliance with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to issuance of Demolition and Grading Permits and during demolition and grading activities.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>SCAQMD Rule 403 – Fugitive Dust.</b> The project plans and specifications shall implement compliance with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> <li>• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.</li> <li>• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.</li> <li>• The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.</li> </ul>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to issuance of Demolition and Grading Permits and during demolition and grading activities.</p>	<p>City of Garden Grove Building and Safety Division</p>	



Regulation / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p><b>SCAQMD Rule 1113 – Architectural Coatings.</b> The project plans and specifications shall implement compliance with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.</p>	<p>Requirement to be included in Construction Plans, Specifications, and Permits.</p> <p>Verified prior to issuance of Construction Permits that involve architectural coatings and during architectural coating activities.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<b>BIOLOGICAL RESOURCES</b>			
<p><b>Migratory Bird Treaty Act and California Fish and Game Code Sections 3503.5, 3511, and 3515.</b> Prior to issuance of grading or demolition permits that include vegetation and/or tree removal activities that will occur within the active breeding season for birds (February 1 through September 15), the project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities.</p> <p>The nesting survey shall include the project site and areas immediately adjacent to the site that could potentially be affected by project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet (ft) of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 ft for raptors and 300 ft for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.</p> <p>Prior to commencement of grading activities and issuance of any building permits, the City Community Development Director, or designee, shall verify that all project grading and construction plans are consistent with the requirements of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503.5, 3511, and 3515, as stated above, that pre-construction surveys have been completed (if needed) and the results</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to issuance of Demolition and Grading Permits involving vegetation removal.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Regulation / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.			
<b>CULTURAL RESOURCES</b>			
<p><b>Human Remains.</b> In the event that human remains are encountered on the project site, work within 50 ft of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. Prior to the issuance of grading permits, the City shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to issuance of Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>Mitigation Measure CUL-1: Archaeological Resources.</b> Construction plans and specifications shall state that in the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find and the City shall be immediately notified. A qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A shall flag the area in the field and shall evaluate the find to determine whether the find constitutes a “unique archaeological resource,” as defined in Section 21083.2(g) of the California Public Resources Code. If the find is considered a “unique archaeological resource” the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with the City. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation an established accredited professional repository by the archaeologist or repatriation of the recovered resources in cooperation with the designated most likely descendant shall occur as needed. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. If unique archaeological resources cannot be preserved in</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to issuance of Grading Permits and during ground disturbing activities.</p>	<p>City of Garden Grove Building and Safety Division</p>	

<b>Regulation / Mitigation Measure</b>	<b>Timing</b>	<b>Responsible for Ensuring Compliance / Verification</b>	<b>Date Completed and Initials</b>
<p>place or left in an undisturbed state, recovery, salvage and treatment shall be required at the developer/applicant's expense. The archaeologist shall prepare a comprehensive report complete with methods and results that shall be submitted to the City of Garden Grove Building and Safety Division, the South Central Coastal Information Center, and the State Historic Preservation Office (SHPO), if required. Prior to commencement of grading activities, the Director of the City of Garden Grove Building and Safety Division shall verify that all project grading and construction plans include specific requirements regarding Public Resources Code Section 21083.2(g) and the treatment of archaeological resources as specified herein.</p>			
<b>ENERGY</b>			
<p><b>CalGreen Compliance.</b> The project plans and specifications shall implement compliance with the CalGreen Building Code as included in the City's Municipal Code Section 18.04.010 to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.</p>	<p>Requirement to be included in Construction Plans and Specifications.  Verified prior to issuance of Building Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<b>GEOLOGY AND SOILS</b>			
<p><b>California Building Code.</b> The project plans and specifications shall implement compliance with the California Building Code as included in the City's Municipal Code Section 9.12.040.210 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the project are required to be incorporated into grading and building plans and specifications prior to issuance of grading and building permits.</p>	<p>Requirement to be included in Construction Plans and Specifications.  Verified prior to issuance of Grading and Building Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>Mitigation Measure PAL-1: Paleontological Resources.</b> Construction plans and specifications shall state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (who meets the Society of Vertebrate Paleontology's (SVP, 2010) definition for qualified profession paleontologist) has evaluated the find. If a fossil is determined to be significant, the qualified paleontologist shall implement a paleontological salvage program to remove the resources from their location, following the guidelines of the SVP (2010). Any fossils encountered and</p>	<p>Requirement to be included in Construction Plans and Specifications.  Verified prior to issuance of Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Regulation / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>recovered shall be prepared to the point of identification, catalogued, and curated at a public, non-profit institution with a research interest in the material and with retrievable storage, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school.</p> <p>If any fossil remains are discovered, the paleontologist shall make a recommendation whether monitoring shall be required for the continuance of earth moving activities. Prior to commencement of grading activities, the City of Garden Grove Building and Safety Division, shall verify that all project grading and construction plans specify the requirements herein related to the unanticipated discovery of paleontological resources.</p> <p>After completion of the salvage and curation of any resources, the qualified paleontologist shall prepare a report summarizing the results of the monitoring and salvage efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted to the City Director of the City Community Development Department, or designee, and the Natural History Museum of Los Angeles County.</p>			
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>Asbestos Containing Materials.</b> Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Division that an asbestos survey has been conducted pursuant to SCAQMD Rule 1403. If asbestos is found, the project applicant shall follow all procedural requirements and regulations of SCAQMD Rule 1403. Rule 1403 regulations require that the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to issuance of Demolition Permit.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>Lead Based Paint.</b> Prior to issuance of demolition permits, the project applicant shall submit verification to the City Building and Safety Division that a lead-based paint survey has been conducted. If lead-based paint is found, the project applicant shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint. Cal-OSHA has established limits of exposure to lead contained in dusts and</p>	<p>Requirement to be included in Construction Plans and Specifications.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Regulation / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>fumes. Specifically, CCR Title 8, Section 1532.1 provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.</p>	<p>Verified prior to issuance of Demolition Permit.</p>		
<b>HYDROLOGY AND WATER QUALITY</b>			
<p><b>Stormwater Pollution Prevention Plan.</b> Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) in accordance with the County Drainage Area Management Plan (DAMP). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other DAMP requirements to comply with the National Pollutant Discharge Elimination System (NPDES) regulations to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of Garden Grove staff or its designee to confirm compliance.</p>	<p>Requirement to be included in Construction Plans and Specifications.  Verified prior to issuance of Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division, and Public Works Engineering Division</p>	
<p><b>Water Quality Management Plan.</b> Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Division. The WQMP shall identify all post-construction, site design, source control, and treatment control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. The WQMP shall comply with GGMC Section 6.40.050, the Orange County DAMP, and the Santa Ana Region, Regional Water Quality Control Board (RWQCB) requirements in effect at the time permitting.</p>	<p>Requirement to be included in Construction Plans and Specifications.  Verified prior to issuance of Grading Permits.</p>	<p>City of Garden Grove Building and Safety Division, and Public Works Engineering Division</p>	
<b>NOISE</b>			
<p><b>Construction Noise.</b> Project construction plans and specifications shall detail that construction activities shall occur in compliance with Municipal Code Section 8.47.060(d), which states that it shall be unlawful for any person within a residential area, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day in such a manner that a person of normal sensitiveness, as determined utilizing the criteria</p>	<p>Requirement to be included in Construction Plans and Specifications.  Verified prior to issuance of Demolition, Grading, and Construction Permits and during these activities.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Regulation / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>established in Section 8.47.050(B), is caused discomfort or annoyance unless such operations are of an emergency nature.</p>			
<p><b>Mitigation Measure NOI-1: Air Conditioner Units.</b> The project plans, mechanical specifications, and occupancy permits shall require that the air conditioning condenser units for the proposed townhomes Nos: 23 to 30, which are located on the east side of the project site shall not exceed a manufacturer sound rating of 74 dBA at one meter; or shall include installation of a manufacturer developed sound blanket for air conditioning units with manufacturer sound ratings above 74 dBA at one meter. Installation of sound blanket kits on the air conditioning condenser units shall provide a minimum noise reduction to achieve 74 dBA at one meter.</p>	<p>Requirement to be included in Project Plans and Mechanical Specifications.</p> <p>Verified prior to Occupancy Permits.</p>	<p>City of Garden Grove Building and Safety Division</p>	
<p><b>Mitigation Measure NOI-2: Construction Equipment.</b> The project's grading and construction plans and permitting specifications shall include the following requirements:</p> <ul style="list-style-type: none"> <li>• Operation of all large bulldozers that are powered by a greater than 150 horsepower engine are restricted from operating within 10 feet of the eastern property line of the project site. The project construction plans and permitting specifications shall require the use of a small bulldozer (i.e., D1, D2, or D3 dozers) or other type of equipment that is less than 150 horsepower to perform all grading activities that are located within 10 feet of the eastern property line of the project site.</li> <li>• All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receiver nearest the project site.</li> <li>• The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site during all construction.</li> </ul>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to Demolition, Grading, and Construction Permits and during these activities.</p>	<p>City of Garden Grove Building and Safety Division</p>	

Regulation / Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>PUBLIC SERVICES</b>			
<p><b>Schools Development Impact Fee:</b> The project will be required to pay applicable development fees levied by the Garden Grove Unified School District pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.407) to offset these impacts on school facilities resulting from new development.</p>	<p>Requirement to be included in Project Plans and Conditions of Approval. Verified prior to Occupancy Permits.</p>	<p>City of Garden Grove Planning Services Division and Building and Safety Division</p>	
<p><b>Park and Recreation Impact Fee:</b> The project will be required to pay applicable City development impact fees for park and recreational facilities pursuant to Municipal Code 9.44.030 In-Lieu Park Fees, which are imposed on each development project to offset the cost of providing increased park and recreation facilities.</p>	<p>In Project Plans and Conditions of Approval. Verified prior to Occupancy Permits.</p>	<p>City of Garden Grove Planning Services Division and Building and Safety Division</p>	
<b>TRIBAL CULTURAL RESOURCES</b>			
<p><b>Mitigation Measure TCR-1: Native American Monitoring.</b> The project's grading and construction plans and specifications shall state that, prior to commencement of any ground disturbing activities, a Native American monitor approved by the Gabrielino Band of Mission Indians – Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 (the "Tribe" or the "Consulting Tribe") shall be retained for the proposed project. A copy of the executed contract shall be submitted to the City of Garden Grove Planning Services Division and Building and Safety Division prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribe shall be contracted to conduct a Native American Indian Sensitivity Training for construction personnel prior to the start of construction activities. The training session shall include a handout and shall focus on how to identify Native American resources encountered during earthmoving activities and the procedures to be followed if resources are discovered.</p> <p>In the event that tribal cultural resources are inadvertently discovered during ground-disturbing activities, work shall be halted within 50 feet of the find until it can be evaluated by a qualified archaeologist in cooperation with a Tribal Monitor approved by the Consulting Tribe to determine if the potential resource meets the CEQA definition of historical (CEQA Guidelines 15064.5(a)) and/or unique resource (Public Resources Code Section 21083.2(g)), and/or a "nonunique archeological resource" that conforms with the criteria of Public Resources Code section 21074(a) (Public Resources Code section 21074(c), Public Resources Code section 21083.2(h)). If the find is considered</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to Demolition and Grading Permits and during grading and excavation activities.</p>	<p>City of Garden Grove Planning Services Division and Building and Safety Division</p>	

<b>Regulation / Mitigation Measure</b>	<b>Timing</b>	<b>Responsible for Ensuring Compliance / Verification</b>	<b>Date Completed and Initials</b>
<p>a “historical resource,” a “unique archaeological resource,” or a “nonunique archeological resource” that conforms with the criteria of Public Resources Code section 21074(a), the qualified archaeologist, in cooperation with a Native American monitor, shall pursue either preservation in place or recovery, salvage and treatment of the resource. Recovery, salvage, and treatment protocols shall be developed by the qualified archeologist in accordance with applicable provisions of Public Resources Code Section 21083.2 and CEQA Guidelines 15064.5 and 15126.4. If a resource, as defined above, is not Native American in origin, cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the project applicant’s expense. All recovered and salvaged resources shall be identified and permanently preserved in an established accredited professional repository. If the resources are Native American in origin, the Consulting Tribe shall retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. Prior to commencement of grading activities, the Director of the City Community Development Department, or designee, shall verify that all project grading and construction plans require the Native American Sensitivity Training and the treatment of resources as specified in this mitigation measure.</p>			
<b>UTILITIES AND SERVICE SYSTEMS</b>			
<p><b>Construction Waste.</b> The City’s Municipal Code Section 18.60.040, Minimum Construction and Demolition Waste Diversion Requirements. Construction plans and specifications shall implement reuse, recycling, and/or diversion of the minimum percentage amount of designated recyclable and reusable materials as set forth by the CALGreen (Part 11 of Title 24, California Code of Regulations).</p>	<p>Requirement to be included in Construction Plans and Specifications.</p> <p>Verified prior to Demolition, Grading, and Construction Permits and during these activities.</p>	<p>City of Garden Grove Building and Safety Division</p>	





CITY OF GARDEN GROVE  
PLANNING SERVICES DIVISION  
11222 ACACIA PARKWAY  
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gocity.org

**Density Bonus Application  
(Government Code §65915 et seq.)**

Housing development project applicants intending to request a density bonus, incentives or concessions, modifications or waivers, and/or reduced parking pursuant to the Section 65915 et seq. of the California Government (Density Bonuses and Other Incentives) must complete the following application. For additional information regarding density bonuses and affordability agreements, please refer to Section 9.12.030.070 of the Garden Grove Municipal Code, and to the Garden Grove Density Bonus Agreement Guidelines.

Date Filed: 5/16/2023

Revised 10/25/23

<b>DENSITY BONUS TYPE</b>	
Please check one of the following (as proposed at the time of application submittal):	
<input type="checkbox"/>	100% of all units in the development, including Total Units and density bonus units, but exclusive of a manager's unit or units, are for low income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including Total Units and density bonus units, may be for moderate income households, as defined in Section 50053 of the Health and Safety Code.
<input type="checkbox"/>	At least 5% of the Total Units for very low income households, as defined in Section 50105 of the California Health and Safety Code.
<input type="checkbox"/>	At least 10% of the Total Units for lower income households, as defined in Section 50079.5 of the California Health and Safety Code.
<input checked="" type="checkbox"/>	At least 10% of the Total Units for moderate income households, as defined in Section 50093 of the California Health and Safety Code (common interest development offered to the public for purchase unless on-site option for Impact Fees, see 15.72.100.B.4).
<input type="checkbox"/>	A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the California Civil Code.
<input type="checkbox"/>	At least 10% of the Total Units for transitional foster youth, as defined in California Education Code section 66025.9 (very low income households as defined in Section 50105 of the California Health and Safety Code).
<input type="checkbox"/>	At least 10% of the Total Units for disabled veterans, as defined in California Government Code Section 18541 (very low income households as defined in Section 50105 of the California Health and Safety Code).
<input type="checkbox"/>	At least 10% of the Total Units for homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.) (very low income households, as defined in Section 50105 of the California Health and Safety Code).
<input type="checkbox"/>	At least 20% of the Total Units for lower income students in a student housing development (that satisfies the requirements of California Government Code Section 65915(b)(1)(F)).
<input type="checkbox"/>	Land donation (at least one acre in size, or of sufficient size to permit development of at least 40 units and otherwise satisfies the requirements of California Government Code Section 65915(g).)
<input type="checkbox"/>	Child care facility (that satisfies the requirements of California Government Code Subsection 65915(h)).
<input type="checkbox"/>	Condominium Conversion (that satisfies the requirements of California Government Code 65915.5).
<b>PRIMARY CONTACT INFORMATION</b>	
Name: Chad Brown, VP of Planning & Development	
Contact Type: <input type="checkbox"/> Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Representative <input type="checkbox"/> Other	
Mailing Address: 8951 Research Drive	
City, State, Zip Code: Irvine, CA, 92618	
Phone No.: (949) 468-9430	
E-mail: chad@melia-homes.com	
<b>PROPERTY OWNER CONTACT INFORMATION (If different than Primary Contact)</b>	
Name:	
Mailing Address:	
City, State, Zip Code:	
Phone No.:	
E-mail:	

<b>PROJECT INFORMATION:</b>	
Project Address: 10052 Central Ave., & 13252 Brookhurst St.	
APN(s): 099-031-09, -08, -01, -02	
Zoning & General Plan Land Use: Zoning: Neighborhood & Community Commercial (C-1)&(C-2). General Plan: Light Commercial (LC)	
Maximum Allowable Residential Density (before density bonus): 32 Units/Acre	
Total Base Number of Housing Units (before density bonus): 30	
Market Rate Base Housing Units (before density bonus): 27	
Affordable Base Housing Units (before density bonus): 3	
Size of Market Rate Units (# of Studios, 1 bedroom, 2 bedroom, etc.): 19 Two-Bedroom, 8 Three-Bedroom	
Size of Affordable Units (# of Studios, 1 bedroom, 2 bedroom, etc.): 3 Two-bedroom	
Proposed number of Very Low Income units : N/A	
Proposed number of Low Income units : N/A	
Proposed number Moderate Income units : Three (3)	
Percentage of Total Base Housing Units that are Affordable: 10%	
Maximum Density Bonus Percentage (See Density Bonus Chart): 5%	
Number of Required Parking Spaces: 53	
Number of Parking Spaces Provided: 64	
Residential Tenure: Does the project propose rental or ownership units? Ownership	
<b>DENSITY BONUS REQUEST</b>	
Density Bonus Percentage (calculate using "Density Bonus Chart"): 0%	
Total Number of Density Bonus Units: 0	
Total Units in Development After Density Bonus is Applied: 30	
<i>If requesting a Density Bonus for the following project types, please check the appropriate box and provide the following information:</i>	
<input type="checkbox"/>	Land Donation Address (or APN) of land to be dedicated:  Attach proof of site control. Attach evidence of meeting conditions for a land transfer density bonus as specified in the State Housing Density Bonuses and Incentives Law
<input type="checkbox"/>	Child-Care Facility Address and APN of child-care facility:  Square footage of facility:  Attach evidence of meeting conditions for a child care facility density bonus or Incentive as specified in the State Housing Density Bonuses and Incentives Law.
<input type="checkbox"/>	Condominium Conversion Attach evidence of meeting conditions for a condominium conversion Density Bonus as specified in the State Housing Density Bonuses and Incentives Law.

**INCENTIVES/CONCESSIONS REQUEST**

An applicant for a density bonus may also propose specific incentives/concessions pursuant to Subsection (d) of Government Code Section 65915. The number of incentives/concessions an applicant may receive is based on the number of affordable units and level of affordability provided. Use the Incentives/Concessions Calculator below to determine the number of incentives or concessions you are eligible for.

**INCENTIVES/CONCESSIONS CALCULATOR**

Affordability Level	Restricted Affordable Units Provided in Project	% of Base Project	Threshold for one (1) Incentive/Concession (# of units)	Threshold for two (2) Incentives/Concessions (# of units)	Threshold for three (3) Incentives/Concessions (# of units)	Threshold for four (4) Incentives/Concessions* (# of units)
Very Low Income			5%	10%	15%	100% affordable with
Low Income			10%	17%	24%	≥80% low income, ≤20% moderate
Moderate Income			10%	X 20%	30%	

\* If a 100% affordable project is located within 1/2 mile of a major transit stop, the project is eligible for a height increase of up to three (3) additional stories, or thirty-three feet (33'-0"); however, if the project also seeks a waiver from any maximum controls on density, the project cannot receive a waiver of any other development standards (but can still receive four incentives). If this allowance is sought, please describe/identify the major transit stop that is within 1/2 mile of the qualifying 100% affordable project:

**DESCRIPTION OF INCENTIVES/CONCESSIONS REQUESTED**

List all requested incentives/concessions. If a reduction in site development standards or a modification of zoning code requirements is sought, include references to specific Municipal Code Sections in question, and reference the requested incentives/concessions on the submitted plans.

~~Undergrounding of Power Lines (9.12.040)~~  
 10-25-23 - CB Open Space Amenity Count (9.12.040.050.J.7.d)

Provide evidence substantiating the applicant's eligibility for each incentive/concession requested, including information that clearly demonstrates that the requested incentive/concession will result in identifiable and actual cost reductions to provide for affordable housing costs. The Applicant may attach additional documentation as required.

~~Cost burden of power line undergrounding process prohibitive towards project.~~  
~~Cost estimate: \$410K.~~  
 10-25-23 CB The cost burden of additional amenities and space required places further pressure on project unit yield and project viability with additional unit reduction increased costs.

**MODIFICATION/WAIVER REQUEST**

*Pursuant to Subsection (e) of Government Code Section 65915, an applicant may also propose the waiver or reduction of development standards that have the effect of physically precluding the construction of a housing development incorporating the density bonus and any incentives or concessions granted to the applicant.*

**DESCRIPTION OF MODIFICATIONS/WAIVERS REQUESTED**

*List all development standards for which you are seeking a waiver or reduction pursuant to Subsection (e) of Government Code Section 65915. Include references to specific Municipal Code Sections in question, and reference development standards to be modified or waived on the submitted plans.*

Distance Between Buildings (9.12.040.050.A.1):

Proposing a 7.5' distance between two Main Buildings vs required 10'

Minimum Open Space Dimensions (9.12.040.050.J):

30' min. lineal feet in any direction, provided dimensions cannot meet code

~~Open Space Amenity Count (9.12.040.050.J.7.d):~~

Walls Greater Than 36" in setbacks (9.12.040.130.G):

6' wall along Brookhurst for sound attenuation/enjoyment of residences outdoor patios

42" walls Central Ave.

Landscape Setback Less Than Required 15' (9.12.040.090.Q)

Landscaping setback on Brookhurst pushed back for wall pertaining to livability

Private Patio Encroachment in front setback (9.12.040.020.D)

*Provide evidence substantiating the applicant's eligibility for each waiver or reduction of a development standard being requested, including documentation demonstrating that the waiver or reduction is physically necessary to construct the housing development with the additional density allowed pursuant to the density bonus and incorporating any incentives or concessions required to be granted. Where more than one modification or waiver is sought, the applicant should clearly demonstrate why the modifications/waivers are cumulatively necessary to prevent a development standard from physically precluding the construction of the development.*

**Distance Between Buildings:** Reduced distance between buildings at center of project needed to comply with other development standards on site while preserving unit count density.

**OS Dimensions:** Open space is difficult to meet this project due to spatial challenges for parking, access and street adjacencies. The project proposed density and proposed zoning district R-3 standards for both private and common open space and site contribute to limitations to increasing density or meeting allowed density. In order to provide the proposed number of units, certain dimensions of open space, recreation and leisure.

**OS Amenity Count:** Open space amenity types and counts would preclude the effective use of required open space on site to preserve density while also differing from the programmatic needs of the development's residents.

**Walls greater than 36" in setbacks:** Walls, Fences and Hedges to allow for creation of a planter along Brookhurst Street right of way and is within the front setback. The planter is a combination of two masonry walls, a low 42" wall adjacent to Brookhurst right of way with a 5 foot wide planter behind it and backed by a 6 foot masonry wall. This planter created by the wall will prevent graffiti onto a wall facing the right of way by providing a vegetation planter in front of the proposed 6' wall. This planter and combination of the walls is located within the front setback area. The proposed wall will also provide sound attenuation for the proposed units from Brookhurst Street traffic noise and allow for enjoyment and use of the private open space front patios for each of the units in the front building. This incentive to this section also requests that the walls along the north boundary, adjacent to Central Ave, are allowed to increase from 36 inches to 42 inches maximum height to provide separation from the public walk along Central Ave and enclose usable private common open space areas.


**L/S Setbacks:** Landscaped open space is provided to count towards required open space for the project. If additional landscaped open space were required on the other side of the Brookhurst and Central Ave walls, density would be effected as a result of building setbacks.

**Private Patio Encroachments:** The private patios of units 1-8 encroach 6' into the setback area and would be 19' feet from the Brookhurst St. right-of-way, but will be behind the proposed 6' wall requested here and not be seen from right-of-way.

<b>PARKING RATIOS</b>	
Are you requesting application of the onsite vehicular parking ratios set forth in Subsection (p)(1) of Government Code Section 65915?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>SPECIAL PARKING REQUIREMENTS</b>	
If you are requesting application of a reduced onsite parking ratio pursuant to Subsections (p)(2), (p)(3), or (p)(4) of Government Code Section 65915, select the onsite parking standard requested per the appropriate development type:	
<input type="checkbox"/>	Rental/for sale projects with at least 11% very low income or 20% lower income units, within 1/2 mile of accessible major transit stop** – 0.5 spaces per unit
<input type="checkbox"/>	Rental projects 100% affordable to lower income, within 1/2 mile of accessible major transit stop** – 0 spaces per unit
<input type="checkbox"/>	Rental senior projects 100% affordable to lower income, either with paratransit service or within 1/2 half mile of accessible bus route** (operating ≥8 times per day) – 0 spaces per unit
<input type="checkbox"/>	Rental special needs projects 100% affordable to lower income households, either with paratransit service or within 1/2 half mile of accessible bus route** (operating ≥8 times per day) – 0 spaces per unit
<input type="checkbox"/>	Rental supportive housing developments 100% affordable to lower income households – 0 spaces
** If applicable, please describe/identify the major transit stop or accessible bus route that is within 1/2 mile of the project.	
<b>ASSOCIATED HOUSING DEVELOPMENT FORMS &amp; APPLICATIONS</b>	
Dependent upon the nature of the request, and the design of the project, the following forms may also be required:	
<input type="checkbox"/> Replacement Unit Determination	<input type="checkbox"/> SB 330 Housing Development Pre-Application
<input type="checkbox"/> SB 35 Housing Streamlining Eligibility Checklist	<input type="checkbox"/> Preliminary Development Review Application

**CERTIFICATION:**

I certify and declare under penalty of perjury under the laws of the State of California that the answers furnished above, and in any attached exhibits, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I further understand that additional information may be required by the City of Garden Grove to complete my review. Furthermore, developments requesting a density bonus shall enter into a density bonus housing agreement with the City. A density bonus housing agreement shall be made a condition of the discretionary planning permits for all housing developments, and shall be recorded as a restriction on any parcels on which the target units or density bonus units will be constructed. The density bonus housing agreement shall be recorded prior to final or parcel map approval, or, where the housing development does not include a map, prior to issuance of a building permit for any structure in the housing development. The density bonus housing agreement shall run with the land and bind on all future owners and successors in interest.

  
 \_\_\_\_\_  
 Applicant Signature

10/25/23  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Property Owner Signature

\_\_\_\_\_  
 Date



June 2, 2023 (revised 10/25/23)

**Application Project Description Letter for Site Plan / Tentative Tract Map  
13252 Brookhurst St. & 10052 Central Ave., City of Garden Grove**

The project site is located at 13252 Brookhurst St. & 10052 Central Ave., Garden Grove; the series of parcels include APN's: 099-031-01, 099-031-02, 099-331-08, 099-031-09; and totals an area of 1.22 Ac / 52,987 Sq. Ft. This Entitlement application will involve redevelopment of the site to create and develop residential for-sale townhomes, with 10% of the proposed units being offered and restricted to Moderate income buyers. Project requests include a General Plan Amendment to MDR designation, a Zone Change to R-3, Site Plan and Tentative Tract Map for condo purposes. If approved will provide 10% of the units as AFFORDABLE Homes for MODERATE INCOME buyers (as defined in Section 50052.5 of the California Health and Safety Code). This project also offers the benefit of parcels consolidation. CEQA will also be determined by the city, and likely to include a MND that can be prepared by RE Consulting.

Proposed entitlement and ultimate development of the site will help facilitate the City of Garden Grove to begin it arduous journey in fulfilling it's mandatory quest in meeting State housing allocations appropriated to the City, and Housing Element and Land Use Element goals. We have attempted through our design to maximize density, as encouraged by LU Policy LU 3.3; however, market and product acceptability and construction costs in the housing market also plays a roll in product development. Thus, while we have maximized density on the site as proposed, the acceptable product for the anticipated buyers in this market prefer individual living with individual entries, private spaces, active areas in common, garages, as individual homes/townhomes and not stacked flats living atop one another. We believe that the proposed development meets the market needs and these goals. Additionally, although the project site is not designated on the City inventory of potential housing sites in the new proposed Housing Element, with the proposed project entitlements requested will add housing opportunity in the City and would be a net increase in housing for the City, including the 10% of proposed housing units to be offered and restricted for Moderate income affordable restricted housing units.

The project sites are currently designated in the General Plan as both: Light Commercial (LC) (099-031-01, 099-031-02) and Low Medium Density Residential (LMR) (099-331-08, 099-031-09). This application requests a General Plan Amendment to change its land use designation to MDR of the City General Plan, which permits a density range of 18.1 – 32 Du/ac. The Medium Density Residential (MDR) designation is intended to create, maintain, and enhance residential areas characterized by mostly traditional multi-family apartments, condominiums, townhomes, and single-family small-lot subdivisions. The parcels in the project site currently possess a combination of Zoning designations: Two parcels (APNs: 099-031-01, 099-031-02) currently zoned Neighborhood Commercial (C-1) & two parcels (APNs: 099-331-08, 099-031-09) currently zoned R2. This application requests all four existing project parcels Zoning to be changed to R-3, for multifamily residential, which allows up to 32 DU/ac. This project application will also include requests for approval of a Site Plan and Tentative Tract Map 19273 and will consolidate the four parcels.

The proposed project consists of demolition of an existing closed and decrepit single story restaurant structure and removal of all appurtenant ancillary improvements, and the redevelopment to new For-Sale residential townhomes

will consist of thirty (30) three-story townhomes on the site consolidated 1.22 Ac. site, with ancillary surface and infrastructure improvements and landscaping. The allowable number of units that could be permitted on the site under the proposed R-3 Zoning designation is up to 38 units (32.0 du/ac). The application also includes a filing for a land subdivision through a Tentative Tract Map TTM 19273 to subdivide and cause consolidation of the existing parcels into a single lot for condominium purposes for attached townhomes, with common landscaping, parking and drive aisles.

The project proposed homes exceed the minimum floor area requirements of the R-3 Zone, with three floor plans proposed:

- Plan 1 – 3-story – 2 BR / 2 ½ bathrooms 1,302 SF
- Plan 2 – 3 story – 2 BR / Den and 2 ½ bathrooms 1,334 SF
- Plan 3 – 3 story – 4 BR / 3 ½ bathrooms 1,928 SF

The proposed homes are designed with a contemporary style utilizing building articulation and materials that provide an attractive and appropriate design and provide for building façade movement along front facing elevations. The design utilizes exterior stucco color blocking with relief reveals, multiple roof lines, foundational stone veneer elements and horizontal siding elements, trimmed window surrounds, & lattice covered open rail balconies on the second levels.

The resulting building site lot coverage of buildings is approximately 41% of the project site area, compliant with the 50% maximum building site coverage found within R-3 Zone development standards.

The development is proposed to be setback a minimum of 25-feet from Brookhurst Street right-of-way, 15 feet minimum from Central Ave, 19.9' feet from interior southern boundary, and 15' minimum setback from the east adjacent R2 residences. All unit plan types include a 2<sup>nd</sup> floor balcony and ground level fenced private patios, each are in excess of the minimum 6' dimension required to be included as a portion of private open space. We propose setbacks compliant with R3 Standards, and specifically the side and rear setbacks from adjacent existing R-2 residential. All interior property building separations are designed for spatial relationships and interactive spaces. Note that at building types B, between units 15 & 16, at the closed end of the recreation paseo with a pedestrian opening, is the only area that is less than a 10 separation (see waiver requests below). The proposed townhome buildings provide an attractive exterior architectural design with a maximum proposed height of 35 feet.

Landscaping and recreation improvements within the proposed project include a central community gathering area with large wood shade structure, BBQ counter, and ADA picnic table seating; two separate areas planned for raised herb garden areas with decomposed granite paving (self-watered by residents); Paseo with bench seating and shade trees; additional outdoor common open space area / reading nook with Adirondack seating areas along Central Ave frontage. Perimeter walls proposed consist of a 5' wide raised planter formed by a combination 42 inch and 6' high wall along the Brookhurst frontage, 42-inch-high walls along Central Ave frontage and 6' high screen walls along the east and south property boundaries (see waiver requests below). Landscape designs also are proposed as mitigation for privacy protections by Columnar trees proposed on the East and Southeast corner area property boundaries that is identified to be a minimum of 12' tall when planted (identified on proposed Planting Plan L-3 in the Landscape Plan set). Landscape trees & plantings are throughout the proposed project, including appropriate plantings proposed in the raised bio-filter planter proposed adjacent to Brookhurst Street frontage.

The project design complies with GGMC 9.60.040.I and Government Code Section 65915(p) Affordable Project Parking Spaces Required. State Code requires a total of 53 on-site parking spaces. The Project proposes a total

of 64 on-site parking spaces, of which each unit provides a 2-car attached garage, and there are 4 open parking spaces provided on the site. The proposed plan 1 unit type provides 2 parking spaces thru use of tandem parking spaces in the garage, as allowed by the Government Code Section 65915(p). Main drive aisle width is proposed at 25 feet width, with garage door to parking space backup area at 30 feet. A Density Bonus as related to unit count is not requested, but 10% of the proposed units are proposed to be affordable voluntarily at MODERATE Orange County Rate as defined by CA HCD Income Limits. No parking is allowed or proposed along the interior drive aisles. Fire and Trash access is provided throughout the on-site circulation, and solid waste can be served from the on-site proposed covered trash enclosure.

We propose utilization of one statutory incentive and the affordable project parking rates. A completed Density Bonus Application is being filed that includes and details requests for application of one incentive, and needed proposed waivers/modifications permitted under State Government Code Section 65915 et seq. and City Density Bonus regulations in order to enhance and encourage achievement of density, all as noted here:

The **One Incentive** requested is to section GGMC 9.12.040.050.J.7.d – amenity count is not technically met but the project does provide multiple varied amenities appropriate for the proposed development residents enjoyment and variety. Full compliance places further pressure on unit yield and to costs that have a direct impact on the economic feasibility to provide this project with 10% affordable units offered for sale.

**Waivers / Modifications are requested regarding the following:**

- a. A Waiver / Modification is requested to GGMC 9.12.040.050.A.1. Separation of Main Buildings On-Site for one single instance south of outdoor BBQ / Table recreation area less than 10' (7.5').
- b. GGMC 9.12.040.050.J.7.b and d. - Special Requirements—Multiple-Family Residential - Open Space, Recreation and Leisure Areas—Sites Over 14,400 Square Feet. Open space is difficult to meet this project due to spatial challenges for parking, access and street adjacencies. The project proposed density and proposed zoning district R-3 standards for both private and common open space and site contribute to limitations to increasing density or meeting allowed density. In order to provide the proposed number of units, certain dimensions of open space, recreation and leisure areas as less than the standard dimensions.
  - i. A Waiver / Modification is requested to GGMC 9.12.040.050.J.7.b - OS Meets overall SF required -Some limited OS/Recreation areas on the site do not meet the standard dimension of 30' in ANY direction.
- c. GGMC 9.12.040.140.B Walls, Fences and Hedges to allow for creation of a planter along Brookhurst Street right of way and is within the front setback that is higher than 36 inches in height. This incentive to this section also requests that the walls along the north boundary, adjacent to Central Ave, are allowed to increase from 36 inches to 42 inches maximum height to provide separation from the public walk along Central Ave and enclose usable private common open space areas.
- d. A Waiver / Modification is requested to GGMC 9.12.040.090.Q.1 for Landscape along Brookhurst Street of 15' and along Central Ave. of 10 feet is not met fully but proposed plan does provide 5' landscape in the raised bio-filtration water quality planter along Brookhurst St., and landscape is provided at required depth along Central Ave with a low 42" interceding wall separating.
- e. A Waiver / Modification is requested to GGMC 9.12.040.020.D for the private patios that are proposed to encroach into the front street setback requirement of 25 feet. The private patios of units 1-8 encroach 6'



into the setback area and would be 19' feet from the Brookhurst St. right-of-way, but will be behind the proposed 6' wall requested here and not be seen from right-of-way.

The proposed project will not significantly adversely affect adjoining existing R2 District homes, as we have designed the proposed project to largely comply with the newly adopted Multifamily Development standards for separation and include privacy mitigation through perimeter landscape screening to the east and southeast. The use is consistent with the adjacent uses and proposed district allowable density for the site. The proposed project provides a compatible multifamily residential design and is compatible and consistent with the adjoining surrounding community.

The proposed site is large enough and able to accommodate the proposed project design without negatively affecting the residential area and surrounding areas; will clean up an abandoned decrepit blight corner of Brookhurst and community and will provide needed housing for the City RHNA goals and will include 10% moderate rate affordable homes included in the proposal.

### **Tentative Tract Map 19273**

The application includes a formal filing for a land subdivision through a Tentative Tract Map application to subdivide the existing four parcels lots into a single lot for condominium purposes for attached townhomes, with common landscaping, parking, drive aisles, and any dedications.

There are 3 utility poles on or nearby, one on-site down pole and two overhead utility poles that are off-site. The three existing power poles are located between the commercial use on the south (Enterprise Car Rental property) and the Project site, with only one of the poles located within the limits of the project site property. These poles contain overhead lines for power and communications. Easements exist as shown on and adjacent, but off-site, immediately south of Tentative Tract Map 19273. These utility lines connect utilities systems underground from the Brookhurst underground mainline backbone circuit. As they enter the site underground, the utilities rise out of the ground on the second pole from Brookhurst ROW to serve the many properties to the east of the site. The first pole from Brookhurst serves as the "down" pole as the circuit dips down to underground conduit and cable heading westerly back out to Brookhurst, circuit then heads southerly along Brookhurst to an existing underground Splice Box X5594884 at Imperial Avenue. The third pole is a support span pole for the overhead lines that serve the many properties to the east of the site. All Project proposed buildings will be served from underground connections and not from these overhead offsite utility lines.

### **Summary**

The proposed homes are designed with a contemporary style utilizing building façade movements, articulation and materials that provide an attractive and appropriate design with movement forward to the public ways. We look forward to working with City staff and request your support and positive recommendations. If there are any additional materials or information required, please notify me immediately. Please contact me directly should you have any questions 949-417-6264.

Respectfully,



Chad Brown  
VP Planning and Development  
Melia Homes, Inc.

Attachments:

- GGMC 9.48.030-Rule 20 Utility underground Incentive backup information (including email from SCE, 3/22/23)
- Neighborhood Project Introduction Letter
- Republic Services Access Approval, email 3/20/23

RESOLUTION NO. 6077-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL: (I) APPROVE GENERAL PLAN AMENDMENT NO. GPA-001-2023 TO AMEND THE CITY OF GARDEN GROVE'S GENERAL PLAN LAND USE MAP TO MODIFY THE GENERAL PLAN LAND USE DESIGNATIONS OF PROPERTIES LOCATED AT 13252 BROOKHURST STREET AND 10052 CENTRAL AVENUE, IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 099-031-01, 099-031-02, 099-031-08, AND 099-031-09, FROM LIGHT COMMERCIAL (LC) AND LOW MEDIUM DENSITY RESIDENTIAL (LMR) TO MEDIUM DENSITY RESIDENTIAL (MDR); AND (II) APPROVE ZONING AMENDMENT NO. A-036-2023 ADOPTING AN ORDINANCE TO AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING OF THE SUBJECT PROPERTIES FROM C-1 (NEIGHBORHOOD COMMERCIAL) AND R-2 (LIMITED MULTIPLE RESIDENTIAL) TO R-3 (MULTIPLE-FAMILY RESIDENTIAL).

WHEREAS, Melia Homes Inc., the applicant, submitted a request to develop a 1.22-acre site with a new multiple-family residential project consisting of thirty (30) townhome units, along with associated site improvements, on properties located at the southeast corner of Brookhurst Street and Central Avenue, at 13252 Brookhurst Street and 10052 Central Avenue, Assessor's Parcel No. 099-031-01, 099-031-02, 099-031-08, and 099-031-09 (the "Property"); and

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) a General Plan Amendment to amend the General Plan Land Use Designations of the properties from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR) to facilitate the development of the residential project; (ii) a Zoning Amendment to change the zoning of the subject properties from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential) to facilitate the development of the residential project; (iii) Site Plan approval to construct thirty (30) three-story townhomes along with associated site improvements; and (iv) Tentative Tract Map approval to create a one-lot subdivision for the purpose of selling each townhome as a condominium (collectively, the "Project").

WHEREAS, proposed General Plan Amendment No. GPA-001-2023 would amend the City of Garden Grove's General Plan Land Use Map (a) to modify the General Plan Land Use Designation of the two adjoining parcels located at 13252 Brookhurst Street (Assessor's Parcel Nos. 099-031-01 and 099-031-02) from Light Commercial (LC) to Medium Density Residential (MDR) and (b) to modify the General Plan Land Use Designation of the two parcels located at 10052 Central Avenue (Assessor's Parcel Nos. 099-031-08 and 099-031-09) from Low Medium Density Residential (LMR) to Medium Density Residential (MDR); and

WHEREAS, proposed Zoning Amendment No. A-036-2021 would amend the City's Official Zoning Map (a) to change the zoning of the two adjoining parcels located at 13252 Brookhurst Street (Assessor's Parcel Nos. 099-031-01 and 099-031-02) from C-1 (Neighborhood Commercial) to R-3 (Multiple-Family Residential), and (b) to change the zoning of the two adjoining parcels located at 10052 Central Avenue (Assessor's Parcel Nos. 099-031-08 and 099-031-09) from R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential); and

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, an initial study was prepared for the proposed Project and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration as the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during Project implementation; and

WHEREAS, the Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission: (1) adopted Resolution No. 6079-23 recommending that the City Council adopt a Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project; and (2) adopted Resolution No. 6078-23 recommending that the City Council approve Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273, subject to specified Conditions of Approval; and

WHEREAS, at its regular meeting held December 7, 2023, the Planning Commission of the City of Garden Grove held a duly noticed public hearing and considered the report submitted by City Staff and all oral and written testimony presented regarding the Project, the initial study, and the proposed Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED as follows:

- 1. The Planning Commission hereby recommends the City Council approve General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030, are as follows:

FACTS:

The subject site is located at the southeast corner of Brookhurst Street and Central Avenue. The site abuts an R-2 (Limited Multiple Residential) zoned property to the east, a C-2 (Community Commercial) zoned property to the south, a C-1 (Neighborhood Commercial) zoned property and R-2 zoned properties across Central Avenue to the north, and C-2 zoned properties across Brookhurst Street to the west. The site is in a viable area with a mix of uses that include commercial services such as medical offices, restaurants, and retail, along Brookhurst Street, and residential uses including single- and multi-family dwellings along Central Avenue.

The site consists of two (2) vacant properties: one is located at 13252 Brookhurst Street and the other is located at 10052 Central Avenue for a total of 1.22 acres. The 13252 Brookhurst Street property consists of two (2) adjoining parcels, Assessor's Parcel Nos. 099-031-01, and 099-031-02. The property is a corner lot with a dual frontage on Brookhurst Street and Central Avenue. The property has a General Plan Land Use Designation of Light Commercial, and is zoned C-1. The property is approximately 41,945.6 square feet (0.96 acres), and it is improved with a 6,637 square foot one-story restaurant building that was operated by Marie's Calendar from 1996 to 2021. After Marie's Calendar ceased its operation, the building was left vacant. In December 2021, the building was severely damaged in a fire incident to the degree that the structure was too dangerous to be occupied; consequently, the building was red-tagged by the City. On June 28, 2023, a demolition permit was issued, and the building was bulldozed shortly thereafter. However, the building footing remains, and no excavation is done on-site.

The 10052 Central Avenue property is a vacant lot abutting the Marie's Calendar property to the east. The property also consists of two (2) adjoining parcels: APNs 099-031-08, and 099-031-09, with one being landlocked. The property has a net lot size of 11,700 square feet (0.27 acre). The property has the Land Use Designation of Low Medium Density Residential (LMD), and is zoned R-2. The site was originally improved with a single-family dwelling with an attached garage. On July 27, 2017, a building demolition permit was issued to demolish the existing residential building. In 2019, the City approved Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019 allowing the property to be consolidated into one lot, and to be developed with a duplex. Although the lot consolidation was recorded, the duplex was never built. In 2021, the City approved the Director's review No. DR-054-2021 to allow another duplex design to be built on the site since the previously approved entitlement has expired. However, this entitlement eventually expired without being executed. The property remains vacant and unimproved.

The applicant, Melia Homes, Inc., is an experienced housing developer in Southern California and previously worked with the City of Garden Grove on a project located at 9861 11<sup>th</sup> Street that resulted in the construction of thirty-one (31) two- to three-story townhomes. The applicant is now proposing to combine the two (2) properties to build thirty (30) attached townhomes, including three (3) affordable for-sale units for "moderate-income" households, which is equivalent to a density of 24.6 units per acre, along with associated site improvements.

With the inclusion of three (3) for-sale affordable housing units for "moderate-income" households, the project is qualified for a density bonus, a reduced parking ratio, one (1) concession, and five (5) waivers under the State Density Bonus Law (SDBL). Provided the General Plan Amendment and Zoning Amendment will be approved, the request density of 24.6 units per acre, is within the allowable density of the R-3 zone, which is 32 units per acre. Thus, no density bonus request is included in the proposal. The requested concession and waivers are as follows:

1. A concession to deviate from the open space amenity requirements (Section 9.12.040.050.J.7.d),

- 2. A waiver to reduce the distance separation between two buildings from ten feet (10'-0") to seven feet and six inches (7'-6") (Section 9.12.040.050.A.1);
- 3. A waiver to reduce the width of the active recreation area from thirty feet (30'-0") to fifteen feet (15'-0") (Section 9.12.040.050.J.7.d),
- 4. A waiver to allow a six-feet (6'-0") tall block wall to be constructed within the front setback along Brookhurst Street (Section 9.12.040.140.J),
- 5. A waiver to reduce the landscape setback along Brookhurst Street from fifteen feet (15'-0") to ten feet (10'-0") (Section 9.12.040.090.Q), and
- 6. A waiver to allow the private open space to be located within the front setback area (Section 9.12.040.020.D).

An Affordable Housing Regulatory Agreement consistent with the State Density Bonus Law and the Garden Grove Municipal Code will be recorded to ensure the affordability of the moderate-income units.

FINDINGS AND REASONS:

General Plan Amendment

- 1. Proposed General Plan Amendment No. GPA-001-2023 is internally consistent with the goals, policies, and elements of the General Plan.

The proposed General Plan Amendment No. GPA-001-2023 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designations of the subject properties from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR), in order to facilitate the development of the residential project and associated site improvements. The Medium Density Residential (MDR) Land Use Designation is intended for the development of mainly multi-family residential neighborhoods that provide a variety of housing types, and provide access to schools, parks, and other community services. The proposed General Plan Amendment to the Land Use Map at the subject site is consistent with the following goals and policies of the General Plan:

*Policy LU-1.2: Encourage modern residences in areas designated as Mixed Use.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings. Existing and approved new uses within the one-mile radius from the site consist of both commercial and high-density residential developments, including Brookhurst Place at the northwest corner of Brookhurst Street and Garden Grove Boulevard (48 units/acre), a future new Mixed Use Building at the northeast corner of Brookhurst Street and Garden Grove Boulevard (28 units/acre), and the Garden Brook Senior Housing development at the south side of Garden Grove Boulevard just west of Brookhurst Street (78 units/acre). In addition, surrounding land use designations from the project site include Medium Density Residential,

which allows a density of up to 32 units per acre, Residential/Commercial Mixed Use 1 (RC1), which allows up to 60 units per acre, and Residential/Commercial Mixed Use 3 (RC3), which allows up to 48 units per acre. Considering the site is surrounded by Land Use districts that allow higher residential density, the proposed R-3 that allows up to 32 units per acre is appropriate, as it will not only provide opportunities for new housing developments, but also create a transition between the lower-density neighborhood to the east of the project site and the higher-density and mixed-use neighborhoods along Brookhurst Street.

*Policy LU-1.3: Support the production of housing Citywide that is affordable to lower- and moderate-income households consistent with the policies and targets set forth in the Housing Element.*

The proposed project includes three (3) "moderate-income" units and 27 "above-moderate-income" units. Without the General Plan Amendment approval, the Land Use Designation of the site will remain as LC and LMR land use designations. The LC land use designation does not support residential uses. The LMR allows up to 21.0 units per acre which is lower than the requested density of 24.6 units per acre. Thus, the General Plan Amendment is necessary to facilitate the proposed project.

*Policy LU-2.2: Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life.*

The proposed development of thirty (30) for-sale units will add to the mix of diverse housing types in the immediate neighborhood. The proposed townhome development will ensure maintenance of all common areas, such as the private street, guest parking areas, the common recreation area, and street frontage landscaping, which will be the responsibility of the Homeowner's Association to ensure proper maintenance that preserves the residents' real estate values. Furthermore, the project will contribute to meeting the City's Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies.

*Policy LU-2.4: Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings. Existing and approved new uses within the one-mile radius from the site consist of both commercial and high-density residential developments, including the Brookhurst Place at the northwest corner of Brookhurst Street and Garden Grove Boulevard (48 units/acre), a future new Mixed Use Building at the northeast corner of Brookhurst Street and Garden Grove Boulevard (28 units/acre), and the Garden Brook Senior Housing development at the south side of Garden Grove Boulevard, just west of Brookhurst Street (78 units/acre). In addition, surrounding land use designations from the project site include

Medium Density Residential, which allows a density of up to 32 units per acre, Residential/Commercial Mixed Use 1 (RC1), which allows up to 60 units per acre, and Residential/Commercial Mixed Use 3 (RC3), which allows up to 48 units per acre. Considering the site is surrounded by Land Use districts that allow higher residential density, the proposed R-3 that allows up to 32 units per acre is appropriate, as it will not only provide opportunities for new housing developments, but also create a transition between the lower-density neighborhood to the east of the project site and the higher-density and mixed-use neighborhoods along Brookhurst Street.

*Goal LU-4: The City seeks to develop uses that are compatible with one another.*

The 1.22-acre site is proposed to be improved with thirty (30) townhome units, or 24.6 units per acre, which is within the allowable density of 32 units per acre pursuant to the proposed MDR General Plan land use designation. The proposed project is within the allowed density of the MDR land use designation and similar in scale to the adjoining residential neighborhood. The proposed design will consist of three-story units, which are allowed by the proposed R-3 zoning. Thus, the project is similar both in land use intensity and physical scale of the adjoining residential neighborhood.

*Policy 2.3 of the Housing Element: Provide density bonuses and other financial and regulatory incentives to facilitate the development of affordable housing.*

The proposed project includes three (3) for-sale affordable units for "moderate-income" households in accordance with the State Density Bonus Law. To facilitate the development with these affordable units, the project incorporates State Density Bonus Law allowances of one (1) concession, five (5) waivers to deviate from development standards, reduced parking ratios, and tandem parking design. The proposed General Plan Amendment and the granting of all of the aforementioned incentives is needed to facilitate the construction of the proposed development and to support the creation of more affordable housing units in the City. Furthermore, the Project will contribute to meeting the City's Regional Housing Needs Allocation (RHNA).

*Policy LU-3.1: Preserve existing, and encourage new multi-family residential development in the Focus Areas, allowing mixed-use in older or underutilized commercial centers. Such housing provides convenient access to jobs and activities and supplies a resident clientele to support commercial sales and services in mixed-use areas.*

The subject site is located in a mixed-use neighborhood and is currently vacant and unimproved. The General Plan Amendment is needed to facilitate the construction of thirty (30) townhome units. The new townhome complex will revitalize the vacant lot, and provide additional housing supply at the heart of a vibrant neighborhood that consists of both commercial services and residential uses. Furthermore, residents will find themselves in close proximity to food sources, services and access to jobs.



*Policy LU-3.2: Support development of multi-family housing that provides a diversity of densities, types, and prices that meet the needs of all household income levels.*

The proposed project includes three (3) "moderate-income" units and 27 "market-rated" units, for a total of 30 units. Twenty-two (22) units will be two-bedroom units, and 8 units will be four-bedroom units. Not only does the project provide housing for mixed-income families, but it also provides different unit sizes and designs that can accommodate different housing demands. Thus, approval of the proposed General Plan Amendment is necessary to facilitate such development.

*Policy LU-4.1: Locate higher-density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings along Brookhurst Street. Approval of the proposed General Plan Amendment will facilitate the development of a vacant and unimproved site with 30 townhomes. The construction of the new townhouses would increase the local population and add to the consumer base for commercial services within the immediate neighborhood.

*Goal H-2: Housing supply to accommodate housing needs at all affordability levels.*

The proposed project will provide thirty (30) new for-sale units for "moderate-income" and "above-moderate" households. A mix of income targets would encourage the settlement of families of different income levels in the City. The number of units will further contribute to meeting the City's Regional Housing Needs Allocation (RHNA).

*Policy H-3.1: Maintain land use policies and regulations that create capacity for the development of a range of residential development types that can fulfill local housing needs, including accessory dwelling units, low-density single-family uses, moderate-density townhomes and middle housing, higher-density apartments and condominiums, senior housing, and mixed-use projects.*

A portion of the project site is identified in the City's Housing Element Site Inventory as having a realistic capacity to accommodate a total of four (4) "above-moderate-income" units. Approval of the proposed General Plan Amendment will facilitate the development of a vacant and unimproved site with 30 townhomes that include three (3) "moderate-income" units, and twenty-seven (27) "above-moderate-income" units, which will exceed the anticipated realistic capacity of the site set by the General Plan Housing Element by 23 "above-moderate-income" units and 3 "moderate-income" units.

*Policy CD-7.1: Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential buildings. The proposed three-story townhome project will be consistent with the form and scale of the immediate neighborhood.

- 2. The amendment is deemed to promote the public interest, health, safety and welfare.

The proposed General Plan amendment is necessary to support facilitate the development of the proposed multi-family residential use, and to ensure consistency in land use designation throughout the development. Approval of the proposed amendment will allow the construction of thirty (30) residential units, which will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA). Furthermore, an Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for this project pursuant to CEQA. The IS/MND concluded that the proposed project will have no, or a less than significant, impact on all relevant environmental factors, provided specified mitigation measures are incorporated. Proper mitigation measures were included in the Mitigation Monitoring and Reporting Program (MMRP) to maintain the Project’s operational noise impact to be within the City’s noise standards.

- 3. The parcels covered by the proposed amendment to the General Plan Land Use Map are physically suitable for the requested land use designation(s), compatible with the surrounding land uses, and consistent with the General Plan.

The proposed General Plan Amendment No. GPA-001-2023 would amend the City of Garden Grove's General Plan Land Use Map to modify the General Plan Land Use Designations of the subject properties from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR), to facilitate the development of the residential project and associated site improvements. The Medium Density Residential (MDR) Land Use Designation is intended for the development of multi-family residential neighborhoods and allows for a range of densities up to a maximum of 32 dwelling units per acre. The proposed project will have a net density of 24.6 dwelling units per acre.

The proposed General Plan Amendment will facilitate the development of the proposed 30-unit townhome project. The site’s proposed multi-family residential type housing is compatible with the surrounding area, which consists of a mix of commercial uses and high-density residential uses along Brookhurst Street and residential uses along Central Avenue. Accordingly, the Medium Density Residential Land Use designation is appropriate for the site, as it will provide a transition from a higher-density to a lower-density neighborhood. In

addition, the site is a large contiguous site with access to all necessary public infrastructure to adequately serve the proposed residential development.

Finally, the General Plan is robust enough to accommodate the re-designation of property to new land use designations, and application of the Medium Density Residential Land Use designation to the site will not conflict with other provisions or elements of the General Plan.

Amendment (Re-zone):

- 1. Proposed Amendment No. A-036-2021 is internally consistent with the goals, policies, and elements of the General Plan.

Under the proposed Amendment No. A-036-2023, the City’s Official Zoning Map will be amended to rezone the project site from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential), to facilitate the development of the proposed 30-unit townhome project, and to ensure consistency with the proposed General Plan Land Use Designation of Medium Density Residential (MDR).

The R-3 (Multiple-Family Residential) zone implements the MDR Land Use Designation and is intended to provide for a variety of types and densities of multiple-family residential dwellings. This zone is intended to promote housing opportunities in close proximity to employment and commercial centers. Pursuant to Garden Grove Municipal Code Subsection 9.12.040.050.A.4, a maximum of 39 dwelling units would be permitted on the 1.22-acre site under the R-3 zoning. The proposed project will consist of 30 units, which is less than the maximum allowed.

Rezoning the site from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential), is consistent with the goals and policies of the General Plan Land Use Element, including:

*Policy LU-1.2: Encourage modern residences in areas designated as Mixed Use.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings. Existing and approved new uses within the one-mile radius from the site consist of both commercial and high-density residential developments, including Brookhurst Place at the northwest corner of Brookhurst Street and Garden Grove Boulevard (48 units/acre), a future new Mixed Use Building at the northeast corner of Brookhurst Street and Garden Grove Boulevard (28 units/acre), and the Garden Brook Senior Housing development at the south side of Garden Grove Boulevard just west of Brookhurst Street (78 units/acre). In addition, surrounding land use designations from the project site include Medium Density Residential, which allows a density of up to 32 units per acre, Residential/Commercial Mixed Use 1 (RC1), which allows up to 60 units per acre, and Residential/Commercial Mixed Use 3 (RC3), which allows up to 48 units per acre. Considering the site

is surrounded by Land Use districts that allow higher residential density, the proposed R-3 that allows up to 32 units per acre is appropriate, as it will not only provide opportunities for new housing developments, but also create a transition between the lower density neighborhood to the east of the project site and the higher density and mixed-use neighborhoods along Brookhurst Street.

*Policy LU-1.3: Support the production of housing Citywide that is affordable to lower- and moderate-income households consistent with the policies and targets set forth in the Housing Element.*

The proposed project includes three (3) “moderate-income” units and 27 “above-moderate-income” units. Without the Zoning Map Amendment approval, the zoning of the site will remain as C-1 and R-2. The LC land use designation does not support residential uses. The C-1 zone does not allow multi-family residential developments, and the R-2 zone allows multi-family developments at a lower density than the requested density. Thus, the requested Zoning Map Amendment is necessary to facilitate the proposed project.

*Policy LU-2.2: Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents’ real estate values and their high quality of life.*

The proposed development of thirty (30) for-sale units will add to the mix of diverse housing types in the immediate neighborhood. The proposed townhome development will ensure maintenance of all common areas, such as the private street, guest parking areas, the common recreation area, and street frontage landscaping, which will be the responsibility of the Homeowner’s Association to ensure proper maintenance that preserves the residents’ real estate values. Furthermore, the project will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies.

*Policy LU-2.4: Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings. Existing and approved new uses within the one-mile radius from the site consist of both commercial and high-density residential developments, including the Brookhurst Place at the northwest corner of Brookhurst Street and Garden Grove Boulevard (48 units/acre), a future new Mixed Use Building at the northeast corner of Brookhurst Street and Garden Grove Boulevard (28 units/acre), and the Garden Brook Senior Housing development at the south side of Garden Grove Boulevard just west of Brookhurst Street (78 units/acre). In addition, surrounding land use designations from the project site include Medium Density Residential, which allows a density of up to 32 units per acre, Residential/Commercial Mixed Use 1 (RC1), which allows up to 60 units per

acre, and Residential/Commercial Mixed Use 3 (RC3), which allows up to 48 units per acre. Considering the site is surrounded by Land Use districts that allow higher residential density, the proposed R-3 that allows up to 32 units per acre is appropriate, as it will not only provide opportunities for new housing developments, but also create a transition between the lower density neighborhood to the east of the project site and the higher density and mixed-use neighborhoods along Brookhurst Street.

*Goal LU-4: The City seeks to develop uses that are compatible with one another.*

The 1.22-acre site is proposed to be improved with thirty (30) townhome units, or 24.6 units per acre, which is within the allowable density of 32 units per acre pursuant to the proposed MDR General Plan land use designation. The proposed project is within the allowed density of the MDR land use designation and similar in scale to the adjoining residential neighborhood. The proposed design will consist of three-story units, which are allowed by the proposed R-3 zoning. Thus, the project is similar both in land use intensity and physical scale of the adjoining residential neighborhood.

*Policy 2.3 of the Housing Element: Provide density bonuses and other financial and regulatory incentives to facilitate the development of affordable housing.*

The proposed project includes three (3) for-sale affordable units for “moderate-income” households in accordance with the State Density Bonus Law. To facilitate the development with these affordable units, the project incorporates State Density Bonus Law allowances of one (1) concession, five (5) waivers to deviate from development standards, reduced parking ratios, and tandem parking design. The proposed Zoning Map Amendment and the granting of all of the aforementioned incentives are needed to facilitate the construction of the proposed development and to support the creation of more affordable housing units in the City. Furthermore, the Project will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA).

*Policy LU-3.1: Preserve existing, and encourage new multi-family residential development in the Focus Areas, allowing mixed-use in older or underutilized commercial centers. Such housing provides convenient access to jobs and activities and supplies a resident clientele to support commercial sales and services in mixed-use areas.*

The subject site is located in a mixed-use neighborhood and is currently vacant and unimproved. The Zoning Map Amendment is needed to facilitate the construction of thirty (30) townhome units. The new townhome complex will revitalize the vacant lot, and provide additional housing supply at the heart of a vibrant neighborhood that consists of both commercial services and residential uses. Furthermore, residents will find themselves in close proximity to food sources, services and access to jobs.

*Policy LU-3.2: Support development of multi-family housing that provides a diversity of densities, types, and prices that meet the needs of all household income levels.*

The proposed project includes three (3) "moderate-income" units and 27 "market-rated" units, for a total of 30 units. Twenty-two (22) units will be two-bedroom units, and 8 units will be four-bedroom units. Not only does the project provide housing for mixed-income families, but it also provides different unit sizes and designs that can accommodate different housing demands. Thus, approval of the proposed Zoning Map Amendment is necessary to facilitate such development.

*Policy LU-4.1: Locate higher-density residential uses within proximity of commercial uses to encourage pedestrian traffic, and to provide a consumer base for commercial uses.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings along Brookhurst Street. Approval of the proposed Zoning Map Amendment will facilitate the development of a vacant and unimproved site with 30 townhomes. The construction of the new townhouses would increase the local population and add to the consumer base for commercial services within the immediate neighborhood.

*Goal H-2: Housing supply to accommodate housing needs at all affordability levels.*

The proposed project will provide thirty (30) new for-sale units for "moderate-income" and "above-moderate" households. A mix of income targets would encourage the settlement of families of different income levels in the City. The number of units will further contribute to meeting the City's Regional Housing Needs Allocation (RHNA).

*Policy H-3.1: Maintain land use policies and regulations that create capacity for the development of a range of residential development types that can fulfill local housing needs, including accessory dwelling units, low-density single-family uses, moderate-density townhomes and middle housing, higher-density apartments and condominiums, senior housing, and mixed-use projects.*

A portion of the project site is identified in the City's Housing Element Site Inventory as having a realistic capacity to accommodate a total of four (4) above moderate income units. Approval of the proposed Zoning Map Amendment will facilitate the development of a vacant and unimproved site with 30 townhomes that include three (3) "moderate income" units, and twenty-seven (27) "above-moderate-income" units, which will exceed the anticipated realistic capacity of the site set by the General Plan Housing Element by 23 above moderate income units and 3 moderate income units.

*Policy CD-7.1: Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential buildings. The proposed three-story townhome project will be consistent with the form and scale of the immediate neighborhood.

- 2. The proposed Zoning Map Amendment will ensure a degree of compatibility with surrounding properties and uses.

Under the proposed Amendment No. A-036-2023, the City’s Official Zoning Map will be amended to rezone the project site from C-1 (Light Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential), to facilitate the development of the proposed 30-unit townhome Project, and to ensure consistency with the proposed General Plan Land Use Designation of Medium Density Residential (MDR).

The proposed Zoning Map Amendment will facilitate the development of the proposed 30-unit townhome project. The site’s proposed multiple-family residential type housing is compatible with the surrounding properties, which consist of both commercial and multi-family residential uses. Accordingly, the R-3 zoning designation is appropriate for the site and will ensure that the site is compatible with and is developed and maintained in continuity with surrounding land uses.

- 3. The parcels covered by the proposed amendment to the Zoning Map are physically suitable for the requested land use designation(s), compatible with the surrounding land uses, and consistent with the General Plan.

Under the proposed Amendment No. A-036-2023, the City’s Official Zoning Map will be amended to rezone the project site from C-1 (Light Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential), to facilitate the development of the proposed 30-unit townhome Project, and to ensure consistency with the proposed General Plan Land Use Designation of Medium Density Residential (MDR).

The proposed Zoning Map amendment will facilitate the development of the proposed 30-unit townhome project. The site’s proposed multi-family residential type housing is compatible with the surrounding area, which consists of a mix of commercial uses and high-density residential uses along Brookhurst Street and residential uses along Central Avenue. Accordingly, the Multiple-Family Residential zoning designation is appropriate for the site, as it will provide a transition from a higher density to a lower density neighborhood. In addition, the site is a large contiguous site with access to all necessary public infrastructure to adequately serve the proposed residential development.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT AND RESOLUTION NO. 6077-23

In addition to the foregoing, the Planning Commission incorporates herein by this reference the facts and findings set forth in the staff report and in Resolution Nos. 6078-23 and 6079-23.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

- 1. The General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023 possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
- 2. Upon City Council approval of General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023, the City of Garden Grove General Plan Land Use Map would be amended to modify the General Plan Land Use Designations of the subject properties from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR) and the City's Official Zoning Map would be amended to change the zoning of the subject properties, located at 13252 Brookhurst Street and 10052 Central Avenue, Assessor's Parcel Nos. 099-031-01, 099-031-02, 099-031-08 and 099-031-09, from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential), per the attached maps/exhibits, Exhibits "A" and "B", respectively.
- 3. The overall development and subsequent occupancy and operation of the site shall be subject to those environmental mitigation measures identified in the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program.






**Exhibit "A"**  
**GPA-001-2023**  
**A-036-2023, SP-127-2023, and**  
**TT-19273**



**LEGEND**

-  SUBJECT SITE(S)  
099-031-01, 099-031-02, 099-031-08, and 099-031-09

**NOTES**

1. Site addresses – 13252 Brookhurst Street and 10052 Central Avenue
2. Current General Plan: Light Commercial (LC) And Low Medium Density (LMD)
3. Proposed General Plan: Medium Density Residential (MDR)



**Exhibit "B"**  
**GPA-001-2023**  
**A-036-2023, SP-127-2023, and**  
**TT-19273**



**LEGEND**



SUBJECT SITE(S)  
 099-031-01, 099-031-02, 099-031-08, and 099-031-09

**NOTES**

1. Site addresses – 13252 Brookhurst Street and 10052 Central Avenue
2. Current Zone: C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential)
3. Proposed Zone: R-3 (Multiple-Family Residential)

Adopted this 7th day of December 2023

ATTEST:

/s/ JOSH LINDSAY  
CHAIR

/s/ JUDITH MOORE  
RECORDING SECRETARY

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

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on December 7, 2023, by the following vote:

AYES:	COMMISSIONERS:	(6)	ARBGAST, CUEVA, CUNNINGHAM, LARICCHIA, LINDSAY, PAREDES
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	RAMIREZ

/s/ JUDITH MOORE  
RECORDING SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is January 2, 2024.

## RESOLUTION NO. 6078-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE SITE PLAN NO. SP-127-2023 AND TENTATIVE TRACT MAP NO. TT-19273, FOR PROPERTIES LOCATED AT THE SOUTHEAST CORNER OF BROOKHURST STREET AND CENTRAL AVENUE, AT 13252 BROOKHURST STREET AND 10052 CENTRAL AVENUE, ASSESSOR'S PARCEL NOS. 099-031-01, 099-031-02, 099-031-08, and 099-031-09.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 7, 2023, does hereby recommend that the City Council approve Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273, for lands located at the southeast corner of Brookhurst Street and Central Avenue, at 13252 Brookhurst Street and 10052 Central Avenue, Assessor's Parcel Nos. 099-031-01, 099-031-02, 099-031-08, and 099-031-09, subject to (i) the Conditions of Approval attached hereto as "Exhibit A"; (ii) City Council approval of a Resolution approving General Plan Amendment No. GPA-001-2023; (iii) City Council adoption and effectiveness of an Ordinance approving Zoning Amendment No. A-036-2023; and (iv) City Council approval of a Resolution adopting a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Melia Homes, Inc., with authorization of the owner of the property located at 13252 Brookhurst Street, Fraser Partner Properties, LLC., and the owners of the property located 10052 Central Avenue, Linh Hoang and Thu Thuy Pham.
2. The applicant has requested the following approvals to facilitate the proposed development: (i) a General Plan Amendment to amend the General Plan Land Use Designations of the properties from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR) to facilitate the development of the residential project; (ii) a Zoning Amendment to change the zoning of the subject properties from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential) to facilitate the development of the residential project; (iii) Site Plan approval to construct thirty (30) three-story townhomes along with associated site improvements; and (iv) Tentative Tract Map approval to create a one-lot subdivision for the purpose of selling each townhome as a condominium (collectively, the "Project"). The inclusion of three (3) for-sale "moderate-income" units qualifies the project for density bonus, reduced parking ratios, one concession, and certain waivers or reductions of development standards pursuant to the State Density Bonus Law (SDBL).

- 3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared, and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration because the proposed Project with implementation of the proposed mitigation measures cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
- 4. Concurrently with its adoption of this Resolution, the Planning Commission adopted Resolution No. 6077-23 recommending the Garden Grove City Council approve General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023; and Resolution No. 6079-23 recommending the Garden Grove City Council adopt a Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project. The facts and findings set forth in Resolution No. 6077-23 and Resolution No. 6078-23 are hereby incorporated into this Resolution by reference.
- 5. The property has a General Plan Land Use designation of Light Commercial (LC) and Low Medium Density Residential (LMR) and is currently zoned C-1 (Neighborhood Commercial) and R-2 (Limited Multifamily Residential). The subject 1.22-acre lot is currently vacant and unimproved.
- 6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
- 7. The report submitted by City staff was reviewed.
- 8. Pursuant to a legal notice, a public hearing was held on December 7, 2023, and all interested persons were given an opportunity to be heard.
- 9. The Planning Commission gave due and careful consideration to the matter during its meeting of December 7, 2023, and considered all oral and written testimony presented regarding the Project, the initial study, and the Mitigated Negative Declaration.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9.32.030 and 9.40.060, are as follows:

FACTS:

The subject site is located at the southeast corner of Brookhurst Street and Central Avenue. The site abuts an R-2 (Limited Multiple Residential) zoned property to the east, a C-2 (Community Commercial) zoned property to the south, a C-1 (Neighborhood Commercial) zoned property and R-2 zoned properties, across Central Avenue, to the north, and C-2 zoned properties, across Brookhurst Street, to the west. The site is in an area with a mix of uses that include commercial services such as medical offices, restaurants, and retail and residential uses, including single- and multi-family dwellings.

The site consists of two (2) vacant properties, each consists of two (2) adjoining parcels: one is located at 13252 Brookhurst Street, and the other is located at 10052 Central Avenue. The combined gross area is 1.22 acres.

The 13252 Brookhurst Street property consists of parcel Nos. 099-031-01 and 099-031-02. The property is a corner lot with dual frontage on Brookhurst Street and Central Avenue. The property has a General Plan Land Use Designation of Light Commercial and is zoned C-1 (Neighborhood Commercial). The property is approximately 41,945 gross square feet (0.96 acres), and was previously improved with a 6,637 square foot one-story restaurant building that was operated by Marie Callender’s from 1996 to 2021. After Marie Callender’s ceased its operation, the building was left vacant. In December 2021, the building was severely damaged in a fire incident to the degree that the structure was too dangerous to be occupied. Consequently, the building was red-tagged by the Building and Safety Division. On June 28, 2023, a demolition permit was issued, and the building improvements were removed shortly thereafter. The building’s foundation remains, and there has been no excavation work or ground disturbing activities.

The 10052 Central Avenue property is a vacant lot abutting the Marie Callender’s property to the east. The property also consists of two (2) adjoining parcels: Assessor’s Parcel Nos. 099-031-08 and 099-031-09, with one being landlocked. The property has a gross area of 12,350 square feet (0.28 acre). The property has a Land Use Designation of Low Medium Density Residential (LMR), and is zoned R-2. The site was originally improved with a single-family dwelling with an attached garage. On July 27, 2017, a demolition permit was issued to demolish the existing residential building. In 2019, the City approved Site Plan No. SP-065-2019 and Lot Line Adjustment No. LLA-021-2019, which consolidated the properties into one lot for the purpose of develop the site with a new residential duplex. Although the lot consolidation was recorded, the duplex was never constructed. In 2021, the City approved Director’s Review No. DR-054-2021 to allow another duplex design to be built on the site, since the previously approved entitlement expired. However, this entitlement also eventually expired since the development was never constructed. The property remains vacant and unimproved.

The applicant, Melia Homes, Inc., is an experienced housing developer in Southern California and previously worked with the City of Garden Grove on a project located at 9861 11<sup>th</sup> Street that resulted in the construction of thirty-one (31) two- to three-

story townhomes. The applicant is now proposing to combine the subject properties and to develop the site with thirty (30) attached townhomes, including three (3) affordable for-sale units for "moderate-income" households, which is equivalent to a proposed density of 24.6 units per acre, along with associated site improvements.

With the inclusion of three (3) for-sale affordable housing units for "moderate-income" households, the project is qualified for a density bonus, a reduced parking ratio, one (1) concession, and waivers pursuant to the State Density Bonus Law (SDBL). Provided the General Plan Amendment and Zoning Amendment are approved, the requested density of 24.6 units per acre is within the allowable density of the R-3 zone, which is 32 units per acre. Thus, no density bonus request is included in the proposal. The requested concession and waivers are as follows:

- 1. A concession to deviate from the open space amenity requirements (GGMC Section 9.12.040.050.J.7.d).
- 2. A waiver to reduce the distance separation between two buildings from ten feet (10'-0") to seven feet, six inches (7'-6") (GGMC Section 9.12.040.050.A.1).
- 3. A waiver to reduce the width of the active recreation area from thirty feet (30'-0") to fifteen feet (15'-0") (GGMC Section 9.12.040.050.J.7.d).
- 4. A waiver to allow a six-foot (6'-0") tall block wall to be constructed within the front setback along Brookhurst Street (GGMC Section 9.12.040.140.J).
- 5. A waiver to reduce the landscape setback along Brookhurst Street from fifteen feet (15'-0") to ten feet (10'-0") (GGMC Section 9.12.040.090.Q).
- 6. A waiver to allow the private open space to be located within the front setback area (GGMC Section 9.12.040.020.D).

An Affordable Housing Regulatory Agreement consistent with the State Density Bonus Law and the Garden Grove Municipal Code will be recorded to ensure the affordability of the moderate-income units.

FINDINGS AND REASONS:

**SITE PLAN (HOUSING DEVELOPMENTS)**

- 1. The proposed development project is consistent, in compliance, and conformity with the applicable, objective standards, provisions, conditions or requirements of the General Plan, Title 9, or other applicable ordinances or policies of the City.

The proposed project includes the construction of thirty (30) residential townhomes that includes three (3) affordable housing units for "moderate income" households, along with associated site improvements. Pursuant to the State Density Bonus Law, the project is entitled to reduce parking ratios, one

(1) incentive or concession, and waivers or modifications of development standards.

With the approval of General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023, the subject site will have a General Plan land use designation of Medium Density Residential (MDR), and will be zoned R-3 (Multiple-Family Residential). The MDR land use designation is intended to create, maintain and enhance residential areas characterized by mostly traditional multi-family apartments, condominiums, and townhomes. The MDR land use designation is implemented by the R-3 zone, which is intended to provide for a variety of types and densities of multiple-family residential dwellings. This zone is intended to promote housing opportunities in close proximity to employment and commercial centers. With the exception of the reduced parking ratios and development standards required to be waived or modified pursuant to the State Density Bonus Law, the proposed project complies with all applicable objective development standards and provisions of the General Plan and Municipal Code. The proposed project is also consistent with several goals and policies of the City’s General Plan, including the following:

*Policy LU-2.2: Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents’ real estate values and their high quality of life.*

The proposed development of thirty (30) for-sale units will add to the mix of diverse housing types in the immediate neighborhood. The proposed townhome development will ensure maintenance of all common areas, such as the private street, guest parking areas, the common recreation area, and street frontage landscaping, which will be the responsibility of the Homeowner’s Association to ensure proper maintenance that preserves the residents’ real estate values. Furthermore, the project will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies.

*Policy LU-2.4: Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings. Existing and approved new uses within the one-mile radius from the site consist of both commercial and high-density residential developments, including the Brookhurst Place at the northwest corner of Brookhurst Street and Garden Grove Boulevard (48 units/acre), a future new Mixed Use Building at the northeast corner of Brookhurst Street and Garden Grove Boulevard (28 units/acre), and the Garden Brook Senior Housing development at the south side of Garden Grove Boulevard just west of Brookhurst Street (78 units/acre). In addition, surrounding land use designations from the project site include Medium Density Residential, which allows a density of up to 32 units per acre,



Residential/Commercial Mixed Use 1 (RC1), which allows up to 60 units per acre, and Residential/Commercial Mixed Use 3 (RC3), which allows up to 48 units per acre. Considering the site is surrounded by Land Use districts that allow higher residential density, the proposed R-3 that allows up to 32 units per acre is appropriate, as it will not only provide opportunities for new housing developments, but also create a transition between the lower density neighborhood to the east of the project site and the higher-density and mixed-use neighborhoods along Brookhurst Street.

*Goal LU-4: The City seeks to develop uses that are compatible with one another.*

The 1.22-acre site is proposed to be improved with thirty (30) townhome units, or 24.6 units per acre, which is within the allowable density of 32 units per acre pursuant to the proposed MDR General Plan land use designation. The proposed project is within the allowed density of the MDR land use designation and similar in scale to the adjoining residential neighborhood. The proposed design will consist of three-story units, which are allowed by the proposed R-3 zoning. Thus, the project is similar both in land use intensity and physical scale of the adjoining residential neighborhood.

*Policy 2.3 of the Housing Element: Provide density bonuses and other financial and regulatory incentives to facilitate the development of affordable housing.*

The proposed project includes three (3) for-sale affordable units for "moderate-income" households in accordance with the State Density Bonus Law. To facilitate the development with these affordable units, the project incorporates State Density Bonus Law allowances of one (1) concession, five (5) waivers to deviate from development standards, reduced parking ratios, and tandem parking design. The proposed Zoning Map Amendment and the granting of all of the aforementioned incentives are needed to facilitate the construction of the proposed development and to support the creation of more affordable housing units in the City. Furthermore, the Project will contribute to meeting the City's Regional Housing Needs Allocation (RHNA).

- 2. The provisions of the California Environmental Quality Act have been complied with.

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration because the proposed Project with implementation of the proposed mitigation measures cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting

Program were prepared and circulated in accordance with CEQA and CEQA's implementing guidelines. Therefore, the provisions of the California Environmental Quality Act have been complied with. Pursuant to Resolution No. 6079-23, the Planning Commission recommended that the City Council adopt a Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project.

- 3. The proposed development project does not have specific, adverse impacts, as defined in subdivision (j)(1)(A) of Government Code Section 65589.5, on public health and safety without any feasible method to satisfactorily mitigate or avoid the specific adverse impact, other than the disapproval of the proposed project.

The proposed 30-unit townhome development will not have specific, adverse impacts on public health and safety. The proposed project is within the maximum allowable density, is compatible with surrounding uses, is similar in scale to the adjoining neighborhood, and is consistent with the land use type and intensity in the immediate neighborhood. Furthermore, the Project will contribute to meeting the City's Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies.

**TENTATIVE TRACT MAP**

- 1. The proposed map is consistent with the General Plan.

The proposed project includes the construction of thirty (30) residential townhomes that include three (3) affordable housing units for "moderate income" households, along with associated site improvements. Pursuant to the State Density Bonus Law, the project is entitled to reduce parking ratios, one (1) incentive or concession, and waivers or modifications of development standards.

With the approval of General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023, the subject site will have a General Plan land use designation of Medium Density Residential (MDR), and will be zoned R-3 (Multiple-Family Residential). The MDR is intended to create, maintain and enhance residential areas characterized by mostly traditional multi-family apartments, condominiums, and townhomes. The MDR is implemented by the R-3 zone, which is intended to provide for a variety of types and densities of multiple-family residential dwellings. This zone is intended to promote housing opportunities in close proximity to employment and commercial centers. With the exception of the reduced parking ratios, and development standards required to be waived or modified pursuant to the State Density Bonus Law, the proposed project complies with all applicable objective development standards and provisions of the General Plan and Municipal Code. The proposed project is also consistent with several goals and policies of the City's General Plan, including the following:

*Policy LU-2.2: Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents’ real estate values and their high quality of life.*

The proposed development of thirty (30) for-sale units will add to the mix of diverse housing types in the immediate neighborhood. The proposed townhome development will ensure maintenance of all common areas, such as the private street, guest parking areas, the common recreation area, and street frontage landscaping, which will be the responsibility of the Homeowner’s Association to ensure proper maintenance that preserves the residents’ real estate values. Furthermore, the project will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA), as well as the Housing Element policies.

*Policy LU-2.4: Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.*

The site is located within a mixed-use neighborhood characterized by large commercial plazas and multi-story residential and mixed-use buildings. Existing and approved new uses within the one-mile radius from the site consist of both commercial and high-density residential developments, including the Brookhurst Place at the northwest corner of Brookhurst Street and Garden Grove Boulevard (48 units/acre), a future new Mixed Use Building at the northeast corner of Brookhurst Street and Garden Grove Boulevard (28 units/acre), and the Garden Brook Senior Housing development at the south side of Garden Grove Boulevard just west of Brookhurst Street (78 units/acre). In addition, surrounding land use designations from the project site include Medium Density Residential, which allows a density of up to 32 units per acre, Residential/Commercial Mixed Use 1 (RC1), which allows up to 60 units per acre, and Residential/Commercial Mixed Use 3 (RC3), which allows up to 48 units per acre. Considering the site is surrounded by Land Use districts that allow higher residential density, the proposed R-3 that allows up to 32 units per acre is appropriate, as it will not only provide opportunities for new housing developments, but also create a transition between the lower density neighborhood to the east of the project site and the higher density and mixed-use neighborhoods along Brookhurst Street.

*Goal LU-4: The City seeks to develop uses that are compatible with one another.*

The 1.22-acre site is proposed to be improved with thirty (30) townhome units, or 24.6 units per acre, which is within the allowable density of 32 units per acre pursuant to the proposed MDR General Plan land use designation. The proposed project is within the allowed density of the MDR land use designation and similar in scale to the adjoining residential neighborhood. The proposed design will consist of three-story units, which are allowed by the proposed R-3 zoning. Thus, the project is similar both in land use intensity and physical scale of the adjoining residential neighborhood.

*Policy 2.3 of the Housing Element: Provide density bonuses and other financial and regulatory incentives to facilitate the development of affordable housing.*

The proposed project includes three (3) for-sale affordable units for “moderate-income” households in accordance with the State Density Bonus Law. To facilitate the development with these affordable units, the project incorporates State Density Bonus Law allowances of one (1) concession, five (5) waivers to deviate from development standards, reduced parking ratios, and tandem parking design. The proposed Zoning Map Amendment and the granting of all of the aforementioned incentives are needed to facilitate the construction of the proposed development and to support the creation of more affordable housing units in the City. Furthermore, the Project will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA).

- 2. The design and improvement of the proposed subdivision are consistent with the General Plan.

With the approval of General Plan Amendment No. GPA-001-2023, the proposed map will be consistent with the provisions of the General Plan. The applicant is requesting Tentative Tract Map No. TT-19273 approval to create a one-lot subdivision for the purpose of developing the site with thirty (30) for sale townhomes (24.6 units per acre). With the approval of General Plan Amendment No. GPA-001-2023, the subject site will have a General Plan Land Use Designation of MDR, which is intended to create, maintain and enhance residential areas characterized by mostly traditional multi-family apartments, condominiums, and townhomes. The MDR Land Use Designation allows a density up to 32 units per acre. Thus, the project will be within the allowable density. In accordance with the State Subdivision Map Act, Tentative Tract Map No. TT-19273 will create a one-lot subdivision for the purpose of selling each townhome as a condominium. The shared driveway, common open space, on-site landscaping, and open guest parking will be managed and maintained by the Homeowner Association (HOA). With the approval of General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023, the proposed Tentative Tract Map is in conformance with the City’s General Plan, the City’s Subdivision Ordinance, the Municipal Code requirements, and the State’s Subdivision Map Act.

- 3. The site is physically suitable for the type of development and complies with the spirit and intent of the Municipal Code.

The site is physically suitable for the type of development proposed by the developer and complies with the spirit and intent of the Municipal Code. The proposed 1.22-acre site will consist of 30 units, which would be allowed under the proposed R-3 zone. The residential development has been designed per the R-3 zone development standards. As designed, the site is able to accommodate thirty (30) units, along with the required parking, landscaping, private and common recreation areas, setbacks, and building height.

Therefore, the property is sufficient in size to accommodate the proposed development, and complies with all applicable provisions of the City of Garden Grove Municipal Code.

The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and the requirements of the California Environmental Quality Act have been satisfied.

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared, and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration because the proposed Project with implementation of the proposed mitigation measures cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.

4. The site is physically suitable for the proposed density of the development.

With the approval of General Plan Amendment No. GPA-001-2023 and Amendment No. A-036-2023, the subject site will have a General Plan Land Use Designation of MDR, which is intended to create, maintain and enhance residential areas characterized by mostly traditional multi-family apartments, condominiums, and townhomes. The MDR Land Use Designation and R-3 zone allow a residential density up to 32 units per acre. The proposed project will consist of 30 units which is within the allowable density. The project has also been designed to comply with the Municipal Code R-3 zone development standards for multi-family developments. As designed, the site is able to accommodate 30 units, along with the required parking, landscaping, private and common recreation areas, setbacks, and building height. Therefore, the property is sufficient in size to accommodate the proposed development, and complies with all applicable provisions of the City of Garden Grove Municipal Code.

5. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

The design of the residential subdivision and the proposed improvements are not likely to cause serious public health problems since conditions of approval will be in place to safeguard public health. The proposed subdivision has been

designed to comply with the R-3 zone development standards of the Municipal Code. City Departments, including the Traffic Division, Water Division, Engineering Division and the Planning Services Division, and the Orange County Fire Authority (OCFA) have reviewed the proposed development and have applied conditions of approval to minimize potential impacts that the project may have on the community. The conditions of approval for on and off-site improvements will safeguard public health.

- 6. The design of the project and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the subdivision; or, if such easements exist, alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public.

The design of the residential subdivision and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision. The project has been designed to avoid development over existing easements.

- 7. The design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations.

The proposed subdivision has been specifically designed to accommodate the 30 townhomes on the subject property, and to create a one-lot subdivision for the purpose of selling each townhome as a condominium. As designed, the subdivision is able to accommodate 30 units, along with the required parking, landscaping, private and common recreation areas, setbacks, and building height per the development standards of the Municipal Code. Therefore, the design and improvement of the proposed subdivision is suitable for the proposed use and the subdivision can be developed in compliance with the applicable provisions of the City of Garden Grove Municipal Code.

- 8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

To the extent feasible, the project has been designed in accordance with Government Code Section 66473.1, such as to allow for passive or natural heating opportunities in the subdivision design, to encourage the orientation of structures to take advantage of shade and prevailing breezes, to allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

- 9. The design, density, and configuration of the subdivision strike a balance between the effect of the subdivision on the housing needs of the region and public service needs.

The applicant is requesting approval of Tentative Tract Map No. TT-19273 to create a one-lot subdivision to sell each of the 30 proposed townhomes as a condominium. Approval of the map will allow the construction of 30 townhomes on a site that is currently vacant and unimproved. Approval of the proposed Tentative Tract Map will allow a construction of thirty (30) new residential units, which will contribute to meeting the City’s Regional Housing Needs Allocation (RHNA).

The project site is located in an area with a mix of uses that include commercial services and residential services. The Orange County Fire Authority (OCFA) will provide services to the project area. As part of the reviewing process, OCFA has reviewed the proposed plan to ensure that design measures are incorporated appropriately to provide a safe environment.

Brookhurst Street and Central Avenue are adequate to accommodate the development. Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will install and maintain landscaping, allowing adequate drainage of storm water. Landscaping will also be added along Brookhurst and Central Avenue. The Public Works Department has reviewed the project, and has incorporated all the appropriate conditions of approval to minimize any adverse impacts.

Furthermore, the project area is in the Garden Grove Unified School District (GGUSD), which serves a 28-square mile area with 65 schools. Development of the project would generate a new student population on the project site, who would generally attend schools within the GGUSD. Provide the project is approved, the GGUSD impact fee will be collected prior issuance of the building permits. The fees are used for the construction and reconstruction of school facilities necessary as a result of new development.

- 10. The character of the subdivision is compatible with the design of existing structures, and the lot sizes of the subdivision are substantially compatible with the lot sizes within the general area.

The applicant is requesting approval of Tentative Tract Map No. TT-19273 is to create a one-lot subdivision to sell each of the 30 proposed townhomes as a condominium. Approval of the map will allow the construction of 30 townhomes on a site that is currently vacant and unimproved. The project has been reviewed in relation to the housing needs and goals of the City and is compatible with the existing developments in the direct vicinity. The property is located in an area improved with a mix of commercial and residential uses. The proposed residential development will increase the number of available

housings in the area, and further the goals of the Housing Element of the General Plan. Moreover, the project complies with the density requirements of the General Plan, as well as the Municipal Code development standards.

- 11. The subject property is not located within a state responsibility area or a very high fire hazard severity zone, the proposed subdivision is served by local fire suppression services, and the proposed subdivision meets applicable design, location, and ingress-egress requirements.
- 12. The discharge of waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. The conditions of approval for on and off-site improvements will ensure permitted capacity of the public sewer system is not exceeded.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report and in report and in Resolution Nos. 6077-23 and 6079-23.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

- 1. The Site Plan and Tentative Tract Map possess characteristics that would justify the request in accordance with Municipal Code Sections 9.32.030.3 (Site Plan), Section 9.40.060 (Tentative Maps), and 9.60.020 (Review of Housing Development Projects).
- 2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273.

Adopted this 7th day of December 2023

ATTEST:

/s/ JOSH LINDSAY  
CHAIR

/s/ JUDITH MOORE  
RECORDING SECRETARY

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



I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on December 7, 2023, by the following vote:

AYES:	COMMISSIONERS:	(6)	ARBGAST, CUEVA, CUNNINGHAM, LARICCHIA, LINDSAY, PAREDES
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	RAMIREZ

/s/ JUDITH MOORE  
RECORDING SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is January 2, 2024.

## **EXHIBIT "A"**

### **Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273**

13252 Brookhurst Street and 10052 Central Avenue

#### **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. Proof of such recordation is required within 30 days of the approval.
2. All Conditions of Approval set forth herein 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, Melia Homes, Inc., owners and/or developers of the project, Fraser Partner Properties, LLC for the property located at 13252 Brookhurst Street, and Linh Hoang and Thu Thuy Pham for the property located at 10052 Central Avenue, and the future owner(s) and tenants(s) of the property(ies), 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 authorized to be approved by the Community Development Director pursuant to Condition No. 4, any changes to the Conditions of Approval require approval by the appropriate City hearing body.
3. Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273 only authorize (i) the construction of thirty (30) three-story townhomes along with associated site improvements; and (ii) the creation of a one-lot subdivision for the purpose of selling each townhome as a condominium on a 1.22-acre lot located on the southeast corner of Brookhurst Street and Central Avenue, at 13252 Brookhurst Street and 10052 Central Avenue, as depicted on the plans submitted by the applicant and made part of the record of the December 7, 2023, Planning Commission proceedings. Approval of this Site Plan and Tentative Tract Map 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.
4. The approved site plan and floor plan are an integral part of the decision approving this Site Plan and Tentative Tract Map. There shall be no additional changes in the design of the site plan and floor plan without the approval of the City. Minor modifications to the Site Plan 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,

Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273  
Conditions of Approval

may be approved by the Community Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community 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.

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

### **Public Works Engineering Division**

#### **Project Design**

6. A geotechnical study prepared by a registered geotechnical engineer and approved by the City 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 per the requirements of the Orange County Health Department and the mitigation requirements of governing regulatory requirements. The report shall make recommendations for foundations and pavement structural section design of interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and the implementation of water quality for storm water runoff, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels. The applicant shall implement the recommendations identified in the geotechnical study / report.
7. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a final design Water Quality Management Plan that:
  - a. Addresses required mitigation Site Design Best Management Practices (BMPs) based upon the latest Santa Ana Regional Water Quality Control Board (SARWQCB) Drainage Area Management Plan (DAMP) as identified in the geotechnical report recommendations and findings, including, but not limited to, infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas as required by the latest adopted County of Orange Technical Guidance Document (TGD).
  - b. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.

Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273  
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- c. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
  - d. Incorporates structural and Treatment Control BMPs as defined in the DAMP.
  - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
  - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
  - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
  - h. Provides a hydrological analysis with scaled map as well as hydrologic and hydraulic calculations to size storm drains per the Orange County RDMD standards.
8. Parkway culverts shall be designed per City of Garden Grove Standard Plan B-209. Storm drain lateral pipe connections to city-maintained storm drains within City right of way shall be RCP with a minimum diameter of eighteen-eighteen-inches (1'-6").
9. Grading plans prepared by a registered Civil Engineer are required. As required under Section 107 of the California Building Code (CBC), the grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to thirty feet (30'-0") 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 showing all existing utility facilities, easements and proposed utility facilities. All on-site improvements shall be tied by horizontal dimensional control to the property boundary as established by survey. A minimum uninterrupted twenty-foot (20'-0") wide throat access to the site is required from the street for the multi residential projects and shall meet the requirements of the California Fire Code throughout the site. Vehicle maneuvering, as demonstrated by Auto Turn along private streets and access ways, shall be demonstrated on the grading plan. Street improvement plans shall conform to all format and design requirements of the City Standard Drawings & Specifications. Approved site plan from planning division shall be included as part of the grading improvements plan package.
10. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer. (See Traffic Engineering Policy TE-17)
11. The applicant shall coordinate with the Planning Services Division and Orange County Fire Authority to identify proper emergency vehicle access to the site

Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273  
Conditions of Approval

and shall provide the Engineering Division a copy of the approval letters upon first submittal of the grading and street improvement plans.

12. The applicant shall complete the following for the tract map:
  - a. Prior to recordation of a tract map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.
  - b. Prior to recordation of a tract map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.
  - c. Prior to issuance of a grading permit, the applicant shall submit to the Planning Services 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 for review and approval of the parcel map.
  - d. All subdivision mapping shall be concurrently reviewed by the City Engineering Division and the County of Orange Survey Department. The applicant shall forward all plan check comments received from the County of Orange Survey Department to the City of Garden Grove's Engineering Division upon receipt from the county.
13. Any new drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-121 as they conform to land use and roadway designation.
14. The grading plan shall depict an accessibility route for the ADA (Americans with Disabilities Act) pathway in conformance with the requirements of the Department of Justice standards, latest edition and section 1110A of the California Building Code.
15. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and State mandated commercial organic recycling law, including AB 1826, SB 1383 and its implementing regulations, and any other applicable State recycling laws related to refuse, recyclables, and/or organics. Trash container areas shall be subject to the following, as applicable:

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- a. Paved with an impervious surface, designed not to allow run-on mixing of drainage from adjoining areas, designed to divert drainage from adjoining roofs and pavements to be directed around the area for trash roll out, and screened or walled to prevent off-site transport of trash by water or wind.
- b. Provide solid roof or awning to prevent direct precipitation into the enclosure.
- c. Connection of trash area drains to the municipal storm drain system is prohibited. Drainage from the enclosure may be directed to a conforming grease or contaminant interceptor.
- d. Potential conflicts with fire code access requirements and garbage pickup routing for access activities shall be considered in implementation of design and source control. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD 32 for additional information.
- e. The trash enclosure and containers shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures, and concrete aprons for roll-out areas.
- f. Pursuant to State mandated commercial organic recycling law, including AB 1826 and SB 1383 and its implementing regulations, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
- g. Pursuant to applicable State mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of containers for the disposal of items such as, but not necessarily limited to, municipal solid waste (MSW), recyclables, and organic green waste.
- h. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, and any other type of waste.
- i. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.

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- j. The requirements for the trash enclosure and design criteria are bound and coordinated with the Water Quality Management Plan (WQMP), when required, as depicted on the project grading plan, which shall be incorporated into the WQMP by narrative description, exhibits and an Operation and Maintenance Plan (O&M).
16. Any new or required block walls and/or retaining walls shall be shown on the grading plans, both in plan-view and cross sections. Cross sections shall show vertical and horizontal relations of improvements (existing and proposed) on both sides of property lines. Required wall heights shall be measured vertically from the highest adjacent finished grade. Block walls shall be designed in accordance with City of Garden Grove Standard B-504, B-505, B-506 & B-508 or designed by a professional registered engineer. In addition, the following shall apply:
  - 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.
  - b. Openings for drainage through walls shall be shown in section details and approved by the City Engineer. Cross-lot drainage is not allowed.
17. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Central Avenue frontage improvements as identified below. All landscape, irrigation, sidewalk, and lighting improvements installed within the public rights-of-way shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.
  - a. Existing substandard driveways on Central Avenue shall be removed and replaced with new curb, gutter, landscape, and sidewalk per City standards and specifications.
  - b. The new driveway approaches to the site on Central Avenue shall be constructed in accordance with Garden Grove Standard B-121.
  - c. The applicant shall install a red curb near driveway approaches on Central Avenue per approved site plan.
  - d. The applicant shall remove the existing improvements fronting the project on Central Avenue and construct new ten foot (10'-0") wide sidewalk panels in accordance with City of Garden Grove Standard B-105. The owner/contractor shall verify the placement limits of sidewalk concrete panels with public works inspectors prior to start of construction.
  - e. Central Avenue is currently under a street moratorium. Any utility trench backfilling fronting the project on Central Avenue is subject to fifteen

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- feet (15'-0") of asphalt resurfacing (up to two inches (2") 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.
- f. Construct curb and gutter when replacing any existing driveway approach along the property frontage on Central Avenue in accordance with City Standard Plan B-114.
  - g. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.
  - h. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right of way and proposed landscape area.
  - i. Street signs shall be installed as required and approved by the City Traffic Engineer.
18. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Brookhurst Street frontage improvements as identified below. All landscape, irrigation, sidewalk, and lighting improvements installed within the public rights-of-way shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.
- a. The existing substandard driveway on Brookhurst Street shall be removed and replaced with a new curb, gutter, landscape, and sidewalk per City standards and specifications.
  - b. The applicant shall remove the existing damaged sidewalk panels fronting the project on Brookhurst Street and replace it with new sidewalk panels in accordance with City of Garden Grove Standard B-106. The owner/contractor shall verify the removal and replacement sections of the sidewalk concrete panels with public works inspectors prior to start of construction.
  - c. Brookhurst Street is currently under a street moratorium. Any utility trench backfilling fronting the project on Brookhurst Street 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.



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- d. Construct curb and gutter when replacing the existing driveway approach along the property frontage on Brookhurst Street in accordance with City Standard Plan B-113.
  - e. The new tree wells fronting the project on Brookhurst Street shall be constructed in accordance with Garden Grove Standard B-123 and B-127.
  - f. The applicant shall plant total of three Columbia Sycamore tree (36-inch box). The applicant shall coordinate with City's public works division prior to order and placement of trees on Brookhurst Street.
  - g. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.
  - h. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right of way and proposed landscape area.
  - i. Street signs shall be installed as required and approved by the City Traffic Engineer.
  - j. The applicant shall install a pedestrian access gate at the northwest corner of the project to allow for homeowners to access lots 1-8.
19. Any proposed new landscaping in public right-of-way shall be approved by Public Works Street Division and Planning Services Division and maintained by the owner for the life of the project.
  20. Driveway widths shall be in accordance with City's Traffic Engineering Policy TE-8 (Driveway Opening Policy).
  21. Sight Distance Standards shall be in accordance with City's Traffic Engineering Policy TE-13. All structures and walls shall be designed to ensure proper vision clearance for cars entering or leaving the driveway and parking areas. No structure, wall or fence shall cause an exceedance of the applicable site distance standards set forth in City Traffic Engineering Policy TE-13.
  22. The Site Plan shall comply with the completed Development Review and Comment Sheet prepared pursuant to City's Traffic Engineering Policy TE-17 and provided to the applicant.
  23. Private Property Tow Away Sign Design shall be in accordance with City's Traffic Engineering Policy TE-19.
  24. No Parking Fire Lane Sign Design shall be in accordance with City's Traffic Engineering Policy TE-20.

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25. The layout of open guest parking spaces shall be in accordance with City Standard B-311 & B-312.
26. Except as authorized pursuant to the approved Site Plan pursuant to the State Density Bonus Law, off-street parking requirements for residential uses shall be in accordance with the parking provisions in Chapter 9.12 of the Garden Grove Municipal Code and the City of Garden Grove's Traffic Engineering Policy TE-17 Development Review and Comments Sheet.
27. A minimum five-foot by five-foot-wide maneuvering area shall be provided at the end of a dead-end parking aisle and shall consist of a ten-foot-by-nineteen-foot-wide turnaround space.

Permit Issuance

28. The applicant shall be subject to Traffic Mitigation Fees (Garden Grove City Council Resolution 9401-16), In-Lieu Park 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. Except as otherwise provided by law, the amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
29. A separate street permit is required for work performed within the public right-of-way.
30. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
31. 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. Construction vehicles should be parked off traveled roadways in a designated parking area. Parking areas, whether on-site or off-site, shall be included and covered by the erosion control plans.
32. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan for all the proposed improvements within public right of way, which shall be subject to the review and approval of the City Traffic Engineer.

Project Construction/Operation

33. The applicant shall coordinate with City's Public Works Department (Engineering, Water Services and Streets Division) and set up appointments for pre-construction inspections for all the on-site and off-site improvements prior to commencement of grading operation and mobilization.

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34. 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.
35. The applicant and its 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 benchmarks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. The 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 his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls. Temporary Benchmarks shall not be used for Vertical control. Benchmarks shall be to the National Geodetic Vertical Datum (NGVD).
36. Heavy construction truck traffic and hauling trips, and any required lane closures shall 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.
37. 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 the applicant is prepared to implement and maintain 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.
  - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.

**Public Works Water and Sewer Division**

38. New water service installations two inches (2") and smaller, may be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services three inches (3") and larger, shall be installed by developer/owner's contractor per City Standards.

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39. Water meters shall be located within the City right-of-way or within dedicated waterline easement. Fire services and large water services three inches (3") and larger shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
40. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection, should a large meter serving multiple units be proposed. 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. 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(s) must open a water account upon installation of RPPD device.
41. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
42. A composite utility site plan shall be part of the water plan approval.
43. Water system within private streets shall be constructed per City Standards by the developer and dedicated to the City. Bonding will be required.
44. There shall be a minimum fifteen-foot (15'-0") clearance of building footings from water main. Clearances less than fifteen feet (15'-0") shall be reviewed and approved by Water Engineering.
45. There shall be no structures or utilities built on or crossing water or sewer main easements.
46. New utilities shall have a minimum of five foot (5'-0") horizontal and a minimum one foot (1'-0") vertical clearance from water main and appurtenances.
47. There shall be a minimum clearance from sewer main and water main of ten feet (10'-0") from outside of pipe to outside of pipe.
48. Any new or existing water valve located within the new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
49. If fire sprinkler system is required and individual water services are proposed off the public water main, the meter and service for each new unit shall be installed per City Standard B-719, which specifies a residential fire sprinkler connection (RFSC) on the backside of the meter.

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50. If large meters for a private water system is proposed for the development, and fire protection is required, a separate fire service connection is required. The separate fire service and any private fire hydrant laterals shall have above ground backflow device with a double check valve assembly. 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 Services Division.
51. Existing water main size in Central Ave is six inches (6"). Coordinate with Orange County Fire Authority (OCFA) on fire flow demand for the proposed use. Existing water main may be undersized. Refer to provided utilities map.
52. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
53. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority (OCFA).
54. Applicant 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. Only one sewer connection per lot is allowed.
55. Applicant shall install new private sewer main with clean out at right-of-way line and laterals on-site. The sewer main connection in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints and inspected by GGSD. All on site sewer and appurtenances to be installed per the California Plumbing Code and inspected by the Building Service Division.
56. All perpendicular crossings of the sewer, including laterals, shall maintain a vertical separation of minimum twelve inches (12") below the water main, outer diameter to outer diameter. All exceptions to the above require a variance from the State Water Resources Control Board.
57. If water main is exposed during installation of sewer lateral, a twenty foot (20'-0") section of the water main shall be replaced with twenty foot (20'-0") PVC C-900 DR-14 class 305 water pipe, size in kind and centered at the crossing.

**Orange County Fire Authority**

58. The applicant shall comply with all applicable Orange County Fire Authority (OCFA) requirements, including but not limited to the Fire Master Plan.

**Building and Safety Division.**

59. All work shall comply with the latest edition of the California (CA) Building Standards Code (CBC) at the time of permit application.
60. A soils report per the latest edition of CBC Chapter 18 is required and shall be submitted at the time of building permit application.
61. A fire sprinkler system shall be provided per the latest edition of CBC Chapter 9.
62. Fire and sound rated constructions shall be provided between the units and shall comply with the latest edition of CBC Chapter 7.
63. Common use areas shall comply with the latest edition of CBC Chapter 11A.
64. Complete mechanical, plumbing and electrical plans shall be required.
65. Short- and long-term bicycle parking shall be provided pursuant to the applicable requirements of the building code.

**Planning Services Division**

66. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department, Planning Services Division for review and approval prior to submitting plans into the Building and Safety Division Plan Check process. The project shall also be subject to the following:
  - a. All above-ground utility equipment (e.g. electrical, gas, telephone, cable TV) shall not be located within any parking areas, and shall be screened by densely planted and maintained landscaped hedges or a fence or wall. Ground-mounted equipment shall not exceed the maximum allowable height for a wall, fence, or hedge.
  - b. Street facing perimeter block walls, whether new or existing, shall be decorative and utilize stucco finish, slump stone or split-face block, and shall include trailing vines, hedges planted along the base of the exterior face, or other landscaping treatments that deter graffiti.
  - c. Roof-mounted mechanical equipment shall be screened by parapet walls, rooftop architectural features such as a tower equal to the height of the equipment, or low walls surrounding the equipment and shall be painted to match the color of the building materials.
  - d. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade and/or be visible from any public right-of-way or adjoining property. Roof rain gutters are permitted. The rain gutters shall follow the natural architecture lines of the building.

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67. All landscaping shall be consistent with the landscape requirements of Title 9 of the Municipal Code. The developer shall submit a complete landscape plan governing the entire development. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines. The landscape plan is also subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. The sprinklers shall be of drip or micro-spray system sprinkler heads for water conservation.
  - b. Forty percent (40%) of the trees on a site shall consist of minimum size 24-inch box, and the remaining sixty percent (60%) shall be of minimum size 15 gallons. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, Boston Ivy shall be used.
  - c. The applicant or the property owner shall be responsible for installing and maintaining the landscaping.
  - d. No trees shall be planted closer than five feet (5'-0") from any public right-of-way. Trees planted within ten feet (10'-0") 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. All trees planted on the subject property, whether for screening the project from the neighboring lots or for aesthetic or selling/marketing purposes, shall have an irrigation system installed in order maintain the trees.
  - e. All trees shall be double-staked in accordance with City standards.
  - f. All landscape areas, including the areas located within the public rights-of-way along Brookhurst Street and Central Avenue that abut the subject property, are the responsibility of the applicant/property owner(s).
  - g. Fifty percent (50%) of all required shrubs shall be a minimum size of five (5) gallons at time of planting.
  - h. Live groundcover shall be planted and maintained where shrubbery is not sufficient to cover exposed soil. Mulch may be used in place of groundcover where groundcover will not grow or where groundcover will cause harm to other plants, but not more than 30% of the groundcover area shall have the mulch substitute.

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- i. Groundcover plants shall be planted at a density and spacing necessary for them to become well established and provide surface coverage within 18 months of planting.
  - j. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, which address water run-off. This is also to be inclusive of any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP) and any other water conservation measures applicable to this type of development.
  - k. At the time of irrigation installation, the irrigation system shall comply with all applicable provisions of the City's Water Conservation Ordinance, the City's Municipal Code landscape provisions, and all applicable state regulations.
  - l. All above-ground utilities (e.g. water backflow devices, electrical transformers, irrigation equipment) shall be shown on the landscaping plan in order to ensure landscape screening will be provided.
  - m. Applicant shall comply with the provisions of Assembly Bill 1572 (2023) and any related implementing regulations adopted by the City pertaining to the prohibition on use of potable water for irrigation of nonfunctional turf.
68. All of the common recreational area, as identified on the approved site plan, shall be equipped with the list of amenities, as shown on the approved plan, subject to review by the Planning Services Division and Building and Safety Division prior to issuance of building permits for compliance with applicable standards.
- a. The improvements to the outdoor recreational area shall include at a minimum, raised planters, tables, chairs, patio and lounge furniture, barbeque grills, benches, and landscaping.
  - b. Lighting in the common recreational areas shall be provided at a maximum one-foot light candle during the hours of darkness and shall be restricted to low decorative type wall-mounted lights or ground lighting systems.
69. The applicant shall analyze the feasibility of installing vertical guardrail design in lieu of the horizontal design within the second-story balcony.
70. The applicant shall prepare Covenants, Conditions, and Restrictions (CC&R's) for review and approval by the City Attorney's office and Community Development Department prior to building permit issuance. The approved CC&R's shall be recorded at the same time that the subdivision map is recorded



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and two copies (a hard copy and an electronic copy) of the recorded CC&R's shall be provided to the Planning Division. The CC&R's shall include the following stipulations and/or provisions:

- a. All units shall maintain the ability to park two (2) cars within the garages at all times. Unless otherwise permitted by State Law, garages shall not be converted to any other use.
- b. There shall be no business activities, day care, or garage sales conducted within or from the garages.
- c. Parking spaces in the garages shall be made available to the occupants of the unit at all times.
- d. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces in the garages for their dwelling unit. However, the four (4) unassigned open, guest parking spaces, located along the southerly property line of the development, may be utilized by residents or guests for temporary parking. Any issues arising from the use, application, or restriction of such open parking spaces shall be at the resolve of the Homeowner's Association (HOA).
- e. All graffiti vandalism shall be abated within the premises. Best management practices shall be implemented 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 as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
- f. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
- g. The CC&R's shall include provisions providing the owners or tenants a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This shall also include scheduling of maintenance of such items as the recreation area, landscape area maintenance, etc. This also includes ensuring tree overhangs do not block or hinder any vehicles such as street sweepers, trash trucks, fire trucks, etc., from maneuvering around the cul-de-sac.
- h. Storage of boats, recreational vehicles, or commercial vehicles on the property is prohibited.

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- i. The CC&R's shall include stipulations that maintenance of the private drive aisles, storm drain, sewer system, and open space areas within the interior of the development, and the landscape setback areas outside the development walls adjacent to Brookhurst Street and Central Avenue is the responsibility of the Homeowner's Association, including the common landscaped areas.
- j. Each unit shall have a minimum of 120 cubic feet of storage space, which may be provided in the garage parking areas, and typical closet space within the unit shall not count toward this requirement.
- k. Each unit shall maintain a private open space area with minimum dimension of six feet (6'-0") in any direction and a minimum vertical clearance of eight feet (8'-0").
- l. All recreation areas, landscaping along the front and side yards of each unit, the project site entryway, landscaped areas in all common areas, and any landscaping within the public right-of-way shall be maintained for the life of the project and such maintenance provisions shall be included in the CC&R's.
- m. The common recreation areas, as identified on the approved site plan, shall be equipped with outdoor furniture, a BBQ area, and community gardens, subject to review by the Planning Services Division, and Building and Safety Division.
- n. There shall be no parking allowed along the shared drive aisle, except within the designated parking areas and striped parallel parking spaces. All curbs not designated as parking areas shall be painted red. The applicant shall post "No Parking" signs along the drive aisle.
- o. The maintenance of the shared driveway, storm drains, sewer system, and open space areas is the responsibility of the applicant and property owner(s), including the common recreation areas, and the common landscape areas.
- p. Each unit shall be provided with an air conditioning condensing unit and/or system so that there are no wall-mounted or window mounted units. If units are located on the roof, an architectural design of the roof areas shall be done to effectively screen such units from adjacent properties and the public right-of-way.
- q. Mailboxes shall be provided and installed by the applicant. The local postmaster shall approve the design and location.
- r. Each unit shall be provided with washer and dryer hook-ups.

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- s. Each unit shall have phone jacks and cable-TV outlets in all rooms, except in the hallways and bathrooms.
- t. The Conditions of Approval for Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273 shall be incorporated into the CC&Rs, and provisions corresponding to any applicable Conditions of Approval shall be included in the CC&Rs.
- u. The following provisions shall be included within the CC&R's (in substantially the same form as below or as otherwise approved by the City Attorney):
  - i. Compliance with Stormwater Quality Regulations. The Homeowner's Association shall implement, and fund implementation of, the Operation and Maintenance ("O&M") Plan for the Property, which was approved by the City as part of the Water Quality Management Plan ("WQMP") required for development of the Property, and shall operate and maintain the Best Management Practices ("BMPs") described in the O&M Plan for the Property, which includes:
    1. Description of all post-construction BMPs (non-structural and structural),
    2. Description of the Property owner's(s') responsibilities and required training of persons performing BMP implementation, operation and maintenance,
    3. Implementation frequency and operating schedule,
    4. Inspection/maintenance frequency and schedule,
    5. Specific maintenance activities,
    6. Required permits from resource agencies, if any,
    7. Forms to be used in documenting implementation, operation and maintenance activities,
    8. Recordkeeping requirements.

A copy of the approved O&M Plan is described in the current WQMP for the Project, as it may be amended from time to time according to its terms, which is on file with the City of Garden Grove Community Development Department, and is incorporated herein by this reference. The Committee shall maintain a copy of the current WQMP at a location on the Property.

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The Property shall be, and the Homeowner's Association shall ensure that the Property is used and maintained in full compliance with the provisions of the O&M Plan and Chapter 6.40 (Stormwater Quality) of the Garden Grove Municipal Code, as it may be amended. The City shall have the right to inspect the Property for the purpose of verifying compliance with this provision. The City of Garden Grove shall be an intended third-party beneficiary to this provision. The City shall have the right and authority, but not the obligation, to enforce this provision by any legal or equitable means, or by any method available to the Property owners as provided elsewhere in the Declaration, against the Declarant, Homeowner's Association, Owners, their successors and assigns, or other persons in possession of the Property. This provision shall not be amended or terminated without the written approval of the City of Garden Grove Community Development Department.

- ii. Enforcement: The City is hereby made a party to this Declaration solely for purposes of enforcing its provisions and the Conditions of Approval of Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273. The City, its agents, departments and employees shall have the unrestricted right and authority, but not the obligation, to enforce the provisions of this Declaration and the Conditions of Approval of Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273. In the enforcement of this Declaration, the City shall not be limited to the procedures or processes described in this Declaration and may use any remedy provided under law or equity, including the City's Municipal Code. The City, its agents, departments and employees may further refuse to issue any building, electrical or plumbing permit that may be in violation of these Declarations for Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273 approvals. However, the City shall not be liable for failing or refusing to enforce the provisions of these Declarations or the Conditions of Approval of \Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273. The alternative dispute resolution provisions set forth in Section / Article [SECTION] of this Declaration shall not apply to or legally bind the City.
- iii. Assessments: The City may levy special assessments against the properties in connection with its actions to enforce the conditions of this Declaration for Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273 approvals, or to abate the violation thereof. The City shall have the same power as the Association to levy special assessments pursuant to the provisions of [SECTION] of this Declaration in the event that it incurs expenses in the enforcement

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of the conditions of these Declarations -for Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273. Notice of intention to make such assessment shall be mailed by the City to the Owner of each affected [LOT/UNIT] affording the Owner thirty (30) days' notice to satisfy or reimburse the City's expenditure. In the event of the failure of any Owner of any affected [LOT/UNIT] to reimburse the City within thirty (30) days, notice of such assessment shall be mailed by the City to said Owner, and said assessment shall thereafter be due as a separate debt to the City within thirty (30) days following the mailing of such notice. Any such delinquent assessment may be and may become a lien upon the interest of the defaulting Owner in the Lot upon the execution by the City and the recording in the Orange County Recorder's office of a notice of delinquent assessment under the same conditions that the Association could record the same pursuant to the provisions of [SECTION]. The City may foreclose on such notice of delinquent assessment in the same manner and with the same power as the Association could foreclose on such notice pursuant to the provisions of [SECTION]. It is the intent of Declarant, which intent shall be binding upon all of Declarant's successors in interest in the Properties, that the City shall be deemed an interest holder pursuant to the provisions of these Declarations in order to enforce the rights which have been given to the City generally in these Declarations and specifically pursuant to this Section.

- iv. Attorney Fees: The City shall be entitled to recover its attorney's fees incurred in connection with its actions to enforce the conditions of these Declarations for Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273 approvals, or to abate the violation thereof.
  - v. Public Safety Access: The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.
  - vi. Modification/Termination: This Declaration shall not be terminated or substantially amended without the prior written approval of the City of Garden Grove Community Development Department.
71. Should the applicant elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community Development Department prior to releasing units for model purposes. The phasing plan shall include, but not be limited to, a site plan showing the phasing areas, protection of finished units, and protection for related safety issues concerning pedestrians and non-construction vehicles. The perimeter improvements including landscaping, walls, street improvements, and underground utilities, shall be completed in the first phase. The phasing plan shall be approved by the Community Development, OCFA, and Public Works Departments prior to

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- issuance of building permits. Notwithstanding if the applicant elects to construct the Project in phases, the applicant shall record a single final map, not multiple phased final maps, and the CC&Rs shall apply to the entire property covered by the Tentative Tract Map at the time of recordation.
72. Hours and days of construction and grading shall be as set forth in the City of Garden Grove Municipal Code Chapter 8.47 as adopted, except that:
    - a. Monday through Friday – not before 7:00 a.m. and not after 5:00 p.m.
    - b. Saturday – not before 8:00 a.m. and not after 5:00 p.m. All construction activity on Saturday shall be limited to interior construction only.
    - c. Sunday and Federal Holidays – no construction shall occur.
  73. 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. Applicant and its contractor shall also comply with all applicable California Air Resources Board (CARB) regulations, including CARB's Regulation for In-Use Off-Road Diesel-Fueled Fleets.
  74. 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 adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.
  75. The main drive aisle serves the entire project for vehicular circulation. The applicant shall utilize effective signage, and/or other acceptable means (i.e., a painted/marked red fire lane), to communicate to residents and guests that there shall be no parking in front of the parking structure or anywhere within the drive aisle. Additionally, the applicant shall ensure and enforce lease or other restrictions providing that there will be no long-term parking of vehicles in the guest parking spaces and that guest parking spaces shall not be reserved for any particular units.
  76. There shall be no deliveries from or to the premises before 7:00 a.m. and after 10:00p.m., seven (7) days a week.
  77. All new block walls, and/or retaining wall(s), including existing block walls to remain, if any, shall be shown on the grading plans. Block walls shall be

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developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:

- a. All block walls shall comply with the requirements of Section 9.12.040.010.U of the Municipal Code. Where allowed, no walls greater than 36-inches (3'-0") in height shall be constructed within the driveway vision clearance area of the project's entrance.
  - b. Decorative masonry walls are required along the south, east, and west property lines and shall be constructed to a minimum height of 6'-0", as measured from highest point of finished grade. The block walls shall be decorative and utilize stucco finish, slump stone or split-face block, and shall include trailing vines, hedges planted along the base of the exterior face, or other landscaping treatments that deter graffiti.
  - c. The applicant shall work with the existing property owners along the project perimeter in designing, constructing, and maintaining the required perimeter block walls. This requirement is to avoid having double walls and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the applicant shall work with City Staff to address this situation. The Community Development Director shall be authorized to approve minor alterations the size and/or location of the landscape planter to accommodate the placement of such wall.
78. All recreation areas, landscaping along the interior project street and entryway, landscaped areas in all common areas, and any landscaping within the public right-of-way shall be maintained by the applicant for the life of the project.
79. Construction plans and specifications shall state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (who meets the Society of Vertebrate Paleontology's (SVP, 2010) definition for qualified profession paleontologist) has evaluated the find. If a fossil is determined to be significant, the qualified paleontologist shall implement a paleontological salvage program to remove the resources from their location, following the guidelines of the SVP (2010). Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and curated at a public, non-profit institution with a research interest in the material and with retrievable storage, such as the Natural

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History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school.

If any fossil remains are discovered, the paleontologist shall make a recommendation whether monitoring shall be required for the continuance of earth moving activities. Prior to commencement of grading activities, the City of Garden Grove Building and Safety Division, shall verify that all project grading and construction plans specify the requirements herein related to the unanticipated discovery of paleontological resources.

After completion of the salvage and curation of any resources, the qualified paleontologist shall prepare a report summarizing the results of the monitoring and salvage efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted to the City Director of the City Community Development Department, or designee, and the Natural History Museum of Los Angeles County.

80. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and Sections 3503, 3503.5 and 3515 of the California Fish and Game regulations. Prior to issuance of grading or demolition permits that include vegetation and/or tree removal activities that will occur within the active breeding season for birds (February 1 through September 15), the project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities.

The nesting survey shall include the project site and areas immediately adjacent to the site that could potentially be affected by project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet (ft) of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 ft for raptors and 300 ft for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

Prior to commencement of grading activities and issuance of any building permits, the City Community Development Director, or designee, shall verify that all project grading and construction plans are consistent with the requirements of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503.5, 3511, and 3515, as stated above, that pre-construction surveys have been completed (if needed) and the results reviewed by staff,



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and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.

81. The project shall provide a trash enclosure that serves the entire development. The trash bins shall be kept inside the trash room at all times, except during disposal and pick-up. The HOA shall provide sufficient trash bins and pick-up to accommodate the site pursuant to Condition No. 15.
82. Prior to issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the name and address of the development, and the developer's name, address, and a 24-hour emergency telephone number.
83. Litter shall be removed daily from the project site, including adjacent public sidewalk and all perking areas under the control of the applicant. The areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
84. There shall be no parking allowed along any drive-aisle blocking vehicular access to the garage of each unit, except within the designated parking areas. The applicant shall post "No Parking" signs along the drive aisle.
85. At applicant's request, applicant has been granted State Density Bonus allowances for reduced parking and the following one (1) concession and five (5) waivers from applicable development standards: (1) a concession to deviate from the open space amenity requirements (GGMC Section 9.12.040.050.J.7.d); (2) a waiver to reduce the distance separation between two buildings from ten feet (10'-0") to seven feet and six inches (7'-6") (GGMC Section 9.12.040.050.A.1); (3) a waiver to reduce the width of the active recreation area from thirty feet (30'-0") to fifteen feet (15'-0") (GGMC Section 9.12.040.050.J.7.d); (4) a waiver to allow a six-foot (6'-0") tall block wall to be constructed within the front setback along Brookhurst Street (GGMC Section 9.12.040.140.J); (5) a waiver to reduce the landscape setback along Brookhurst Street from fifteen feet (15'-0") to ten feet (10'-0") (GGMC Section 9.12.040.090.Q), and (6) a waiver to allow the private open space to be located within the front setback area (GGMC Section 9.12.040.020.D).
  - a. To comply with the provisions of Government Code Section 65915, the applicant has offered to, and shall, reserve at least three (3) dwelling units in the project, consisting of two (2) PL1 units and one (1) PL2 unit, as identified on the approved plan, for sale to moderate-income households commencing with the issuance of the certificate of occupancy for the project. The specific units to be reserved shall be subject to City approval.

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- b. The applicant shall comply with the requirement to sell the target units to "moderate-income" households at an affordable rate as required by the Garden Grove Municipal Code and State Law.
- c. Pursuant to State law, the Garden Grove Municipal Code, and the City's Density Bonus Agreement Guidelines, the record owner or owners of the subject property shall enter into a density bonus and/or affordable housing regulatory agreement with the City, which satisfies the criteria set forth in subdivision (c) of Government Code Section 65915 and Garden Grove Municipal Code Section 9.60.050. This agreement will require, among other things, that the initial buyer of each "moderate-income" unit enter into a regulatory agreement and other associated agreements with the City in a form prepared by the City to ensure compliance with all applicable legal requirements. In addition to a regulatory agreement, agreements buyers of the affordable units may be required to execute may include, without limitation, a promissory note, a deed of trust, an equity sharing agreement, and an option agreement.
- d. The regulatory agreement and associated agreements and documents shall be prepared by the City at the applicant/owner's expense, and the applicant and/or owner shall pay applicable fees pursuant to GGMC Section 9.60.050.G and reimburse the City for the actual fees and costs charged for the services of attorneys and/or other professional third-party consultants engaged by the City to provide consultation, advice, analysis, and/or review and/or preparation of documents in connection with preparation of the regulatory agreement, and, to the extent applicable, review of the initial marketing plan and management plan required as part of the regulatory agreement, determination of affordable housing costs and initial maximum sales prices, verification of initial buyer qualifications, review of annual compliance reports submitted pursuant to the regulatory agreement, and inspections and audits provided for in the regulatory agreement.
- e. Prior to preparation of the regulatory agreement, applicant and/or property owner shall execute a reimbursement agreement with the City, in a form approved by the City Attorney, and provide a deposit to the City in an amount sufficient to cover the estimated professional fees and costs to be incurred by the City for preparation of the agreement, as determined by the Department Director, in his or her reasonable discretion.
- f. The regulatory agreement shall be approved by the City and recorded prior to approval of the Final Map. The regulatory agreement shall remain a senior, non-subordinate covenant and as an encumbrance running with the land for the full term thereof.

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- g. In no event shall the regulatory agreement be made junior or subordinate to any deed of trust or other documents providing financing for the construction or operation of the project, or any other lien or encumbrance whatsoever for the entire term of the required covenants.
86. The applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273 and his/her agreement with all conditions of the approval.
87. All mitigation measures that are part of the Mitigated Negative Declaration that was adopted in conjunction with approval of General Plan Amendment No. GPA-001-2023, Zoning Amendment No. A-036-2023, Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273 shall be implemented. In addition, the project is subject to the Mitigation Monitoring and Reporting Program adopted by the City Council as part of the Mitigated Negative Declaration. In order to assist the City to verify that all required project mitigation measures and project design features are complied with in a timely manner, a project-specific mitigation-monitoring program for monitoring all applicable project-related mitigation measures shall be prepared by the developer/applicant and approved by the Planning Services Division prior to issuance of building permits. Said mitigation monitoring program shall be implemented during project construction through completion. The developer/applicant shall provide the City with a report demonstrating adherence to all mitigation measures quarterly or otherwise upon request.
88. Final Tentative Tract Map No. TT-19273 shall be approved by the City and recorded by the applicant prior to issuance of building permits for the proposed development.
89. 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-001-2023, Zoning Amendment No. A-036-2023, Site Plan No. SP-127-2023, and/or Tentative Tract Map No. TT-19273127. 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 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.
90. In accordance with Garden Grove Municipal Code Sections 9.32.160 and 9.40.070.A, respectively, the rights granted pursuant to Site Plan No.

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SP-127-2023 and Tentative Tract Map No. TT-19273 shall be valid for a period of two (2) years from the effective date of this approval. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of the Municipal Code, the rights conferred by Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273 shall become null and void if the subject development and construction necessary and incidental thereto is not commenced within two (2) years of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273 shall expire if the building permits for the project expire.

RESOLUTION NO. 6079-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND AN ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR THE BROOKHURST AND CENTRAL TOWNHOME PROJECT AT 13252 BROOKHURST STREET AND 10052 CENTRAL AVENUE, ASSESSOR'S PARCEL NOS. 099-031-01, 099-031-02, 099-031-08, and 099-031-09

WHEREAS, Melia Homes Inc., the applicant, submitted a request to develop a 1.22 acre site with a new multiple-family residential project consisting of thirty townhomes, along with associated site improvements, on a property located at the southeast corner of Brookhurst Street and Central Avenue at 13252 Brookhurst Street and 10052 Central Avenue, Assessor's Parcel No. 099-031-01, 099-031-02, 099-031-08, and 099-031-09; and

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (i) a General Plan Amendment to amend the General Plan Land Use Designations of the properties from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR) to facilitate the development of the residential project; (ii) a Zoning Amendment to change the zoning of the subject properties from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential) to facilitate the development of the residential project; (iii) Site Plan approval to construct thirty (30) three-story townhomes along with associated site improvements; and (iv) Tentative Tract Map approval to create a one-lot subdivision for the purpose of selling each townhome as a condominium (collectively, the "Project").

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq., an initial study was prepared for the proposed Project and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration as the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during Project implementation; and

WHEREAS, the Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission adopted Resolution No. 6077-23 recommending the Garden Grove City Council approve General Plan Amendment No. GPA-001-2023 and Zone Amendment No. A-036-2023, and Resolution No. 6078-23 recommending the Garden Grove City

Council approve Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273; and

WHEREAS, at its regular meeting held December 7, 2023, the Planning Commission of the City of Garden Grove held a duly noticed public hearing and considered the report submitted by City staff and all oral and written testimony presented regarding the Project, the initial study, and the proposed Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED as follows:

1. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared, and it has been determined that the Project qualifies for a Mitigated Negative Declaration because the Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment. The Mitigated Negative Declaration with mitigation measures was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.
2. The Planning Commission has considered the proposed Mitigated Negative Declaration together with comments received during the public review process.
3. The Planning Commission finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
4. The Planning Commission finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the Project, with the proposed mitigation measures, will have a significant effect on the environment.
5. The Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the Project.

Adopted this 7th day of December 2023

ATTEST:

/s/ JOSH LINDSAY  
CHAIR

/s/ JUDITH MOORE  
RECORDING SECRETARY

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

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on December 7, 2023, by the following vote:

AYES:	COMMISSIONERS:	(6)	ARBGAST, CUEVA, CUNNINGHAM, LARICCHIA, LINDSAY, PAREDES
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(1)	RAMIREZ

/s/ JUDITH MOORE  
RECORDING SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is January 2, 2024.